ADMINISTRATIVE CIVIL SERVICE RULES

CITY OF SOUTHFIELD
MICHIGAN

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Rule Number	Rule Name	Date ACS Approved	Effective Date
Rule 01	Definitions	08/06/2024	08/07/2024
Rule 02	Equal Employment Opportunity	07/13/2021	03/08/2022
Rule 03	Notice of Vacancies, Applications, Examinations and Appeals	11/09/2021	03/08/2022
Rule 04	Certification Process, Eligibility List	02/22/2022	03/08/2022
Rule 05	Types of Appointments	02/22/2022	03/08/2022
Rule 06	Probationary Period	04/26/2022	04/27/2022
Rule 07	Transfers and Promotions	06/14/2022	06/15/2022
Rule 08	Conditions of Employment	06/14/2022	06/15/2022
Rule 09	Seniority Date	08/08/2023	08/09/2023
Rule 10	Job Evaluation and Classification Plan	08/08/2023	08/09/2023
Rule 11	Performance Evaluation	08/08/2023	08/09/2023
Rule 12	Grievance Procedure	08/08/2023	08/09/2023
Rule 13	Disciplinary Actions	09/26/2023	09/27/2023
Rule 14	Appeals and Hearings	09/26/2023	09/27/2023
Rule 15	Separation from City Service	09/26/2023	09/27/2023
Rule 16	Pay Plan	10/24/2023	10/25/2023
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RULE 1 - DEFINITIONS

Administrative Civil Service Commission: (ACS Commission, the Commission) City Charter established commission. See Southfield City Charter Sec. 6.5 Department of Civil Service.

Allocation: The placement of a single position covered by the Administrative Civil Service Commission (ACS) in its proper class in accordance with the minimum qualifications required, and salary schedules applicable thereto.

All positions allocated to bargaining unit representation will be evaluated, classified and/or reclassified by the Human Resources Department with the concurrence of the bargaining unit/union.

Alternate Work Schedule: Any work schedule that falls outside the normal business hours, in full or in part. (Ex. flexible, compressed, modified or adjusted work schedules).

Appointing Authority: A Department Head, Department Director, City Administrator, City Attorney, City Assessor, City Planner, Building Official, Mayor, Treasurer, City Clerk or other position specifically designated by the Department Head or City Charter to appoint persons to fill job vacancies in a city department or within the city.

At-Will employment: An employment relationship where either the employer or the employee can terminate the employment relationship at any time, and for any reason that is not contrary to law.

Bona Fide Break in Service: For purposes of these Rules, the meaning of a *bona fide break in service* is how the term is defined by any city sponsored retirement or pension plan, if no such definition exists, then meaning of a *bona fide break in service* is as the phrase defined by the Internal Revenue Service.

Career Appointment: Any appointment requiring a probationary period toward the attainment of career status in a position involving work at regularly scheduled hours of at least twenty per week.

Certified Candidate List: All persons determined qualified for an open position based on the testing process and having been placed on an eligible list. [Amended September 5, 1995]

City: The City of Southfield, Michigan.

City Human Resources Director: Refers to the Human Resources Director or their designee; and in the case of a vacancy in the position of Human Resources Director, includes any employee working in this role in an acting capacity.

City Physician/ Health Safety Officer: Refers to a medical facility or practitioner appointed by the City Administrator and/or contracted by City Council and/or the City Administrator.

City Service: Employment with the City of Southfield.

Class or Class of Positions: A group of positions sufficiently similar in respect to the duties,

responsibilities, and authority thereof, such that the same title may be used to designate each position allocated to the class. Within each class, the same requirements for education, experience, proficiency, ability, and any other qualifications, should be required of the incumbents. Further the same skills, written, background, medical evaluation and fitness for duty may be used to choose qualified employees. Finally, the same schedule of compensation shall be made to apply to positions within the class to ensure equitable pay within the class.

Classification: The process of studying the duties, authority and responsibilities of each position and on the basis of an appraisal of the duties, authority and responsibilities, grouping positions which are substantially similar in these respects into classes.

Commission: Administrative Civil Service Commission, (ACS Commission) of the City of Southfield. Established by Sec. 6.5 of the Southfield City Charter.

Compensation: As used in these rules shall mean only the monetary consideration paid to employees for their services.

Competitive Examination: A skills, written and/or oral examination held for the purpose of determining the qualifications of an applicant for a position. Such examinations are to include the consideration and rating of any test or tests held or other appropriate methods used to determine the relative qualifications of applicants. Such examinations are to be used in preparing appropriate employment lists for all positions or classes of positions.

Demotion: Any change of job where the classification to which the employee is appointed involves less responsibility, authority or technical ability and where the maximum pay rate authorized for the position in the City of Southfield pay plan is frozen (red circled) or less than that authorized for the position vacated by the employee upon appointment to the new job classification. An employee may be demoted as an alternative to being laid off, if the employee is unable to perform the job or is unable to complete probation in a particular job or if the City is considering lay offs.

Demotion List: A list of names of persons who have been demoted by an appointing authority but who, in the opinion of the Human Resources Director (in concurrence with the representing union if applicable), are considered eligible to fill vacancies in other departments in the class from which demotion was made or a lower classification if deemed appropriate. The respective order of names on a demotion list shall be determined by the Human Resources Director after careful consideration of the qualifications of the individuals.

Department: A division of the City government charged with definite responsibility and authority and which is not a part of any other division or branch of the government.

Department Head: Synonymous with Department Director, the highest position in any department and the position responsible for the activities of a department.

Discharge: The employment relationship between the City and the employee has been terminated; typically involuntarily.

Downgrade: Refers to a career employee who voluntarily applies for or requests through the Human Resources Director a position in a lower classification in the City Service. In these

circumstances, an employee will need to complete a probationary period in the new position.

Eligible: Any person who is suitable for appointment to a given class or position.

Eligibility List: A list of candidates deemed eligible for open positions, arranged in rank order, who have been found qualified through suitable tests for a specific position or class. An eligibility list may be composed in whole or in part of any of the following: Employment List, Transfer List, Promotion List, Demotion List, Re-employment List, Reinstatement List.

Emergency Appointment: Any appointment to employment for fourteen (14) days duration or less that is made outside of the regular certification procedure= for the purpose of preventing loss of public property or serious inconvenience to the public.

Exempt Position: An exempt position is one that is not entitled to overtime pay because of the nature of the essential functions of the position, i.e. managerial, autonomous. Generally, Management group employees are exempt and exempt employees' positions are not covered by Civil Service rules with respect to appointment to, promotion in and dismissal from the employment is concerned.

Family Medical Leave Act (FMLA): The Family and Medical Leave Act is a federal law that allows eligible employees to take unpaid leave for personal medical reasons or to care for family. The United States Department of Labor enforces the FMLA. The full text of the FMLA, as amended, may be found at this legal citation 29 USC 2601, et seq.

Gender and Number: The masculine noun or pronoun as used in these rules shall be held to include the feminine, the singular shall be held to include the plural, and the plural the singular.

Layoff: A separation of an employee from the service of the City for lack of work, lack of funds, or reasons other than acts or delinquencies of the employee.

Leave of Absence: Absence from duty upon leave granted by the Department Head and the Human Resources Director when requested in writing by the employee.

Military Leave of Absence: A leave of absence granted by the Department Head and the Human Resources Director by reason of the employee's entry into the military service or having been called into military service. This leave must be accompanied by orders to report for duty.

Part-time Employment: Generally applies to position requiring less than forty (40) hours per week.

Position: Any type of paid employment in the City service.

Probationary Period: A trial working period which is made a part of the selective process, during which the work and conduct of the employee shall be monitored and noted by the Department Head or his authorized representative and reported upon to the Human Resources Department to determine whether such employee is suitable to continue career employment.

Promotion: Any change of job where the classification to which the employee is appointed involves more responsibility, authority, or technical ability and where the maximum pay rate

authorized for the position in the City of Southfield pay plan is greater than that authorized for the position vacated by the employee upon appointment to the new job classification.

Promotion List: A list of names of current career employees considered eligible for promotion from a position in a given class to a position in a class having a higher rate of compensation and involving a change of duties and responsibilities. Names on a promotion list shall be in rank order as determined by the recruitment and examination process.

Reclassification: A department may request a reclassification of a job if an employee's duties and responsibilities have changed substantially due to changes in organization, work, staffing requirements, or technology. A reclassification may also be appropriate where the original classification assigned to the position may be inappropriate or where the position was initially classified incorrectly.

Re-employment: Any re-entry into the City service of an individual who has been laid off or who has resigned.

Re-employment List: A list of individuals eligible for appointment to a position in the City service by reason of the fact that they have been laid off within a period of one (1) year.

Re-Hired Retiree: An individual that has retired from the City service and has later been re-employed by the City.

Reinstatement: Any re-entry of an individual into the City service at the direction of the Human Resources Director and/or union following a discharge or suspension of more than ten (10) days, or at the expiration of a leave of absence.

Remote Work: Work arrangement whereby eligible employees may perform their job responsibilities away from their usual City of Southfield work site, in accordance with approved City of Southfield policies and union agreements.

Resignation: Separation from employment due to the employee's choice, with no discredit.

Retirement/Retiree: For purposes of these Rules, a retired employee of the City of Southfield who is eligible for retirement benefits under the Southfield Employee Retirement System or other retirement plan established by the City of Southfield.

Seasonal: Generally applies to positions filled for a short term, i.e. summer or winter.

Seniority: A measure of the length of continuous career employment an employee has been employed by the City of Southfield.

Suspension: A temporary release from duty without pay and allowances for cause upon the direction of Human Resources, the appointing authority and the union.

Temporary Appointment: Any appointment or employment for a period of ninety (90) days or less.

Transfer: Any change of job where the classification to which the employee is appointed involves the same degree of responsibility and where the maximum pay rate authorized for the position in the City of Southfield pay plan is the same as that authorized for the position vacated by the employee upon appointment to the new job classification.

Transfer List: A list of persons who are eligible and who have made a written request to be considered for such transfer. The order of names on transfer lists shall be determined by the Human Resources Director after consideration of the qualifications of the persons involved.

Upward Re-Classification: Employees whose positions are reclassified upward due to significant changes in their duties and responsibilities, including employees who receive "In-Family" Promotions are not subject to a probationary period.

Veteran: Any honorably discharged military servicemember, reservist, member of women's auxiliary of the Armed Forces, National Guard or Coast Guard of the United States of America.

[Amended July 1, 1994]
[Amended]

RULE 2

EQUAL EMPLOYMENT OPPORTUNITY

The City of Southfield is an Equal Opportunity Employer. The City of Southfield endorses and supports a policy of non-discrimination with the intent that no person be denied equal protection under the law. No person shall be denied their civil rights or be discriminated against because of their actual or perceived race, color, religious beliefs, ethnicity, national origin**,** gender, age, height, weight, familial status, actual or perceived physical or mental disability, sexual orientation, gender identity, or other protected category as may be set forth or later established by federal or state law, Southfield City Charter or Ordinance. Such policy of non-discrimination shall be extended to all persons, employed or seeking employment with the City of Southfield; including, but not limited to, job applicants, career and non-career employees, employees competing for promotion, and/or transfer, disciplinary actions, volunteers, contractors and/or Police/Fire cadet and reserve program participants. Upon advance notice, reasonable accommodation for qualified individuals will be provided.

[Amended 6/16/2003]
[Amended 2/5/2019]
[Amendment approved 7/13/2021]
[Rule 2 Changes Effective March 8, 2022]

References:
City of Southfield Charter, Ch. XI, Sec. 11.20, Southfield City Code, Ch. 122, Elliott-Larsen Civil Rights Act (MCL 37.2101, et. seq., as amended), applicable sections of the United States Code.

RULE 3

NOTICE OF VACANCIES, APPLICATIONS, EXAMINATIONS AND APPEALS

Section 3.1 – Vacancies

An Appointing Authority, when becoming aware that any position in their department is vacant or is to become vacant shall initiate the following procedure:

1. Give to the City Human Resources Director notice thereof and state whether or not they intend to fill the position.
2. If the position is to be re-evaluated, the position needs to go through the job evaluation process with the Human Resources Director prior to announcing the vacancy.
3. If the position is to be filled, the Appointing Authority is to get written concurrence from the City Administrator to fill the vacancy. The concurrence must include the grade and title of the position and confirm that the position is funded.
4. If the position is to be filled, the Appointing Authority shall forward the concurrence from Administration to the Human Resources Director along with any other information regarding the same which the Human Resources Director may request to initiate a recruitment.

Section 3.2 – Notice of Vacancy

Type of Posting/Vacancy Announcement

Public announcements of vacancies in the City service covered by the Administrative Civil Service (ACS) Commission shall be posted for a minimum of (seven) 7 calendar days. The last day upon which applications are received shall be the closing date and time on the vacancy announcement.

A. All employees and/or the general public applying for employment under this Rule must successfully complete all relevant examination processes prior to placement on an eligibility list (See Rule 4). The Appointing Authority along with the Human Resources Director will determine if the position will be posted in one of the following ways:

1) **Career Employee Only:** Restricted to all current career employees.
2) **Supplemental Employee Hiring:** Upon request of an Appointing Authority, and with approval of the Human Resources Director. A Supplemental Employee is defined as an individual who is currently working for the City of Southfield as a non-career or contractual employee, or by the 46th District Court as a career employee and has worked a minimum of 1,040 hours in the three years prior to application for career appointment. A recruitment under these circumstances will normally take place after an unproductive Career Employee recruitment (#1 of this section) but may, with the approval of the Human Resources Director, take place concurrently. It may also take place prior to posting and advertising the position to the general public.
3) **External Announcement**: An External (general public) announcement normally posts for 14 – 30 calendar days. Current employees can apply to any external posting.

4) **Open Continuous Announcement:** An Open Continuous Announcement is an external announcement. Periodic group or individual examination and/or interview sessions will be held until the position is filled. Such examinations shall be held at intervals established by the Human Resources Director. A recruitment under these circumstances will normally take place after an unproductive recruitment, but may, with the request of the Appointing Authority take place from the onset of the announcement.

5) **Concurrent Posting:** If a vacancy is part of a union bargaining unit and is unlikely to be filled from within the bargaining unit membership, the Human Resources Director can reach out to the union and request a concurrent posting. This is a position posted both internally to the bargaining unit membership and outside of the unit at the same time.

A concurrent posting may also establish two eligibility lists (see Rule 4). One with bargaining unit members only and the other with non-bargaining unit members. A concurrent posting may also be an Open Continuous Announcement.

B. Union Groups

If a vacancy is part of a union bargaining unit and not filled by a bargaining unit employee according to that union's contract specifications, reposting of the position will follow Rule 3.2 A - Steps 1 - 4.

C. Announcement of Vacancies

Announcements of a vacancy will include the posting of the appropriate notice with an all user e-mail to staff; an announcement posted on the intranet, on the bulletin board outside of the Human Resources Department and for positions open to the general public, on the City's website and Pure Michigan Talent Connect or equivalent. The position may also be advertised at least once in the official newspaper of the City, in professional trade journals and publications, various newspapers, on social media, job boards, with universities, colleges, or schools of special instruction; or any other method which will obtain qualified persons to compete in the recruitment process.

Section 3.3 – Applications

A. Application Requirements

Persons applying for positions in the City service shall file, whether it be paper or electronic, a completed official City of Southfield application packet, including an Authority to Release Personal Information with the Human Resources Department. The official application, in which the applicant shall at minimum, state under oath or affirmation:

1. The applicant's name, and address (Post Office Boxes can be used as mailing addresses, but not as proof for residency points. Proof of residency may be required.)
2. The applicant's ability to legally work in the United States.
3. The applicant's previous employment history.
4. The applicant's educational background. (Degree or Equivalent: Refer to Standard Operating Procedure).

5. Such additional information as may be necessary to reasonably ascertain the applicant's qualifications and ability to perform the essential functions with or without accommodations for the position they have applied.
6 The provision of any other documents required for proof of eligibility for a position when required by the posting. (Ex.: degree, license, certification, portfolio, etc.)

B. Application Retention

Completed, but not qualified or selected, applications shall be retained by the Human Resources Department in accordance with the most current State of Michigan Municipal Record Retention Schedule.

Section 3.4 – Rejection or Suspension of Applications

No applications will be accepted after the posted closing date and time on the vacancy announcement. Applicants shall affirm that all information provided on the application is correct. False, misleading, or omitted information may be grounds for rejection of an application or for dismissal after employment appointment.

Throughout the recruitment process, the Human Resources Director may reject the applications of any person for reasons including, but not limited to the following:

1. If the applicant is found to lack the established preliminary requirements.
2. If the applicant fails to appear for a scheduled examination and/or interview.
3. If the applicant is unable to perform the essential functions of the position for which he or she seeks employment with or without accommodations.
4. If such application is received or postmarked after the closing date/time, or if the required application materials and/or documents are not received within the stated deadlines.
5. If the applicant refuses to complete the Authority to Release Information form.
6. If the applicant has been convicted of a crime other than a minor traffic accident and has not disclosed this information on the application, or has been convicted of a felony (per the Charter).
7. If the applicant has been dismissed from employment for cause or has resigned from employment in lieu of discharge or to avoid a disciplinary action or investigation and has not disclosed or has misrepresented the facts or circumstances surrounding the same.
8. If the applicant has made a false statement of any material fact, or practiced or attempted to practice any deception or fraud in their application, in their examination, or in securing their eligibility or refuses to comply with the rules or policies of the City of Southfield or the Human Resources Department.
9. If the applicant fails the Driving Check. (Applicants must meet the City's Driving Standards for those positions that require the person to drive as part of their regular duties).

10. If the candidate did not receive a positive recommendation from a full background investigation performed by the Southfield Police Department or other approved (by the Police Chief) contracted service.

11. The City only accepts applications for active recruitments, other applications will be rejected.

12. The Human Resources Director may limit the application range to the top candidates whose background, training and experience most closely relate to that required for the position.

13. **Application Suspension:** If an applicant has an open warrant or open court case, associated with their name, their application will be suspended until proof of the final determination of the warrant and/or court case or the end of the recruitment, whichever comes first.

Section 3.5 – Related Employees/Nepotism

1. ***Relative:*** for purposes of interpreting this section, shall mean spouse, child, sibling, cousins, aunts, uncles, nieces, nephews, or parent. Familial relation by marriage to include grandparent, parent, child, and sibling. Also included are anyone related by step or half of any of the foregoing categories. Relative shall also include any person who satisfies the requirement of "dependent" as defined by Internal Revenue Code.

2. No more than two relatives may simultaneously work for the City of Southfield, as a career employee. Exception: One additional relative may be employed as a seasonal or non-career employee or, as provided in Section 3.5(7) below.

3. Related employees shall not report to the same supervisor, shall not supervise one another, shall not assign work to or have similar authority over the other and shall not audit or review the work of the other nor shall they evaluate one another for any purpose. Additionally, related employees shall not occupy positions where a conflict of interest, or potential conflict of interest may arise, or where an appearance of a conflict or potential conflict of interest may arise.

4. The Human Resources Director shall not process applications or any personnel action which would violate this Section.

5. No relative of the following elected or appointed official shall be hired by the City: Mayor, City Clerk, City Treasurer, Councilmember, City Administrator, Deputy City Administrator, Human Resources Director, or Labor Relations Director.

6. No relative of any member of an appointed board or commission shall be hired by the City within the department where said board or commission has direct supervision or policy authority.

7. Should two employees become related after hire, the limitation of two related employees will not apply. Employees who become related through marriage or other legal means, may already have other relatives working for the City at the time they become related. Any job site, or position transfers that are required to comply with applicable Sections of this rule will only be made upon the concurrence of the Appointing Authority(s), the Human Resources Director, and must be effectuated within one (1) year from the date the employees become related. The Human Resources Director will exercise their best efforts to assist the related employee(s) in locating alternate positions within the City; however, should no transfer position be available, or if the related employee(s) cannot agree between themselves, the least senior related employee shall be laid-off.

8. This rule shall be considered upon hire, promotion or transfer of any employee. This Rule applies to all employees, except employees covered under P.A. 78, as amended.

   Should familial relationships covered by this rule be identified upon consideration for hire, promotion or transfer, the Human Resources Director is to be notified immediately. The City reserves the right to take such actions as may be necessary to achieve this intent of this rule.

9. An employee who feels aggrieved by the provisions of this Section shall have the right of appeal to the Commission (see Section 3.6 Appeal Process).

Section 3.6 – Appeal Process

If any applicant feels aggrieved by the actions taken by the Human Resources Director in removing their application from the recruitment process, the ACS Commission may, at the request of such applicant, hear the applicant's grievance.

Overview: The hearing is conducted by the Commission. The Commission acts as a tribunal when holding a hearing on the applicant's appeal/grievance. The Commission hears evidence presented by the appellant/grievant and the Human Resources Director, and may question any parties' necessary to make a determination based upon all applicable rules and the evidence presented at the hearing. The Commission shall make a determination to either uphold, modify or reverse the action taken by the Human Resources Director. The Commission's determination shall be final. Best efforts will be put forth to complete a hearing within 2 meetings.

The procedure for an ACS Commission appeal hearing is as follows:

1. After being notified of their application removal from the recruitment process, the person seeking an appeal has 10 days to submit a request for an Appeal Hearing to the Human Resources Director. That request should include:
   a. The applicant's name;
   b. Position applied for;
   c. Reason for denial, and;
   d. Request for an appeal hearing.

2. The Human Resources Director shall make an initial determination whether the action in question falls under the authority of The Commission or if matters can be resolved by the Human Resources Director prior to a hearing. If the Human Resources Director is unable to resolve the matter they will put the request on the next ACS Commission agenda for consideration.

The ACS Commission shall make an initial determination whether the action in question falls under their authority. If the Commission decides to move forward, the Commission will, appoint a date, time and place for the public appeal hearing.

3. **Materials Provided to the ACS Commission For the Hearing:** The Human Resources Director will make copies of:

   (1) The application packet for the ACS Commission (excluding the EEO form and the Authority to Release Personal Information; redacting personal information such as address, phone number, social security number, etc.),

   (2) The letter requesting the hearing and

(3) The rule or policy that determined the rejection of the application for employment.

4. **Conduct of the Hearing:** The Commission shall review the eligibility determination and testimony shall be taken of any or all witnesses ACS elects to hear from.
5. The Commission, as fact finders, reserves the right to draw information from any source relating to City employment; and to make determinations related to its consideration of evidence and to limit the number of witnesses.
6. The aggrieved applicant shall be entitled to appear (with or without counsel) at the hearing, produce evidence, and will have a public hearing pursuant to the Open Meetings Act (OMA). A closed hearing may be requested, the Commission will make a determination if the same is permissible per the current adaptation of the OMA.
7. After the hearing, the ACS Commission shall render its determination. That determination shall be final.

Section 3.7 – Type of Examination

The examinations used to determine the qualifications of applicants may include, but are not limited to: written, oral, physical ability, or in the form of a demonstration of skill performance test, background investigations, tests for illegal drugs (DOT/CDL compliance), post offer psychological or physical examinations or any combination of these, and are conducted to determine the applicant's ability to perform the functions of a specific position and are administered to all candidates being considered for that job classification.

Section 3.8 – Contents of Examination

(A) Contents of Examinations

Examinations are held to establish a list of eligible candidates (see Rule 4) for any class. The Human Resources Director and the Appointing Authority will discuss which test would be the most appropriate for the position they are seeking to fill. The final determination will normally consist of one or more of the following parts:

(1) **Written Test:** This test when given shall include a written demonstration designed to show the knowledge/skills required in the class of position to which they seek employment. This also includes audio/written test, or computer-generated tests.

(2a) Oral Board Interview Test: This minimum 3-member Oral Board interviews candidates individually in an effort to confirm/clarify background and education, evaluate personal demeanor, appearance, etc., and this interview may assist in determining the ability of a candidate to perform the functions of the position in the environment in which the position is located. This form of test may include job related technical questions.

(2b) An interview is required for all positions: The oral board shall consist of one member of the Human Resources Department, a supervisor or the Appointing Authority from the hiring department and one other person of a higher and/or supervisory level either from within the department or a department that the Appointing Authority works closely with. Example: The Accounting Department may ask someone from the Treasurer's office to assist with the interviews.

The interview panel should remain the same throughout the interviewing process to ensure scoring consistency.

The oral interview shall be held in person unless circumstances make in-person interviewing impossible. The interview will normally be the final step in the selection process.

[Oral Board established in 1969]

(2c) Outside Interviewer and Honorarium: Should the candidate be a current employee or the Department determines they need additional expertise, the Department (with consultation/agreement of the Human Resources Director) may request a person from another municipality, a business, or a retiree to assist with the oral board interviews. Any outside individual assisting the City with the interview process is offered an honorarium and mileage for their time and expertise. The outside person should commit to the entire interview schedule to keep scoring consistency. Honorarium amount is set by the Human Resources Director and paid for by the Human Resources Department budget.

(3) Performance Test: This test, when required, shall consist of such tests of actual job performance as will determine the ability of competitors to perform the work involved.

(4) Physical Ability Tests: This test, if required, may be contracted out or required that the candidate pay the fee to a designated professional testing agency to determine if the candidate is able to perform the essential functions of the position with or without accommodation.

(5) Conditional Offer - Physical Examination and Psychological Evaluation: If required, these medical evaluations will be contracted to an appropriate medical facility for administering. The results of the examinations/tests are the property of the City of Southfield and copies of the results are not shared with any other agency or outside individual including the candidate. Candidates may present physical examination records from their own physician only should the City's selected facility request additional information to evaluate fitness for the position.

(6) Training and Experience: Shall be determined from the statements of education and experience contained in the application, resume, the oral interview, or from such supplementary data as may be required (portfolio, certificates, degrees etc.). The Human Resources Director, in their discretion, may investigate the truth of competitors' statements as to training and experience and may govern the rating accordingly.

Section 3.9 – Passing Score

A candidate must pass each section of a scored test with a score of 70% or above in order to move on to the next phase of the recruitment process. This also applies to pass (70%+) / fail (69.9999%-) scores. Each section of the examination for any class shall be scored separately and the proficiency of each competitor in each section rated on a basis as established for the required position. Examinations may be rated as Pass/Fail or numerically calculated to be included in the final composite score.

Section 3.10 – Employment of Examination Expert

The Human Resources Director may create, or purchase examinations or may contract a professional testing agency to prepare examinations and/or other tests. The Human Resources Director may request advice regarding same.

Section 3.11 – Examination Records Retention

A record of all examinations shall be retained by the Human Resources Department in accordance with the most current State of Michigan Municipal Record Retention Schedule.

Section 3.12 – Confidentiality of Identity of Applicants and/or Candidates

The identity of applicants and/or candidates on all competitive recruitments shall be held confidential within Human Resources until the candidates have been ranked on the final eligibility list. Names of applicants removed from the process shall remain confidential.

Section 3.13 – Notice of Examination Results and Rank

If two or more candidates receive the same final grade, their rank shall be the same as the order of receipt of their application.

As soon as practicable after any employment examination, the Human Resources Director shall send to each examinee a written report of the results of their test, and/or if their name is placed on the employment list. The Human Resources Director shall also notify any examinee who fails to achieve the required score/rating of such fact.

Section 3.14 – Inspection of Examination Papers

The test papers of any examinee will be open for their inspection for a period of fourteen (14) calendar days after the certification of the test results.

Section 3.15 – Preference Points

Upon original entry only, two (2) percentage points shall be added to the composite passing score of the applicant for verified approved military service and three (3) percentage points shall be added to the score of the applicant for verified residency in the City of Southfield (Post Office boxes are excluded from residency points). Preference points are added after the individual has passed all components of the recruitment process for the position they are seeking and are only offered upon original entry of employment with the City of Southfield.

Section 3.16 – Types and Periods of Military Service Creditable for Preference Points

All veterans claiming veteran's preference points or service credit as described in this rule shall provide evidence of eligibility (DD214) at the time of application. All veterans, in order to be eligible for veteran's preference, must have received an Honorable Discharge or its equivalent from the armed forces, and have served at least six months. Preference points are added only after the individual has passed all components of the recruitment process for the position they are seeking and are only offered upon original entry of employment with the City of Southfield.

[Established 1960]

Section 3.17 – Disabled Veterans

All veterans who have a documented service connected disability record of fifty (50%) percent disability or more with the duly constituted federal bureau shall, upon obtaining the required minimum grade for original entry of employment with the City, be granted an additional ten (10) points which shall be added to their respective passing marks as attained in their examination. Preference points are added only after the individual has passed all components of the recruitment process for the position they are seeking and are only offered upon original entry of employment with the City of Southfield.

[Amended Rule 03 Approved 11/09/2021]
[Effective Date March 8, 2022]

RULE 4

CERTIFICATION PROCESS, ELIGIBILITY LIST

Section 4.1 – Certification Process Overview

A. For each position for which an eligibility list is required, the Human Resources Department will create an Eligibility List ("List") consisting of all candidates who successfully passed the examination process and, therefore, are considered qualified for the position and are able to move on to the next step in the selection process. The List will be ranked in descending order and will identify all components of the attained composite score. The List will then be presented to the ACS Commission for certification.

B. Certificate of Eligible Candidates: After the List is certified, Human Resources will provide the Appointing Authority with a Certificate of Eligible Candidates, in the order in which the candidates rank. The Appointing Authority may select any name from the Certificate of Eligible Candidates for appointment to the position. More information in Section 4.9 – Selection of a Candidate.

[November 6, 2001 Charter Amendment]

Section 4.2 – Establishment and Certification of Eligible List

A. Elements of a Composite Score: A Composite Score will consist of one or more of the following components: weighted interview score, weighted examination score, passed examination acknowledgement, residency points, and veteran's points. Disabled Veteran's points will be part of an eligibility list only if there is a candidate that meets the requirements of Section 3.17 - Disabled Veterans.

B. Eligibility List: Upon compilation of the composite score, the Human Resources Department shall prepare as a public record, an Eligibility List ("List") of persons who have successfully passed each portion of the recruitment process for the position for which they have applied. This List will be in ranked in descending order with the person receiving the highest composite score ranked number one (1). The date the List is presented to the Administrative Civil Service (ACS) Commission for certification, if approved, is the date the List is certified.

Section 4.3 – Type of Eligibility Lists

The Commission shall certify the following eligibility lists:

1. **Original Entry:** Consists of names of external candidates who have satisfactorily passed the prescribed examination process, beginning with the person who achieved the highest composite score.

   If the List is for an "Open Continuous" recruitment, the ranking of eligible candidates for certification shall be re-numbered and re-established as candidates are added to or removed from the List, and subsequent vacancies occur. The eligibility expiration date for each candidate shall be included for each candidate or if the list is exhausted, a new list will be established with a new certification date. (Also see Section 4.4 B)
2. **Promotional**: Consists of persons already employed in the City service who have

satisfactorily passed the prescribed examination process and are candidates for a position that is of a higher classification than the employee's current classification. Types of Promotional Lists:

a. Candidates who are currently in designated Administrative Civil Service positions seeking promotion within the Administrative Civil Service.

b. Candidates promoting from the Administrative Civil Service to a bargaining group.

c. Candidates promoting from a bargaining group to an Administrative Civil Service position.

d. Candidates promoting from one bargaining group to another bargaining group.

3. **Re-Employment after Layoff:** Consists of names of career employees who were laid off and are eligible for re-employment. The employee with the greatest amount of seniority will be ranked highest on the List. This List is not certified by the Commission, but should a Re-employment List be established, the same must be considered in the hiring process. (Rule 14 Section 14.7 – B) Transfers and Establishment of Layoff Re-Employment Lists)

4. **Order of Preference:** If there are multiple Lists for a single position, the Appointing Authority shall consider the Lists in the following order of preference: Re-Employment, Promotion, Transfer and Original Entry. After consideration, the Appointing Authority, in collaboration with the Human Resources Director, shall select the person who best meets the qualifications of the position and whose appointment is in the best interest of the department and/or the City.

Upon certification of the List(s), the responsibility of the Commission in the appointment process is complete. The Appointing Authority, in collaboration with the Human Resources Director, has complete authority to appoint an individual to the position from the List certified by the Commission.

Section 4.4 – Duration of Eligible Lists

A. Duration of Eligibility List: The following Eligibility Lists shall be established for a period of nine (9) months: Promotion, Original Entry. Should candidates remain on the list for the Appointing Authority to consider and vacancies for the same position remain available, the List may be extended an additional six 6 months upon the approval of the Human Resources Director.

B. Original Entry, Open Recruitment Eligibility List: Should an original entry List be associated with an open recruitment, the list will remain open until the position is filled. The ranking of candidate(s) shall be re-established as candidates are added to and/or removed from the List. Each candidate shall remain eligible for nine (9) months. The eligibility expiration date for each candidate shall be included on the List. The List will be recertified by the Commission upon the addition of new candidates unless the list is exhausted, then a new list is established with a new certification date. Once all positions have been filled, the final List will be active for nine (9) months from the last certification date.

C. Re-Employment Eligibility List: A Re-Employment Eligibility List remains active for

one (1) year from the date of lay-off. (Rule 14 Section 14.7 – B) Transfers and Establishment of Layoff Re-Employment Lists)

D. **Re-establishment of an Eligibility List:** A new eligibility list may be established at such time that there are insufficient names (2 or less) on an existing list to permit the Appointing Authority to exercise their prerogative in selection from available candidates. The ranking of candidates shall be re-established as names are added to or removed from the list.

Section 4.5 – Shared Eligibility List

Should an Eligibility List be certified and another department have a vacancy of an equal or lesser level classification, the department may refer to the already established eligibility list in place of starting a new recruitment as long as the testing components are met and the list has not expired.

Section 4.6 – Removal from an Eligible List

Names of eligible candidates appearing on any eligibility lists may be removed from such lists by the Human Resources Department for any of the following reasons:

1. Appointment to a position.

2. No longer meet the minimum qualifications for the position, including but not limited to a failed driving record or required certification expiration.

3. Declining and/or withdrawing from an offered appointment, unless the candidate specifically requests in writing to remain on the list for future consideration. If a request to remain on the List is approved by the Human Resources Director, the candidate would remain on the List until the List expires, or they are selected for a future position. The ranking of the candidate(s) shall be re-established as names are added and/or removed from the list.

4. Failure to report to the appointing authority for a second interview, or a follow-up interview, when a second or follow-up interview of the candidate has been requested and/or scheduled.

5. Failure to respond to the Human Resources Department's attempts to contact the candidate regarding their potential appointment.

6. Unsatisfactory background investigation results.

7. Eligible candidates whose conduct either in or out of the City service is in conflict with any City rule, code of conduct, policy, ordinance, the City Charter or law that would not warrant certification of appointment. This includes any information that is found on any news and/or social media site.

8. If such person fails any part of a conditional offer including but not limited to a medical examination and/or psychological evaluation.

9. If such candidate is unable to perform the essential functions of the position for which he or she is seeking employment, with or without a reasonable accommodation.

10. If the applicant has made a false statement of any material fact, or practiced or attempted to practice any deception or fraud in their application, in their examination, or in securing their eligibility or refuses to comply with the rules or policies of the City of Southfield or the Human Resources Department.

The forgoing list is not intended to be all-encompassing, as other situations may arise which are not contemplated herein that may necessitate removal from an eligibility List.

Section 4.7 – Cancellation of Eligible Lists

In the case of illegality or fraud in connection with the examinations for any class of positions, the whole or part of any employment list may be canceled by the Human Resources Department, if discovered prior to certification. If discovered after certification, upon approval of the Commission.

Section 4.8 – Armed Forces Induction and/or Enlistment of Persons Appearing on Eligible List

The Human Resources Department will comply with all requirements of Uniformed Services Employment and Reemployment Rights Act (USERRA) and P.A. 263 of 1951, as amended (Chapter 35 of the Michigan Compiled Laws, Veterans and Members of Armed Forces Act, as amended) in its hiring and employment practices.

Section 4.9 – Selection of a Candidate

A. **Certificate of Eligible Candidates:** After the List is certified, the Human Resources Director will provide the Appointing Authority with a Certificate of Eligible Candidates, in the order in which the candidates rank. The Appointing Authority may select any name from the Certificate of Eligible Candidates for appointment to the position. Selection criteria employed must be specifically related to the position and in the best interests of the City of Southfield. The Human Resources Director will review all selections. Any selection made from the lower half of any ranked Eligibility List/ Certificate of Eligibles requires discussion with and the prior approval of the Human Resources Director or designee.

   [November 6, 2001 Charter Amendment]

B. **Second Interviews:** After the List is certified but prior to appointment of a candidate, the Appointing Authority may conduct additional interviews with all candidates or with designated candidates only. When only selected candidates are to be interviewed, the Appointing Authority shall consult with the Human Resources Department to ensure that job-related criteria are used to identify candidates for any additional interviews.

C. **Conditional Offer:** Once the Appointing Authority has selected the person they want to hire, a Conditional Offer of Employment may be offered to the selected candidate if there are additional steps to complete prior to a Confirmed Offer of Employment. The conditions can include any number of additional steps or requirements. These conditions are generally based on the specific needs of the job, job duties, and/or job responsibilities. Typical conditions may include: Background investigations, Reference checks, Pre-employment physicals, Psychological evaluations or Successful completion of a licensing requirements.

A written Conditional Offer may be provided to the candidate, and receipt of an Acknowledgement of Conditional Offer, signed by the candidate is mandatory for any position requiring a physical examination and/or a psychological evaluation. A conditional offer of employment can be withdrawn if the applicant does not meet the conditions of the offer.

D. Reference Checks: Once an eligibility list is created, but prior to the list certification, the Human Resources Department or its designee, may conduct reference checks on the selected candidate, prior to making a confirmed offer of employment to the candidate.

E. Background: Once an eligibility list is created, but prior to the list certification, the Human Resources Director is authorized to forward a selected candidate's paperwork to the Southfield Police Department or contracted company to start the background investigation prior to certification of the Eligibility List by the ACS Commission.
[Amended February 4, 2020)

F. Follow-Up Interview: Once an eligibility list is created, but prior to the list certification, an Appointing Authority with consultation and authorization from the Human Resources Director, may conduct follow-up interview(s).

G. Confirmed Offer of Employment: Once the Eligibility List is certified and a candidate has completed all steps of a recruitment for a position, the Human Resources Director in consultation with the Appointing Authority shall negotiate the particulars of the appointee's probationary employment (see Rule 6 – Probation Section 6.2) with the appointee. (Ex. start date, rate of pay, hours of employment, applicable work rules, department procedures/policies, etc.) Final agreement shall be in writing with a Confirmed Offer Acknowledgement signed by the appointee.

[November 6, 2001 Charter Amendment]
[Amended February 4, 2020]
[Amended Rule 04 Approved February 22, 2022]
[Effective Date March 8, 2022]

RULE 5

TYPES OF APPOINTMENTS

Section 5.1 – Career Appointments

No Appointing Authority or Supervisor is authorized to modify any portion of this rule.

A. Career Appointment

An appointment to a career position with the City requiring a probationary period toward attainment of regular career employment status, in a position involving year-round work and scheduled hours as determined by the Supervisor or Appointing Authority. A career appointment must be so designated in the records of employment maintained by the City, including but not limited to, Payroll and Human Resources. Career appointments can only be made following the completion of a competitive recruitment, and certification process as provided in these rules. Career appointments may be designated as full-time or part-time.

B. Career Employee Designation

Full-time Career Employees: Full time career employees are regularly scheduled to work a minimum of 40 hours per week, including any applicable leave, in positions which are designated by the Appointing Authority as full-time career. Full-time career employees shall be eligible for all benefits as provided by these rules. Collective bargaining members should refer to their agreement between the bargaining unit and the City relative to their respective position.

Part-time Career Employees: Part-time career employees are scheduled to work less than forty (40) hours per week, including any applicable leave, in positions which are designated by the Appointing Authority as part-time career. Part-time career employees shall be eligible for pro-rated seniority accruals and fringe benefits as provided by these rules. Collective bargaining members should refer to their agreement between the bargaining unit and the City relative to the respective position. The proration of seniority earned, and benefit eligibility shall be based upon the part-time career employee's number of designated scheduled hours, as follows:

Part-time Fifty Percent: Career employees designated to work 20-29 hours per week shall accrue seniority at a rate of, and are eligible for, fifty percent (50%) percent of fringe benefits for which full-time career employees qualify.

Part-time Three Quarter: Career employees designated to work 30-32 hours per week, shall accrue seniority at a rate of, and are eligible for seventy-five percent (75%) of fringe benefits for which full-time career employees qualify.

<u>Any difference in the employee share of benefit premium cost for part-time career employees, over that assessed to full-time career employees, shall be borne by the employee.</u> In all cases, the Supervisor or Appointing Authority shall establish and/or make adjustments to the scheduling of the working hours of departmental employees, to comply with their designation under this section.

C. Change in Designation

Career employees may request to change their appointment designation to either full or part time career appointments. Any such request must be approved by the Human Resources Director and the Appointing Authority and approved in the budget. If approved, any change may occur only once per fiscal year. Should a full-time career employee's designation be converted to a part-time fifty percent (50%) career employee, the employee's future benefit accruals shall also convert to part-time fifty percent (50%) status; including but not limited to: future accrual of leave banks benefit premiums and seniority. Likewise, should a part-time fifty percent (50%) career employee's designation be converted to part-time three quarter (75%) or full-time, the employee's future benefit accruals shall convert to part-time three quarter (75%) or full-time status; including but not limited to the future accrual of leave banks, benefit premiums and seniority.

Any difference in the employee share of benefit premium cost shall be borne by the employee whose designation has changed.

Working hours will be established by the Supervisor or Appointing Authority. Once agreed upon, the employee is expected to adhere to the hours established.

Section 5.2 – Non-Career Appointments

A. Non-Career Appointment

Non-Career employees are "At Will" and serve at the pleasure of the Appointing Authority and are appointed to work in positions which are designated as non-career.

Non-Career appointments may be designated to work a full-time or part-time schedule, as defined in this Rule. Persons working pursuant to non-career appointments shall not be eligible for fringe benefits as provided in these rules unless otherwise specifically provided in writing, law or policy.

Non-Career appointments do not require advertising, competitive examination, a formal recruitment process or a probationary period. A non-career appointment must be so designated in the offer of employment, and all other records of employment status maintained by the City, including but not limited to, Payroll and Human Resources records of employment.

Non-Career to Career: Should any person serving pursuant to a non-career appointment, obtain a career appointment, any time spent employed pursuant to non-career appointment, shall not be credited toward completion of the career probationary period; nor shall it be credited toward seniority or length of service for the calculation of any fringe benefit eligibility, or for any other calculation.

Section 5.3 – Types of Non-Career Appointments

Non-career appointments may be filled from an existing Eligible List. If no appropriate Eligible List exists or no person on an appropriate Eligible List will accept such an appointment, the Human Resources Department and the Appointing Authority may seek other candidates. Any candidate selected for a non-career appointment must meet the minimum requirements established through the position description for the position. Any person serving pursuant to a non-career appointment may apply for a career appointment that is open to the public, as such vacancies arise.

Non-career employees, except as otherwise noted by law or policy, are not eligible for any form of fringe benefits.

The following types of non-career appointments may be used, where applicable:

A. Continuing Part-time Appointment: A continuing Part-time employee is an employee working pursuant to a continuing part-time, non-career appointment who may be hired on a part-time basis, is not eligible for City fringe benefits, except as stated immediately above and whose employment status is of a continuing part-time, rather than time-limited nature. The continuing part-time, non-career employee may work a regular schedule of up to forty (40) hours per week, with a maximum of one thousand five hundred, (1500) hours per calendar year. Such continuing part-time appointments are intended primarily to address special project needs, extended leave replacement, and for filling vacant positions until a full-time career employee is available to start work.

B. Temporary Appointment: A temporary employee is an employee working pursuant to a temporary appointment who may be hired on a part-time basis, is not eligible for any City fringe benefits, except as stated immediately above and whose employment status is of a temporary or contingent nature. A temporary employee may work a regular schedule up to forty (40) hours per week or a maximum of one thousand five hundred (1500) hours per calendar year, for a period of appointment limited to six (6) months per calendar year. Such temporary assignments are intended primarily for short-term, or special projects with a foreseeable end date, sick leave and vacation replacement, peak period workloads, and for filling vacant positions currently posted until a full-time career employee, is available to start work.

C. Seasonal Appointment: A seasonal employee is an employee working pursuant to a seasonal appointment who may be hired on a part-time basis, is not eligible for any City fringe benefits, except as stated immediately above and whose employment status and job duties are seasonal in nature and for which the period of employment begins each calendar year in approximately the same part of the year, such as summer or winter. A seasonal appointment may work a regular schedule up to a maximum of one thousand five hundred (1500) hours per calendar year, for a period of appointment limited to six (6) months per calendar year. Such appointment shall not exceed the length of the seasonal activity for which the employee was hired.

D. Intermittent Appointment: An intermittent employee is an employee working pursuant to an intermittent appointment who is not eligible for any City fringe benefits, except as stated immediately above and whose employment status and job duties are of an intermittent nature. Intermittent employees may be hired to work partial day shifts, full day shifts, or weekly shifts, for intermittent periods of time. Intermittent employees are non-career employees who have no regularly assigned work schedule and work on an "on-call", "call-in" or "as-needed" basis. Intermittent employment is intended primarily for situations where the nature of the work is sporadic and unpredictable, such that a regular work schedule cannot be scheduled in advance. An Intermittent Appointment is limited to a maximum of one hundred twenty (120) work days per calendar year; with a maximum of one thousand two hundred (1200) hours per calendar year.

E. Emergency Appointment: An emergency employee is an employee working pursuant to an emergency appointment who is not eligible for any City fringe benefits, except as stated immediately above and whose employment is directly related to an emergent need. Emergency employment is intended primarily for situations where an emergency arises and one or more persons must be immediately employed to prevent loss of public property, eliminate public health and/or safety hazards or to address an extreme inconvenience to the public. The emergency appointment shall not exceed the length of the emergent situation, up to six (6) months in duration during a calendar year. Should the emergent situation exceed a period of six (6) months in a calendar year, any emergency employee remaining employed by the City may be released from their emergency appointment. Following the expiration of a fourteen (14) day separation period, the emergency employee may then be re-hired pursuant a continuing part-time, or other appointment as appropriate.

All emergency appointments shall be made by the appropriate Appointing Authority, or their designee, and shall be approved by the Human Resources Director to ensure compliance with all laws, regulations and these rules (Information related to the emergency appointment to be retained in the emergency employee's employment file: nature of the emergency, character of duties to be performed, and such other facts pertinent to the emergency need and appointment. Any employment condition or situation, of which the appointing authority or their designee, had previous knowledge shall not be considered an emergency.

The above list of non-career appointment types, is not intended to be exhaustive. Other non-career appointments may be made on an as needed basis. All non-career appointments shall comport with all pertinent employment laws and any applicable provisions on the utilization of non-career employees in any collective bargaining agreement to which the City is a party.

Section 5.4 – Other Non-Career Categories

A. Subsidized Positions

Should funding for any such program end, the positions will end when the funding for such positions ceases. The City may, however, chose to continue to offer the same or similar service or to fund the program. In such case, personnel previously staffing the program may apply for any City appointment that becomes available due to the City's acquisition of the services to be provided. Personnel may be required to undergo a waiting period, or other requirement, before the commencement of a City appointment within the same department or similar program following

the cessation of a subsidized position. Some subsidized positions are covered by collective bargaining agreements and should funding for these positions end, employees in those positions shall be subject to the terms of said collective bargaining agreements.

B. Rehired Retirees Overview

Retirees often have the institutional knowledge, skills and experience, sufficient to assist the City during a workforce shortage and can facilitate effective succession planning. A City retiree may be re-employed in any capacity, career, non-career or may perform work for the City as an independent contractor. Any reemployment of a retiree shall be subject to all applicable ordinances, resolutions, policies and these rules in effect as of the date of reemployment. Should any ordinance, resolution, policy or rule applicable to a reemployed retiree, be amended during the employ of the retiree, such amended terms shall become effective as to any reemployed retiree as of the effective date of the amendment.

1) Re-Employment of a Retiree:

A retiree may be reemployed by the City under the following conditions:

A. Retirees must have a bona-fide break in service of at least thirty (30) consecutive calendar days before they are eligible to be re-employed by the City in any capacity. The thirty (30) day break in service period shall commence on the first calendar day after the employee's effective date of retirement.

B. There shall be no predetermined oral, written or perceived agreement that the retiree will be re-hired in any capacity prior to their separation from City employment. A termination of employment is not considered a bona fide separation if there is an expectation, understanding or agreement that the termination of employment is temporary or that the person will be rehired in the future.

C. Reemployment of a retiree shall be in compliance with applicable federal and state law and local ordinances; including guidelines set forth in the Internal Revenue Code (IRC) regarding qualification of retirement plans and the Southfield Employee Retirement System (SERS)**.**

D. The Human Resources Department shall maintain up to date records of all retirees who perform work for the City after their retirement commences.

E. Re-employment of a retiree is at the sole discretion of the City, cannot be appealed and does not create a precedent for the future hiring of retirees.

2) Procedure for Requesting the Re-hire of a Retiree:

No retiree shall be rehired by the City to perform any work in any capacity without following the procedures in these rules. All requests to rehire a retiree shall be written (paper or electronic) and directed to the Human Resources Director or their designee, for review and approval. If it is the Human Resources Department who is requesting the re-employment of a retiree, the City Administrator must approve the rehire.

A. The written request shall provide the following information:

1) Necessity of re-hiring the retiree for the position;

2) The job duties the re-hired retiree will be performing.

B. The requested appointment status of a retiree that is recommended for re-hire is subject to the same criteria applied to all new hires, including but not limited to the following, as applicable: completing a City employment application packet with waiver, a criminal history check, a driver's license check, post-offer pre-employment physical examinations, full or updated background checks, and random drug screenings.

3) **Hours and Compensation for a Re-Hired Retiree**

A. Hours a rehired retiree can work:

1. A re-hired retiree may be considered for a position in any of the appointments listed in this Rule.
2. Should a retiree be appointed to a career position, the Human Resources Director shall send notice of such appointment to the SERS Board.

B. Compensation of a Rehired Retiree:

1. A Re-hired retiree's compensation shall be subject to the current IRS limitation regarding the rehiring of retirees to prevent retirement plan exclusion.

[Amended September 5, 1995]
[Amended Rule 05 Approved February 22, 2022]
[Effective Date March 8, 2022]

RULE 6 - PROBATIONARY PERIOD

New Hire, Lateral Transfer, Downgrade, Demotion, Promotion and Reclassification

Section 6.1 – Probation Period Overview, At-Will, For Cause, Union Affiliation and Re-Classification

A. Overview: The final phase of the selection process for filling career positions, either by original appointment, lateral transfer, downgrade, promotion or demotion in the City service, is a probationary period. All probationary periods shall begin on the start date of the probationary career employee's original career appointment, lateral transfer, downgrade, promotion or demotion. No probationary period shall include any time served while working pursuant to an appointment that is not designated as a career appointment; including, but not limited to, non-career, temporary, seasonal, intermittent, intern, or any other designation or working arrangement that is not a career appointment.

B. At-Will Status: All newly hired probationary career employees are at-will employees of the City during the probationary period. An at-will probationary career employee may be terminated for any non-discriminatory or non-retaliatory reason. This at-will status does not apply to career employees who have completed an initial probationary period who transfer, have taken a downgrade appointment, promoted or demoted.

C. For Cause/Just Cause: Once the initial probationary period is complete, a career employees in the City service, as defined by City Charter, may only be terminated for cause. (See City Charter 6.5(g)).

D. Re-Classification: Career employees whose current positions are reclassified through a job evaluation process due to significant changes in their duties and responsibilities, including career employees who receive "In-Family" reclassifications (see Rule 15 Pay Plan) are not subject to a probationary period.

Section 6.2 – Probationary Period, Adjustments and Extended Absences

A. Probationary Period: A standard probationary period is 6 months.

B. Probationary Period Adjustments:

Probationary Period Waived or Reduced: The Appointing Authority may request that the six (6) month probationary period be waived or reduced, if warranted by the incumbent's experience.

1. **Probationary Period Waiver or Reduction:** By virtue of experience and/or training, or should the newly appointed employee be a current employee with better than average to excellent evaluations, the Appointing Authority may elect to reduce or waive the probationary period for the new appointment. Such requests must be submitted in writing to the Human Resources Director, along with the reasons for the reduction or waiver in the probationary period. The Human Resources Director shall approve or deny the request.
2. **Probationary Period Extended:** Likewise, the Appointing Authority may also request the probationary period be extended due to circumstances occurring during the probationary

period that may have affected the Appointing Authority's ability to sufficiently evaluate the probationary career employee's job performance. Such requests must be submitted in writing to the Human Resources Director, along with the reasons for the adjustment in the probationary period.

3. **Probation Extension Process**: The Human Resources Director shall review the Appointing Authority's request. The Human Resources Director shall approve or deny the request and shall advise the ACS Commission of any decision made to extend probation beyond six months. The affected probationary career employee shall be informed of the decision regarding any extension to their probationary period.

4. **Probation Maximum Length Allowed**: No probationary period shall exceed one year. See Section 6.7 - Failure to Successfully Complete Probationary Period for probationary employees who are unable to successfully complete the probationary period.

C. Probation and Extended Absence

The ACS Commission's approval is not required for a probationary period extension due to an extended absence. However, written notice to Human Resources Director or their designee is required for verification and possible service time re-calculation and/or an adjusted start date.

1. **New Hire:** If during the new hire career employee probationary period there is an extended absence in excess of forty (40) working hours, the probationary period may be extended for the full amount of time the probationary employee is off work.

   Written notice of an extension of the probationary period pursuant to this section shall be provided to the Human Resources Director, or their designee, along with any supporting documentation, prior to the extension of the probationary period. Copies of this notice and supporting documentation shall be placed in the employee's personnel file.

   In addition, the Human Resources Director, or their designee shall document and file in the employee's personnel file, any necessary re-calculation of service time and depending on the length of the break; shall prepare and provide to the employee, written notice of any possible adjusted start date (See Rule 9 – Seniority).

2. **Career Status Employee:** This section also applies to lateral transfers, downgrades, promotions and demotions. However, if at the three (3) month review, the career employee is performing at an average level or above, the Appointing Authority may, in consultation with the Human Resources Director, to determine whether any extension to the probationary period need be made.

   If it is determined the probationary period is to be extended, written notice of an extension of the probationary period pursuant to this section shall be provided to the Human Resources Director, or their designee, along with any supporting documentation, prior to the extension of the probationary period. Copies of the notice and supporting documentation shall be placed in the employee's personnel file.

   In addition, the Human Resources Director, or their designee shall document and file in the employee's personnel file, any necessary re-calculation of time in that position and

depending on the length of the break; shall prepare and provide to the career employee, written notice of any possible adjusted position start date (See Section 6.5 - Probation and Benefits Following Lateral Transfer, Downgrade, Promotion or Demotion and Rule 9 – Seniority).

Section 6.3 – Probationary Period Evaluations

A. **Probation - Documented Discussion:** Probationary career employees shall receive periodic feedback from their supervisors during the probationary period. At a minimum, a documented discussion should occur at the conclusion of the first three (3) months of employment.

B. **Probation - Inform Human Resources of Non-Performance:** If the probationary career employee is not successfully performing their job duties during their first three (3) months, the supervisor or Appointing Authority shall inform the Human Resources Director. The Human Resources Director shall consult with the supervisor and the Appointing Authority regarding any deficiencies in the employee's work performance. Additional actions may be taken and, if warranted, may include the commencement of an internal investigation by Human Resources.

C. **Probation - Evaluation for Extension or Termination:** A formal, written evaluation shall be submitted to the Human Resources Director at the conclusion of any probationary period to either release the employee from probation as successfully completed, to request an extension of the probationary period or to terminate the employee.

   To begin the extension or termination process, the evaluation recommending extension or termination must be submitted to the Human Resources Director no later than five (5) months into the six (6) month probationary period. These evaluations shall be included in the employee's personnel file. For additional information, see Section 6.7 - Failure to Successfully Complete Probationary Period.

D. **Probation – Successful Conclusion and Step Increase:** If the probationary employee successfully completes the probationary period, they may be eligible for a pay increase to the next step in the pay range, however, such step shall not be automatic but shall be based on merit by proof of a formal written evaluation submitted to Human Resources to release the employee from probation and to authorize the pay increase. A pay increase will be denied if the employee is already at the top of the pay scale.

Section 6.4 – Probationary New Hire Employee Benefit Access

Newly hired probationary career employees have limited access to some benefits, including but not limited to:

A. **Bargaining Unit Positions:** Newly hired probationary career employees should refer to their respective bargaining agreement and union leadership for representation questions during probation. Additionally, these Employment Rules apply to all classified City employees and also apply to employees represented by collective bargaining units to the extent their respective, current collective bargaining agreement is silent.

B. **Sick, Reserve Sick, and Personal Business Leave:** Newly hired probationary career employees accrue Sick Leave, Reserve Sick Leave and Personal Business Leave, and may utilize said leave banks in accordance with established City policies and/or laws. Accrued Sick, Reserve and Personal Business hours are not eligible for pay out should the employee not complete probation.

C. **Vacation Leave:** Newly hired probationary career employees do not accrue Vacation Leave, and therefore are not eligible for any Vacation Leave payoff in the event of termination prior to attaining career status.

   Upon successful completion of the six (6) month probationary period, the newly hired career employee will be credited with a lump sum of 40 vacation hours earned during the probationary period. The amount of vacation hours provided will be proportionally adjusted for career part-time employees and for adjusted probationary periods.

D. **Questions or Concerns:** Probationary employee's questions or concern must be directed to the department supervisor, Appointing Authority and/or the Human Resources Director. If warranted, the Human Resources Director may discuss concerns with union leadership or may bring the concerns to the Commission for discussion; whichever is in the best interest of the City, the Department and/or the employee.

E. **Benefit Enhancements** Newly hired probationary career employees are eligible to receive Donated Vacation, Across the Board Salary Adjustments and other benefit enhancements unless it specially states that the employee must have successfully completed the probationary period before they can participate in that particular benefit, i.e. tuition reimbursement.

Section 6.5 – Probation and Benefits Following Lateral Transfer, Downgrade, Promotion or Demotion

Career employees who laterally transfer, downgrade, promote or who are demoted, shall serve a probationary period in the new assignment (Also see Section 6.2 – Probationary Period, Adjustments and Extended Absences). Such employees, in that they have already attained career status, will continue to accrue and have access to all leave benefits.

Any transfer, downgrade, promotion to a new bargaining unit position or demotion within a bargaining unit, shall be governed by the applicable collective bargaining agreement. If the applicable collective bargaining agreement is silent regarding probationary benefit accrual following a transfer, downgrade or promotion to a new bargaining unit position or demotion within a bargaining unit, these Rules shall govern.

Section 6.6 – Probation and Applying for Other Positions Prohibited

Any new hire employee on probation is not eligible to apply for other City employment until they have successfully completed the probationary period they are actively serving.

Career status employees may apply for a promotional opportunity during a period of probation, but, if selected, would have to have successfully completed the probation they are currently serving and be available for the new appointment within thirty (30) days from the date of application. If

attaining the promotional position, they must also complete a probationary period with the new appointment.

Section 6.7 – Probationary Period Failure to Successfully Complete

To begin the termination process, an evaluation recommending termination must be submitted to the Human Resources Director no later than five (5) months into the six (6) month probationary period (See Section 6.3 C Probation - Evaluation for Extension or Termination). These evaluations shall be included in the employee's personnel file.

A. Probation Fail - New Hire: A new hire employee is an at-will employee; and as such, may be released by the Appointing Authority at any time during the probationary period for any non-discriminatory or non-retaliatory reason. Written notice of intent to discharge a probationary employee, with the reasons therefore shall be submitted to the Human Resources Director for review prior to the intended date of discharge of the probationary employee. The Human Resources Director must concur with the intent to discharge the probationary employee from City employment or will determine the best course of action. Section 6.3 Probation Ratings or documented discussions, if any, shall be considered.

B. Probation Fail Transfer, Downgrade, Promotion or Demotion: A career employee who does not successfully complete a probationary period after a transfer, downgrade, promotion or demotion may return to their former position; only if the position is vacant and only with the approval of the Appointing Authority.

Should the Appointing Authority decline to accept the returning employee, or should the position no longer be vacant, the Human Resources Director may arrange for a different transfer at the same or downgraded level as the employee's former position prior to the probationary period, if it is in the best interest of the City, if a vacancy in another department exists and if the employee qualifies by experience and/or any applicable testing process.

Upon appointment to another position, the employee must successfully complete a probationary period in the new position and all provisions of this Rule shall apply.

If there are no options available for transfer or downgrade, the career employee shall be laid off and placed on a re-employment list for a period of one (1) year (See Rule 14 Separation from City Service). During such period, the employee may apply for vacancies in the City service for which they may qualify. The Appointing Authority may consider such employee in addition to other eligible candidates and may make a selection according to Rule 4 Section 4.3 (3).

Any transfer, downgrade or promotion to a new bargaining unit position or demotion within a bargaining unit, shall be governed by the applicable collective bargaining agreement. If the applicable collective bargaining agreement is silent regarding failure to successfully complete the probationary period following transfer, downgrade or promote to a new bargaining unit position or demotion within a bargaining unit, these Rules shall govern.

C. Probation and Employee Request to Return to Former Position

If an employee transfers, downgrades or promotes to another position and determines that they want to return to their former position, the employee shall have their six (6) month probationary

period to return to their former position, if the former position has not been filled or otherwise eliminated.

The employee must submit a written request to return to their former position to the Human Resources Director prior to the end of their probationary period. If returning to the former position is not an available option, the employee may either opt to remain in the new position or 6.7 (B) Probation Fail Transfer, Downgrade, Promotion or Demotion will apply.

This section also applies an employee who promotes outside of the classified service and wants to return to their former position within the classified service.

Section 6.8 – Disciplinary Probation

An employee may be placed on probation following a documented infraction of a Rule or other serious misconduct, or because of documented performance difficulties or excessive absenteeism or tardiness. Such probation will normally be for a prescribed period, during which time the employee will be expected to refrain from further misconduct and/or improve performance up to acceptable standards.

A notice of Disciplinary Probation, prepared by the Appointing Authority and reviewed by the Human Resources Director, will be given to the employee in writing, the notice will outline the terms and conditions of the probation. A Performance Improvement Plan may accompany a Disciplinary Probation notice.

Such employees may apply for a promotional opportunity during the period of the disciplinary probation, but, if selected, may not move to a new position while on disciplinary probation. Employees who fail to perform according to the required standards during such disciplinary probation will be subject to further discipline, up to and including discharge. However, an Appointing Authority is not required to place an employee on probation prior to the exercise of appropriate disciplinary measures. (–See also Rule 13 -Disciplinary Actions)

[Revised April 2, 1980]
[Amended Rule 06 Approved April 26, 2022]
[Effective Date April 27, 2022]

RULE 7 TRANSFERS AND PROMOTIONS

Section 7.1 – Lateral Transfers

A lateral transfer is the movement of a career employee from a position to a different position in the same or similar class in which both positions are assigned to the same pay grade. There is no salary change associated with a lateral transfer. A lateral transfer within a department may be made by the Appointing Authority at any time, to support the department's needs.

The lateral transfer of a career employee from one department to another may be made with the consent of the Human Resources Director and the Appointing Authorities of the two departments involved. Such transfers may be made due to reorganization, to avoid layoff or other separation, as a reasonable accommodation made in accordance with the Americans with Disabilities Act or for mutual benefit of the City and the career employee.

Such transfers, may not be used to avoid the posting of a vacant position under normal circumstances. Any eligible career employee may apply for an open position that has been posted in accordance with these Rules which may amount to a lateral transfer to a position in the same pay grade. Career employees who apply for position which amounts to a lateral transfer are eligible for selection in accordance with the Certification process set forth in these Rules. (See Rule 3.2- Notice of Vacancies, et al. and Rule 4- Certification Process.)

A. **Lateral Transfer and Probationary Period:** All career employees who are transferred to a new position must serve a probationary period in accordance with these Rules. A new anniversary date, for position seniority purposes, will be the career employee's appointment date to the new lateral transfer position. (See Rule 6.5- Probationary Period)

B. **Lateral Merit Increase based on Rule 6- Probationary Period,** Section 6.6**:** A career employee, who while serving a probationary period, applies for and is appointed to a lateral position, shall receive the merit increase for successfully completing the initial probationary period, based on the evaluation from the original Appointing Authority. Another merit increase may be initiated upon satisfactory completion of the new probation period for the new lateral position, provided the employee's salary is not at the top of the wage scale.

C. **Lateral Transfer Ineligibility:** Career employees currently on a Performance Improvement Plan are not eligible to apply for a transfer, unless approved by the Human Resources Director.

D. **Appointing Authority Rights Related to Lateral Transfers**: For career employee's applying for lateral transfers, the Appointing Authority may also consider the contents of the personnel file of the career employee together with their application materials in making a determination on hiring for the lateral position.

Section 7.2 – Promotions

Vacancies in the City service shall be filled insofar as practicable by promoting persons holding positions in lower grades in the City service, or through those serving in acting capacities, provided the requisite knowledge, skills and abilities of the vacant promotional positions are satisfied. Such

promotions shall remain competitive and be based upon merit as ascertained, where practicable by test and as evidenced by the level of education, training, previous service and related job experience of the career employee promoted. (See Rule 3- Notice of Vacancies.)

If, it is not practicable or there are an insufficient number (2 or less) of regular career employees qualified for consideration to fill a promotional position, applications may be sought from outside the City service.

A. **Promotions via Competitive Recruitments:** Career employees who, via competitive recruitment, are selected for a promotion to a higher pay grade will be eligible for a salary increase of 4%, rounded up and placed on step of the new pay grade. In no case shall a promotional increase cause a career employee's salary to exceed the maximum of the salary range for the promotional position. (See Rule 15 – Salary Administration Program – Promotions).

B. **Promotions and Probationary Period:** All promoted career employees, must serve a probationary period. A new anniversary date, for position payroll purposes, will be the career employee's appointment date to the new promotional position. (Rule 6- Probationary Period, Section 6.6–. Career employees may apply for a promotional opportunity during a period of probation but, if selected, are required to successfully complete the probation they are currently serving; and be available to begin the new appointment within thirty (30) days from the date of selection. Once the employee begins promotional position, they must also complete a probationary period relative to the new appointment.)

C. **Promotional Merit Increase based on Rule 6-**Section 6.6: Should a career employee, while serving a probationary period, apply for and be selected for appointment to a different promotional position, the merit increase the employee would have received for successful completion of the probationary period of the initial position, shall be waived. The employee shall be compensated for the new promotional position at its regular rate and a merit increase may be initiated when the employee successfully completes the probationary period relative to the new promotional position. There will be no salary increase for an employee who is at the top of the wage scale.

D. **Promotions via Reclassification:** Career employees whose position, via reclassification determination, are evaluated at a higher pay grade will be eligible for a salary increase of 3%, rounded up and placed on step of the new pay grade. In no case shall a promotional reclassification increase cause a career employee's salary to exceed the maximum of the salary range for the reclassified position. Career employee's whose positions are reclassified shall receive a new anniversary date, for position seniority purposes, which shall be the career employee's reclassification date. Such career employees are eligible for their next increase one (1) year from the effective date of the reclassification unless at the maximum of the pay grade. (Reference Rule 15 Pay Plan & Salary Administration Program – Promotions and Reclassifications).

E. **Promotion Ineligibility:** Career employees on probation or on a Performance Improvement Plan are not eligible to apply for a promotion, unless approved by the Human Resources Director.

F. Appointing Authority Rights Related to Promotions:

For career employee's applying for promotions, the Appointing Authority may also consider the contents of the personnel file of the career employee together with their application materials in making a determination on hiring for the promotional position.

[Amended June 14, 2022, Effective]

RULE 8
CONDITIONS OF EMPLOYMENT

Section 8.1 – Tenure of Employment

The tenure of everyone holding office, place, position or employment in the City's service shall be only during good behavior and efficient service. Any such person may be removed or discharged, suspended without pay, deprived of vacation privileges or other privileges up to and including termination for violation(s) of the provisions of the employment rules of the City of Southfield, the City Charter, as amended, City policy, state or federal law or regulation, or any other act or omission detrimental to the good of the City service. Examples of employee misconduct may include, but are not limited to the following situations. This list of examples is not intended to be exhaustive.

Prohibited Activity

- Absent from work due to conviction of a crime
- Conflict of interest/bribery
- Destructions of City, another employee or the public property.
- Immoral, indecent or illegal conduct
- Ingesting, injecting, inhaling controlled substances on City property during working hours
- Intoxication while at work
- Misappropriation/misuse of funds
- Possession of controlled substances on City property at any time
- Possession of firearms or other weapons on City property during working hours
- Theft from the City, another employee or the public
- Use of alcohol or illegal drugs during the workday, and outside of work hours (lunch) where work performance may be impaired
- Use of City equipment for illegal purposes

Prohibited Workplace Conduct

- Assault and battery while at work
- Bullying: Threatening, intimidating, coercing, interfering, or fighting with the public, other employees or supervisors
- Discourteous treatment of the public
- Dishonesty/Lying
- Contributing to unsanitary or unsafe conditions
- Misuse of Authority
- Sexual Harassment
- Using abusive or vulgar language

Violation(s) of City policies/Rules

- Attendance violations/Excessive absenteeism
- Conduct unbecoming a City employee
- Disregarding safety rules or procedures
- Failure to promptly report an accident involving employees or the public
- Habitual tardiness; abuse of break periods
- Leaving departmental premises or assigned work location during working hours without authorization
- Leaving the City by use of a City or personal vehicle during working hours without authorization
- Personal use of City equipment
- Violation(s) of the City's Driving Policy
- Violation(s) of the City's Electronic Policy
- Willful misuse or vandalism of City property

Work Performance

- Breach of trust
- Incompetency
- Inefficiency
- Insubordination
- Sleeping or lying down on the job
- Unable to meet performance standards
- Unauthorized disclosure of confidential or privileged information

Any instances of suspected violations of this section may be investigated by Management and any resultant employee discipline may be levied in accordance with these Rules, and/or any applicable collective bargaining agreement.

Section 8.2 – Political Activity

A. Prohibited Activities
Notwithstanding any other provisions of this Rule, no employee, nor anyone holding any office, place, or position in the City service shall:

1. Engage in partisan or nonpartisan political activities during working hours or charging overtime for same.

2. At any time, engage in partisan or nonpartisan political activities in which such person represents himself or herself as a spokesperson for the City of Southfield.

3. Use City of Southfield supplies or equipment for any political activities. This includes on work time or after hours on their own time.

4. Use their official authority and influence over other employees for the purpose of interfering with or affecting the outcome of an election or a nomination for office.

5. Directly or indirectly coerce, attempt to coerce, command or advise another employee to pay, lend, or contribute anything of value to a party, committee, organization, agency or person for the benefit of a person seeking or holding elected office, or for the purpose of furthering or defeating a proposed law, ballot question, measures that may be submitted to a vote of the people, or any other political purpose.

6. Shall not actively engage in any election activities, intended or tending to influence others for the purpose of interfering with or affecting the result of any election or a nomination for office during those hours when the employee is being compensated for the performance of duties as a public employee, or while wearing or displaying a uniform, badge, photo ID or other indicia of office which identifies the employee as an employee of the City of Southfield.

B. Hatch Act: No employee in the classified City service whose principal employment or position is in connection with an activity financed in whole or in part by loans or grants made by the United States government or a federal agency, shall engage in any political activities which shall violate restrictions imposed upon such individuals by the Hatch Act (Hatch Political Activities Act of 1939, as amended).

C. Permitted Activities: Except as otherwise provided in this Rule, any employee, anyone holding office, place, position or employment in the City service may engage in the following activities while away from work or during non-working hours. These activities are intended as illustrative and do not constitute a complete list of permitted activities.

1. Become a member of a political party committee formed or authorized under the election laws of the State of Michigan.

2. Be a delegate to a state convention, or a district or a county convention held by a political party in the State of Michigan.

3. Engage in other political activities on behalf of a candidate or issue in connection with partisan or nonpartisan elections.

4. Become a candidate for nomination and election to any state elected office or any district, county, city, village, township, school district or other local elective office without first obtaining a leave of absence from employment, (excluding becoming a candidate for nomination for election within the City of Southfield, see Section 8.3).

D. Determination of Specific Acts as Prohibited Activities: The Human Resources Director independently and/or in consultation the City Attorney's Office shall, upon request of an employee, review a specific action to determine whether a specific proposed action taken by an employee may be, in violation of the political activities restrictions set forth herein, and such determination shall be conclusive and final. Upon notification of an action previously taken, Human Resources Director independently and/or in consultation the City Attorney's Office shall review the action taken to determine if a violation of the political activities restrictions set forth herein has occurred. Such determination shall be conclusive and final.

Section 8.3 – City Employees Nominated or Elected to Office within the City of Southfield

If any employee in the classified City service should become a candidate for elective office within the City of Southfield, the City shall require such employee to request and take a leave of absence without pay. This leave of absence must commence either when the employee complies with the candidacy filing requirements or sixty (60) days before any election relating to that position, whichever date is closer to the election.

If the employee is elected to an office of the City of Southfield, he or she must resign. Any person who holds, or has held, any elective office of the City of Southfield, shall not be eligible for appointment to a City office or employment, for which compensation is paid by the City, until after one year has elapsed following the term for which they were elected.

Section 8.4 – Hours of Work, Flexible Work Schedule and Alternative Work Schedule

A. Hours of Work: Normal hours of work shall be established by the City Administration subject to the following:

- The normal business hours for the City of Southfield are 8:00 am to 5:00 pm. Monday through Friday.
- The normal workweek for a career full-time employee shall consist of five eight-hour days with an unpaid one-hour lunch period each day.
- Employees shall be paid for all hours worked over forty in one week and/or eight in one day at a time-and-one-half rate subject to the provisions of this section and Rule 15 in accordance with the Fair Labor Standards Act, state law, and any applicable collective bargaining agreements.

B. Flexible Work Schedule: Where feasible and upon Appointing Authority approval, the City shall allow a flexible working hours schedule for employees. Any such flexible hours program established for employees whose normal workweek approximates the normal business hours of the City offices shall be operated under the following conditions.

1. **Starting and Departure Time:** Each employee may be permitted to select their daily starting and departure time. In selecting such flexible times, employees must cooperate with department management to assure that normal business hours are always properly staffed. In selecting a starting or departure time, an employee is limited to starting work no earlier than one hour prior to the commencement of normal business hours and no later than one hour after the commencement of normal business hours. Likewise, any departure time selected shall be limited to a maximum of one hour before the commencement of normal business hours or one hour after the end of normal business hours. For all employees, any flexible work schedule must equate to the employee working a full workday each day. All flexible work schedules must be approved, in writing, by the Appointing Authority.

2. **Lunch Time:** Employees may also select either a one-hour or one-half hour lunch period, with or without selecting a flexible starting and/or departure time. To ensure working hours are accurate, any employee who selects a one-half-hour lunch period will have their starting or departure time adjusted by one-half hour. Any such adjustments made to an employee's work schedule shall be approved, in writing, by the Appointing Authority,

3. **Overtime:** No flexible work schedule may be established in which overtime is incurred as a result of the established flexible work schedule. The flexible schedule is designed to accommodate the needs of both the employee and the Department.

Such a program is intended to be established for pre-determined work schedules. Once a flexible work schedule is approved and established, the employee is expected to adhere to it. Schedules of all employees, including those with flexible work schedules may be adjusted periodically, with the approval of the Appointing Authority.

In addition to the flexible working hours schedule, an Appointing Authority may, upon the request of an employee, approve occasional deviations from the employee's normal work schedule. This might take the form, for example, of a request to start later than normal on a given day or leave early on a given day. Such requests may be authorized under the following conditions:

(1) The work time must be made up within the same workweek.

(2) All such requests must be made and approved in advance; and

(3) When the request is approved, it is expected the City shall accrue no overtime pay liability as a result of approving the employee's request.

C. Alternative Work Schedule: Where feasible, the City may provide an Alternative Work Schedule program for employees. Any such program established shall be operated under the City of Southfield Alternative Work Schedule Policy.

For those departments whose normal work schedules do not approximate the normal business hours of the City offices, the Human Resources Director and the Appointing Authority may approve an alternate or flexible hours schedule that is consistent with the City's Alternative Work Schedule policy.

Section 8.5 – Attendance

Employees are expected to be regular in their attendance and to observe the working hours established by City Administration or approved by the Appointing Authority under Section 8.4. All employees absent without authorized leave, or who report late on any given shift shall be penalized by way of a pay deduction in multiples of l/l0th of an hour for each six minutes or fraction thereof, for each day or portion of a day. Habitual tardiness shall be cause for discipline up to and including discharge.

Arrangements for time off must be made in advance with the employee's immediate supervisor, and in accordance with the provisions of the leave regulations under which the time off is to be taken.

If, for some legitimate reason, an employee is unable to report for work at the established time for their particular shift to begin, the supervisor on duty shall be notified.

A continuing balance of each employee's vacation leave, sick leave, compensatory time and/or unpaid overtime credits will be kept on the employee's personnel record, maintained with the employee's wage and hour records, and with the payroll or timekeeper in the employee's department.

Section 8.6 – Absence without Leave

Any employee who is absent from duty on a workday or any portion of a workday, without authorization, shall be deemed absent without leave and may be subject to disciplinary action up to and including discharge. However, such absence may be reconciled by a subsequent grant of leave through the Human Resources Director.

Vacation and sick leave time shall not accrue during absence without leave.

Section 8.7 – Suspension of Leaves

The leaves provided for herein may be temporarily suspended during any period of emergency declared by the City Administrator and/or the Mayor.

[Amended February 13, 1979]
[Revised April 24, 1979]
[Revised September 25, 1979]
[Amended October 27, 1987]
[Amended September 5, 1995]
[Amended June 14, 2022]

RULE 9 - SENIORITY DATE

Section 9.1 – Seniority Date

Seniority date shall be based on the length of continuous service after the date of appointment to a position in the City service, except that:

(a) Any time spent as a non-career employee, intern, independent or personal service contractor shall not count toward seniority.

(b) Employee transferring from career part-time to full-time or vice versa shall receive corresponding adjustments toward seniority earned.

Part-Time Career Employees: will be eligible to receive credit toward seniority at a rate of 50% for the period of career part-time employment that resulted in eligibility for 50% benefits.

Three Quarter Time Career Employees: will be eligible to receive credit toward seniority at a rate of 75% for the period of career part-time employment that resulted in eligibility for 75% benefits.

(c) Where two or more persons are appointed on the same date, relative seniority shall be determined by:

1. The highest standing on the employment list from which certified.

2. However, in all cases of identical seniority date, persons entitled to preference under the Veterans' Preference Act shall be considered as having greater seniority than those without such preference.

3. Any ties occurring beyond the above provisions shall be decided by lot.

[Amended September 5, 1995]

Section 9.2 – Effect of Leaves of Absence and Suspensions

Employees, on unpaid leaves of absence, or employees suspended from their employment shall have such periods deducted from seniority resulting in an adjusted seniority date.

Section 9.3 – Effect of Layoff

Time elapsed between periods of layoff and re-employment shall be deducted from seniority resulting in an adjusted seniority date.

Section 9.4 – Leaves Not Breaking Seniority

The following shall not be considered as breaks in service:

A. Federal Uniformed Services Leave as defined in the Uniformed Services Employment and Reemployment Rights Act of 1994 and the Michigan Public Employees Entering the Armed Forces Act (35.351 - 35.356)

B. Absence from work due to injuries compensated for under Worker's Compensation Act.

C. Leave to accept appointment to unclassified positions.

D. Approved educational leave.

E. Approved Family Medical Leave Act leaves.

F. Americans With Disabilities Act leaves.

Section 9.5 – Separations Breaking Seniority

Any termination of employment shall end the employee's accrual of seniority and any earned seniority shall be forfeited, except as may be specified in Chapter 9 of the Southfield City Code.

In the event of rehire, seniority will not be restored.

RULE 10 – JOB EVALUATION AND CLASSIFICATION PLAN

Section 10.1 – Job Evaluation

The classes of positions, as named and described in the class specifications, shall constitute the classification plan for positions in the classified service in the City of Southfield and it shall be attached hereto and incorporated into these rules by reference herein.

At regular intervals, or upon request, the Human Resources director or their designee shall cause all, (or any number of) positions to be evaluated according to their respective duties and responsibilities using a validated process or a contracted professional service. The Human Resources Director is charged to provide to the Commission rates of compensation for all positions within the classified service established through a job evaluation process.

Section 10.2 – Summary Job Descriptions (SJD)

The Human Resources Department with the Appointing Authority, shall determine the responsibilities of all employees and shall maintain a complete and up-to-date Summary Job Description for every position in the classified City service. The Summary Job Description shall at minimum include:

1. The title of the position
2. Pay Grade/Classification
3. Department
4. Reporting Authority
5. Supervisory responsibility (including number of direct reporting positions)
6. Date the Summary was reviewed or established
7. Essential Functions of the position Minimum Qualifications including work experience, educational background
8. Credentials or Licenses required
9. Working Conditions

A Summary Job Description may be changed at any time at the sole discretion of the City and the needs of the Department.

Section 10.3 – Classification Plan – Pay Grade Assignment

The classes of positions in the Classification Plan are to have the following force and effect:

(1) They are descriptive only and are not restrictive. They are intended to indicate the kinds of positions that should be allocated to the respective classes as determined by their duties, responsibilities, and qualification requirements. Specifications are prepared on a "horizontal" basis, i.e., primary emphasis is placed on the degree of

responsibility and relative authority rather than the specific duties or volume of work of the position.

(2) In determining the class to which any position shall be allocated, the specifications for each class shall be considered as a whole. Consideration is given to the general duties, the specific tasks, the responsibilities, decision making authority, the required and desirable qualifications and the relationship to other classes as affording a perspective of the positions that the class is intended to include.

(3) The statement of required and desirable qualifications constitutes the minimum and desired qualification expected of any appointee, if they are to perform the work effectively.

Section 10.4 – Allocation of Positions to Classes

Each position in the City service shall be classified by the Commission with the recommendation of the City Human Resources Director or their designee by allocation to its appropriate class, as suggested through the evaluation process. This class title shall forthwith become the title of such positions, and shall be used in all official documents referencing the position.

Section 10.5 – New Positions

Whenever a new position is considered, the Appointing Authority shall forthwith report this fact to the City Human Resources Director and the City Administrator, including a full statement of the actual and proposed duties, responsibilities, and qualification requirements. Upon recommendation of the City Human Resources Director, and concurrence with the appropriate bargaining unit or the Commission, the position will be classified or reclassified by allocating it to its appropriate class in accordance with the Classification Plan in effect. If necessary, a new class shall be established to provide for the new position.

Section 10.6 – Re-Allocation of Positions

(1) The Commission may, from time to time, review any or all positions in the classified City service and may in accordance with these rules, suggest changes in the classifications. However, no change shall be made, until the Appointing Authority and the City Human Resources Director have had an opportunity to review the allocation in question.

(2) Any employee, through their Department Head or Supervisor, may at any time request in writing to the Human Resources Director a review of their classification. This request shall set forth the employee's reasons for the review and if the Human Resources Director believes the reasons appear to be valid, they shall review the position through the job evaluation process to determine the accuracy of the classification. This investigation shall include all other positions in the same or similar classes to ensure that no action is taken with respect to one position which will result in inequity to other positions in the same or similar classes.

(3) Prior to advertising a vacancy in the City Service, the Human Resources Director or their designee shall review the position with the Appointing Authority for any changes or updates to assure the appropriate classification placement. (Reference Rule 3 – Vacancies)

Section 10.7 – Amendment of Classification Plan

The Human Resources Director, as it may from time to time deem necessary and after conference with the appointing authorities involved, may establish new classes, abolish, merge, or divide existing classes and amend the class specifications to meet changing conditions. Any such changes shall be communicated to the Commission upon establishment.

RULE 11 - PERFORMANCE EVALUATION

Section 11.1 – Employee Performance Evaluations

(a) An employee on probation shall have a formal performance evaluation at least once prior to the expiration of their probationary period. (Reference Rule 6 – Probationary period). Thereafter, performance evaluations shall occur annually on an employee's date of hire, or the effective of hire to their most recent position.

(b) Each employee's job performance shall be evaluated at least once each year by the Department Head and the evaluation shall be reviewed by the City Human Resources Director. This evaluation shall be made a part of the employee's personnel record and shall be given due consideration in the granting of pay increases within the salary range. Evaluations shall follow the form prescribed by the by the Human Resources Director.

(c) Evaluations shall also be reviewed and signed by the employee.

(d) Prior to separation from City Service, (i.e., resignation, termination, layoff, or retirement), the Human resources Director or their designee shall conduct an exit interview with the employee and shall obtain feedback from the employee's supervisor regarding recommendation for later rehiring.

RULE 12 - GRIEVANCE PROCEDURE

The following procedures have been established for submitting grievances by an individual or group to management, and should be followed by all non-represented career employees when submitting same:

Section 12.1 – General Grievance Procedure

Step 1 Employee(s) should discuss the grievance with their immediate supervisor within three (3) days of the occurrence of an occurrence giving rise to such grievance.

The immediate supervisor, in collaboration with the Appointing Authority shall reach a decision on the merits of the grievance, and shall report management's decision in writing to the employee(s). A copy of the decision rendered shall be provide to the Human Resources Director upon issuance. Every effort should be made to settle grievances at this level within ten (10) business days from notification of grievance.

Step 2 Should the employee(s) disagree with the decision, the employee(s) shall have 15 business days from the date of the decision to escalate the grievance to the City Human Resources Director.

The escalated grievance shall be submitted on a grievance form to the Human Resources Director. A sample grievance form is attached hereto and incorporated by reference herein, copies of which may be obtained in the Human Resources Department.

The Human Resources Director or designee shall meet with the employee(s) within ten (10) business days after receiving the written grievance form. The Human Resources Director shall render a decision on the grievance within seven (7) business days to from the date of the meeting.

Step 3 Should the matter still be unresolved after meeting with the City Human Resources Director, the employee(s) may escalate the grievance to the ACS Commission by the following procedure and shall proceed as set forth in Rule 14)

a) Submit a written request to escalate the grievance to the Commission.

b) The City Human Resources Director will prepare a report within three (3) working days after receiving the employee's written grievance escalation request and shall submit the same to the Commission at the next scheduled meeting for its consideration. The Commission may set a time and place for a hearing with the aggrieved party, or it may decline a hearing and render a decision on the grievance immediately or at a later time.

In cases where a group of employees have similar grievances, the group should select no more than three (3) individuals to represent them when presenting their grievance or grievances to the City Human Resources Director's office.

Section 12.2 – Grievance Against Supervisor or Appointing Authority

1. If the grievance is against the employee(s) immediate Supervisor or Appointing Authority, the employee(s) shall begin the grievance process at Step 2 as outlined above.

Section 12.3 – Probationary Employees

Generally, probationary employees are not eligible to participate in the grievance process as to discipline or continuation of employment. (See also Rule 6 – Probationary Period, Rule 13 - Disciplinary Actions) However, if the occurrence giving rise to the grievance involves a potential violation of city policy, local, state or federal regulations or law, the grievance procedure set forth herein shall be followed.

RULE 13 - DISCIPLINARY ACTIONS

Section 13.1 – Forms of discipline.

Permissible discipline includes, but is not limited to, the following:
(1) An oral reprimand (should be documented).
(2) A written reprimand.
(4) Suspension without pay.
(5) Demotion.
(6) Discharge from City service.

Section 13.2 – Discipline Authorized and Pre-Disciplinary Conferences.

Discipline Authorized. An Appointing Authority and/or The Human Resources Director may initiate disciplinary action against a career employee subject to Section 8.1 Conditions of Employment of these rules.

Disciplinary conference. If an Appointing Authority is contemplating imposing discipline greater than a reprimand, the Appointing Authority shall immediately contact the Human Resources Director to schedule a pre-disciplinary conference. The Human Resources Director shall notify the employee in writing of the conference, charges, and possible penalties. If the employee fails to attend the disciplinary conference for reasons other than an emergency, the employee waives the right to participate in a pre-disciplinary conference.

Section 13.3 – Imposing discipline.

The Appointing Authority in conjunction with the Human Resources Director shall impose discipline in a manner consistent with the civil service rules and any applicable departmental work rules. When appropriate, corrective measures and progressive discipline may be imposed, (i.e.; Performance Improvement Plan). However, if an infraction is sufficiently serious, the Human Resources Director in consultation with the City Attorney and/or the City Administrator has the discretion to impose any penalty, up to and including termination.

Section 13.4 – Notice of Termination

In all cases of termination of an employee covered under these rules, the Human Resources Director shall, within three (3) days of the effective date thereof, furnish such employee with a copy of the reason or reasons for such termination. The notification to the employee shall be by email with a read receipt requested, registered or certified mail, return receipt requested, or may be hand delivered, during the meeting confirming the termination. The employee shall have an opportunity to file a written response to the Human Resources Director or City Administrator in like manner within ten (10) days. Such response, if any, shall be filed in employee's personnel file.

Section 13.5 – Appeal to the Commission - Suspensions/Terminations/Demotions
(See also Rule 14)

In case of suspension, demotion or termination, any employee covered under these rules may file a petition with the ACS Commission within ten (10) days from the effective date of such suspension, demotion or termination, seeking relief from such discipline. The ACS Commission shall make an initial determination whether it has jurisdiction to decide the petition. If the ACS Commission has jurisdiction to decide the matter the Commission may grant the petitioner a hearing subject to the procedure set forth in these rules. (See Rule 14- Appeals and Hearings)

RULE 14 – APPEALS AND HEARINGS

Section 14.1 – Appeals to the Commission - Suspensions/Terminations/Demotions

In case of suspension, demotion, or termination, any employee covered under these rules may file a written petition with the ACS Commission within ten (10) days from the effective date of such suspension, demotion, or termination seeking, reinstatement or other relief and giving reasons therefore.

Section 14.2 – Appeals to the Commission – Other Employment Actions (See also Rule 3)

Any employee covered under these rules, who believes they have been aggrieved relative to an employment decision, may file a written petition seeking relief and giving reasons therefore, with the ACS Commission within ten (10) days from the effective date of such decision

Section 14.3 – Determination of Jurisdiction

Upon receipt of an appeal, at the next regularly scheduled meeting, the ACS Commission shall make an initial determination whether the subject of the appeal is within the jurisdiction of the Commission.

Section 14.4 – Resolution Without Hearing

In certain instances, where facts are not in dispute and the question raised on appeal may be resolved without the necessity of a hearing, the ACS Commission may render its determination upon review of the information before it.

Section 14.5 – Hearing before the ACS Commission

If the ACS Commission makes the determination a hearing on an appeal is necessary, the Commission shall hold a hearing in accordance with the Michigan Open Meetings Act.

1. **Overview:** Hearings brought before the ACS Commission are conducted by the Commission and shall be conducted in a fair and impartial manner. the Commission acts as a tribunal when holding a hearing on an appeal or grievance. The Commission shall receive evidence presented by the parties, and may question any witnesses necessary to make a determination. The Commission shall make a determination to either uphold, modify or reverse the action taken by the Human Resources Director. The Commission's determination shall be final.

2. The ACS Commission shall schedule a hearing within two (2) weeks after the appeal is filed.

3. The scope of the hearing shall be limited to the matters set forth in the appeal.

4. Either party shall be permitted to be represented by counsel and may produce witnesses, evidence or testimony pertinent to the matter.

5. The City Attorney, or their designee as legal Counsel for the City and the Commission

shall advise the Commission and shall provide for representation for the City during any hearing held.

6. The Commission may engage necessary personnel to transcribe or to certify the record of any hearing.
7. Hearings shall be held in accordance with the Administrative Procedures Act of 1969, PA 306 of 1969, as amended. MCL § 24.201-24.328, *et. seq.*

Section 14.6 – Conduct of Hearing

1. The Hearing will begin with an opening statement presented by the Human Resources Director or their designee, stating the action that was taken which prompted the appeal, and the basis for the appeal from the written appeal as submitted.
2. The party bringing the appeal shall produce its evidence, and if applicable, witnesses to support its position.
3. The Human Resources Director or their designee shall produce its evidence, and if applicable, witnesses to support the city's position.
4. Either party may present a closing statement.

Section 14.7 – Determination After Hearing

The Commission shall make its decision following a hearing within five (5) days after the hearing is completed; holding a Special Meeting if necessary. The Commission shall be authorized to affirm the action from which the appeal has been taken, or it may modify, or reverse such action.

Section 14.7(a): If reinstated without discipline in the position from which the employee was suspended, demoted or terminated, the employee shall be entitled to compensation from the time of their suspension, demotion or termination until the time their reinstatement was ordered.

Section 14.7(b) If the employee's suspension, demotion or termination was modified by the Commission's determination, said determination shall indicate any redress as necessary due to the modification.

Section 14.7(c) If the Commission shall affirm the action to terminate, the terminated employee shall have an immediate right of appeal to the Circuit Court, by order of superintending control.

RULE 15 - SEPARATION FROM CITY SERVICE

Section 15.1 – Resignation

Resignation: Ideally, any employee intending to resign from the City should give their immediate supervisor at least two (2) weeks written notice. In some instances, due to the complexity of employee's position, it may be preferred for the employee to provide a longer notice if possible.

In the event of a resignation, not including retirement, the employee shall be deemed to have separated on the last actual day of work, regardless of any accumulated leave time due the employee upon separation. Final payout, including the last check, due the separating employee shall be paid in accordance with state law. Correspondingly, all employee benefit eligibility shall cease either on the date of separation or in accordance with the benefit contract, and state and federal law.

Section 15.2 – Layoff or Furlough

Overview

This section shall apply to all employees covered under the ACS Rules. In the event a workforce reduction is deemed necessary, layoff(s) shall be instated without prejudice, shall be based upon objective, reasonable and nondiscriminatory standards. Such decisions shall not be arbitrary or capricious, shall not deprive employees of other rights conferred by these rules or laws, and shall be capable of uniform application.

The City Administrator in consultation with the Human Resources Director and any affected Appointing Authority(ies) shall determine the number of positions to be reduced and the specific positions which will be affected by the workforce reduction. The Human Resources Director shall be responsible for administering and making effective the provisions of this Rule and establishing such administrative controls as may be necessary.

Section 15.3 – Avoiding Layoff or Minimizing Effects

Before initiating layoff, the City Administrator, Human Resources Director and the affected Appointing Authority (ies) shall make a good faith attempt to mitigate the need for layoff through other actions, without disrupting business operations. For example, Encouraging voluntary retirement, Voluntary employee transfers, demotions, reduction of work schedules, Hiring controls.

Section 15.4 – Types of Layoffs

A. **Abolishment of Positions or Departments**

The City Council may at any time in its discretion abolish departments or positions, and in the case of such abolishment of any position, office or employment, the person or persons holding such positions, office or employment shall be thereby removed from the same.

B. Temporary Furlough

Furloughs are short term periods when the City determines that it or a Department must reduce operations on a limited basis with the intention that employees and operations will resume at their previous level. Employees on furlough are not paid their salary during furlough periods, but will retain fringe benefits.

Should the furlough extend for a longer period of time than expected, career employees will be placed on layoff and positioned on a re-employment list in seniority order. The maximum duration of an employee on the re-employment list shall be for a period of one (1) year based on their date of layoff (See 15.6 (B) below).

Should an employee be recalled from layoff, time spent on the re-employment list will not be considered for benefits or retirement calculations and will result in an adjusted seniority date (See Rule 9 - Seniority Date, Section 9.3).

Section 15.5 – Notice of Layoff or Furlough

In every case of layoff or furlough, the Human Resources Director shall, before the effective date thereof give to the employee(s) a written statement of the reasons for such action. Such notice will be in the form of an individual written notice to the employee(s) at least thirty (30) calendar days before the first day of layoff unless the layoff is caused by an emergency or unforeseen circumstance.

Section 15.6 – Seniority Determination and Order of Layoff

A. Seniority Determination: The Human Resource Director is responsible for computing seniority for all employees.

B. Except as otherwise provided, all seniority determinations for career employees shall be made with regard to the length of continuous career service in their class or series of classes of positions in the City service. Order of layoff is as follows:

<u>Order of Layoff</u>

1. **Non-Career** status employees in the order to be determined by the appointed authority.
2. **Intern Program Participants:** in the order to be determined by the appointed authority.
3. **Contract or Non-Career Status Grant Funded Employees:** in the order to be determined by the appointed authority.
4. **Probationary** status employees in the order to be determined by the appointed authority.
5. **Career Status:** The individual with the least amount of career seniority in their current position shall be laid off first and the individual with the greatest amount of career seniority in their current position shall be laid off last.
6. It is understood, however, that any career employee who is subject to layoff who has longer seniority than another career employee in a lesser classification having similar job requirements and coming within the same occupational group, shall be entitled to the

position in the lesser classification over the one with the lesser seniority. Ex: Clerk II who has more seniority than a Clerk I with similar duties.

7. Rate of compensation for this senior career employee in this lesser classification shall be placed on step in the lesser classification closest to but does not exceed their present rate.
8. Should a full-time career employee transfer to a part time career position the employee's hours and benefits will be adjusted to reflect the same. Any cost difference in benefits will be the responsibility of the employee.

Any departure from the above practice must have the specific approval of the Human Resources Director and City Administrator.

C. Breaking Ties

Ties in seniority will be broken by first measuring the employee's time within their current classification; if a tie still exists, by measuring the employee's continuous time in the current department, and if a tie still exists, by continuous time with the City.

Section 15.7 – Transfers and Establishment of Layoff Re-Employment Lists

A. Transfers

In cases of layoff, career employee(s) shall have the opportunity to apply for a transfer to another position in the City Service in the same or lower classification for which he or she may be qualified. Should no position be available the laid off career employees shall be retained on the reemployment list for a period of one (1) year. (See Rule 7 – Transfers and Promotions)

B. Layoff Re-Employment Lists

The names of persons holding positions in the City service which have been abolished or eliminated, shall be placed on a re-employment list in the order of their seniority, the longest seniority being first. Ranking on the list will be adjusted should other employees be added to or removed from the list. The duration of the any employee on the list shall be for a period of one (1) year based on their date of layoff.

If any individual on a re-employment list shall refuse an appointment to a position in the City service having job requirements similar to the position from which he was laid off, and which has the same pay maximum as authorized in the City of Southfield Pay Plan, they shall have their name removed from the eligible list, and subsequent entry into the City service shall be through procedures established by these rules for original entry to the service.

Non-Career or probationary employees are not eligible to be retained on the re-employment list and will be separated upon selection for lay off.

Section 15.8 – Retirement

General Provisions:
Provisions affecting the eligibility for and amount of City pension benefits are set by the current City Ordinance, Chapter 9 of the City of Southfield Code, which governs the Southfield Employees Retirement System (SERS). Administrative rules and decisions regarding pension and retirement issues are determined by the ACS Commission, consistent with the provisions of the SERS Ordinance and the City Charter.

Career employees become members of the Retirement System on their first day of work, subject to applicable provisions of the SERS Ordinance.

Career employees who intend to retire from City service must submit a completed Application for Retirement form to the Human Resources Department no later than 30 days prior to the effective retirement date. If the employee is eligible and chooses to utilize Sick Leave prior to retirement as provided below, the Application for Retirement form is due no later than 30 days prior to the anticipated last day of work. With the concurrence of the Department Head, Applications for Retirement can be withdrawn up to the day prior to the effective retirement date. Pursuant to the provisions of the SERS Ordinance.

Employees on an approved Leave of Absence Without Pay as provided in these Rules remain members of the Retirement System during such Leave. Such employees are not permitted to withdraw Accumulated Contributions, if any, from the Retirement System. Any period of Leave of Absence Without Pay which is in excess of 10 working days, including but not limited to Unpaid Suspension and leave protected by the Family and Medical Leave Act (FMLA), does not count towards eligible service credit in the Retirement System and an adjusted seniority date will be calculated. (See Rule 9 Seniority)

Sick Leave Credited at Retirement:

Sick Leave Bank accruals are not included in pension calculations except as stated below and as provided by the SERS Ordinance. An employee who is eligible to retire may utilize accumulated Sick Leave Banks in the following manner:

1) An employee who is eligible for a Normal Retirement benefit may be paid in a lump sum for all accumulated hours of Regular Sick Leave standing to his/her credit as of the effective retirement date, up to a maximum of 400 hours.

2) An employee who is eligible for a Normal Retirement benefit may cease work prior to the anticipated Retirement Date and charge the remaining period against accumulated hours of Regular Sick Leave standing to his/her credit as of the effective retirement date, up to a maximum of 400 hours. All active employee benefits continue during this period.

3) An employee who is eligible for an Early Retirement benefit may be paid in a lump sum for all accumulated hours of Regular Sick Leave standing to his/her credit as of the effective retirement date, up to a maximum of 160 hours.

4) An employee who is eligible for an Early Retirement benefit may cease work prior to the anticipated Retirement Date and charge the remaining period against accumulated hours of Regular Sick Leave standing to his/her credit as of the effective retirement date, up to a maximum of 160 hours. All active employee benefits continue during this period.

5) An employee who terminates employment and is eligible for a Vested Deferred Pension is not eligible for any payment or usage of Sick Leave banks as provided above.

Post-Retirement Medical Program:
Employees must direct questions to the Human Resources Director.

[Amended November 6, 1979]
[Amended March 1, 1988]
[Amended March 23, 1999]
[Amended September 26, 2023]
[Amended September 22, 2026]

APPENDIX II

BENEFITS
POST-RETIREMENT MEDICAL INSURANCE PREMIUM BENEFIT

I. Employees who terminated service with the City of Southfield or retired prior to July 1, 1991 do not receive any City payment towards Post Retirement Medical (PRM) premium payments.

II. Eligible employees who either terminated service with the City of Southfield or retired from July 1, 1991 through June 30, 1998 are eligible to receive City payment towards Post Retirement Medical (PRM) premium payments at the commencement of their SERS pension benefit. The PRM benefit consists of 100% payment for the retiree, up to a maximum of the Blue Cross/Blue Shield rates in effect on July 1, 1991, **provided** the employee left service or retired after attaining a minimum of 20 years of service. Employees with less service receive a PRM benefit that is reduced 5% for each year of service that is less than 20. The benefit for an eligible spouse is 66 2/3% of the retiree's benefit. The retiree must have selected a joint and survivor pension option in order for the retiree's spouse to be eligible for the PRM benefit. The schedule of benefit is detailed below:

	% RETIREE				
YEARS OF	COVERAGE PAID	RETIREE UNDER	66 2/3% FOR SPOUSE	RETIREE OVER	66 2/3% FOR SPOUSE
SERVICE	BY THE CITY	AGE 65	UNDER AGE 65	AGE 65	OVER AGE 65
20 +	100%	$156.28	$104.19	$111.12	$74.08
19	95%	$148.47	$98.98	$105.56	$70.38
18	90%	$140.65	$93.77	$100.01	$66.68
17	85%	$132.84	$88.56	$94.45	$62.97
16	80%	$125.02	$83.35	$88.90	$59.27
15	75%	$117.21	$78.14	$83.34	$55.56
14	70%	$109.40	$72.93	$77.78	$51.86
13	65%	$101.58	$67.72	$72.23	$48.15
12	60%	$93.77	$62.52	$66.67	$44.45
11	55%	$85.95	$57.31	$61.12	$40.75
10	50%	$78.14	$52.10	$55.56	$37.04
9	45%	$70.33	$46.89	$50.00	$33.34
8	40%	$62.51	$41.68	$44.45	$29.63
7	35%	$54.70	$36.47	$38.89	$25.93
6	30%	$46.88	$31.26	$33.34	$22.23
5	25%	$39.07	$26.05	$27.78	$18.52

III. Eligible employees who either terminated service with the City of Southfield or retired from July 1, 1998 through September 30, 1999 are eligible to receive City payment towards Post Retirement Medical (PRM) premium payments at the commencement of their SERS pension benefit. The PRM benefit consists of 100% payment for the retiree, up to a maximum of the Blue Cross/Blue Shield rates in effect on April 1, 1999, **provided** the employee left service or retired after attaining a minimum of 10 years of service. Employees with less than 10 years of service receive a PRM benefit that is reduced 5% per year for each year of service that is less than 20. The benefit for an eligible spouse is 66 2/3% of the retiree's benefit, provided the employee left service or retired after attaining a minimum of 20 years of service; the spouse benefit is reduced 5% per year for each year of employee service that is less than 20. The retiree must have selected a joint and survivor pension option in order for the retiree's spouse to be eligible for the PRM benefit. The schedule of benefit is detailed below:

YEARS OF SERVICE	% PAID FOR RETIREE COVERAGE BY THE CITY	RETIREE UNDER AGE 65	RETIREE OVER AGE 65	66 2/3% FOR SPOUSE UNDER AGE 65	66 2/3% FOR SPOUSE OVER AGE 65	% PAID FOR SPOUSE COVERAGE BY THE CITY
20+	100%	$280.36	$283.49	$186.91	$189.00	100%
19	100%	$280.36	$283.49	$177.57	$179.55	95%
18	100%	$280.36	$283.49	$168.22	$170.10	90%
17	100%	$280.36	$283.49	$158.88	$160.65	85%
16	100%	$280.36	$283.49	$149.53	$151.20	80%
15	100%	$280.36	$283.49	$140.19	$141.75	75%
14	100%	$280.36	$283.49	$130.84	$132.30	70%
13	100%	$280.36	$283.49	$121.49	$122.85	65%
12	100%	$280.36	$283.49	$112.15	$113.40	60%
11	100%	$280.36	$283.49	$102.80	$103.95	55%
10	100%	$280.36	$283.49	$93.46	$94.50	50%
9	45%	$126.16	$127.57	$84.11	$85.05	45%
8	40%	$112.14	$113.40	$74.76	$75.60	40%
7	35%	$98.13	$99.22	$65.42	$66.15	35%
6	30%	$84.11	$85.05	$56.07	$56.70	30%
5	25%	$70.09	$70.87	$46.73	$47.25	25%

This Appendix of Benefits reflects benefits that are or have been adopted by the Administrative Civil Service (ACS) Commission. Retirement benefits are described in ACS Rule 13.5. The ACS Commission may amend or terminate benefits at its discretion.
[March 23, 1999]

RULE 16 - PAY PLAN

Section 16.1 – Pay Plan

The pay plan for City of Southfield employees consists of a salary rate and range for each class of position and provides for increases in salary.

Section 16.2 – Merit Increases

Advancement to the next step within a specific salary range is attained through a merit increase. This increase is based not only on the completion of a specified length of service, but also considers the quality of that service. Merit increases are not automatic, and are granted on the recommendation of the employee's immediate supervisor or Appointing Authority and with the approval of the Human Resources Director.

Section 16.3 – Method of Payment

All employees will be paid every two weeks (bi-weekly). Payments will be made through Direct Deposit to the employee's chosen financial institution. If an employee does not provide documentation to allow ACH transfers to a financial institution of their choosing, a debit card will be issued to the employee to facilitate payroll and other financial transactions with the City. Debit cards are distributed by the by the Human Resources Director or designee.

Section 16.4 – Compensation

A. **Career** employees shall be paid one twenty-sixth (1/26) of their annual salary each biweekly pay period.

B. **Non-Career** employees are paid hourly and are compensated for hours worked. Non-Career employees shall be paid in multiples of 1/10 of an hour for each 6 minutes worked.

Section 16.5 – Payroll Deductions

Certain payroll deductions are compulsory on all paychecks, i.e., income tax and social security. Other deductions may be recommended by the Human Resources Director and approved by City Council as necessary, i.e., health insurance employee contribution, retirement plan contributions. In addition, should there be an incorrect calculation of time or benefits that results in an overpayment, the Human Resources Director may, after sufficient notification has been made to the employee, direct payroll to a reimburse the City in the amount of the overpayment from an employee's pay either in a lump sum or over a period of deductions until the overpayment is corrected, in accordance with all applicable laws and regulations.

Section 16.6 – Leave of Absence without Pay

Except where specifically granted by these Rules, or as may be provided by the Family Medical Leave Act (FMLA), all City-paid benefits and accrual of leaves shall cease immediately upon expiration of all earned leave time (and/or removal from the current payroll).

During any unpaid leave of absence, the employee may, upon written request to and approval of the Human Resources Director, elect to continue their participation in all or part of the paid insurance programs at his/her own expense as may be provided by the Consolidated Omnibus Budget Reconciliation Act (COBRA)**.** Upon electing to continue such coverage, said employee must notify the Human Resources Director or designee to arrange payment.

Section 16.7 – Overtime Compensation

- Overtime shall be worked and computed in six (6) minute increments. Ten six-minute increments shall equate one hour of overtime. 10 x 6 = 60 minutes

- Employees who work overtime shall be paid overtime in multiples of 1/10 of an hour for each six (6) minutes worked.

- Any anticipated overtime must be approved by the employee's Supervisor or the Appointing Authority prior to working the overtime hours.

Employees shall be paid at a time-and-one half rate for all hours worked over 40 in one week.

Career Employees who are usually scheduled to work five (5) consecutive working days and forty (40) hours per week in a workweek, shall be paid a time and one half rate on a sixth (6th) consecutive working day and shall be paid a double-time rate for hours worked over 40 on a seventh (7th) consecutive working day in a week. Career employees who are usually scheduled to work eight (8) hour work days, shall also be paid at a time-and-one-half rate for hours over eight (8) in one day, unless such hours are a result of an adjusted work schedule. See Rule 8 Conditions of Employment of these rules**.**

Non-career employees scheduled to work less than forty (40) hours per week are required to work more than forty (40) hours to be eligible to be paid at a time-and-one half rate for all hours worked over 40 in one week.

[Amended July 1, 1979]
[Adopted January 17, 1984]
[Revised April 24, 1984]

Section 16.8 – Overtime Computation for Time Other Than Regular Hours

Approved time off, including vacation leave, compensatory time, jury duty, personal business, bereavement or City holiday shall be counted as hours worked for purposes of overtime computation.

(1) Overtime Compensation for Holidays Worked

Career employees required to work on paid holidays who are eligible for holiday pay as provided in Rule 18 Paid Holidays, shall be granted premium pay at a rate of time-and-one half for hours worked on a paid holiday, in addition to the holiday pay.

[Added February 23, 1982]

(2) Compensatory Time

Compensatory Time, also known as Comp Time, is paid time off to be used in the future credited to the employee in lieu of overtime for hours worked in excess of 40 per week.

(a) **Career** employees shall have the option, of accruing compensatory time at a time-and-one-half rate in lieu of receiving overtime pay.

1. The maximum accrual of banked compensatory hours for non-exempt employees shall be one hundred (100) hours. Once an employee has reached an accumulation of one hundred (100) compensatory time hours, all compensation for overtime worked shall be paid as overtime. Any unused balance of the bank shall roll over from year to year. The maximum amount that can be used or cashed in shall be one hundred (100) hours per calendar year.
2. The maximum accrual of banked compensatory time for exempt employees shall be one hundred-twenty (120) hours and any unused balance of the bank shall roll over from year to year. The maximum amount that can be used or cashed in shall be one hundred twenty (120) hours per calendar year.

Compensatory time may be used for paid time off much the same as Personal Business leave. All Compensatory time taken off must be approved by the immediate supervisor or Appointing Authority prior to taking the time off.

(b) **Non-Career** employees are not eligible for Compensatory time banks and must be paid for any hours worked over 40 in one week.

Section 16.9 – Shift Differential

Any non-represented career employee, covered by these Rules, who is required to work on a regular afternoon shift or a regular midnight shift shall receive a shift differential premium pay equal to that which is provided in the AFSCME 329 contract. Increases in this allowance will be automatic when a new allowance is negotiated by the AFSCME 329 Union and included in the AFSCME 329 contract. At no time will this allowance exceed the shift differential premium stipulated in the AFSCME 329 contract.

First line supervisors covered by these Rules shall follow AFSCME 3636 contract shift differential premium pay allowance as negotiated with the effective date being the same.

[Amended July 18, 1989]

For purposes of definition, afternoon shift is any regular shift starting between the hours of 12 o'clock noon and 10:00 p.m. EST; and midnight shift is any regular shift starting after 10:00 p.m. EST, excluding regular day shift hours.

[Amended July 1, 1979]

Section 16.10 – Effect of Classification Changes

Each employee shall be advised of the pay rate they will be paid and the pay range to which their class is assigned. When an employee reaches the maximum pay rate of their pay grade, they should not expect to receive further increases in pay unless:

(1) Their position is reclassified through the job evaluation process
(2) A general increase is granted to all employees (Across the Board Increase)
(3) They are promoted to a higher classification

In all cases, the Employee Salary Administration Guidelines should be followed.

[Amended June 13, 2006]

Section 16.11 – Standby Pay

Employees required to standby during non-duty hours shall be paid one hour per day at a straight time rate. Employees eligible for standby compensation under this section shall be those individuals who are specifically scheduled by their Appointing Authority (or designee) to standby, and as a consequence, are required to restrict their whereabouts and activities in order to be available to report for duty without delay.

[Added July 1, 1979]
[Amended June 13, 2006]

Section 16.12 – Callback Pay Minimum

Employees required to return to their worksite outside of their regular work hours shall be compensated for a minimum of two (2) hours pay at the appropriate overtime rate.

Phone calls, responding to text messages, emails or similar communications which do not result in the employee coming to the worksite shall be excluded from the two-hour minimum. In lieu of the two-hour minimum, the City shall compensate an employee for a minimum of one (1) hour at the overtime rate for accepting any phone calls, responding to text messages, emails or similar communications to which the employee's supervisor or other management staff member directs the employee to respond outside of work hours. The one (1) hour time period shall commence when the employee first responds to the call, text, or email. The City shall not be required to pay the employee any additional amounts for additional communications which occur during the same one (1) hour period.

However, any time spent engaged in such communications after the first hour shall be paid at the overtime rate and shall be incurred in one-tenth of an hour or six (6) minute increments. Once the matter is addressed through the employee's response, compensation for the matter shall cease, unless further work or follow-up is needed.

If further work or follow-up is needed, it shall be the responsibility of the supervisor, Appointing Authority or other management staff member to contact the employee. Further or follow-up work will be compensated at the overtime rate if such work falls outside of the one (1) hour period when the employee first responds as discussed above.

[Added July 1, 1979]

Section 16.13 – Acting Capacity Appointment

An Acting Capacity appointment is an interim or temporary appointment of an employee to a higher position in an acting capacity. Such an appointment may be authorized by City Administration or the Appointing Authority with the approval of the Human Resources Director without examination. An individual accepting an Acting Capacity appointment must accept all responsibilities of the appointed position.

The appointment in an Acting Capacity may be authorized when the higher position has been or is expected to be vacant for a period of at least four (4) weeks. Acting Capacity appointments shall not be continued to avoid filling the vacancy through the competitive examination process. Acting Capacity appointments of 6 months or longer require the approval of the Human Resources Director.

[ACS March 7, 2000]

An employee who has been appointed to a position in an Acting Capacity shall receive additional compensation. This additional compensation recognizes the additional responsibilities the employee will be required to complete in the acting capacity role.

The employee assigned to a position in an Acting Capacity shall be compensated as follows: Acting pay will be the greater of: 1) the first step of the higher classification's pay range, or; 2) The Acting Capacity employee's current base salary plus four (4) percent and placement at the first step of the higher classification's pay range that equals or exceeds the four (4) percent increase.

Acting Capacity appointments must be for four (4) consecutive weeks or more. Acting Capacity compensation must be paid upon an employee's assumption of the new job responsibilities. When the position is permanently filled and the employee is no longer in an Acting Capacity, the Acting Capacity compensation shall no longer be paid. Instead, the permanent compensation for the position shall be paid to the employee assuming the role.

Exceptions to the pay rate established in this rule may be recommended as a result of the complexity of the work, the interrelationships between employees, and the capabilities of the appointed individual. In the judgment of the Appointing Authority/Administration and the Human Resources Director, the employee's background or experience may warrant a higher pay.

[Amended February 17, 1987]
[Amended February 16, 2007]

Section 16.14 – Temporary Assignment Compensation

Temporary Assignment Compensation (TAC) is designed to recognize additional duties, clearly outside of one's regular assignment, that have been delegated to an employee.

TAC addresses those instances in which an additional responsibility is temporarily added to an employee's regular responsibilities. They are still responsible for performing their assigned duties, but are also being asked to take on a special assignment that would clearly not be anticipated as a regular

function of their job classification. TAC will be limited to six (6) months, but may be renewed may be renewed for one (1) additional six (6) month period, and thereafter the employee shall either be reclassified or returned to their regular duties. There shall be no subsequent temporary assignments affecting the same role without the Human Resources Director's approval. TAC will be paid on an hourly basis, for each hour worked in the assignment (i.e., will not be applied to sick pay or vacation pay). TAC compensation will be the TAC employee's current base salary plus four (4) percent and placement at the first step of the higher classification's pay range that equals or exceeds the four (4) percent increase, depending on the complexity and scope of the duties performed in the temporary assignment. When the temporary assignment has ended and the employee is no longer responsible for the additional tasks, the additional compensation shall no longer be paid.

[Effective 7/29/2008]

RULE 17 –FRINGE BENEFITS

Section 17.1 – Non-Career Employees

Non-career employees, except as otherwise noted by law or policy, are not eligible for fringe benefits.

Section 17.2 – Career Employees

Career employees are eligible for fringe benefits upon hire; provided they are not ineligible under a specific provision of a benefit. For example, for certain benefits, the benefit is not granted until the completion of the probationary period. Also, depending on the employee's start date, certain benefits may begin on the first day of the month after the employee's start date.

Three-quarter (¾) or one-half (½) time career employees' accruals, benefit levels, and required contribution may differ commensurate with their three-quarter (¾) or one-half (½) time status.

Paid Time Off Benefits (Rule 18)

A. Paid Holidays
B. Vacation Leave
C. Sick Leave
D. Long Term Disability
E. Duty Disability
F. MISC Leave

Leave of Absence Without Pay (Rule 19)

Employer Sponsored Group Insurance Coverage (Rule 20)

A. Medical
B. Dental
C. Optical
D. Term Life

Miscellaneous Employer Sponsored Benefits (Rule 21)

A. Residency Incentive
B. Education, Training, Tuition Reimbursement
C. Vehicle usage
D. Uniform Allowance
E. Employee Assistance Program (EAP) (See City Policy)

Retirement Plan

Southfield Employee Retirement System (SERS) (See City Code Ch. 9)

Deferred Compensation Plans (457, ROTH 457) (See City Policy)

Retiree Health Care Plan or Retiree Healthcare Savings Account (See City Code Ch.14)

Optional Supplemental Benefits (Employee sponsored)
Flexible Spending Account, Dependent Care Reimbursement plan, Pre-Paid Legal Service, Supplemental Life Insurance, Supplemental Disability Insurance, Long Term Care Insurance.

NOTE: Supplemental benefit offerings and vendors are subject to change at City's discretion.

Section 17.3 – Employee Contribution of cost of Fringe Benefits

Subject to the City's compliance with PA 152 of 2011, as amended, employees shall contribute to the cost of the fringe benefits elected.

Section 17.4 – Termination of Benefits

Except where specifically required by law, contract, policy or as otherwise specified in these Rules, all employer-sponsored benefits and accruals shall terminate immediately upon separation from the city's employ, expiration of all earned leave time or removal from payroll. Nothing in this rule is intended to interfere with an employee's option to continue any allowable benefit pursuant to the Consolidated Omnibus Budget Reconciliation Act (COBRA).

RULE 18 - PAID TIME OFF BENEFITS

This Rule is intended to address instances where employees shall be paid for time off work and such instances are set forth within this Rule as follows*

A. PAID HOLIDAYS
A.1 - City Observed Holidays
A.2 - Career Part Time and Non-Career Holiday Pay
A.3 - Holiday Premium Pay
A.4 - Holiday Pay Eligibility

B. VACATION LEAVE
B.1 - Vacation Leave Usage
B.2 - Vacation Leave Accrual
B.3 - Non-Career to Career and Career Part-Time Vacation Leave Accrual
B.4 - Limitation on Vacation Leave Accrual
B.5 - Vacation Leave Overage, Payout, minimum usage required
B.6 - Scheduling of Vacation Leave and Increments of Allowable Time
B.7 - Vacation Leave Pay Out, exceptions
B.8 - Vacation Leave Donation of Time

C. SICK LEAVE
C.1 - Sick Leave Accrual
C.2 - Sick Leave Usage and Maximum Accrual Allowed
C.3 - Transfer to Position Covered by Police or Fire Contracts
C.4 - Separation from City Service and Accumulated Sick Leave
C.5 - Reserve Sick Leave Bank
C.6 - Sick Leave Attendance Bonus
C.7 - Sick Leave and FMLA
C.8 - Sick Leave and Worker's Compensation Benefits

D. LONG TERM DISABILITY (LTD) PROGRAM
D.1 - Eligibility for LTD
D.2 - Six-Month waiting period
D.3 - Leave of Absence instead of LTD
D.4 - Exhaustion of Sick Leave and Ten (10) Year Exception

E. DUTY DISABILITY
E.1 – Duty Disability Eligibility
E.2 – Duty Disability Administration
E.3 – Duty Disability and Non-Career Employees

F. MISCELLANEOUS PAID LEAVE
F.1 - Personal Business Leave
F.2 - Bereavement Leave
F.3 - Jury Duty
F.4 - Administrative Leave
F.5 - Miscellaneous Paid Leave and Non-Career Employees

* Extenuating circumstances may warrant other paid leaves which are not contemplated by this Rule.

A - PAID HOLIDAYS

A.1 – CITY OBSERVED HOLIDAYS

The City of Southfield recognizes fifteen (15) paid holidays each year. These holidays are listed as follows:

New Year's Day	January 1
Martin Luther King, Jr. Day	3rd Monday in January
Presidents' Day	3rd Monday in February
Friday before Easter	Variable Date
Memorial Day	Last Monday in May
Juneteenth	June 19
Independence Day	July 4
Labor Day	1st Monday in September
Indigenous Peoples' Day	2nd Monday in October
Veteran's Day	November 11
Thanksgiving Day	4th Thursday in November
Day After Thanksgiving	4th Friday in November
Day Before Christmas	December 24
Christmas Day	December 25
Day Before New Year's Day	December 31

When any of the above holidays fall on Saturday, Friday shall be observed as a holiday. When they fall on Sunday, the following Monday shall be observed as a holiday.

A.2 – CAREER PART TIME AND NON-CAREER HOLIDAY PAY

Part-time career employees receive holiday pay as follows:

4 hours of pay for each holiday for employees eligible for 50% fringe benefits.
6 hours of pay for each holiday for employees eligible for 75% fringe benefits.

Non-career employees are not eligible to receive holiday pay.

A.3 – HOLIDAY PREMIUM PAY

Career employees required to work on days that are observed as paid holidays by the City, shall be granted premium pay at a rate of time-and-one-half for hours worked, in addition to receiving the appropriate level of holiday pay. Holiday premiums only apply to the day the City is officially observing the holiday. It may not necessarily apply to the actual day, or the weekend affiliated with the holiday.

For example, a career employee required to work on Veteran's Day which falls on a Saturday, will be paid their regular rate of pay for that Saturday. However, if the career employee was required to work on the preceding Friday, (the City-observed holiday), the employee will receive premium pay for hours worked on Friday, plus their appropriate holiday pay.

If a career employee works on the Saturday of Thanksgiving weekend, they will be granted premium pay at the time-and-one-half rate for those hours in excess of forty (40) in one week, or over eight (8) in one day.

Career employees required to work on paid holidays will receive premium pay at a rate of time-and-one-half for hours worked, plus applicable holiday pay. Supervisory personnel will, when eligible for overtime compensation, be compensated for holiday work on the same basis as these employees they are supervising, or by accumulating compensatory time off at the rate of time-and-one-half. It is the employee's responsibility to choose which option they prefer and to communicate their choice to their timekeeper to ensure their payroll is entered and processed correctly. If the employee makes no choice, the employee will receive the pay rather than the compensatory time.

Only one premium or overtime rate shall be applied to hours worked; where different rates are indicated, only the higher rate shall be applied.

Career Full-Time example, full-time career employees required to work an eight (8) hour shift on Veteran's Day will be paid premium pay at a rate of time-and-one-half for eight (8) hours worked plus eight hours regular holiday pay. (8 hours worked x 1 1/2) + 8 hours holiday pay = a total of 20 hours.

Career Part-Time example, if a part-time (50%) career employee works a seven (7) hour shift on Veteran's Day, that person will be paid premium pay at a rate of time-and-one-half for the seven hours worked, plus four (4) hours regular holiday pay. (7 hours worked x 1 1/2) + 4 hours holiday pay = a total of 14 1/2 hours.

A.4 – HOLIDAY PAY ELIGIBILITY

To be eligible for holiday pay, an employee must work on their regularly scheduled workday before and after a holiday unless they have an authorized absence.

Holiday pay will not be provided if an employee's termination date falls on a City observed holiday. Employees on a Leave of Absence without pay shall not receive any compensation for holidays occurring during said leave.

B – VACATION LEAVE

Vacation leave is an authorized absence from work, with pay for the day(s) being deducted from any vacation leave that an employee has accrued. Career employees are eligible for vacation leave, following the successful completion of probation. Non-Career Employees are not eligible for vacation leave.

B.1 – VACATION LEAVE USAGE

New Hires: Newly hired career employees earn vacation leave during their six-month probationary period. However, no vacation leave will be granted to a newly hired employee until the successful completion of the probationary period.

Career employees who are completing a probationary period for a new position shall have full access to their vacation leave banks.

B.2 – VACATION LEAVE ACCRUAL

Anniversary Hire Date: Eligibility for vacation leave shall be calculated based on the anniversary of and employee's original hire date, in calculating the years of service with the City. Any service time lost by an employee, due to any unpaid period of absence, shall be deducted when computing years of service for vacation leave purposes.

Full-time career employees will accrue vacation leave as follows:

Employees ***hired on or after*** ***July 1, 2020:***

years of service		
One to five:	- 2 weeks/10 days	(80 hours)
Five to sixteen:	- 3 weeks/15 days	(120 hours)
Sixteen and over:	- 4 weeks/20 days	(160 hours)

Employees ***hired on or before*** ***June 30, 2020,*** will be accrue vacation leave as follows:

years of service		
One to five:	- 2 weeks/10 days	(80 hours)
Five to ten:	- 3 weeks/15 days	(120 hours)
Ten to sixteen:	- 4 weeks/20 days	(160 hours)
Sixteen:	- 4 weeks and 1 day/21 days	(168 hours)
Seventeen:	- 4 weeks and 2 days/22 days	(176 hours)
Eighteen:	- 4 weeks and 3 days/23 days	(184 hours)
Nineteen:	- 4 weeks and 4 days/24 days	(192 hours)
Twenty and over:	- 5 weeks/25 days	(200 hours)

B.3 – NON-CAREER TO CAREER AND CAREER PART-TIME VACATION LEAVE ACCRUAL

1. Employees appointed from non-career to career status shall accrue vacation leave beginning with their career employee hire date.

2. Career part-time employees accrue vacation leave as follows:
   Employees eligible for 50% fringe benefits will accrue 50% of the vacation leave hours calculated as set forth above in B.1

   Employees eligible for 75% fringe benefits will accrue 75% of the vacation leave hours calculated as set forth above in B.1

B.4 – LIMITATION ON VACATION LEAVE ACCRUAL

Vacation leave cannot be accumulated in an amount greater than twice the annual amount to which the employee is entitled based upon status and years of service with the City.

B.5 – VACATION LEAVE OVERAGE, PAYOUT, MINIMUM USAGE REQUIRED.

Employees must take a minimum of eighty (80) hours vacation leave during the calendar year, January 1 - December 31 and vacation leave banks must be reduced to the allowable maximum by January first.

Employees, who have taken at least eighty (80) hours of vacation leave during the preceding calendar year, shall be paid for any vacation leave in excess of the accrual limit, in January of the following year.

Employees who have not taken at least eighty (80) hours of vacation leave, during the preceding calendar year, shall forfeit vacation leave hours that exceed the annual accrual limit.

B.6 – SCHEDULING OF VACATION LEAVE AND INCREMENTS OF ALLOWABLE TIME

1. **Scheduling:** Vacation leave schedules shall be set up by the immediate Supervisor or Appointing Authority as to permit the continued operation of all Department functions without interference. The scheduling of vacation leave should be in accord with departmental needs or seasonal work load. Employment of temporary employees is permitted so that efficient operations can be maintained, during vacation leave periods of career employees, as necessary.

2. **Increments of Allowable Time:** Vacation leave may be granted in minimum increments of one (1) hour.

   Holiday and Vacation Leave Overlap: Employees scheduled for vacation leave that overlaps a City observed holiday, will receive holiday pay rather than vacation pay for the holiday.

B.7 – VACATION LEAVE PAY OUT, EXCEPTIONS.

The Human Resources Director can approve a vacation leave pay out outside of the normal vacation leave request. Employees may receive vacation leave pay outs in any of the following instances:

Heavy Work Load: Any employee who is unable to take their vacation leave because their work load prevents the granting of a vacation leave at any time during the calendar year. The Appointing Authority can confirm and inform the Human Resources Director of this situation.

Separation From City Service: Any career employee who has completed probation and separates their employment with the City, shall receive regular pay for any unused vacation leave at the time of separation.

Hardship: Should an employee experience a financial hardship or an emergency and has a need to "cash out" some of their vacation leave hours must:

1) Inform the Human Resources Director of the hardship and the amount of vacation leave requested to be paid out.

2) The Human Resources Director shall review the request, available vacation leave and any other relevant information regarding the request and shall approve the request if leave is available; such approval shall not be unreasonably withheld.

3) The Human Resources Director will forward, within three (3) business days of approval, any approved request to Fiscal Services/Accounting for payout.

This list of exceptions is not intended to be exhaustive.

B.8 – VACATION LEAVE DONATION OF TIME

1. Overview

This Section establishes a program whereby employees may donate their own vacation leave hours to a co-worker who is nearing or has exhausted their own paid leave. The purpose of the program is to allow employees who have exhausted all paid leave to remain on payroll and thus receive compensation and limited benefits.

Employees on donated time will be treated as if on active payroll for benefit purposes, i.e. eligibility for health, dental, optical; life, residency incentive benefits and continuous years of service with the City.

Accruals of all time banks cease when an employee is being compensated because of donated time. When donated time is exhausted and an employee receives their last check, they will be placed on a leave of absence in accordance with the provisions of Rule 19, Leave Without Pay.

Donations shall NOT be processed and donated time shall not be used for routine vacations or other routine personal business.

If in accord with departmental needs, Appointing Authorities may wish to suggest the use of adjusted work schedules to accommodate employees in lieu of donated time if needed on a limited or sporadic basis.

2. Eligibility to Receive Donated Time

Eligibility to receive donated time from other employees requires that an employee has exhausted all available paid leave and shall begin to be utilized for payroll once the employee's paid leave has been exhausted. Donation of vacation time shall be allowed before an employee may be eligible to receive Long Term Disability payments under these Rules.

Unused Donated Hours: Employees in need of donated time may return to work for a short time, and unexpectedly need additional hours again before leave banks can be replenished. In order to avoid repeated requests for donations, excess hours will be returned to the donor(s) on a pro-rata basis, if no usage of Donated Vacation Leave time is required for sixty (60) calendar days.

3. Process to Receive Donated Time

a. **Notification to Human Resources**: Either the employee or the timekeeper must notify the Human Resources Director that the employee is out of time, or approaching no pay status, and needs a minimum of 24 hours donated time.

b. **Documented period absence required:** Proper documentation for absence must be presented to the Human Resources Director.

c. **Publish Notice:** The Human Resources Director or designee will publish a Notice to all employees that the employee is in need of donated vacation leave time.

d. **Publish Notice Limit:** The Human Resources Director or designee will send no more than two such notices per calendar year on behalf of any one individual.

e. **Bargaining Unit Inclusion:** While this procedure affects non-bargaining unit employees, donations may be requested for and accepted from bargaining unit employees if not in conflict with contractual provisions.

f. **Received Donated Time is Hour for Hour:** Any donation of vacation leave would be hour-for-hour without regard for differing rates of pay.

g. **Employees are prohibited from directly soliciting vacation leave donations from other employees.**

4. Rules for the Donor of Vacation Leave:

a. **Voluntary:** This program is strictly voluntary and each donor would determine whether they choose to make a donation to a particular co-worker.

b. Confidential: Donations will be kept confidential. If donor wishes to inform recipient of their donation, it is permissible.

c. Vacation Leave Hours and Minimum Hours Allowed: Only vacation leave hours may be donated. The minimum amount of hours that could be donated is four (4) hours.

d. Process to Donate: Each employee choosing to donate time would sign a written authorization form indicating how much time they would like to donate to a particular employee.

e. Waive Claim to Donated Hours: This signed authorization form also indicates that the employee waives any claim to the donated time.

[Amended March 1, 1988]
[Amended November 27, 1990]
[Amended July 1, 1995]
[Amended October 1, 2002]
[Amended May 12, 1988]
[Amended October 1, 2002]

C - SICK LEAVE

Sick leave shall not be considered an entitlement which an employee may use at their discretion, but shall be allowed only in cases of actual illness or disability. This Rule is to be read in conjunction with the **City's Paid Medical Leave Act policy**.

C.1 – Sick Leave Accrual

Career Full-Time: Shall accrue sick leave at the rate of one (1) working day (8 hours) per month or 12 days (96 hours) per year. Part-time career employees shall accrue sick leave as follows:

Career Part-Time:

Employees eligible for 50% benefits shall accrue sick leave at the rate of 4 hours per month or 48 hours per year.

Employees eligible for 75% benefits shall accrue sick leave at the rate of 6 hours per month or 72 hours per year.

All other sick leave benefits outlined below shall be similarly pro-rated.

1. **New-Hire Sick Leave**
   Newly hired career employees may use accrued sick leave as provided by the City's **Paid Medical Leave Act policy**. Any sick leave accrued by way of the City's Paid Medical Leave Act policy during the probationary period shall carry over to the career sick leave addressed in this Rule.

2. **Non-Career to Career Status and Sick Leave Bank**
   A career employee hired from non-career status to career probationary status, shall accrue sick leave pursuant to this policy from the date they are classified as a career probationary employee. Any accrual of sick leave from the employee's tenure as a non-career employee shall carry over to their career sick leave bank accrual.

3. **Transfers, Demotions and Promotions and Sick Leave Bank**
   A career employee shall maintain any unused sick leave when they are reassigned to another department within the City. Such leave, when taken, shall be charged to the department in which it was earned.

C.2 – Sick Leave Usage and Maximum Accrual Allowed

Any sick leave used shall be deducted from the sick leave bank. Sick leave may be granted in minimum increments of one quarter (1/4) hour Employees' sick leave bank is replenished according to the accrual rate set forth in this rule.

The maximum accumulation of sick leave hours a career employee may accrue in their sick leave bank shall be twelve hundred (1200), which is the equivalent of 150 8-hour days. Once the maximum accrual is reached, accruals stop until sick leave is used and thus, deducted from the sick leave bank. Once sick leave is reduced below the maximum, sick leave will again begin to accrue.

1. **Notification to Supervisor**
Any employee who becomes ill and unable to report for work shall notify the supervisor on duty no later than the start of the employee's shift on the first day of absence, and each day thereafter. Should the employee be unable to contact the supervisor themselves, a family member or designee must contact the supervisor on the employee's behalf.

2. **Physician's Certificate**
An examination report/certificate/statement from the employee's own physician, a physician designated by the Human Resources Director or FMLA certification may be required as evidence of a continued illness or disability. The Appointing Authority in conjunction with the Human Resources Director reserves the right to request such examination report/certificate/statement of a career employee in order to determine validity of an absence due to illness or disability. Should the physician's report/certificate/statement indicate that employee's request for sick leave was not justified, such information may be grounds for denial of the sick leave and discipline up to and including termination.

C.3 – Transfer to Position Covered by Police or Fire Contracts

In the case where the career employee transfers to a position covered by a Police or Fire department bargaining agreement the accrued sick leave shall be cancelled and not paid. Any future accrual will be based on the bargaining unit contract where the employee is hired.

C.4 – Outside Employment Injury

Career employees injured during employment outside the City service shall not be eligible for City paid sick leave or disability benefits.

C.5 – Separation from City Service and Accumulated Sick Leave

Sick leave shall be considered for all purposes as continuing service except in the following instances:

1. Resignation or Discharge: all accumulated or unused sick leave shall be immediately cancelled and not paid.

2. Retirement: See Rule 15, Section 15.8

3. Death: Upon the death of a career employee, their designated beneficiary shall receive payment equal to one-half (1/2) of the deceased employee's sick leave bank.

4. Non-Career employees: sick leave bank shall be immediately cancelled and not paid upon resignation, discharge or death.

5. Reserve sick leave bank accumulation is not subject to pay under any conditions except usage.

C.6 – RESERVE SICK LEAVE BANK

Upon hire, a reserve sick leave bank is established with accumulation at the rate of four (4) hours per month for career full-time employees, with a maximum accumulation of four hundred eighty 480 hours. Career part-time employees will accumulate reserve sick leave as follows:

> Two (2) hours per month for employees eligible for 50% benefits, to a maximum accumulation of two hundred forty (240) hours.
>
> Three (3) hours per month for employees eligible for 75% benefits, to a maximum accumulation of three hundred sixty (360) hours.

The use of hours in the reserve sick leave bank shall be for **continuous illness** as defined by these Rules or disability only, and only after:

1. The career employee's regular sick leave bank is reduced to 16 hours or the career employee's regular sick bank is less than or equal to 16 hours at the onset of the continuous illness or disability **and**

2. The career employee's vacation bank and personal business hours have been depleted.

****Continuous illness** shall be defined in these Rules as an illness/disability, outpatient surgery or an illness/disability extending for a period of at least twenty-one (21) calendar days. Recurring periods of illness/disability which arise from the same or related causes and which are separated by less than six months of unrestricted work shall be added together in determining whether or not a disability has extended for twenty-one (21) calendar days.

C.7 – SICK LEAVE ATTENDANCE BONUS

Sick Leave Attendance Bonus: The sick leave attendance bonus will be based on attendance during a calendar year from January 01 through December 31. Any payments or leave balance adjustments will be made on the second pay date in January, immediately following the calendar year under review. The annual Sick Leave Attendance Bonus is paid to eligible career employees as outlined below:

Eligibility for the Sick Leave Attendance Bonus requires that a career employee complete all twelve (12) months of continuous service in the calendar year under review in a career employee status. **NOTE:** Any time spent as a non-career employee during the calendar year in review is not considered as continuous service or calculated in years of service.

1. **Less Than Five (5) Years**: A career employee with less than five (5) years continuous service or less than four hundred (400) hours accumulated sick leave, and who takes no more than two (2) days of sick leave in any calendar year shall have two (2) days returned to his sick leave bank.

2. **More Than Five (5) Years**: A career employee with more than five (5) years continuous service and more than four hundred (400) hours accumulated sick leave, who takes no more

than two (2) days of sick leave in any calendar year shall receive full pay for the two (2) days at normal rate of pay.

3. **Perfect Attendance Recognition:** A career employees who has accumulated the maximum allowable regular sick leave, twelve hundred hours (1200) and who used no sick leave and who have no other unpaid absence for the one-calendar year period as described in the first paragraph of this section shall receive a perfect attendance recognition payment of $250.00 plus sick bonus of full pay for two (2) days at their regular rate of pay. This payment shall be paid at the same time as the Sick Leave Bonus.

C.8 – SICK LEAVE AND FMLA

Regular sick leave may be used for leaves granted pursuant to FMLA Reserve Sick Leave bank or Long term Disability are not eligible to be used for the illness or disability of anyone other than the employee.

Sick Leave Limited Use Exception: The use of regular sick leave may also be permitted with the approval of the Appointing Authority to care for a spouse, child or parent. *This use is limited to one day per occurrence, unless the Appointing Authority approves a second day*. The use of more than two days of sick leave, per occurrence, for these purposes is permitted only for leave granted pursuant to FMLA.

If adequate medical report/statement/certification is not made available or does not qualify for FMLA such information may be grounds for denial of sick leave usage or discipline, up to and including termination, if appropriate.

C.9 – SICK LEAVE AND WORKER'S COMPENSATION BENEFITS

Paid sick leave shall be considered for all purposes as continuing service except that:

1. A career employee who is receiving sick leave or Worker's Compensation benefits shall accrue sick leave through the end of the following month during which such employee begins to receive sick leave benefits or Workmen's Compensation payments.

2. A career employee who is receiving sick leave or Worker's Compensation benefits shall accrue vacation through the end of the following month after the employee begins to receive sick leave benefits or Workmen's Compensation payments.

D - LONG-TERM DISABILITY (LTD) PROGRAM

There is established a long-term disability program for career employees. Employees receiving long-term disability benefits shall be considered on a leave of absence and shall not receive or accrue benefits, except as provided in these Rules. The Long-Term Disability Program is to be administered as follows:

D.1 – Eligibility for LTD

Career employees on sick leave for six months or more shall be eligible for the Long-Term Disability Program.

D.2 – SIX-MONTH WAITING PERIOD

There is a six (6) month continuous waiting period for eligibility; recurring periods of disability which arise from the same or related causes and which are separated by less than six months of unrestricted work shall be added together in determining the six (6) month waiting period;

D.3 – LONG-TERM DISABILITY LEAVE ACCRUAL

1. For each hour of banked leave in the employee's unused leave banks on the last day worked prior to the beginning of the continuous illness, the employee will receive one hour credited to their long-term disability leave bank.

2. All banked leave must be used prior to use of any long-term disability credits.

3. Each hour of credit in the long-term disability bank entitles the employee to one hour of leave at fifty percent (50%) of base salary, less any payments received by the employee via social security, pension, Workmen's Compensation or other type of program or insurance; (In order to receive the LTD payment, the employee must disclose the other income they are receiving.)

4. The long-term disability credits are intended only for use by the employee for their own illness or disability and are not subject to any payoff upon resignation, retirement, or any circumstances other than illness or disability of the employee.

5. Employees receiving long-term disability benefits shall be considered as on a leave of absence without pay.

[Amended 12/20/01]

D.4 – Leave of Absence instead of LTD

A career employee may at their discretion elect to take a leave of absence without pay or benefits to cover all or part of an absence due to an illness or disability.

D.5 – Exhaustion of Sick Leave and Ten (10) Year Exception

1. **Last Check:** When a career employee receives their last check for illness or disability, not including any payment made under the long-term disability program, they will be placed on leave without pay for one (1) year in accordance with the provisions of Rule 19 - Leave without Pay).

2. **Ten (10) Year Seniority Exception:** Any employee so placed on leave without pay as a result of having exhausted their leave banks due to illness or disability, who has a minimum of ten (10) years of continuous service with the City shall retain their hospitalization and life insurance benefits for the duration of such leave, not to exceed one year starting the calendar day after receiving their last leave check. The cost of which shall be borne by the City.

3. Upon the expiration of one year, if the employee is still unable to return to work, with or without accommodation, or in the event the, or a similar position is no longer available, their employment shall be terminated. The employee shall be eligible for re-employment, provided they provide a doctor's statement that they are able to perform the required duties of the position for which they may be eligible for rehire; and provided further that such a position is available.

   This exception does not apply if,

   1. Said employee is not physically able to perform theirs or other duties in the City service as may be determined by the Human Resources Director; or

   2. Said employee is gainfully employed elsewhere; or

   3. Said employee is injured at other employment.

[Initiated August 1983]
[Amended October 27, 1987]
[Amended February 2, 1988]
[Amended August 16, 1994]
[Amended September 5, 1995]
[Amended March 23, 1999]
[Amended December 20, 2001]
[Amended July 1, 1995]
[Amended 12/20/01]
[Amended 2022]

E – DUTY DISABILITY

Employees receiving duty disability benefits shall be considered on a leave of absence and shall not receive or accrue benefits, except as provided in these Rules.

E.1 – DUTY DISABILITY ELIGIBILITY

To be eligible for duty disability leave, an employee shall immediately report any injury sustained while on duty, however minor, to their immediate supervisor and seek such first aid as may be recommended or waive such first aid in writing.

No employee shall receive duty disability pay for absences due to injuries sustained while off duty or outside of their city employment.

E.2 – DUTY DISABILITY ADMINISTRATION

Career employees who are unable to work as a result of an injury sustained during the course of their employment with the City shall receive duty disability pay as follows:

1. First seven (7) calendar days - City will pay the employee their regular pay during the first week of disability. Employee's sick leave will not be charged for this time; time shall be charged to "Duty Disability Leave" which is limited to the first seven (7) calendar days only for each occurrence.

2. After seven (7) calendar days - Employee shall receive payment established under regulations of Workmen's Compensation Act; in such cases the following shall apply:

    a. All disability compensation checks will be made payable to the employee, but they will be delivered to the City Accountant's office, endorsed by the employee.

    b. If the employee has sufficient accrued sick leave, they will receive a payroll check for the difference between the Worker's Compensation check and their normal bi- weekly payroll check. These checks will be delivered to the employee by his Department Head.

    c. In the event employee has no accrued sick leave, the Workmen's Compensation check will be mailed directly to him, and employee will receive no other form of compensation.

    d. The Employer, through a combination of Workmen's Compensation payments and City payments, will guarantee a minimum of eighty-five (85 %) percent of the basic forty (40) hour weekly wage (or portion thereof). Said guarantee of payment to 85% shall be limited to a maximum of thirteen (13) weeks for each such disability in any one year or twelve-month period.

    e. During the first thirteen (13) weeks of disability wherein the provisions of (d) above apply, accumulated sick leave or vacation leave will be charged at the rate of the balance (15%) for full pay. At the end of the thirteen (13) weeks sick leave or vacation leave will be charged on a daily basis proportionately between full pay and Worker's Compensation payments to provide full pay until all such benefits have been exhausted.

f. After fourteen (14) days continuous absence- Worker's Compensation will reimburse the employee at the standard Workmen's Compensation rate for the first week's absence previously paid by the City. The employee shall endorse the check to the Accountant who shall credit said check to the proper fund of the City of Southfield.

E.3. – DUTY DISABILITY AND NON-CAREER EMPLOYEES

Any non-career employee sustaining an injury in the course of their employment, shall receive only such benefits to which they may be entitled pursuant to the Worker's Compensation Act. However, upon the recommendation of the Appointing Authority, with the approval of the Human Resources Director, a non-career employee may receive up to one (1) week's normal pay when the injury was sustained in the course of the employee's employment, and not due to the employee's negligence.

F - MISCELLANEOUS PAID LEAVE

Miscellaneous paid leave applies to paid leave available to eligible employees that is not categorized as holiday, vacation, sick or disability leave and the parameters for such paid leave are set forth as follows:

F.1 – PERSONAL BUSINESS (PB) LEAVE

1. Personal Business Leave and Career Employees

The City of Southfield grants a twenty-four (24), hour lump sum to every full-time career employee on July 1 of each fiscal year for personal business use. Career part-time employees will be granted prorated personal business hours as follows:

12 hours per fiscal year for employees eligible for 50% benefits;
18 hours per fiscal year for employees eligible for 75% benefits.

2. Personal Business Leave New Hire/Probation

New hire probationary employees will have their personal business hours prorated from the date of hire to June 30. Newly hired career may use prorated personal business leave upon completion of their probationary period, unless otherwise allowed at the discretion of the Appointing Authority. Prorating of personal business leave for new hires will occur as follows from on the original date of hire to the following June 30:

Personal Business leave is the equivalent of twenty-four (24) working hours, spread evenly, the hours equate to two-hours for every month worked during the fiscal year (July 1 – June 30).

3. Personal Business Leave Usage

The allotment of twenty-four (24) personal business leave hours occurs on July 1 and can be used immediately upon crediting, if the probationary period is complete.

a. Personal Business leave is intended to be scheduled with the employee's supervisor with as much advance as is practicable and scheduled so as not to interfere with the proper operation of the City. Personal business leave may be granted in minimum increments of one quarter (1/4) hour.

b. Scheduling of personal business leave may be done on a seniority basis when, in the opinion of the department supervisor, the best interests of the City would be served.

c. Authorized use of personal business leave will be counted as hours worked for purposes of overtime computation and for calculating holiday compensation.

d. Personal business leave must be pre-scheduled, and cannot be used in lieu of unscheduled sick leave.

4. Personal Business Leave: Forfeit Unused Hours

Unused personal business leave shall be forfeited at 11:59 P.M. on June 30th.

5. Personal Business Leave and Separation from City Service:
There is no payoff of unused personal business leave in the event of separation of employment.

F.2 – BEREAVEMENT LEAVE

Bereavement leave is allowed to be taken by an employee due to the death of family member or loved one. The time is usually taken by an employee to grieve the loss of a close family member, prepare for and attend a funeral, and/or attend to any other immediate post-death matters.

Immediate family: for purposes of this section, is defined as spouse, child, sibling and parent and includes, grand, step and in-laws, as appropriate, of the forgoing relations listed.

1. Bereavement Leave Career Employees
In case of death in an employee's immediate family, a career full-time employee may be granted a leave of absence with pay not to exceed five (5) days, (40 hours) for each given occurrence. Career part-time employees shall be granted bereavement leave as follows:

20 hours for employees eligible for 50% benefits
30 hours for employees eligible for 75% benefits

Said leave shall be in addition to other types of leave to which a career employee may have available, if needed.

2. Bereavement Leave and Required Travel
A maximum of five (5) days will be granted, provided that attendance at said funeral requires the employee to travel at least 500 miles (round trip) or more; this additional leave is similarly pro-rated for career part-time employees. (Proof may be required)

3. Bereavement Leave and Extenuating Circumstances
A leave may be granted, due to extenuating circumstances for a death of someone other than immediate family if the immediate supervisor or Appointing Authority makes a request on behalf of the employee to the City's Human Resources Director for approval to grant such leave.

4. Bereavement Leave Exclusions
Bereavement leave is not meant for someone named and carrying out duties as Executor of an Estate. Other available qualified leave banks are to be utilized for such purposes.

F.3 – JURY DUTY

1. Jury Duty and City Pay
Career employees required to serve jury duty shall suffer no salary deduction. There is no limit on the length of time an employee may serve on a jury. All jury pay, except mileage, must be signed over to the City Accounting Department, where it will be credited to the proper City fund. The career employee will then receive their regular pay for any scheduled day they miss due to jury duty commitment.

2. **Jury Duty and Return to Work**
   Career employees who are excused from jury service prior to the completion of their regular scheduled work hours are expected to return to work.

3. **Jury Duty Excused due to Workload**
   Jury service is a public obligation and the City will not consider requests that employees be excused except when the jury service will be detrimental to the operation of the department's operation. In those cases the department supervisor, Appointing Authority, Human Resources Director or City Attorney, if needed, will assist in working out arrangements to have the employee excused from jury duty.

F.4 – ADMINISTRATIVE LEAVE

The Human Resources Director may authorize administrative leave as necessary for career employees. Employee leave banks shall not be charged during administrative leave. Holiday leave will apply for any city observed holiday that occurs during a period of administrative leave.

F.5 – MISCELLANEOUS PAID LEAVE AND NON-CAREER EMPLOYEES

Non-Career employees are generally not eligible to receive miscellaneous paid leave, such as personal business, bereavement or jury duty, but may be eligible for administrative or other leave as appropriate or authorized by the Human Resources Director.

[Amended September 16, 1986]
[Amended October 28, 1986]
[Amended September 5, 1995]
[Amended June 21, 2005]
[Amended 2022]
[Amended September 22, 2026]

RULE 19 - LEAVE OF ABSENCE WITHOUT PAY

19.1 – Leave of Absence without Pay (LWOP) Overview

A. **Employee Request for Leave without pay of 10 working days or less:** An Appointing Authority may grant an initial one leave of absence without pay to a career employee of up to ten (10) working days in duration. The Appointing Authority shall inform the Human Resources Director of such leave for inclusion in the employee's personnel file. Any subsequent leaves of absence without pay shall require approval of the Human Resources Director.

B. **Employee Request for Leave without Pay 10 working days or more, including any extensions:** When leaves are to exceed ten (10) working days, or there is a request for an extension of the initial request of ten (10) working days, in addition to notifying the Appointing Authority of the request, the request must be approved by the Human Resources Director.

C. **Successive Requests for Leave without Pay:** Leaves of absence without pay of ten (l0) working days extending into a longer period of leave without pay, within a one-year period, shall be combined and shall be treated as a one leave of absence without pay encompassing the full period of leave days.

D. **Employee Request For leave without Pay:** A leave of absence without pay may be requested, in writing, for any legitimate purpose, as determined by the Human Resources Director or City Administrator and must be requested at least thirty (30) calendar days in advance when possible, or as soon as possible in the event of an emergency situation. Should an employee be on paid sick leave and run out of sick leave time, the Human Resources Director has the authority, upon the employee's request, to place the employee on a Leave of Absence without Pay.

E. **Accruals and Future Benefit Payments:** Employees granted a leave of absence without pay for a period exceeding ten (10) working days shall not accrue vacation or sick leave.

   Except where specifically granted, all City-paid benefits and accrual of leaves shall cease immediately upon expiration of all earned leave time (and/or removal from payroll). The employee may upon written request to and upon written approval of the Human Resources Director elect to continue in all or part of the paid insurance programs at their own expense through the Consolidated Omnibus Reconciliation Act, (COBRA). Upon electing to continue such coverage, said employee shall work with the Human Resources Director or designee for enrollment and payment.

F. **Holiday Pay**: Employees on a Leave of Absence without Pay shall not receive any compensation for holidays occurring during leave of absence without pay.

G. **Maximum Duration:** Leaves of absence without pay may not exceed one calendar year in duration; however, an extension may be approved by the Human Resources Director upon

review of a written request detailing the need to extend the leave. The leave may be extended once for a maximum of six additional months**.**

H. Denial: Leaves of absence without pay, may be denied if the leave is considered detrimental to the best interest of the City, as determined by the Human Resources Director, City Administrator or Appointing Authority. Leaves of absence without pay shall not be granted in lieu of other paid leaves available to the employee.

19.2 – LWOP: Position Security

A. Position Disposition: The Appointing Authority must concur with a request for a leave of absence without pay in excess of one hundred twenty (120) days. The Appointing Authority must indicate whether the position will remain open, will be filled or will be abolished.

B. Reinstatement: The Appointing Authority may elect to keep the position vacant until the employee returns from a leave of absence without pay. The Appointing Authority and employee must work with the Human Resources Director to complete the reinstatement process.

C. Recruitment: If the Appointing Authority elects to fill the position and initiates a recruitment for the position left vacant by the leave of absence without pay, the employee on leave may:

1. **Reinstatement to Same Position:** If the position is being recruited for upon completion or prior to completion of the leave of absence, and the employee applied for re-instatement within the leave time granted, the employee's name will be placed on the top of an eligible list for consideration in the position in the same classification that the employee vacated.

   The eligibility list generated from the recruitment may need to be recertified by the ACS Commission to add the employee's name to the top of the list if not already included with the original list certification. The Appointing Authority will be entitled to select from the list of eligibles in order to complete the selection process.

2. **Selection of the Reinstated Employee**: If the Appointing Authority selects the returning employee, the employee may be compensated at the pay range and step for the classification previously held.

3. **Not Selected for Reinstatement**: Should the employee not be selected, the employee's eligibility for employment in the vacated position would expire with the expiration of the eligibility list where their name appears.

4. **Duel Reinstatement Requests**: If the opportunity arises, an employee may submit a reinstatement request, within the leave time granted, for both a possibility to be reinstated to their former position (if there is an active eligibility list) and also to be placed on a Layoff Reemployment list. The date of the application to be reinstated would be the same for both.

D. **Lay Off Re-Employment List:** If the employee applies for reinstatement within the leave time granted, and the position has been filled or abolished prior to completion of the leave of absence without pay, the employee's name will be placed on a Layoff Re-Employment eligibility list for one (1) calendar year from the date of application for reinstatement. The employee may then apply and/or be considered for a position in the same or lesser classification than the classification vacated, so long as they meet the qualification and testing requirements.

E. **Review of Layoff Re-Employment List:** Any Appointing Authority filling a vacancy will be entitled to review the Layoff Re-Employment list in order to consider the person in their selection process. If the Appointing Authority selects the returning employee, the employee may be compensated up to the pay range and step for the classification previously held.

D. **Reinstatement and Probation**: An employee reinstated to employment within the City service may be subject to completion of a probationary period as determined by the Appointing Authority.

E. **Termination of Employment**: If after the one calendar year on the Layoff Re-Employment list, the employee is not reinstated, the employee will be considered terminated from employment.

F. **Re-Employment after Termination:** If an employee is still interested in employment with the City, they have to apply for any available positions for which the employee qualifies. The employee will complete the normal selection process, including any testing and/or interviews.

19.3 – LWOP: Seniority Date and Benefits

A. **LWOP Under Ten Days:** Leaves of absence without pay granted by an Appointing Authority up to ten (10) working days in duration are <u>not</u> subject to deduction from length of service in relation to seniority date and benefits.

B. **LWOP Over Ten Days:** Leaves of absence without pay of ten (l0) working days of longer shall result in appropriate adjustment to length of service and seniority and possibly other benefit entitlement as a result.

C. **Multiple Leaves Combined:** Leaves of absence without pay of ten (l0) working days extending into a longer period of leave without pay, within a one-year period, shall be combined and shall be treated as a one leave of absence without pay encompassing the full period of leave days. Appropriate adjustment to length of service, seniority date and benefits will be made accordingly. Military and FMLA leaves are excluded from this provision as provided by law.

19.4 – LWOP: Military Leave

In addition to compliance with all applicable laws and regulations related to military leave, the City of Southfield intends to fully comply with the Uniformed Services Employment and Reemployment Rights Act (USERRA) and the Michigan Veterans and Members of Armed Forces Act, MCL §35.1-35.1259, et seq., as amended, in its recruitment, hiring and employment practices. In the event any provision in these rules is found to be or may become inconsistent with the aforementioned laws, the applicable provision set forth in the law will control. In such event, all other provisions shall remain in full force.

A. **Advanced Notice:** Any Employee who is being inducted, enlisted or deployed must give their Appointing Authority and the Human Resources Director advance (thirty (30) day) notice of military service. The Human Resources Director reserves the right to request documentation of orders to serve.

B. **City Service and Benefits:** Any employee who has served three (3) months, but less than one (1) year with the City, and enters or has been deployed into active military service shall be allowed vacation time at the rate of 6.667 hours per month, with a maximum not to exceed ten (10) days, paid to them at the time they leave the City to enter active military service.

C. **Years of Service Calculation:** Upon reinstatement to City employment following military service, for the purpose of determining the years of service with the City for any benefits connected to seniority, the seniority calculation for all purposes, including benefits and pension or retirement, shall be the total years of employment plus years, or fraction thereof, of required military service.

D. **Group Health Insurance Coverage:** During their period of military service, any career employee may elect to continue their health benefits at the employee's expense.

19.5 – Reinstatement to the City Employment

A. Reporting Back to Work After Service: Career employees who have been inducted, enlisted or deployed into active military service shall be allowed a continuation of unpaid leave for a period of up to ninety (90) calendar days following the period of actual service under the law. Upon the termination of such service, or at any time during the 90-day period provided following such service the employee shall have the right to return to their position provided the position still exists and the employee is still otherwise qualified.

B. Right to Return: - At any time before the expiration of such military leave as described above, an employee shall have the right to return to employment with the City of Southfield provided:

1. Employee is still qualified for employment;
2. Employee was relieved from duty or discharged under honorable conditions;
3. Employee can pass any required physical examination.

C. Position Not Available for Reinstatement: In the event employee's former position is not available or employee is unable to perform the essential functions of the job with or without

reasonable accommodation, but is able to satisfactorily perform duties of another position, every effort shall be made to place such employee in another position.

Reinstatement Compensation: Upon reinstatement from military leave to City employment, employee shall be returned to range and step comparable to that held before leaving for military service, as determined by the Human Resources Director and in accordance with the law.

19.6 – National Guard, Service Reserves or other such units

Employees belonging to the National Guard, Service Reserves or other such units are permitted to take leaves of absence without pay during the annual training period; this leave is not to exceed two (2) weeks or ten (10) business days per calendar year. Such leaves shall not affect and employee's seniority or benefits.

19.7 – Military Waiver of Rights

If, prior to leaving for military service, an employee knowingly provides clear written notice of an intent not to return to work after military service, the employee waives entitlement to leave-of-absence rights and benefits not based on seniority. At the time of providing the notice, the Human Resources Director or their designee shall provide written information to the employee detailing the specific rights and benefits to be lost as a result of their waiver, as provided by law.

19.8 – Maternity and Parental Leave

Maternity related absences shall be treated as a non-duty related disability for the use of leaves and benefits as provided by these rules. Maternity, parental and adoption leaves are governed by applicable state and federal law.

Where an employee desires to use sick or other paid leave to cover such absence from work, the Human Resources Director shall require the same or similar medical professional certifications as may be required in the case of other types of non-duty disability leave before the employee shall be eligible to receive such benefits.

19.9 – Movement to Unclassified/Management Group

Classified employees accepting an appointment in the unclassified service (Management Group) are treated as being on an indefinite leave of absence from the classified service, effective with the effective date of such appointment.

Should such appointment terminate by choice or in the event the appointing authority terminates the appointment, the former classified employee must request in writing, from the ACS Commission, to be reinstated into the classified service. This request must be made within thirty (30) calendar days of such termination, if reinstatement to the classified service is to be considered and is the desired outcome. The ACS Commission's determination on the such request shall be final.

[Amended August, 1978]
[Amended August, 1980]
[Amended March 1, 1988]
[Amended 2022]
[Effective]

RULE 20 – EMPLOYER SPONSORED GROUP INSURANCE

20.1 – Overview

The City of Southfield offers group insurance benefits to represented, non-represented and Management Group career employees. The Human Resources Director may recommend adjustments be made to City-sponsored group insurance benefits, including but not limited to, providers, plans, costs or levels, as may be appropriate from time to time. To maintain equity between employee groups, similar benefits, may be recommended for non-represented employees of the City. Any such recommendations shall be approved by City Council.

Definitions:

Health Insurance: Refers to the three (3) group health insurance coverages (Medical, Optical, Dental) offered by the City.

Medical Insurance: Refers to doctor or hospitalization coverage for employee and dependents.

Optical: Refers to eye care and associated devices or services for employee and dependents.

Dental: Refers to dental care and associated devices or services for employee and dependents.

20.2 – Available Group Insurance Plans

A. Medical Insurance

A.1 – Medical Insurance Overview
A.2 – Retiree Medical Insurance
A.3 - Health Insurance and Married Couples
A.4 - Medical Insurance Opt-Out
A.5 - Re-Entry after Opt-Out of Medical Insurance
A.6 - Coverage Changes and Qualifying Events
A.7 – Final Average Compensation (FAC) &Pension
A.8 – Medical Insurance and the Affordable Care Act
A.9 – Termination of Medical Insurance Benefit Program

B. Dental Insurance

B.1 - Dental Insurance Overview
B.2 - Retiree Dental Insurance Coverage

C. Optical Insurance

C.1 – Optical Insurance Overview
C.2 – Retiree Optical Insurance Coverage

D. Term Life Insurance

A. MEDICAL INSURANCE

A.1 – Medical Insurance Overview

A City-sponsored group medical insurance coverage benefit is offered to career employees, who may elect to cover their spouses and dependents. Medical insurance coverage shall include prescription drug coverage.

Plan choices, including deductibles, co-insurance, co-pays, and any other applicable costs, shall be provided to career employees at least annually during open enrollment or when the annual adjusted cost is provided to the Human Resources Director. The prescription drug co-pay for all plans for active career employees and effected retirees, shall be provided to career employees and effected retirees, at least thirty (30) calendar days prior to any adjusted cost. Effective January 1, 2021, the co-pay for prescription drugs shall be the same for active career employees and effected retirees.

The City of Southfield may select medical insurance provider(s), plans and benefit levels at its discretion.

1. **Employee Contribution:** Pursuant to the Publicly Funded Health Insurance Contribution Act, MCL 15.561, *et seq.*, as amended, public employees are required to contributed to the cost of their public employer sponsored healthcare benefits. The employee's portion of payment for coverage shall be deducted from their bi-weekly compensation as provided by law. Payments will be adjusted for career fifty percent (50%) and seventy-five percent (75%) employees.

2. **Commencement:** Career employee medical insurance coverage will commence on the first of the month following the initial hire date with the City or upon election of coverage in the event of a qualifying event, or at the beginning of the plan year after selection during open enrollment.

3. **Cessation of Medical Insurance Coverage:** Career employee medical insurance coverage will end on the last day of the month in which a career employee separates from City service by resignation, termination, lay-off, unpaid leave of absence; except while on an unpaid FMLA leave.

4. **Consolidated Omnibus Reconciliation Act: (COBRA):** As allowed by law, upon separation from employment, a career employee may elect to retain health insurance benefits, pursuant to COBRA. Upon electing to continue such coverage, said career employee shall work with the Human Resources Director or designee for enrollment and payment methods.

A.2 – Retiree Medical Insurance

Retiree Health Care (RHC): applies to career employees hired on or before September 11, 2011. This post-retirement medical insurance coverage program is based on date of hire and the benefits approved by the City Council at that time. Employees must direct questions to the Human Resources Director.

Retiree Health Savings (RHS) Account: Applies to career employees hired on or after September 12, 2011. In lieu of RHC, the City will make monthly contributions into an RHS account on the employee's behalf. The RHS account is owned by the employee and includes a vesting schedule for employer contributions. Employees shall also contribute a percentage of their wages into their RHS account on a monthly basis. Contribution amounts and vesting schedules will be determined by the Human Resources Director and City Administrator and approved by City Council. Questions on the RHS account shall be directed to the Human Resources Director.

A.3 – Health Insurance and Married Couples

Effective April 9, 2007, for active career employees and future retirees (hired before September 12, 2011), in the case of married couples where:

- Both spouses work for the City, or
- Both spouses are retired from the City, or
- One spouse works for the City and one spouse is retired from the City,

Only one working career status spouse will be eligible for a medical insurance policy, dental policy and optical policy. The active policy(ies) may include the other spouse and dependents if eligible. A career status spouse who is actively working for the City and who is covered under their spouse's medical insurance policy will be eligible for an incentive benefit. See 26.6 Medical Opt-Out Incentive (Opt-Out) Payment

A.4 – Medical Insurance Opt-Out

All career employees may be covered by only one medical insurance coverage policy provided by the City of Southfield. In the case of married couples where both spouses are career employees, one spouse will be eligible for the medical insurance coverage and must then cover the career employee spouse and eligible dependents on their medical insurance. The other spouse will be eligible for an opt-out benefit (See the Opt-Out Policy)

1. **Medical Opt-Out Eligibility**: Career employees may waive the City of Southfield medial benefit coverage only if they provide proof of medical coverage from another source. If proof of coverage is approved by the Human Resources Director, the career employee shall receive an incentive bonus **in lieu of coverage.**

2. **Medical Opt-Out Ineligibility:** You are not eligible to receive the opt-out incentive payment if you are:
    - Retired from the City of Southfield
    - Covered by Medicaid
    - Absent due to a Worker's Compensation injury in excess of three (3) months; opt-out benefits will be suspended.
    - On a leave of absence during which City -sponsored medical insurance coverage benefits are not provided.
    - A non-career employee

3. **Medical Opt-Out Enrollment:**

    a) **New career employees:** will have 30 days after becoming eligible for City medical benefits to complete an application for waiver (opt-out) and submit documentation of other group coverage. Applicants who miss the deadline will again be eligible at open enrollment.

    b) **Career employees**: Active employees that are not new hires, must complete the application and documentation process during the annual open enrollment period. Employees will be notified if the application is approved, and annual re-enrollment will not be required. If an employee is terminated from the program, they will receive a termination letter.

    c) **Proof of Alternative Group Coverage:** Medical opt-outs are conditionally based on the career employee providing proof of other medical insurance coverage. Proof of other medical insurance coverage shall be documented by providing a copy of a medical insurance card with the employee's name on it or a letter from the insurance provider. The employee may also be required to complete an internal opt-out form provided by the Human Resources Department.

    d) **Duration of Participation:** Career employees will automatically be re-enrolled until such time as there is a request to reinstate their City of Southfield medical benefits.

4. **Medical Opt-Out Incentive Benefit**: The medical opt-out incentive benefit is only for medical insurance and does not apply to an opt-out of dental or optical insurance coverage. This incentive payment is not available to retirees. These incentive payments may be taxable to the recipient.

5. **Medical Opt-Out Incentive Payment:** The medical opt-out incentive benefit will be paid as follows:

    a) If the opt-out application is completed during the City's annual open enrollment period - Payments will commence in January of the following year and spread equally over bi-weekly pay periods on a calendar year basis.

b) If the opt-out application is completed at the time (or within 30 days of the occurrence) of a qualifying event - Payments will be pro-rated for participation for the remainder of the calendar or plan year.

c) If application takes place the time of hire - Payments will be pro-rated for participation from the date of hire through the end of the calendar or plan year.

d) Opt-Out Incentive Amount:

- **i.** $1,600.00 to career employees with family coverage who waive City health benefits.
- **ii.** $1,300.00 to career employees with two-person coverage who waive City health benefits.
- **iii.** $1,000.00 to career employees with individual coverage who waive City health benefits.
- **iv.** Part-time career employees will receive a 50% or 75% payment depending on their part-time status.

A.5 – Re-Entry after Opt-Out of Medical Insurance:

Career employees who have elected to opt-out of medical coverage and want or need to opt-in to the City's medical insurance program(s) may re-enter the City's medical insurance program(s) during an annual open enrollment period.

1. To opt-in to City-sponsored group medical insurance benefits for the **following year**, the career employee must submit an application to reinstate medical benefit coverage to the Human Resources Director, prior to or during the next annual open enrollment period.

2. In the event of a loss of other coverage, or a qualifying event, the career employee must provide written proof of the loss of coverage or qualifying event to the Human Resources Director within 30 days of the loss of coverage or qualifying event.

3. If approved for opt-in outside of the open enrollment period, reinstatement may be retroactive to the date of the qualifying event, provided the qualifying event occurred during the plan year. Retroactive participation in a prior plan year is not allowed.

4. If the employee, upon reentry, has previously been paid an opt-out waiver payment for the period in which they have elected to opt-in to the City-sponsored group medical insurance benefit, the employee shall reimburse the City on a pro-rata basis, for any opt-out incentive amounts previously paid to them that represent a period for which they have since elected to opt-in.

A.6 – Coverage Changes and Qualifying Events

A. Medical Coverage Changes
Changes to an employee's City-sponsored group medical insurance benefits may only be made at open enrollment, or upon the occurrence of a qualifying event.

B. Qualifying Events Notification
Upon the occurrence of a qualifying event, the employee must notify the Human Resources Director within 30 calendar days of the occurrence of a qualifying event that will require or allow a change to the employee's medical insurance coverage.

Employees who fail to provide timely notification of any of their dependents' ineligibility will be required to reimburse the City any amounts paid for coverage of ineligible dependents.

C. Common Qualifying Events: Examples of qualifying events may include, but are not limited to, the following: This list is not intended to be exhaustive.

- Change in family status; (marriage, divorce)
- Death of participant, spouse or dependent.
- Birth or adoption of an eligible dependent child.
- Court Order.
- Separation of employment, including retirement.
- Loss of or change in other coverage.
- The taking of, or returning from, an approved unpaid leave of absence (LOA) by the participant. Upon returning, career employees may apply for reinstatement within 30 days of returning to work.

A.7 – Final Average Compensation (FAC) &Pension

This Medical opt-out incentive payment will be included in the employee's taxable gross income and subject to all appropriate state and federal taxes. It will not, however, be included as earnings to the career employee's pension. Opt-Out payments will not be included in Final Average Compensation.

A.8 – Medical Insurance Coverage and the Affordable Care Act:

The Affordable Care Act, 42 USC 18001, et seq., as amended, requires plans and issuers that offer dependent child coverage to make the coverage available until a child reaches the age of 26. Therefore, adult children of career employees are permitted to remain covered by their parent's City-sponsored group medical insurance benefit until age 26. During their eligibility period, adult dependent children may opt-out of the City's medical insurance benefit and their career employee parent will receive the opt-out incentive payment. When the adult dependent child's eligibility expires, the employee will no longer be eligible to receive the opt-out waiver payment.

Career Appointment of Adult Children of Career Employees: Should an adult child of a career employee, under 26 years of age, be hired as a career employee with the City, the adult child must sign up (or opt-out if other coverage is available) for their own City-sponsored group medical

insurance benefit at the time of hire. The newly hired adult child is not permitted to remain covered as a dependent on the parent's City-sponsored group medical insurance benefit policy.

A.9 – Termination of Medical Insurance Benefit Program

The City reserves the right, if allowed by law, to terminate this program at any time. If the City terminates this program, it will officially expire at the end of the next Open Enrollment period.

[Amended September 5, 1995]
[Amended March 23, 1999]
[Amended 2022, Effective 2022]

B. DENTAL INSURANCE

B.1 – Dental Insurance Overview

A City-sponsored group dental insurance coverage plan benefit is offered to career employees, their spouses and dependents.

The City of Southfield may select dental insurance providers at its discretion.

1. **Commencement:** Dental insurance coverage will commence on the first day of the month following the employee's date of hire or upon election of coverage in the event of a qualifying event, or at the beginning of the plan year after selection during open enrollment.

2. **Cessation of Coverage:** Dental insurance will end on the last day of the month in which a career employee separates from City service by resignation, termination, lay-off, unpaid leave of absence; except while on an unpaid FMLA leave. In the case of retirement, coverage will cease unless the employee elects to continue coverage as set forth below.

3. **Employee Contribution:** Career employees will contribute toward the cost of dental insurance coverage, as required by law. The employee's portion of payment for coverage shall be deducted from their bi-weekly compensation as provided by law. Payments will be adjusted for career fifty percent (50%) and seventy-five percent (75%) employees.

B.2 – Retiree Dental Insurance Coverage

Career employees who retire after 7/1/2002, may elect to purchase a dental insurance policy at group rates through the City's insurer at their own expense. The retiree will authorize the premium for dental insurance coverage to be deducted from the retiree's retirement check.

1. The request to purchase such dental insurance coverage must be submitted within one (1) year after an employee's retirement. A later submitted request will require the retiree to produce a certificate evidencing that they had dental insurance coverage from one year after the date of their retirement up to the date of application for dental insurance coverage.

2. Retirees who enroll and later terminate their dental insurance coverage, shall not be allowed to purchase dental insurance coverage at group rates from the City's insurer in the future.

C. OPTICAL INSURANCE

C.1 – Optical Insurance Overview

A City-sponsored group optical insurance coverage benefit is offered to career employees, their spouses and dependents.

The City of Southfield may select an optical insurance provider at its discretion.

A. Commencement: Optical insurance will commence on the first day of the month following the employee's date of hire or upon election of coverage in the event of a qualifying event, or at the beginning of the plan year after selection during open enrollment.

B. Cessation of Coverage: Optical insurance will end on the last day of the month in which a career employee separates from City service by resignation, termination, lay-off, unpaid leave of absence; except while on an unpaid FMLA leave. In the case of retirement, coverage will cease unless the employee elects to continue coverage as set forth below.

C. Employee Contribution: Career employees will contribute toward the cost of optical insurance, as required by law. The employee's portion of payment for coverage shall be deducted from their bi-weekly compensation as provided by law. Payments will be adjusted for career fifty percent (50%) and seventy-five percent (75%) employees.

C.2 – Retiree Optical Insurance Coverage

Career employees who retire after 7/1/2002, may elect to purchase an optical insurance policy at group rates through the City's insurer at their own expense. The retiree will authorize the premium for optical insurance coverage to be deducted from the retiree's retirement check.

1. The request to purchase such optical insurance coverage must be submitted within one (1) year after an employee's retirement. A later submitted request will require the retiree to produce a certificate evidencing that they had optical insurance coverage from one year after the date of their retirement up to the date of application for optical insurance coverage.

2. Additionally, retirees who enroll and later terminate their optical insurance coverage, shall not be allowed to purchase optical insurance coverage at group rates from the City's insurer in the future.

D. TERM LIFE INSURANCE

A City-sponsored group Term Life Insurance, and accidental death and dismemberment insurance, coverage benefit is offered to career employees.

Each insurance is provided in an amount equivalent to twice the employee's base wage rate to the nearest $1,000, up to a maximum of $50,000 principal sum for full-time career employees. Part-time career employees are eligible for Group Life Insurance up to the following maximum benefits:

$25,000 principal sum for employees eligible for 50% fringe benefits
$37,500 principal sum for employees eligible for 75% fringe benefits

Upon separation from employment, including retirement, lay off and unpaid leaves of absence, the employee's term life, and accidental death and dismemberment insurance hereunder shall cease as of the effective date of separation, lay off or commencement of unpaid leave of absence.

Insurance coverage under this section shall be re-determined once each year and the face amount adjusted accordingly until the established maximum is reached.

Employees on approved leaves of absence are covered under the provisions applicable to Leaves of Absence.

[Amended February 23, 1982]
[Amended September 5, 1995]

RULE 21 – MISCELLANEOUS EMPLOYER SPONSORED BENEFITS

21.1 – Overview

Miscellaneous (MISC) Employer Sponsored Benefits are additional fringe benefits available to career employees at either no or a significantly reduced cost. These additional employer sponsored benefits are not intended to be an entitlement but are included in the overall benefit package for career employees and are subject to modification or elimination at any time, in the City's sole discretion.

21.2 – Available MISC Benefits

F. Residency Incentive Benefit
- **A.1 - Eligibility and Payment Options**
- **A.2 – Group Eligibility and Exclusion**
- **A.3 – Resident Definition and How to Apply**
- **A.4 - Verification of Residency**
- **A.5 - Final Average Compensation Inclusion**

G. Education, Training, Tuition Reimbursement
- **B.1 - Educational Programs**
- **B.2 – Membership Dues, Training Expenses and Continuing Education**
- **B.3 – Tuition Reimbursement**
- **B.4 – Tuition Reimbursement Restrictions**

H. Vehicle usage
- **C.1 –Overview**
- **C.2 –Eligibility to Operate a Personal Vehicle While Conducting City Business**
- **C.3 – Compliance with Laws and Rules**
- **C.4 - Compensation and Mileage**
- **C.5 - Accident Reporting and Investigations**

I. Uniform Allowance
- **D.1 - Uniform Allowance Eligibility**
- **D.2 - Uniform Allowance Purchase Limits**
- **D.3 - Protective Equipment and Uniform Allowance**
- **D.4 - Uniform Allowance Exclusions**
- **D.5 – Work Attire Guidelines**

J. Employee Assistance Program (EAP)
(See City EAP Policy)

A. RESIDENCY INCENTIVE BENEFIT

The Residency Incentive program was introduced to provide a benefit for career employees who reside in the City of Southfield; and to provide an inducement for non-resident career employees to move into the City of Southfield.

A.1 – Eligibility and Payment Options

1. **Eligibility**: Career employees must be on the City's active payroll and must reside in the City of Southfield on January 1 to be eligible for the Residency Incentive benefit.

2. **Paid Leave Eligibility**: Career employees on an approved, paid leaves of absence (Medical or other) are eligible for this benefit while on leave, provided they meet all other requirements.

3. **Ineligibility:** Career employees on unpaid leaves of absence, or who are receiving Long Term Disability payments are not on active payroll and are not eligible for the residency incentive.

4. **Calculation of residency Incentive Amount**: Eligible career employees who are Southfield residents on January 1 of each calendar year will receive 1.5% of their base pay as of December 31 of the preceding calendar year, as designated by the current salary schedule. Overtime, or any other additions to base pay will not be included in the incentive calculation. Calculation of the Residency Incentive for eligible career employees will be as follows:

   (December 31 base pay) x 1.5% for full-time employees
   (December 31 hourly rate) x (1040 hours) x 1.5% for employees eligible for 50% benefits
   (December 31 hourly rate) x (1560 hours) x 1.5% for employees eligible for 75% benefits

5. **Incentive Payment Options**: Eligible employees have the option to receive the Residency Incentive benefit as an additional payment included in their regular paycheck (with any required tax liability therefor) or they may defer receipt of the incentive payment by applying to have it deposited on their behalf into one of the City's deferred compensation plans in which they participate.

6. **No Pro-Ration**: The Residency Incentive benefits offered only once per calendar year for Southfield career employees who are also Southfield residents as of January 1. The Residency Incentive benefit for the prior January 1 date will not be pro-rated or back dated for employees who establish residency later in the calendar year.

A.2 – Group Eligibility and Exclusion

1. **Inclusions**: The residency incentive was originally approved as part of the 1986-87 Wage/Benefit Package for ACS (non-union). Exempt and eligible 46th District Court employees became effective January 1, 1987. The program became available to AFSCME 329 and PST personnel in 1988, and TPOAM and AFSCME 3636 upon establishment in 2004.

   Police Deputy Chiefs, Management (formerly Exempt) staff, as well as the Judges' personal staff are also eligible for this benefit. Probationary employees who live in Southfield by January 1st will be eligible for the benefit immediately and will not be required to wait until their probationary status has ended.

2. **Exclusions**: Elected Officials are not eligible for the Residency Incentive. Contractual employees are eligible only if specifically included in their contract.

A.3 – Resident Definition and How to Apply

1. **Definition:** For purposes of these Rules, the term *resident* means a person who lives somewhere permanently or on a long-term basis, the place where one resides, a place of abode accompanied with the intent to remain, a settled or permanent home or domicile. Post Office Boxes will not be accepted as proof of residency.

2. **How to Apply**: Eligible career employees who are Southfield residents on January 1 will be required to apply for their residency incentive upon notification from the Human Resources Department.

   a. Upon receipt of the employee's application for the Residency Incentive, the Human Resources Department will verify residency and will provide to the employee, the gross dollar amount of their Residency Incentive benefit payment.
   b. The career employee must indicate their preference to either receive the Residency Incentive payment as part of their regular paycheck (with any required tax liability therefor) or to defer receipt through a deposit into a City deferred compensation plan in which they participate. (Note: A separate supplemental participation form must be completed if the deferral option is selected.

A.4 – Verification of Residency

1. **Statement of Residency:** An employee's statement of residency will be subject to verification by the Human Resources Director at the time of application. At the time of application, the employee will affirm that they live in the City of Southfield and will show a valid Driver's License indicating a current Southfield address.

2. **Residency Challenge**: If residency is challenged, the employee may also be required to substantiate residency by producing other documentation as may be required by the City. (Ex. Voter's registration card, utility bills, etc.) Upon completion of a preliminary investigation, the Human Resources Director will determine residency.

3. **Appeal**: If a non-represented applicant for the Residency Incentive wishes to appeal the decision of the Human Resources Director**,** the ACS Commission shall set a time and place for a public hearing on the matter. Hearings before the ACS Commission are governed by these Rules. Following a hearing on the appeal, the ACS Commission shall make a final determination as to residency. Appeals by career employees covered by a collective bargaining agreement shall be governed by their respective agreement.

A.5 – Final Average Compensation Inclusion

Under Section 457 of the Internal Revenue Code, the total annual maximum deferral to a qualified deferred compensation program is 100% of an employee's salary or an indexed dollar amount as determined by the IRS, whichever is the lesser. Residency Incentive eligible employees who are currently participants in the City's Deferred Compensation Program will be subject to this IRS maximum deferral. The Residency Incentive will be included as "compensation" in determining "Final average compensation" for retirement purposes, as defined in Section 1.313 of Ordinance #1485.

[Approved January 6, 1987]
[Amended December 5, 1989]
[Amended September 5, 1995, effective July 1, 1995]
[Amended February 20, 2001, effective January 1, 2001]
[Amended November 26, 2002]
[Amended November 21, 2008, effective January 1, 2009]
[Amended 2022, Effective]

B. EDUCATION, TRAINING, TUITION REIMBURSEMENT BENEFIT

B.1 – Educational Programs

The City values and invests in professional and educational growth of our employees. Employees are encouraged to learn and keep up to date on skills and take advantage of educational opportunities that are applicable to their position or City service. An educated workforce will enhance service to our residents and businesses and will also better prepare employees for promotional opportunities.

As determined by the Appointing Authority, an employee may be authorized to attend in-service, outside training courses, or degree programs from industry expert professionals and/or authorized educational facilities. The following educational assistance programs describe this employee benefit for an employee's educational expenses.

B.2 – Membership Dues, Training Expenses and Continuing Education, (CE)

1. **Membership Dues**: The City will pay the membership dues for an employee who is required, by the City, to maintain a membership in a professional or licensing organization; or if such membership will enhance the City's standing through the employee's membership.

2. **Required Certification**: If the City requires a certification/licensure as a condition of employment, once appointed, the City shall bear the cost of required training necessary for employees to maintain such certification/license.

3. **Continuing Education**: Many certifications/licenses require continuing education to maintain the certificate/license and are awarded by education and training providers to signify successful completion of non-credit programs and courses intended to improve the knowledge and skills in a specialized area.

4. **Professional Educational Training:** An Appointing Authority may authorize and employee's attendance in workshops, training programs, educational conferences or continuing education. These programs are designed to enhance professional training or staff development efforts through special presentation courses, workshops, etc., where professionals are trained and discuss their work with others in their peer group or amongst themselves.

5. **Training Expenses:**

   City Required- If the City requires an employee to attend a seminar, conference or other training event, the City will pay for approved associated expenses which are submitted in accordance with the City's policies and procedures.

   Employee Requested: If an employee requests to attend a seminar, conference or other training event, the supervisor or Appointing Authority, will consider the benefit to the City and if approved will pay for approved associated expenses which are submitted in accordance with the City's policies and procedures.

6. **Compensation**:

   i. **Regular Pay:** Where an educational program is held during normal business hours, employee attendees are paid for their time similar to a normal business day.

   ii. **Overtime: Employee attendees shall not be paid overtime while attending a educational program.**

   iii. **Arrival/Departure:** The City will pay for approved associated travel expenses which are submitted in accordance with the City's policies and procedures. Employees will only be compensated for educational programing time that occurs during the employee's normal business day. Employees will not be compensated for earlier arrivals to or later departures from the educational program location.

7. **Report or Return to Work**: Should an educational program be scheduled for a half-day session or should it end early, the employee is expected to return to work for the remainder of the work day or they may take leave time to complete the work day. Likewise, if the educational program is scheduled for the afternoon, the employee is expected to report to work at their regular time and leave for the educational event from their workplace or they may take leave time to complete the work day.

B.3 – Tuition Reimbursement

The Tuition Reimbursement Benefit is a program to assist employees in attending an accredited institution to pursue a diploma, degree or certification. If such is the case, the employee is expected to arrange to do so on their own time without additional compensation from the City, except as indicated below:

Career employees may qualify for tuition reimbursement of seventy-five (75%) percent of actual tuition and institution-required fees (excluding late fees). The maximum reimbursement will be $2,500 per fiscal year (July 1 to June 30) for full-time career employees; in no case shall the reimbursement exceed the actual cost to the employee. Further, the City will reimburse full time career employees an additional seventy-five percent (75%) of the actual cost for books each term in which the employee is entitled to tuition reimbursement. Part time career employees will receive reimbursement subject to the following maximum payments:

a. for employees eligible for 50% benefits:
   $1250 per fiscal year tuition reimbursement maximum;
   75% reimbursement for books.

b for employees eligible for 75% benefits:
   $1875 per fiscal year tuition reimbursement maximum;
   75% reimbursement for books.

These payments are all subject to the following conditions:

- **Accredited Institution**: Course work must be taken at or under the direction of an accredited institution.

- **Qualifying Disciplines** shall be:
  a. Course work related to a function in which the City employs career staff;
  b. Course work in management or public administration; or
  c. Course work required for the completion of a diploma, certificate, or degree in a discipline related to a career classification in the City.
- **Pre-Approval Necessary**: Course work must be pre-approved, in writing, by the employee's Appointing Authority and the Human Resources Director or designee as qualifying for reimbursement. This approval must be obtained and on file with the Human Resources Department prior to class commencement.
- **Minimum Grade**: A minimum grade of "B" (3.0 on a 4.0 scale) must be obtained in each class where reimbursement is requested.
- **Application for Tuition Reimbursement**: Receipts for tuition and books as well as the final course grade must be submitted to the Human Resources Director or designee within thirty (30) days of completing the course. Failure to submit a timely and complete reimbursement application will forfeit the employee's right to request such reimbursement.

B.4 – Tuition Reimbursement Restrictions

1. **Probationary Employee Limitations**:

   a. Tuition reimbursement shall not be paid to probationary employees.

   b. However, tuition reimbursement may be granted to career employees for courses begun during the probationary period but completed after career status has been granted, provided all other provisions of this Section have been observed.

      Should the employee not successfully complete probation, tuition reimbursement will not be paid.

   c. If the class was started prior to being hired with the City, the class is not eligible for tuition reimbursement.

2. **Tuition Reimbursement and Separation from City Service:** In applying for and receiving tuition reimbursement benefits (including books and fees) under this Section, employees must agree to:

   a. **Refund the City** for any tuition reimbursement benefits which are received within the one-year period prior to their resignation, retirement (regular or early), or discharge for cause. The Human Resources Director through the Accounting Department is authorized to seek deduction in the amount of these benefits received in accordance with the applicable law, from the employee's final pay out.

   b. **Duty Disability, Workers Compensation or on a Medical Leave**: Employees unable to return to work after having received duty disability or been on a medical leave of absence will not be required to refund tuition reimbursement benefits.

B.5 – Educational Leave of Absence

Upon request, an employee with written approval from the Appointing Authority, may be granted a Leave of Absence without pay by the Human Resources Director not to exceed twelve (12) continuous months for the purpose of pursuing formal education. Said leave must be for attendance at an accredited institution and shall be without pay or benefits during the period of leave (continuation of group insurance benefits to be at employee's expense). If granting of said educational leave is deemed by the Human Resources Director to be in the best interest of the City.

[Initiated: July 1, 1991]
[Amended: September 17, 1991]
[Amended: July 1, 1994]
[Amended: July 1, 1995]
[Amended: November 14, 2000, Effective January 1, 2001]
[Amended 2022 and Effective 2022

C. VEHICLE USAGE

C.1 – Overview

The Vehicle Usage benefit is intended to pertain to employees who use their privately owned vehicles in the course of their employment, while on official business for the City of Southfield and is intended to be read in conjunction with the City Car Allowance and Travel Expense Policies.

A privately owned vehicle is a personal vehicle not owned by the City of Southfield.

Work-related Vehicle Usage is operating an automobile in the course of your employment, including driving between work sites or offices, and to offsite meetings or educational programs. It may also include other driving as approved by your supervisor or Appointing Authority.

C.2 – Eligibility to Operate a Personal Vehicle While Conducting City Business

Employees shall only be authorized to use personal vehicles while conducting official City business upon meeting the following conditions:

- The employee must possess a valid Michigan driver's license valid for operation of the vehicle type being used; and
- The personal vehicle must be properly registered and insured at a level commensurate with the City's minimum level of automobile insurance coverage; and
- The vehicle is safe to operate and has been maintained as such.

C.3 – Compliance with Laws and Rules

All employees conducting City business while operating a personal vehicle agree to abide by the following*:

1. **Laws & Rules:** All vehicle operators are to abide by all traffic laws, including seat belt usage, while operating a personal vehicle and are responsible for using their personal vehicle in a safe and responsible manner while conducting City business. Any violations or citations received shall be borne by the employee/owner of the vehicle.

2. **Valid Driver's License Required:** Employees operating personal vehicles while conducting City business must maintain a valid driver's license. Should the employee's driver's license at any time cease to be valid, the employee shall immediately cease vehicle operation in the conduct of City business. Employees are required to inform their supervisor immediately of any changes to either their legal or physical ability to drive or their continued insurability.

3. **Authorized Driver:** Only the employee authorized to operate the vehicle while conducting City business shall drive the vehicle when being used in the conduct of City business.

4. **Cleanliness:** The vehicle should be kept clean and all cargo inside or on the vehicle must be secured and stored safely at all times.

5. **Driving Impairment Prohibited:** Employees are not permitted, under any circumstances, to operate a personal vehicle for City business when any physical or mental impairment causes the employee to be unable to drive safely. Additionally, employees shall not operate any personal vehicle while conducting City business after consuming alcohol, drugs or medications that may affect their ability to drive. This prohibition includes circumstances in which the employee is temporarily unable to operate a vehicle safely because of impairment due to illness, medication or intoxication.

6. Employees shall not carry any personal weapons in any vehicle being used in the conduct of City business. (See City Weapons policy)

*The foregoing list illustrative and not intended to be all inclusive, other instances may warrant additional laws or rules to which an employee must agree to abide before operating a personal vehicle in the conduct of City business.

C.4 – Compensation and Mileage

Employees who receive a stipend are not eligible for gasoline or other mileage-related reimbursement unless traveling more than 100 miles outside of their usual work location for work. Any employee claiming mileage for use of their personal vehicle for City business must report mileage on an official Mileage Report. This report is to be turned in the first working day after the 25th of each calendar month. EXCEPT where an employee must make a special trip with that being the only travel for the month or where the mileage is incurred after the 25th of the calendar month. In these instances, the Mileage Report may be turned in before the end of the month. Employees are to accurately report their mileage; and employees caught misrepresenting City business miles driven will be subject to disciplinary action up to and including termination.

If travel by most direct route is not possible because of construction, detour, or other legitimate reason, the claim for the additional mileage should be explained on the Mileage Report.

1. ***Mileage Rate:*** Authorized use of a personal vehicle for City Business is to be reimbursed at a rate consistent with the Internal Revenue Service (IRS) rate as published. Fuel expenses **may** be reimbursable per the City Car Allowance and Travel Expense policies.

2. ***Parking Expenses:*** Reimbursement for parking while conducting City business shall be paid with verification of the cost and payment of the expense. Receipts must be attached to mileage reports for all parking expense claims. Parking meter charges are also allowed, not to exceed five ($5.00) dollars per day. Fines incurred for improper parking or parking expenses without original receipts will not be reimbursed.

3. ***Expenses Not Reimbursable:*** Expenses incurred for the following are not reimbursable:

    i. Vehicle repairs, parts, towing and other similar expenditures; and
    ii. Parking, speeding or other citations incurred while driving a personal vehicle for business purposes; and

iii. Any personal or property damages or losses incurred while using a personal vehicle for business purposes.

4. ***Mileage Computation:*** Reimbursements of mileage driven will be based on mileage calculated from the addresses of the starting and ending points as represented on maps, internet search engines, or applications. (Ex. Google, Waze or similar) as follows:

    i. Mileage calculation shall begin from the employee's usual work location or home if they are attending directly from their residence to the destination and back.
    ii. If attending a multi-day conference, mileage calculation shall begin from the departing location to the venue and back. Mileage driven for meals, or other extra-curricular activities are not included in the total miles driven.
    iii. If employee carpooling is arranged, only the employee who drives to the event shall be eligible for mileage from the arranged pick-up location(s) to the event and back to drop off the others.
    iv. If taking air transportation to a multi-day conference, no mileage will not be paid for the drive from the employee's home to the airport and back, but parking expenses will be reimbursed.

5. ***Carpool:*** (Maximum 3 passengers.) Whenever possible if there is a group activity, such as an authorized special or educational event, arrangements for carpooling should be considered and arranged. Seatbelts must be in working order for driver and all passengers.

C.5 – Accident Reporting and Investigations

If an employee is involved in a motor vehicle accident, the employee agrees to do the following:

1. Immediately report the incident to their local authorities and their supervisor or Appointing Authority. Employees are expected to cooperate fully with authorities in the event of an accident.

2. Cooperate with their supervisor to complete the Motor Vehicle Incident Reporting Form and any other reports and submit them to their supervisor.

3. Make themselves available to participate in any internal incident investigation, and work with the investigation team to facilitate the investigation, report and any corrective measures.

[Amended June 9, 1992]
[Amended August 1, 1994]
[Amended 2022]

D. UNIFORM ALLOWANCE

D.1 – Uniform Allowance Eligibility

1. **Uniform Allowance for Supervisory Staff**: Any employee who is required, on a daily basis, to wear a uniform which is not provided by the City and who is a direct line supervisor to uniformed employees covered under Administrative Civil Service (ACS), TPOAM or AFSCME 329 contracts will receive a clothing allowance equal to that which is provided in the AFSCME 329 contract. Increases in this allowance will be automatic to supervisory personnel when a new allowance is negotiated by the Union and included in the AFSCME 329 contract. At no time will this allowance exceed the clothing allowance stipulated in the AFSCME 329 contract.

2. **Uniform Allowance for Non-Supervisory Staff**: Any other non-supervisory, ACS employee who is required, on a daily basis, to wear a uniform which is not provided by the City shall receive a uniform allowance equal to that provided in the AFSCME 329 contract. Increases in this allowance will be automatic when a new allowance is negotiated by the Union and included in the AFSCME 329 contract. At no time will this allowance exceed the clothing allowance stipulated in the AFSCME 329 contract.

3. **Distribution of Uniform Allowance**: This allowance will be paid in two (2) equal lump sums; one during January and the other in July. Eligible new employees will get the allowance in their first check and future allotments will follow the normal distribution of the allowance.

4. **Eligibility for Uniform Allowance**: The payee must be on payroll the first day of the month during which the distribution is made. Payee will not receive allowance if on an unpaid leave of absence.

D.2 – Uniform Allowance Purchase Limits

The uniform allowance shall be spent on items approved by the City/Appointing Authority such as work pants, work shirts (with City logo), work shoes/boots, work jackets (with City logo), or for the cleaning of the same. This allowance does not cover the purchase of socks or undergarments.

Any uniform that is severely damaged or destroyed in the line of duty shall be replaced by the City. The replacement will be limited to the cost of the item being replaced. Any changes or upgrade will be the responsibility of the employee.

D.3 – Protective Equipment and Uniform Allowance

Employees are required to wear proper uniforms while on duty. Employees who receive a uniform, clothing and/or cleaning allowance are to purchase approved uniform clothing in accordance with departmental regulations and City purchasing programs. A uniform, clothing and/or cleaning allowance is a benefit to defray the cost and care of approved work apparel. All uniforms worn by City of Southfield employees are to be kept clean and in good repair. If an employee is required to wear protective clothing or any type of protective device as a condition of employment, such

protective clothing or protective device shall be furnished to the employee by the City. Any required protective boot or footwear is not covered by this paragraph but may be purchased with the uniform allowance as described above.

D.4 – Uniform Allowance Exclusions

1. Except travelling to and/or from work, uniforms and protective clothing are not to be worn while the employee is not on duty.

2. **Non-Career employees** are not eligible for uniform allowance.

D.5 – Work Attire Guidelines

While the City of Southfield has not adopted a dress code for employees who are not required to wear uniforms at work, all employees are expected to dress appropriately while at work and to observe good taste in their personal appearance consistent with professional service as City of Southfield employees. All clothing should be clean, ironed and in good shape. Refrain from wearing clothing that has tears, rips or holes, even if it is the current fashion. Work clothes should be professional, meaning not too revealing or too casual. Departmental uniforms, clothing bearing the City logo insignia or business casual dress is the standard for projecting the professional image of employees of the City of Southfield.

- Jewelry should be worn in a manner that does not prove a safety hazard around equipment.
- Cologne should be worn in a manner that is minimal, especially when working in close proximity to other employees.
- Hats are not to be worn in the office.
- Head coverings without logos or those worn for religious reasons are permitted.

If clothing, footwear, jewelry or cologne fails to meet these basic guidelines, the employee will be asked not to wear the inappropriate item to work again.

[Initiated July 18, 1989]
[Amended 2022, Effective]
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RULE 22 – PUBLIC RECORDS AND RECORD RETENTION

Human Resources records and documents shall be retained by the Human Resources Department/Director in accordance with, at minimum, the most current State of Michigan Municipal Record Retention Schedule.

Section 22.1 – General Retention Information for Human Resources Documents

A. Public Records: The Michigan Freedom of Information Act (FOIA) (MCL 15.231-15.246, et seq., as amended) defines public records as recorded information "prepared, owned, used, in the possession of, or retained by a public body in the performance of an official function, from the time it is created."

B. Retention and Disposal Schedules: Michigan law (MCL 399.5 and 750.491, et seq., as amended) requires that all public records be listed on an approved Retention and Disposal Schedule that identifies the minimum amount of time that records must be kept to satisfy administrative, legal, fiscal and historical needs. The Human Resources Director may require retention beyond the periods listed, and nothing prevents an office from retaining records longer than the specified period of time. Schedules also identify when records may be destroyed, and when certain records can be sent to off-site storage for permanent preservation. There are two types of schedules that government agencies may use: ▪

1. A "general schedule" will cover records that are common to a particular type of government agency, such as a human resources office. General schedules may not address every single record that a particular office may have in its possession. General schedules do not mandate that any of the records listed on the schedule be created. However, if they are created in the normal course of business, the schedule establishes a minimum retention period for them.
2. Any record that is not covered by a general schedule must be listed on an "agency-specific schedule" that will address records that are unique to a particular government agency. Agency-specific schedules always supersede general schedules. Agency-specific schedules only address the records of the agency named on the schedule, and may not be used by another agency.

C. Unofficial Documents: These documents are broadly defined as drafts, duplicates, convenience copies, publications and other materials that do not document agency activities. These materials can be disposed of when they have served their intended purpose.

D. Record Maintenance: Records can exist in a wide variety of formats, including paper, maps, photographs, microfilm, digital images, e-mail messages, databases, etc.

The Human Resources Director is responsible for ensuring that all of their records (regardless of format) are properly retained and remain accessible during the entire retention period. All records need to be stored in a secure and stable environment that will protect them from tampering, damage and degradation. Electronic records are dependent upon specific hardware and software to be accessed and used. Various laws (including the Records Reproduction Act,

MCL 24.401-24.406, et seq., as amended) identify acceptable formats for retaining public records.

E. **Suspending Destruction:** Human Resources designee must immediately cease the destruction of all relevant records (even if destruction is authorized by the Human Resources Director and the Retention and Disposal Schedule) if they receive a FOIA request, if they believe that an investigation or litigation is imminent, or if they are notified that an audit, investigation or litigation has commenced. If relevant records exist in electronic formats (such as e-mail, digital images, word processed documents, databases, backup tapes, etc.) the Technology Department must be notified for assistance if needed.

Section 22.2 – Retention Period for Human Resources Documents

Southfield Human Resources records cannot be destroyed unless their destruction is authorized by the approved Retention and Disposal Schedule and logged, approved and signed off by the Human Resources Director or designee for destruction.

All paper employee records as well as confidential employee data maintained by the City's Human Resources department have to be destroyed by shredding once the retention dates have passed. Electronic records also should be reviewed and purged as provided by the latest edition of the Local Government Human Resources Record Retention and Disposal Schedule.

The retention period for Human Resources documents is as provided in the latest edition of the Michigan State General Retention Schedule #26 for Local Government Human Resources. See attached, approved August 16, 2022.

Yearly, by January 31, the Human Resources Director or their designee shall verify, and update if necessary, the current edition of the Local Government Human Resources record retention and disposal schedule to be utilized for record retention and disposal for the year.

Updated editions of the schedule may be obtained from the State of Michigan Department of Records Management Services. The same may also be found on their website at the link below:

All schedules:
https://www.michigan.gov/dtmb/services/recordsmanagement/schedules/gslocal

Human Resources:
https://www.michigan.gov/dtmb/-/media/Project/Websites/dtmb/Services/Records-Management/RMS_GS26.pdf

RULE 23 – Administrative Civil Service Rules
AMENDMENTS AND EXCEPTIONS

Section 23.1 – Amendments

The ACS Commission, may at regular or special meetings amend, suspend the application of, rescind, or otherwise change these rules. However, the provisions of these rules do not replace or supersede any part of the Charter or ordinances of the City of Southfield, unless provided by law or ordinance revision.

Any amendment or change made to these rules becomes effective upon approval by the ACS commission, unless another effective date is stated at the time of approval amendment.

Section 23.2 – Exceptions

Upon a specific finding by the ACS Commission that the best interest of the City would be served in a particular circumstance by granting relief from one or more of these Rules, the ACS Commission may, modify the applicable condition or requirement of these Rules in a particular circumstance; by an affirmative vote of the ACS Commission to do so.

Should the ACS Commission find the best interest of the City would be served by amending, or rescinding one or more of these Rules, the ACS Commission may adopt new Rules or may modify or rescind these Rules; by an affirmative vote of the ACS Commission to do so.

[Amended November 27, 1989]

Section 23.3 – Delegation to Human Resources Director

Delegation by the ACS Commission: The ACS Commission may delegate in whole or in part, any authority granted by the City Charter, unless expressly prohibited by law, ordinance, City Charter or ACS Rule. *(Ex.: The Human Resources Director may determine new hire starting salary up to step 4.)*

City of Southfield
ACS STANDARD GRIEVANCE FORM

Unrepresented Employee

Date: _____

Name/ Position: _____

Department: _____

Nature of Grievance:
(State what you action you are grieving, and what you believe was wrong with the action.)

Remedy Sought:
(What action can the City take to resolve your grievance?)

Signature of Employee(s): _____

Step #1: Informal meeting held with _____ on _____

Disposition: _____

Signature: _____ Time: _____

Step #2: Formal meeting held with _____ on _____

Disposition: _____

Signature: _____ Time: _____

Step #3: ACS Commission review _____

Disposition: _____

Hearing: _____

No Hearing: _____

ACS Wages
Effective 7/1/2024

Grade Code	Step1	Step2	Step3	Step4	Step5	Step6	Step7	Step8	Step9	Step10	Step11	Step12	Step13	Step14	Step15
310	$44,814.27	$46,127.52	$47,480.94	$48,872.47	$50,305.20	$51,779.13	$53,296.32	$54,858.83	$56,466.66	$58,121.87	$59,825.49	$61,578.55	$63,383.11	$65,242.26	$67,154.97
	$21.5453	$22.1767	$22.8274	$23.4964	$24.1852	$24.8938	$25.6232	$26.3744	$27.1474	$27.9432	$28.7623	$29.6051	$30.4726	$31.3665	$32.2860
311	$47,055.55	$48,434.72	$49,855.09	$51,315.63	$52,820.46	$54,367.52	$55,960.93	$57,601.72	$59,290.92	$61,028.53	$62,816.61	$64,657.22	$66,553.45	$68,504.27	$70,512.77
	$22.6229	$23.2859	$23.9688	$24.6710	$25.3945	$26.1382	$26.9043	$27.6931	$28.5053	$29.3406	$30.2003	$31.0852	$31.9969	$32.9347	$33.9004
312	$49,408.07	$50,856.25	$52,346.66	$53,881.36	$55,460.35	$57,085.69	$58,760.47	$60,481.60	$62,254.23	$64,079.39	$65,957.08	$67,891.42	$69,880.35	$71,929.02	$74,038.46
	$23.7539	$24.4501	$25.1667	$25.9045	$26.6636	$27.4450	$28.2502	$29.0777	$29.9299	$30.8074	$31.7101	$32.6401	$33.5963	$34.5813	$35.5954
313	$51,879.04	$53,399.32	$54,963.89	$56,575.84	$58,234.14	$59,940.85	$61,698.03	$63,506.71	$65,366.89	$67,283.72	$69,255.14	$71,285.27	$73,375.14	$75,525.78	$77,740.28
	$24.9418	$25.6728	$26.4249	$27.1999	$27.9972	$28.8177	$29.6625	$30.5321	$31.4264	$32.3479	$33.2957	$34.2718	$35.2765	$36.3105	$37.3751
314	$54,472.58	$56,070.11	$57,712.96	$59,404.22	$61,145.95	$62,938.15	$64,782.88	$66,682.20	$68,636.11	$70,647.70	$72,718.00	$74,850.10	$77,044.00	$79,302.79	$81,627.50
	$26.1887	$26.9568	$27.7466	$28.5597	$29.3971	$30.2587	$31.1456	$32.0588	$32.9981	$33.9652	$34.9606	$35.9856	$37.0404	$38.1263	$39.2440
315	$57,195.90	$58,872.74	$60,599.02	$62,374.74	$64,202.99	$66,084.80	$68,022.23	$70,015.28	$72,068.07	$74,180.60	$76,353.90	$78,592.09	$80,896.20	$83,267.26	$85,709.39
	$27.4980	$28.3042	$29.1341	$29.9879	$30.8668	$31.7715	$32.7030	$33.6612	$34.6481	$35.6638	$36.7086	$37.7847	$38.8924	$40.0323	$41.2064
316	$60,056.21	$61,816.48	$63,628.25	$65,493.58	$67,412.47	$69,389.04	$71,423.29	$73,516.25	$75,671.01	$77,889.63	$80,172.11	$82,522.57	$84,941.01	$87,429.49	$89,994.19
	$28.8732	$29.7195	$30.5905	$31.4873	$32.4098	$33.3601	$34.3381	$35.3444	$36.3803	$37.4469	$38.5443	$39.6743	$40.8370	$42.0334	$43.2664
318	$66,211.49	$68,152.01	$70,150.21	$72,206.09	$74,322.74	$76,501.19	$78,743.50	$81,051.73	$83,426.91	$85,872.13	$88,389.45	$90,980.93	$93,646.57	$96,392.55	$99,218.87
	$31.8324	$32.7654	$33.7261	$34.7145	$35.7321	$36.7794	$37.8575	$38.9672	$40.1091	$41.2847	$42.4949	$43.7408	$45.0224	$46.3426	$47.7014
319	$69,522.94	$71,560.28	$73,657.36	$75,816.24	$78,038.98	$80,325.58	$82,681.19	$85,104.78	$87,598.41	$90,166.20	$92,808.15	$95,529.41	$98,329.98	$101,211.92	$104,179.35
	$33.4245	$34.4040	$35.4122	$36.4501	$37.5187	$38.6181	$39.7506	$40.9158	$42.1146	$43.3491	$44.6193	$45.9276	$47.2740	$48.6596	$50.0862
320	$72,998.16	$75,138.50	$77,340.64	$79,607.67	$81,940.62	$84,342.58	$86,814.58	$89,359.71	$91,979.00	$94,674.51	$97,449.33	$100,305.52	$103,246.17	$106,272.31	$109,388.06
	$35.0953	$36.1243	$37.1830	$38.2729	$39.3945	$40.5493	$41.7378	$42.9614	$44.2207	$45.5166	$46.8506	$48.2238	$49.6376	$51.0925	$52.5904
322	$80,481.11	$82,840.84	$85,267.52	$87,767.33	$90,340.27	$92,988.40	$95,713.78	$98,518.47	$101,406.59	$104,379.17	$107,438.27	$110,586.98	$113,828.39	$117,164.56	$120,600.64
	$38.6928	$39.8273	$40.9940	$42.1958	$43.4328	$44.7060	$46.0162	$47.3646	$48.7532	$50.1823	$51.6530	$53.1668	$54.7252	$56.3291	$57.9811