

# 51<sup>st</sup> District Court



## Employee Handbook



**Richard D. Kuhn, Jr. & Todd A. Fox**  
District Court Judges

**Jennifer E. Thom**  
Court Administrator

*Revised December 2018*

# Contents

---

---

<b>MISSION STATEMENT</b> .....	<b>5</b>
<b>WELCOME</b> .....	<b>6</b>
<b>INTRODUCTION</b> .....	<b>7</b>
<b>NOTICE OF AT-WILL EMPLOYMENT</b> .....	<b>7</b>
<b>ORIENTATION</b> .....	<b>7</b>
<b>MODEL CODE OF CONDUCT FOR MICHIGAN TRIAL COURT EMPLOYEES</b>	<b>7</b>
<b>IMPROPRIETY OR THE APPEARANCE OF IMPROPRIETY</b> .....	<b>8</b>
<b>ABUSE OF POSITION</b> .....	<b>8</b>
<b>IMPARTIALITY</b> .....	<b>8</b>
<b>PROPER USE OF PUBLIC RESOURCES</b> .....	<b>8</b>
<b>DUTY TO DISCLOSE</b> .....	<b>8</b>
<b>CONFIDENTIALITY &amp; DISCRETION</b> .....	<b>8</b>
<b>DISCRIMINATION</b> .....	<b>8</b>
<b>POLITICAL ACTIVITY</b> .....	<b>8</b>
<b>DUTY TO SERVE</b> .....	<b>8</b>
<b>COMPETENCY</b> .....	<b>8</b>
<b>GUIDELINES</b> .....	<b>9</b>
<b>IMPROPRIETY OR THE APPEARANCE OF IMPROPRIETY</b> .....	<b>9</b>
<b>ABUSE OF POSITION</b> .....	<b>9</b>
<b>IMPARTIALITY</b> .....	<b>9</b>
<b>PROPER USE OF PUBLIC RESOURCES</b> .....	<b>10</b>
<b>DUTY TO DISCLOSE</b> .....	<b>10</b>
<b>CONFIDENTIALITY &amp; DISCRETION</b> .....	<b>10</b>
<b>DISCRIMINATION</b> .....	<b>10</b>
<b>POLITICAL ACTIVITY</b> .....	<b>11</b>
<b>DUTY TO SERVE</b> .....	<b>11</b>
<b>COMPETENCY</b> .....	<b>11</b>
<b>EMPLOYEE CLASSIFICATIONS AND DEFINITIONS</b> .....	<b>11</b>
<b>SALARY BASIS POLICY</b> .....	<b>13</b>
<b>JOB DUTIES AND CLASSIFICATIONS</b> .....	<b>13</b>
<b>OPEN DOOR POLICIES</b> .....	<b>14</b>
<b>INTRODUCTION</b> .....	<b>14</b>
<b>COURT MEETINGS</b> .....	<b>14</b>
<b>THE PROBLEM RESOLUTION PROCEDURE</b> .....	<b>14</b>
<b>EMPLOYEE BENEFITS</b> .....	<b>16</b>
<b>BENEFITS INTRODUCTION</b> .....	<b>16</b>

<b>CALCULATION METHOD FOR TIME-OFF POLICY</b> .....	16
<b>SICK LEAVE</b> .....	16
<b>SHORT-TERM AND LONG-TERM DISABILITY INSURANCE</b> .....	18
<b>FAMILY MEDICAL LEAVE ACT</b> .....	18
<b>HOLIDAYS</b> .....	21
<b>VACATION DAYS</b> .....	23
<b>PERSONAL DAYS</b> .....	24
<b>PAID TIME OFF (PTO) FOR PART-TIME EMPLOYEES</b> .....	25
<b>FUNERAL LEAVE</b> .....	25
<b>MILITARY LEAVE</b> .....	26
<b>JURY DUTY</b> .....	26
<b>LONGEVITY</b> .....	27
<b>RETIREMENT BENEFITS</b> .....	28
<b>PENSION BENEFITS - REGULAR FULL-TIME HIRED BEFORE 1/1/05</b> .....	28
<b>PENSION BENEFITS - FULL-TIME MANAGEMENT HIRED BEFORE 1/1/05</b> .....	29
<b>DEFINED CONTRIBUTION BENEFIT - FULL-TIME EMPLOYEES HIRED AFTER 1/1/05</b> ..	30
<b>RETIREE HEALTH/MEDICAL COVERAGE &amp; DEATH OF ACTIVE EMPLOYEES</b> .....	30
<b>HEALTHCARE BENEFITS - FULL-TIME EMPLOYEES HIRED BEFORE 1/1/16</b> .....	30
<b>HEALTHCARE BENEFITS - FULL-TIME EMPLOYEES HIRED AFTER 1/1/16</b> .....	31
<b>INSURANCES</b> .....	32
<i><b>HOSPITALIZATION/MEDICAL</b></i> .....	32
<i><b>VISION COVERAGE</b></i> .....	33
<i><b>DENTAL INSURANCE</b></i> .....	34
<i><b>FLEXIBLE SPENDING ACCOUNTS</b></i> .....	34
<i><b>WORKERS' COMPENDATION AND SUPPLEMENTAL PAY</b></i> .....	35
<i><b>LIFE INSURANCE</b></i> .....	35
<b>BONDING</b> .....	35
<b>EMPLOYEE ASSISTANCE SERVICE POLICY</b> .....	35
<b>TUITION REIMBURSEMENT</b> .....	36
<b>SOCIAL SECURITY BENEFITS</b> .....	37
<b>WORK, PERFORMANCE AND COMPENSATION REVIEW</b> .....	37
<b>POLICY PROHIBITING DISCRIMINATION, HARASSMENT &amp; RETALIATION</b>	<b>39</b>
<b>SEXUAL HARASSMENT</b> .....	39
<b>RACIAL AND OTHER ILLEGAL HARASSMENT</b> .....	40
<b>COMPLAINT PROCEDURE FOR REPORTING HARASSMENT, DISCRIMINATION OR</b> <b>RETALIATION</b> .....	41
<b>NO RETALIATION</b> .....	42
<b>APPEAL PROCEDURE</b> .....	42
<b>SOME GENERAL OBSERVATIONS ABOUT HARASSMENT</b> .....	42
<b>COURT EMPLOYEE RESPONSIBILITIES</b> .....	43
<b>COMPLIANCE WITH THE LAW</b> .....	<b>44</b>
<b>NOTICE UNDER THE PERSONS WITH DISABILITIES CIVIL RIGHTS ACT</b> ..	<b>44</b>
<b>WHAT WE EXPECT OF YOU</b> .....	<b>45</b>
<b>CONFIDENTIALITY AGREEMENT</b> .....	45
<b>PERSONNEL RECORDS/NOTICES OF CHANGES</b> .....	45
<b>CONFLICT OF INTEREST</b> .....	46

<b>DRESS &amp; GROOMING CODE</b> .....	47
<b>PAY DAYS</b> .....	48
<b>SCHEDULES</b> .....	48
<b>HOURS OF WORK AND TIME KEEPING</b> .....	49
<b>LUNCH PERIODS</b> .....	49
<b>NEPOTISM POLICY</b> .....	49
<b>POSSESSION OF FIREARMS/CCW</b> .....	50
<b>THEFT AND INSPECTIONS</b> .....	50
<b>AUTHORIZATION OF EMPLOYMENT</b> .....	51
<b>TELEPHONE, ELECTRONIC DEVICES AND MAIL SYSTEMS</b> .....	51
<b>SAFETY ISSUES FOR CELLULAR PHONE USE</b> .....	51
<b>COMPUTER/SYSTEM, E-MAIL, VOICE MAIL &amp; INTERNET ACCESS AND USAGE POLICY</b> .....	51
<b>SOCIAL MEDIA POLICY</b> .....	<b>53</b>
<i>GUIDELINES</i> .....	54
<i>KNOW AND FOLLOW THE RULES</i> .....	54
<i>BE RESPECTFUL</i> .....	54
<i>BE HONEST AND ACCURATE</i> .....	55
<i>POST ONLY APPROPRIATE AND RESPECTFUL CONTENT</i> .....	55
<i>USING SOCIAL MEDIA AT WORK</i> .....	56
<i>RETALIATION IS PROHIBITED</i> .....	56
<b>MEDIA CONTACTS</b> .....	56
<b>NO-SOLICITATION/NO DISTRIBUTION</b> .....	56
<b>BULLETIN BOARDS</b> .....	56
<b>SAFETY AND ACCIDENTS</b> .....	57
<b>POLICY ON SUBSTANCE ABUSE</b> .....	57
<b>SMOKING</b> .....	58
<b>PERSONAL PROPERTY</b> .....	58
<b>MOONLIGHTING</b> .....	58
<b>ACCURACY OF EMPLOYMENT APPLICATIONS AND OTHER COURT DOCUMENTS</b> .....	58
<b>HIPAA AUTHORIZATIONS</b> .....	59
<b>SOCIAL SECURITY PRIVACY</b> .....	59
<b>WHEN ABSENT OR TARDY</b> .....	59
<b>RULES OF CONDUCT</b> .....	60
<b>TERMINATION - LEAVING EMPLOYMENT</b> .....	62
<b>EMPLOYEE HANDBOOK ACKNOWLEDGMENT FORM</b> .....	<b>63</b>
<b>NON-EXEMPT EMPLOYEES COMPENSATORY TIME-OFF FOR HOURS WORKED OVER 40 IN A WORKWEEK</b> .....	<b>63</b>
<b>COMPLAINT FORM FOR REPORTING DISCRIMINATION, HARRASSMENT &amp; RETALIATION</b> .....	<b>64</b>
<b>CONTACT INFORMATION</b> .....	<b>65</b>

## **MISSION STATEMENT**

The goal of the Judges and the staff at the 51<sup>st</sup> District Court is to provide a fair and impartial forum for the just resolution of disputes. All parties entering the courthouse will be treated with courtesy and respect. Every individual is entitled to his/her day in court, and it is the court's obligation to ensure due process is afforded to all. We will strive to run our operation in a manner which is welcoming, accessible, efficient and timely for those we serve.

## **ORGANIZATIONAL CORNERSTONES**

### **Fair and Impartial**

The 51<sup>st</sup> District Court is a neutral forum for the public to resolve disputes. Our Judges and court staff are aware of erosion of public confidence caused by the appearance of impropriety. We will operate in a capacity which operates according to the letter of the law, adheres to Michigan's model code of conduct for Judges and Court employees, and does not show favor or appear to show favor to a particular party.

### **Courtesy and Respect**

The Judges and staff at the 51<sup>st</sup> District Court are aware a court visit is often unnerving and intimidating. It is our obligation to treat all individuals within the confines of our building in a courteous, respectful, and professional manner. Recognizing the significant impact the circumstances pertaining to and surrounding a visit to the 51<sup>st</sup> District Court may have on each patron, we will strive to provide the highest standards of customer service possible. We will work to provide assistance, answer questions, and provide resources without providing legal advice.

### **Due Process**

The Constitution, Michigan Law, Court Rules and Local Administrative Orders will be followed and adhered to at 51<sup>st</sup> District Court.

### **Accessible, Efficient and Timely**

Making our courthouse accessible to those we serve is a top priority. The 51<sup>st</sup> District Court will operate according to a scheduling calendar where consideration of all court business is factored with the goal of providing accessibility to the public. Our court procedures are structured with the intent of operating in a capacity which is not only efficient, but also a cost effective use of taxpayer dollars. Cognisant of time guidelines, the 51<sup>st</sup> District Court respects the legal processes and schedules of all interested parties. Legal precedent will take priority over case age. Whenever feasibly possible, all dockets will be scheduled in a staggered format with the objective of appreciating our patron's time and schedules.

## **WELCOME**

To you who are joining us we welcome you to the 51<sup>st</sup> District Court (hereafter “Court”) and wish you every success here. And, to those of you who have been with us through the years, our thanks for your cooperation which has contributed to the Court’s success serving the community. We believe that each one of us contributes directly to the Court’s growth and success, and we hope you will take pride in being a member of our team.

This is your employee handbook. It is intended to cover all employees of the 51<sup>st</sup> District Court. This handbook is provided to acquaint employees with the basic benefits, philosophies, procedures and policies of the 51<sup>st</sup> District Court. It is intended for general information and the language is not intended to create, nor is it to be construed to constitute a contract with or between the 51<sup>st</sup> District Court and any of its employees for either employment, the providing of any benefits, or otherwise. This employee handbook supersedes any prior contrary verbal or written policies, statements, understandings or agreements concerning your employment at the Court. Decisions on the interpretation and administration of all Court policies, benefits and rules, including those in this employee handbook, are the sole responsibility of the Court.

The 51<sup>st</sup> District Court reserves the right to, at its sole discretion; amend the contents of this employee handbook at any time. No obligations or amendment or exception to our policies, benefits and rules (including at-will employment) can be imposed upon the Court at any time, for any reason, except by the Chief Judge, and it must be in writing, directed to you personally, and signed by him/her. No other employee, representative, or agent of the Court had in the past or now has the authority to amend, alter or change the Court’s policies, benefits, and rules (including at-will employment) set forth in this employee handbook or to enter into any agreement concerning your employment at the Court. Written amendments will be issued directly to employees or posted on the bulletin board.

This Employee Handbook generally outlines the policies, procedures and benefits available to eligible employees. You should familiarize yourself with the contents as soon as possible, as it will answer many questions about employment with the 51<sup>st</sup> District Court.

Please read the policies and provisions carefully. If you have any questions or comments, please feel free to consult with the Court Administrator.

We hope that your experience here will be challenging, enjoyable and rewarding. Again Welcome!

## **INTRODUCTION**

### **Notice of At-Will Employment**

All employees of the 51<sup>st</sup> District Court are at-will employees and serve at the pleasure of the Court. This at-will relationship means either you or the 51<sup>st</sup> District Court may terminate the employment relationship at any time, for any reason or no reason at all, with or without cause and with or without notice. Nothing in this handbook is intended to create any employment contract, express or implied, contrary to at-will employment.

Nothing contained in this Employee Handbook, or otherwise in any document published by the 51<sup>st</sup> District Court, shall in any way modify the above provisions nor shall these terms be modified in any way by any oral or written representations made by anyone employed by the 51<sup>st</sup> District Court, except by a written document signed by the Chief Judge and in such cases it must be directed to you personally.

### **Orientation**

During the first 90 days of your employment, you will have a good look at us and we at you. We will spend time with you reviewing our Court policies and procedures. You will become more familiar with us and learn more about the Court, as well as the opportunities and responsibilities of being an employee at the 51<sup>st</sup> District Court.

At the same time, it is during this initial period that the Court, and everyone else with whom you come in contact at work, will get an opportunity to know you, your skills, and whether you are well-suited for the position and work environment. It is natural for parties to a new relationship to try to create a favorable first impression. Accordingly, it is rare and especially noteworthy when performance or conduct difficulties arise in the first weeks of employment. However, in the event that it is determined that the hiring decision has not proven to be a good match, we will attempt to let you know as soon as possible, so that we may hopefully part ways without hard feelings. All employees remain at-will even after the completion of their orientation period.

### **MODEL CODE OF CONDUCT FOR MICHIGAN TRIAL COURT EMPLOYEES**

All employees in Michigan's courts hold highly visible positions of public trust. We must conduct our business in an environment and in a manner that favorably reflects the ideals consistent with the fundamental values of the Michigan judicial system, as identified by the Michigan Supreme Court. These values include: fairness, accessibility, accountability, effectiveness, responsiveness, and independence. Our actions at all times should uphold and increase the public

trust and confidence in the judicial branch, reflect the highest degree of integrity, and demonstrate commitment to each principle embodied in this model

### **Impropriety or the Appearance of Impropriety**

I will avoid activities that could cause an adverse reflection on my position or the court.

### **Abuse of Position**

I will not use or attempt to use my position to secure unwarranted privileges for myself or others.

### **Impartiality**

I will provide impartial treatment to all persons interacting with the court.

### **Proper Use of Public Resources**

I will use the resources, property, and funds of the court judiciously and solely in accordance with prescribed procedures.

### **Duty to Disclose**

I will respectfully disclose information required by the court.

### **Confidentiality & Discretion**

I will not disclose confidential or discretionary information gained through my court employment to any unauthorized person.

### **Discrimination**

I will not discriminate on the basis of race, color, religion, national origin, gender, or other protected group.

### **Political Activity**

I am free to participate in political activities during non-working hours as long as such activity does not use or appear to use my position or court in connection with such activities.

### **Duty to Serve**

I will carry out my responsibilities to litigants, co-workers, and all others interacting with the court in a timely, diligent, and courteous manner.

### **Competency**

I will actively pursue educational opportunities to improve my professional knowledge, skills, and abilities in order to provide quality service to the court and the public.

## **GUIDELINES**

The following guidelines clarify the aforementioned canons:

### **Impropriety or the Appearance of Impropriety**

Court employees are highly visible and should conduct themselves in a way that instills public trust and confidence. Their actions reflect not only on themselves, but the court as well. Improper behavior or the appearance of improper behavior may compromise the integrity of the court. Activities an employee engages in that are improper or may be perceived improper include:

- Violating federal, state, or local laws and regulations.
- Entering into a contract directly or indirectly for services, supplies, equipment, or realty with the court system.
- Outside employment that may conflict or appear to conflict with the employee's job duties. Seek approval from the appropriate authority before accepting outside employment. **NOTE:** No form of outside employment shall be performed utilizing the resources of the court and shall not require or induce the employee to disclose information acquired in the course of his or her official duties.
- Employees shall abide by the Michigan Supreme Court anti-nepotism policy found in AO 1996-11.

### **Abuse of Position**

The use of the real or apparent power of a position as a court employee to personally benefit the employee or someone else is prohibited. Court employees should never use their position to secure privileges, gifts, special favors, or exemptions. Generally these would be special considerations given by others to the employee specifically because of his or her position as a court employee. The solicitation or acceptance of a gift, favor, or additional compensation can give the impression that something will be done in return for the donor. This contravenes the core ideals of the judiciary.

A court employee shall not attempt to take advantage of his or her access to judges and court files to further any personal interest, or engage in *ex parte* discussions.

### **Impartiality**

The official actions of an employee should not be affected or appear to be affected by kinship, rank, position, or influence of any party or person involved in the court system. Many times relationships place temptation upon the employee

to provide special service or non-service. Differential treatment in any of these situations undermines the integrity of the employee and the judicial system. As such, potential conflicts must be reported to administration.

Employees need to be able to provide impartial and understandable answers to the public's questions in an efficient manner, without providing legal advice.

### **Proper Use of Public Resources**

Court employees are stewards of public resources. A court employee shall use the resources, property, and funds judiciously and solely in accordance with prescribed procedure. Pitfalls include temptations such as personal phone calls at the court's expense, personal use of government property (such as office supplies, printers, computers, vehicles, etc.), or the use of court property to assist non-employees as a favor.

### **Duty to Disclose**

A court employee should expect coworkers to abide by the canons set out in this code. A court employee shall report violations of this code or attempts to compel one to violate this code.

Court employees must inform the appropriate authority if he or she is arrested in any jurisdiction or involved in any pending legal action at the court of employment. This will allow the court to take the appropriate actions related to the employee's status.

When required by law, rule, or regulation, court employees will dutifully disclose all financial interests and dealings.

### **Confidentiality & Discretion**

Although most court records are public, some are nonpublic and cannot be released. Court employees need to understand the types of cases, and documents that are considered confidential. Confidential information should never be disclosed to any unauthorized person for any purpose.

### **Discrimination**

Essential to the administration of justice is allowing equal access and treatment for all. Every day court employees are called upon to assist people, and it is their responsibility to provide customers and coworkers with courteous service, regardless of the individual's race, religion, gender, national origin, political activities, etc. Discrimination can come in varying forms (words and actions), yet court employees should be aware that no form of discrimination is acceptable and when discovered should be exposed and discouraged.

Additionally, the evaluation of prospective employees should be based on their employable qualities such as job skills, knowledge, and attitude. Likewise, the

evaluation of existing employees should be based upon criteria such as job skills, knowledge, and attitude in the performance of their duties. Therefore, no employee will discriminate in favor of or against any employee or applicant for employment based on the individual's race, religion, gender, national origin, political activities, etc.

### **Political Activity**

A court employee's ability to participate in the democratic process by working for a political cause, party, or candidate should not be hampered by his or her employment if done outside of working hours. This participation includes, but is not limited to, holding party membership, holding public office<sup>1</sup>, making speeches, and making contributions of time and/or money to candidates, political parties or other groups engaged in political activity. This participation in political activity should not transcend into the workplace by the displaying of political material (i.e., literature, badges, signs or other material advertising a political cause, party or candidate), soliciting signatures for political candidacy, or soliciting or receiving funds for political purposes. In addition no government equipment or resources of any kind are to be used for promoting political activity in the workplace before, during, or after work hours.

### **Duty to Serve**

For the court to be an effective institution, court employees must reflect a high level of professionalism as they faithfully carry out all assigned duties and enforce the rules/orders provide by the court. Court employees are not to inappropriately destroy, alter, falsify, mutilate, backdate, or fail to make required entries on any court records.

Court employees must recognize that colleagues are also customers, and they should be given the same level of professional consideration as public clients.

### **Competency**

When working within the court system, laws and rules of operation are continually changing due to legislation, court rules, administrative orders, case law, technology, etc. Therefore, court employees are encouraged to take advantage of educational opportunities that will enhance their skills, advance their understanding, and allow for better service.

### **Employee Classifications and Definitions**

Different employees at the 51<sup>st</sup> District Court may be classified as either regular full-time employees, part-time employees, or temporary/seasonal/casual employees. Also, employees may be classified as either exempt or nonexempt.

---

<sup>1</sup> Holding public office is acceptable unless a conflict of interest exists with employment at the court, or it is prohibited by law. An example of a conflict includes serving on the county board of commissioners whose oversight of budget and other policy issues impact the court.

Employees' status is determined by the Court. These different types of employment statuses are described below:

- **Employee:** for the purpose of this Employee Handbook, the term employee means all employees of the 51<sup>st</sup> District Court, unless a distinction is drawn within a section among employees, management employees and part-time employees. If a distinction is drawn, for the purposes of that specific section, the following definitions apply:
- **Non-Management Employee:** is defined for the purposes of this manual as any non-management employee, including but not limited to the Deputy Clerk, Bookkeeper, Court Recorder, Court Officer, Specialty Programs Coordinator, Court Information Specialist, Veterans Treatment Court Program Coordinator, and Probation Officer. Employees in this category are typically non-exempt. Non-management employees are paid a weekly salary representative of 35 hours of work per workweek. While paid on a salary basis, proportionate adjustments may be made to exempt employees' salaries for times when they are not working.
- **Management:** is defined for the purposes of this manual as Supervisors, classified as non-exempt, management employees. Judge, Court Administrator, Chief Probation Officer, Clerical Department Chief, Supervisor of Court Security, and Supervisors are classified as exempt management employees and are paid on a salary basis, and in accord with the Fair Labor Standards Act.
- **Regular Full-Time Employee:** is defined for purposes of this manual as an employee who is hired as a regular full-time employee, and regularly works 35 or more hours per workweek. Regular full-time employees are eligible for benefits, as set forth in this employee handbook.
- **Part-time Employee:** is defined for the purposes of this manual as an employee who is hired as such, and regularly works less than 28 hours each week, even though he/she may occasionally work more than this in a given week. Part-time employees are generally not eligible for benefits, unless otherwise denoted in this handbook.
- **Temporary, Seasonal, or Casual Employee:** is defined as an employee who works on a temporary, seasonal, or casual basis. Temporary, seasonal, or casual employees are generally not eligible for benefits, unless otherwise denoted in this handbook.
- **Judges:** The Judges are elected officials, not employees. Therefore, the policies in this manual do not apply to the Judges. However, the Judges are part of the management team of the Court with the Court being under the direction of the Chief Judge pursuant to MCR 8.110(c)(3).

- Appointments: The law provides that the Judges of the 51<sup>st</sup> District Court may appoint individuals who are not within the employer-employee relationship. These appointments include Magistrates, Court officers which execute writs of restitution, executions and evictions. Such Court officers are not employees of the Court. Likewise, other individuals perform services in the Court, but are not employees. Such individuals include volunteers, such as volunteer mediators or probation officers, and independent contractors. Individuals involved in these efforts are not employees and are not subject to the provisions of this handbook.
- 51<sup>st</sup> District Court: is defined for the purposes of this manual as representing the authority of the Judges and/or Court Administrator as defined by the Michigan Court Rules. The 51<sup>st</sup> District Court reserves the right under MCR 8.110(c)(3) to direct and control the operation of the court including, but not limited to, the management, assignment, scheduling, and direction of the workforce, as well as the right to discharge or discipline employees. Although the Court is funded by the Charter Township of Waterford, Court employees are not employees of Waterford Township. The policies and procedures of the Charter Township of Waterford do not apply to Court employees unless expressly adopted in writing by the Court.

### **Salary Basis Policy**

In addition to employees' classifications as outlined in the preceding policy, employees will also be classified as either exempt (typically management employees) or nonexempt (typically non-management employees), as defined under the Fair Labor Standards Act and its applicable regulations. The Court intends to pay all exempt employees, who are paid on a salaried basis, in accordance with the Fair Labor Standards Act and its applicable regulations and will not make improper deductions from exempt employees' salaries. Any employee who feels he/she has been the subject of an improper deduction should contact the Court Administrator. Contact information for the Court Administrator is listed in the appendix section of this handbook.

### **Job Duties and Classifications**

Job classifications and duties are determined by the Court, and may be changed by the Court, as it deems appropriate.

## **OPEN DOOR POLICIES**

### **Introduction**

The Court's policy has been and will continue to be an open door policy under which all employees will have the right to deal directly with their supervisor, the Court Administrator, and the judges with reference to all working conditions. We recognize the need for procedures that will allow employees to call attention to work-related matters that they feel need correction and strongly encourage them to use our Open Door Policy to address such matters.

The Court's Open Door Policy is in effect during each working day. The Court endorses the free exchange of ideas, creative management and the identification of problem areas and their quick resolution. The Open Door Policy provides you with different ways to let the Court know your problems, suggestions or ideas. They are:

- Your direct day-to-day communications with your supervisor or the Court Administrator;
- Court meetings scheduled periodically;
- The problem resolution procedure where you can request to speak with the Court Administrator and/or the judges.

We will periodically schedule meetings with the employees to have straight talk. The Court values your right to speak for yourself and to have your say directly with management. We also value our privilege of speaking straight-forwardly and directly with you.

### **Court Meetings**

The Court will periodically schedule individual, department and court-wide meetings with the employees, the Court Administrator, and/or judges to share with you recent developments, views, changes in policies and procedures, and the Court's goals. The purpose of these meetings is to assist in the maintenance of two-way communication between the Court and its employees.

### **The Problem Resolution Procedure**

Because the Court strongly believes in your right to speak for yourself, and to have your own say about your employment problems, we encourage you to make your problems known. If you feel you have an employment problem, use the following procedure. Utilizing this procedure will in no way place your job in jeopardy. If your problem is found to be valid and is one which can be reasonably addressed, appropriate corrective action will be initiated.

Take your employment problems first to your immediate supervisor for resolution. If you are not satisfied with his/her decision, take your employment problem next

to the Court Administrator. If you are still not satisfied, you can submit your problem in writing to the Chief Judge. This is done by contacting the named individuals to schedule a meeting within 3 working days of the event giving rise to your problem. Similarly, if you use successive steps, you should do so no later than 3 days after getting your response.

## **EMPLOYEE BENEFITS**

### **Benefits Introduction**

Some of the employee benefit plans described in this booklet may be subject to legal requirements concerning reporting and disclosure. This booklet contains highlights of these plans. For complete details, you should consult the summary plan description and official plan documents for the respective plans. In case of any discrepancy, the official plan documents control. Of course, changes in the law may affect the benefits programs described in this employee handbook. The provisions of the handbook do not establish contractual rights between the Court and its employees. The Court, in its discretion, reserves the right to add to, modify, amend, alter, reduce or eliminate any or all of the benefits described in the employee handbook or which may otherwise be provided.

### **Calculation Method for Time-Off Policy**

An hour of paid time is calculated for all employees by dividing their yearly salary at the time the employee takes time off, by 1820 hours. One day of time-off is figured as 7 hours multiplied by this figure. For example, if an employee earns \$45,500 as a yearly salary, and takes one day off as vacation, the vacation pay for the one day will be calculated as  $(\$45,500/1,820 \text{ hours}) \times 7 \text{ hours}$  yielding an amount of \$175 for one day of vacation time-off. Similarly, proportionate adjustments will be made (e.g., for 1 hour of paid time off, an employee will be paid 1/7 of the daily time-off rate).

Under any of the various time-off policies listed in this Employee Handbook, employees will only be eligible for one time-off benefit at a time and will not be allowed to piggy-back paid time-off benefits. For example, an employee will not be paid for a vacation day on the same day as a paid holiday.

### **Sick Leave**

The 51<sup>st</sup> District Court provides regular full-time employees with Sick Leave to assist employees when they must be absent due to illness or injury of the employee or a family member under the care of an employee, or for pregnancy and pregnancy-related conditions. As such, the Court provides Sick Leave and employees first become eligible to take Sick Leave after they have completed 1 full calendar month of service. The following guidelines apply:

1. On October 1<sup>st</sup> of each year, the 51<sup>st</sup> District Court offers regular full-time employees 42 hours of paid Sick Leave for regular full-time employees to use by September 30th of the following year. For newly hired employees, they will be eligible to take Sick Leave after completing 1 full calendar month of service. For each full calendar month of service prior to September 30th following a regular full-time employee's hire, an employee is eligible to take 3.5 hours of Sick

Leave. An employee is not eligible to take more Sick Leave prior to completing the necessary service.

2. When possible, employees should submit requests for Sick Leave to their immediate supervisor or the Court Administrator at least 2 weeks in advance. Otherwise, employees should submit their requests as soon as they are able, but in no event later than 30 minutes prior to their scheduled start-times. When employees do not give the requested 2 weeks' notice of the need for Sick Leave, the Court reserves the right to ask for proof of the need for Sick Leave (e.g., a doctor's note) and/or proof of the employee's inability to request the Sick Leave in advance.
3. While Sick Leave is provided for the purpose of offering paid time benefits for when employees need time off for medically-related reasons, employees may use available Sick Leave for other purposes provided that they give the requested 2 week advance notice outlined above. Otherwise, requests will be considered on a case-by-case basis.
4. Regular full-time employees who are actively employed, and who have any Sick Leave that they were eligible to take but which they did not use by September 30th, shall be paid for the unused time at their full rate of pay on that date. Payments will be made on the last payroll date in October.
5. Should an employee need time off for a medically-related condition (as outlined above) but has exhausted his/her paid Sick Leave, he/she shall be allowed to use other paid time off (e.g., vacation, personal leave or compensatory time off) which he/she is eligible to take, subject to the guidelines set forth in the respective policies.
6. Employees on leave under the Family Medical Leave Act (FMLA) may elect to forego use of up to 35 hours of available paid Sick Leave for which they are eligible. When employees do not elect to do so, or for any Sick Leave which an employee is eligible for above 35 hours, the Court will require employees to use this Sick Leave concurrently with their FMLA leave.
7. Employees may use Vacation, Personal Leave, or other paid time-off in lieu of banked sick time in order to be eligible for the year-end payment for unused sick hours. This option is available subject to the approval of the employee's Supervisor and the Court Administrator, and will be subject to the employee either providing the appropriate notice contemplated in the respective policies and/or providing substantiation as to why the appropriate notice could not be given (e.g., a doctor's note verifying sudden illness, etc.).

8. Employees who leave the employ of the Court, for any reason, will be eligible for payment of any unused time under this policy.
9. Employees may take leave under this policy in increments of a quarter of an hour.
10. Employees will be paid for Sick Leave for which they are eligible in accord with the Calculation Method for Time-Off policy.

### **Short-Term and Long-Term Disability Insurance**

The 51<sup>st</sup> District Court provides regular full-time employees who have completed 1 year of continuous service with a way of continuing a portion of their weekly wages during a qualified disability by providing Short-Term Disability Insurance. In addition, the 51<sup>st</sup> District Court has a separate Long-Term Disability Insurance plan to assist regular full-time employees who completed 1 year of continuous service and who have qualifying disabilities that extend beyond the terms of the Short-Term Disability Insurance. The insurance of these plans become effective subject to the plan guidelines (generally on the 1<sup>st</sup> day of the month following eligible employees' 1<sup>st</sup> year anniversary).

Under qualifying conditions, the Short-Term Disability (STD) benefit generally becomes effective after seven consecutive calendar days off on a verifiable and qualifying illness or injury. The illness or injury must prevent the employee from performing their normal work duties. The STD benefit generally pays employees eighty percent (80%) of their normal base wage for a period of up to sixty (60) calendar days. From the sixtieth (60th) day through the one hundred and eightieth (180th) day STD benefits shall be paid at sixty percent (60%) of normal base wage.

Similarly, the Court, through a third party insurer, provides eligible employees with a Long-term Disability (LTD) benefit that will cover qualifying disabilities beyond 180 days through normal social security age. This benefit shall be at 60% of the employees' base wage at the time of disability. The benefit will coordinate with any duty or non-duty disability benefit provided to the employee through their pension system. A copy of the coverage summary for the LTD benefit can be obtained from the Court Administrator.

No benefits shall be paid for any sickness or injury for which the employee is entitled to benefits under any Workers' Compensation or occupational disease law.

Participation and benefit availability are subject to the plans' guidelines. See the Court administrator for further details.

### **Family Medical Leave Act**

Full-time employees who have worked for the Court for 12 months or more are eligible for up to 12 weeks of unpaid family and medical leave during a 12-month

period, provided they worked a minimum of 1,250 hours for the Court during the 12 months immediately preceding the request for leave. The Court calculates the amount of leave for which employees are eligible by a “rolling” 12-month period measured backward from the date an employee uses any FMLA leave. This means that each time an employee takes FMLA leave, the leave available would be any balance of the 12 weeks which has not been used during the immediately preceding 12 months.

Family and medical leave may be used for the birth of the employee’s child; at the time an adoptive or foster care child is placed in the employee’s home; to care for a spouse, child or a parent, who has a serious health condition; or because of the employee’s own serious health condition which renders the employee unable to perform the essential functions of their job.

Spouses employed by the Court may be required to aggregate their family and medical leave for a combined total of 12 weeks for the birth of their child, for the care of a parent with a serious health condition or at the time an adoptive or foster care child is placed in their home.

A request for family and medical leave must be made by the employee at the earliest date possible and, in the case of a foreseeable leave, including the birth, adoption, placement of a foster child or planned medical treatment, a minimum of 30 days advanced notice must be provided to the Court, unless absolutely not practical. Where the need for leave is not foreseeable, employees must provide notice as soon as practical and within two days of learning of the need for leave. Failure to provide such notice may result in the delay of an employee’s leave. Employees must make a reasonable effort to have any planned medical treatment scheduled so as not to unduly disrupt the Court’s operations. Failure to provide the Court with sufficient information and/or timely notice may result in a delay or loss of leave benefits and/or coverage. Employees must provide the Court with sufficient information to determine whether the leave qualifies as Family and Medical Leave. Failure to do so may result in a delay or loss of benefits and/or coverage.

An employee requesting family or medical leave may elect or be required to exhaust paid leave time for which he/she is eligible as part of an approved FMLA leave and any such leave shall be counted against the employee’s 12-week allotment of FMLA leave. However, employees may elect to reserve up to 35 hours of any available Sick Leave/Personal Days. Moreover, worker’s compensation and short-term disability benefits shall run concurrent with FMLA leave where all eligibility criteria are met.

Medical certification from a health care provider must be furnished by the employee at the time of the leave request, if the leave is foreseeable and will exceed 3 days due to the serious health condition of the employee or of a family member. If unforeseeable, employees must provide medical certification from their health care provider within 15 days of any Court request for certification. All medical certifications must state the approximate date the serious health condition began, the probable duration of the serious health condition, the

appropriate medical facts known to the health care provider concerning the serious health condition; that the employee cannot perform the essential functions of their job, and when care is for a family member, the need to have the employee assist in that care and the estimated duration of that need. Failure to provide certification, which includes adequate information, may result in a non-covered leave of absence.

The Court reserves the right to obtain a second medical opinion, at its own expense, by a health care provider who is not regularly employed by the Court to determine whether and to what extent a serious health condition exists. When a conflict exists between the employee's certification and the second opinion as determined by the Court, a third health care provider, jointly agreed to by the Court and the employee and paid for by the Court, will have the final say whether a serious health condition exists. If the employee refuses to participate in the selection of the third health-care provider, the opinion of the second health-care provider shall be controlling.

In some cases, information that we need to evaluate your request or rights under the FMLA and/or this policy may be considered personal health information under the Health Insurance Portability and Accountability Act ("HIPAA"). In those cases, it may be necessary for you to promptly provide your written release/authorization for us to evaluate your rights or request. Failure or delay in providing such release/authorization, in accordance with our request, may result in denial of benefits for which you may otherwise be eligible.

An employee, who requests leave for the birth of the employee's child or at the time an adoptive or foster care child is placed in the employee's home, may only take leave on an intermittent or reduced leave schedule if the Court agrees to such an arrangement. Intermittent or reduced leave may also be taken when medically necessary to care for a spouse, child, or parent with a serious health condition or because of the employee's own serious health condition. The Court, at its sole discretion, may temporarily transfer an employee seeking an intermittent or reduced leave due to a medical necessity to any equivalent alternative position that better accommodates the requested intermittent or reduced leave provided that he/she is qualified for the alternative position. A statement by your health care provider must be furnished by the employee as provided above stating the dates on which such treatment is expected and the duration of the treatment.

For any leave exceeding 3 days, employees must submit a written release from his/her health care provider before returning to work, which certifies that the employee can perform the essential functions of his/her job with or without an accommodation as provided by law. During the leave, the Court may require periodic reports from the employee's health care provider updating the Court on the status of the employee's health and may require periodic reports from the employee's health care provider updating the Court on the status of the employee's health and his/her intent to return to work. Such reports may not be more frequent than every 30 days unless the Court has reason to question the

validity or duration of the leave, or the Court has information indicating that circumstances have changed since the prior certification.

The Court is not required to hold an employee's position open if he/she has been on inactive status for more than 12 weeks unless otherwise provided by law. Employees who do return to work during or at the conclusion of the 12-week period shall be reinstated to the same or an equivalent position. All health care benefits for which the employee is otherwise eligible shall continue during the approved family or medical leave of absence. The employee portion of the costs of continued health care shall be paid to the Court and are due on the same schedule as if the employee was working. Failure to remit your payment may result in the termination of health care benefits. Continuation of non-healthcare benefits shall be determined in accordance with those specific policies as set forth in this Employee Handbook. In addition, time missed for an approved leave shall be considered working time for purposes of calculating an employee's eligibility of vesting of certain retirement benefits but not for any other Court offered employee benefits.

If an employee fails to return to work following the completion of family and medical leave, the employee will be required to reimburse the Court for the monies spent on the purchase of those health-care benefits unless the employee does not return because of a continuation, recurrence, or onset of a serious health condition, which would entitle the employee to a leave or other circumstances beyond the control of the employee. A medical certification may be required for the exemption to apply and the certification must be returned in 30 days. Employees shall not engage in gainful employment during such leave without the prior written permission of the Court.

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

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

### **Holidays**

The 51<sup>st</sup> District Court provides time-off on holidays, as designated by the Michigan Court Rule MCR 8.110. Presently, these recognized holidays include:

- New Year's Day - January 1
- Martin Luther King Jr. - third Monday in January in conjunction with the federal holiday
- Presidents' Day - third Monday in February
- Good Friday - the Friday before Easter
- Memorial Day - last Monday in May
- Independence Day - July 4
- Labor Day - first Monday in September
- Columbus Day - second Monday in October
- Veterans' Day - November 11
- Thanksgiving Day - fourth Thursday in November
- Friday after Thanksgiving
- Christmas Eve - December 24
- Christmas Day - December 25
- New Year's Eve - December 31

When New Year's Day, Independence Day, Veterans' Day, or Christmas Day falls on Saturday, the preceding Friday shall be a holiday. When New Year's Day, Independence Day, Veterans' Day, or Christmas Day falls on Sunday, the following Monday shall be a holiday. When Christmas Eve or New Year's Eve falls on Friday, the preceding Thursday shall be a holiday. When Christmas Eve or New Year's Eve falls on Saturday or Sunday, the preceding Friday shall be a holiday.

In addition to the above-recognized holidays, all regular full-time employees shall receive as an additional holiday, one (1) day for their birthday that must be taken within the calendar month of the employee's birthday. Each employee shall decide and advise the Court Administrator on the proper Request for Leave form of the day selected, and schedule this day off at least 2 weeks in advance.

In addition to time-off on the above-recognized holidays, regular full-time employees are also eligible to receive holiday pay on the above-recognized holidays in an amount of 7 hours pay for each recognized holiday. Other employees (e.g., part-time, temporary, seasonal, casual, inactive employees, etc.) are not eligible for holiday pay. Holiday pay is calculated in accordance with the Policy for Calculation Method for Time-Off Benefits set forth in this Employee Handbook.

To avoid abuses of this benefit, it is the policy of the 51<sup>st</sup> District Court that holiday pay will not be provided to employees absent from work the last scheduled workday before or the first scheduled workday after the holiday unless prior arrangements have been made for the employee to be on an approved leave of absence in keeping with the policies of this Handbook.

Employees who leave the employ of the Court for any reason will not be eligible for payment of any holidays or birthday day-off.

## **Vacation Days**

The 51<sup>st</sup> District Court believes that time-off from work for vacation is important. As such, the Court offers paid Vacation Days to regular full-time employees.

- **Eligibility**

Regular full-time employees are eligible to take Vacation Days based upon the amount of time they have accumulated. Eligible employees accumulate Vacation Days for each full calendar month of service worked. The accumulation rate varies depending on an employee's length of service, as set forth in the following schedule:

<b>Years of Service</b>	<b>Number of Days For Each Full Calendar Month Worked</b>
Date of hire through 5 <sup>th</sup> anniversary date	1 day per month (7 hrs)
After 5 years through 10 <sup>th</sup> anniversary date	1 ½ days per month (10.5 hrs)
After 10 years through 20 <sup>th</sup> anniversary date	2 days per month (14 hrs)
After 20 years	2 ½ days per month (17.5 hrs)

Vacation days are accumulated monthly and can only be used after they are earned.

- **Scheduling Vacation Days**

Employees must request their Vacation Days off at least 2 weeks in advance, and the requests should be submitted to the employee's department supervisor and the Court Administrator. Under extenuating circumstances, the Court will consider requests that do not meet this requirement, but they will be evaluated on a case-by-case basis. All vacations must be approved. While we will attempt to grant your Vacation Days off as requested, providing notice is not an assurance that time-off will be approved. Critical scheduling dates, other employees' leave requests, or other factors may require that requests for Vacation Days occasionally be denied. Where 2 employees select the same dates for Vacation Days, the Court will generally grant the request on a first come, first serve basis based on departmental needs. Vacation requests shall not be accepted more than three (3) months prior to the date requested.

Employees who do not use their available Vacation Days by the end of a calendar year will be eligible to carry over hours, up to a maximum amount, but otherwise the time will be lost. This means that employees will not be paid for

the unused Vacation Days and will not be allowed to carry over the unused Vacation Days beyond the policy maximums. Non-management employees may carry over vacation hours to the next calendar year up to a maximum 320 hours, or the number of accumulated hours as of January 1, 2000, whichever is greater. Management Employees may carry over vacation hours to the next calendar year up to a maximum of 400 hours, or the number of hours accumulated as of January 1, 2000, whichever is greater.

Employees are permitted to take time off under this policy in increments of a quarter of an hour. Also, employees are asked to limit their time off under this policy to no more than 1 week at a time, but we will give consideration to requests to exceptions to this rule when special circumstances are present.

- **Vacation Pay**

Employees will be paid for appropriate increments of Vacation Days, in accord with the Calculation Method for Time-Off policy.

In the event an employee's employment with the Court ends, he/she shall be paid for any accumulated vacation days at the current rate of pay.

### **Personal Days**

The 51<sup>st</sup> District Court provides regular full-time employees with up to four (4) days per calendar year to use as personal days. Regular full-time employees first become eligible to take Personal Days after completing 1 full calendar month of service, in which case they will receive 4 Personal Days to use by December 1<sup>st</sup> of that calendar year. Thereafter, employees will be eligible to take up to 4 Personal Days for each successive calendar year which must be used by December 1<sup>st</sup> of the respective years.

Employees must submit requests for Personal Days to their immediate supervisor or the Court Administrator at least 2 weeks in advance. The only exception to this rule is when an employee does not know of the need, in which case the employee should submit the request as soon as the need for time-off becomes known. In such cases, you may be asked to provide substantiation of your need for time-off. While we will attempt to grant your Personal Days off, as requested, providing notice is not an assurance that time-off will be approved. Critical scheduling dates, other employees' leave schedules, the needs of the Court, or other factors may require that requests for Personal Days occasionally be denied.

Employees must use time-off under this policy by December 1<sup>st</sup> of each year or it will be lost. This means that employees will not be paid for unused time, nor will they be permitted to carry over unused time to successive years.

It is each employee's responsibility to use his or her personal days in an appropriate manner before December 1<sup>st</sup> of each year. If an employee fails to

use his or her days before December 1<sup>st</sup>, special accommodations will not be made in December to ensure that the employee is able to use the days.

Employees may use time-off under this policy in increments of a quarter of an hour. Eligible employees will be paid for Personal Days taken, calculated in accord with the Calculation Method for Time-Off policy.

Employees who leave the employ of the Court for any reason will not be eligible for payment of any unused Personal Days.

### **Paid Time Off (PTO) for Part-Time Employees**

Part-time employees will be credited PTO credits at the end of each month based upon the schedule listed below:

<u>Hours worked in the month</u>	<u>Hours Credited</u>
Less than 40 hours	0
40 to 60 hours	3
60 or more	6

Part-time employees may not use paid time off during their new hire probationary period. However, once the probationary period has been successfully completed the part-time employee will be credited for PTO time back to their date of hire. Accumulated hours of PTO will be capped at seventy-two (72) hours, and PTO in excess of seventy-two (72) hours will be forfeited.

In the event a part-time employee becomes a full-time employee, accrued and unused PTO will be converted to vacation time.

Accrued and unused PTO at the time of separation will be forfeited.

### **Funeral Leave**

Regular full-time employees, at the discretion of the Court Administrator, are eligible to take up to five (5) days off as funeral leave relative to the death of an "immediate family member." For purposes of this policy, "immediate family member" includes a Spouse, Child, Mother, Father, Mother-in-law, Father-in-law, Step or Foster parents, Sister, Brother, Step or Foster children, Grandmother, Grandfather, Grandchildren, Sister-in-law, Brother-in-law, Aunt or Uncle. We will attempt to assist you in any way practical to make a difficult time more bearable. Bereavement pay will be paid in accordance with the Policy for Calculating Time-Off Benefits policy as set forth in this Employee Handbook. In order to receive benefits under this policy, you may be required to provide the Court with proof of death, proof of relationship, and/or proof of your attendance at the funeral.

Eligible employees will be paid for Funeral Leave, calculated in accord with the Calculation Method for Time-Off policy. Employees who leave the employ of the Court for any reason will not be eligible for payment of any unused Funeral Leave.

If employees wish to take additional time-off, they are eligible to use any available paid leave time for which they may be eligible, subject to the respective eligibility and use guidelines.

### **Military Leave**

If you are called to or voluntarily engage in uniformed service, you may be eligible for time-off and/or re-employment in accordance with State and Federal laws. If you go on leave or need time-off for these reasons, inform your supervisor as soon as you know so that appropriate arrangements may be made for your absence. Failure to give appropriate notice, unless you were unable to provide such (or are otherwise excused by law), may be grounds to deny reinstatement and/or leave and may also be grounds for discipline up to and including discharge. Leave under this policy will be considered unpaid, except to the extent required to maintain employees' salaried exempt status under applicable laws. Employees may, however, elect to use any paid time-off benefits for which they are eligible. Employees will be reinstated in accordance with applicable legal requirements and if they are qualified to return to work and reapply for work within the time periods prescribed by law. Employees may also be asked for proof of military service, honorable discharge, or other documentation to confirm employees' eligibility for reemployment or reinstatement under applicable laws. You can get further details concerning military leave from the Court Administrator.

### **Jury Duty**

We believe jury duty is a civic responsibility and an educational opportunity to learn first-hand about our judicial system. If you are required to perform jury service, your absence will be excused. Also, the Court will provide regular full-time employees with up to 10 days of jury duty pay per calendar year, provided that upon receipt by the employee of any jury duty payment, the same shall be paid or endorsed over to the employer. You will be asked to provide proof of your attendance. When you receive your jury duty summons, immediately notify your supervisor of the day or days you expect to be absent.

To the extent that you perform jury duty service, and can reasonably come to work (e.g., for a day you are not required to report to jury duty), or can reasonably return to work for two or more hours of your normal workday (so long as your jury duty and work hours do not exceed your normal workday or go beyond your normal scheduled hours for the day), we expect you to report back to work.

Eligible employees will be paid for Jury Duty, calculated in accord with the Calculation Method for Time-Off policy.

Employees who leave the employ of the Court for any reason will not be eligible for payment of any unused Jury Duty.

**Longevity**

In addition to regular pay, regular full-time employees who were hired on or before February 28, 1997, and who have 6 or more full years of continuous service with the 51<sup>st</sup> District Court as of December 1<sup>st</sup> of each year are eligible for a longevity bonus in the form of a lump sum payment, which is paid out on or about December 1<sup>st</sup> of each year. All employees and management employees covered by this Employee Handbook will be eligible to receive longevity pay, as follows:

1. The amount of longevity pay for which an employee is eligible to receive will depend on the employee’s position and length of continuous service with the 51<sup>st</sup> District Court.
2. For all employees and management employees hired prior to January 1, 1993, the formula to be used in the computation of such pay is as follows:

<b>Length of Service on December 1<sup>st</sup></b>	<b>Longevity Pay</b>
6 or more years & less than 9 years	2% of annual salary
9 or more years & less than 12 years	4% of annual salary
12 or more years & less than 15 years	6% of annual salary
15 or more years & less than 20 years	8% of annual salary
20 years and over	10%of annual salary

For all non-management employees hired on or after January 1, 1993, the formula to be used the computation of such pay is as follows:

<b>Length of Service on December 1<sup>st</sup></b>	<b>Longevity Pay</b>
6 or more years & less than 9 years	\$250.00
9 or more years & less than 12 years	\$350.00
12 or more years & less than 15 years	\$450.00
15 or more years and less than 20 years	\$550.00
20 years and over	\$650.00

For all Management employees (e.g., Court Administrator, Deputy Court Administrator, Judicial Secretary and Supervisors) hired on or after January 1, 1993, the formula to be used in the computation of such pay is as follows:

<b>Length of Service on December 1<sup>st</sup></b>	<b>Longevity Pay</b>
6 or more years & less than 9 years	\$400.00

9 or more years & less than 12 years	\$600.00
12 or more years & less than 15 years	\$800.00
15 or more years and less than 20 years	\$1000.00
20 years and over	\$1200.00

Employees must be actively employed as regular full-time employees on December 1<sup>st</sup> to be eligible for longevity bonuses. Also, if an employee has been absent for a portion of the year (unless for FMLA leave) but is back to work on December 1<sup>st</sup>, he/she will only be paid a proportionate amount (representative of months worked) of the longevity bonus. In the event an employee leaves the employment with the Court for any reason, they will not be eligible for longevity pay.

**Retirement Benefits**

Employees who have worked for the 51<sup>st</sup> District Court may be eligible for certain retirement benefits. Retirement Benefits for District Court employees and management employees are established jointly by the Waterford Township Board of Trustees and the Chief Judge of the 51<sup>st</sup> District Court. These benefits may change from time to time by resolution of the Waterford Township Board with the concurrence of the Chief Judge, including after an employee's retirement or as otherwise permitted by law. Specifically, the Court may change benefit providers, participation conditions, co-payment amounts, etc. as permitted by law.

**Pension Benefits For Regular Full-Time Employees Hired On or Before January 1, 2005:**

Regular full-time employees hired on or before January 1, 2005 and who have met certain eligibility requirements set by the 51<sup>st</sup> District Court are eligible for pension benefits upon retirement subject to plan guidelines.

As an overview, eligible employees include those who retire and either are: 1) 60 years of age and have 8 or more years of service with the Court as a regular full-time employee, or 2) 55 years of age and have 25 years or more of service with the Court as a regular full-time employee.

Pension benefits are calculated in accord with plan guidelines. Typically, an employee's pension benefit is calculated using the following formula: (0.0225 x (the employee's years of service with the Court) x (the higher of either average of compensation for the last 3 years of service backwards from the date of retirement, or from the average wages of the three highest calendar years within any of the past five calendar years).

Eligible employees may be permitted to count up to 5 years of military service or other governmental service time towards the Court's service requirements, but the service time must meet certain requirements and employees are required to pay monies to the Court in exchange for exercising this option. Generally, purchase is based on 50% of Township annual contribution based on previous

year's wages, and purchase will be credited after 10 years of service or in the case of a duty disability or death. See the plan for further details.

Eligible employees may be able to select a pop-up option where pension benefits may be calculated using a different formula than outlined above for certain circumstances. Generally, if the pop-up option was selected at retirement, upon the death of a spouse the pension is recalculated by the actuary.

Regular full-time management employees are also eligible to receive Retirement Benefits offered by the 51st District Court subject to eligibility criteria in place and as established by the plans. The following overview applies with respect to these Retirement Benefits for eligible management employees:

**Pension Benefits for Regular Full-Time Management Employees Hired On or Before January 1, 2005:**

Regular full-time management employees who were hired on or before January 1, 2005 and who have met certain eligibility requirements set by the 51st District Court are eligible for pension benefits upon retirement subject to plan guidelines.

As an overview, eligible full-time management employees hired before April 1, 2002 include those who retire and either are: 1) 60 years of age and have 5 or more years of service with the Court as a regular full-time employee, or 2) 55 years of age and 25 years of service, or whose age plus service with the Court equals or exceeds 75 years.

For employees hired on or after April 1, 2002, eligible employees include those who retire and either are: 1) 55 years of age and have 25 years of service, or 2) 60 years of age and have 8 years of service.

Pension benefits are calculated in accord with plan guidelines. Typically, a management employee's pension benefit is calculated using the following formula:  $(0.025 \times (\text{the employee's years of service with the Court}) \times (\text{the higher of either average of compensation for the last 3 years of service backwards from the date of retirement, or from the average of wages of the three highest calendar years within any of the past 5 calendar years}))$ .

Eligible employees may be able to count up to 5 years of military service or other governmental service time towards the Court's service requirements, but the service time must meet certain requirements and employees are required to pay monies to the Court in exchange for exercising this option. Generally, purchase is based on 50% of Township annual contribution based on previous year's wages, and purchase will be credited after 10 years of service or in the case of a duty disability or death.

Eligible employees may be able to select a pop-up option where the pension benefits may be calculated using a different formula than outlined above for certain circumstances. Generally, if the pop-up option was selected at

retirement, upon the death of a spouse the pension is recalculated by the actuary.

**Defined Contribution Plan Benefit both management and non-management employees hired into full-time positions in the Court after January 1, 2005:**

Both management and non-management employees hired into full-time positions in the Court after January 1, 2005 shall be ineligible for the pension benefits outlined in the above sections.

Employees hired after January 1, 2005 are instead eligible to participate in a defined contribution plan established by the Township. Under this arrangement, certain monies are paid on employees' behalf and certain monies are paid by eligible employees. The Township's contribution rate shall be set at 10% of base salary and the employee's contribution rate shall be set at 5% of base salary.

Employees must meet eligibility criteria set by the plan and complete the enrollment packet for the defined contribution plan prior to participation (generally, at least one week prior to their first pay date). A vesting schedule applies relative to these funds as follows:

<u>Years of Service</u>	<u>% Vested</u>
After 3 Years	50%
After 4 Years	75%
After 5 Years	100%

Further details on eligibility and participation may be obtained from the Court Administrator.

**Retiree Health/Medical Coverage & Death of Active Employees**

**Healthcare Benefits for Full-Time Court Employees Hired Before January 1, 2016:**

For all employees hired before January 1, 2016 the following shall apply. The retiree will receive the base retiree healthcare benefits in effect at the time of their retirement subject to:

1. The retiree will receive the base PPO retiree healthcare benefits in effect at the time of their retirement subject to:

Should prescription benefits change for active employees, with the written agreement of the Chief Judge, may provide the same benefits to retirees that are provided to active employees.

2. Should health care be eliminated for active employees, the retiree will continue to receive the plan last in effect.

3. Retirees may select any other plan offered by the Township provided, provided the retiree pays the Township, in advance, any additional premium (or illustrated rate) resulting from the selection. At social security Medicare eligibility the base coverage will be as noted in the paragraphs below:
  - Retiree coverage includes coverage for eligible dependents between the ages of nineteen (19) and twenty-six (26) as defined by the carrier.
  - A retiree who, as a result of disability, is eligible for Medicare benefits prior to age 65 shall sign up for both Medicare Part A and Medicare Part B coverage. If the retiree fails to do so, the retiree will not be covered under the Township-provided health care coverage. The Township may provide Medicare Advantage to these retirees.
  - All new retirees shall be provided with Delta Dental POS coverage.
  - All such coverage's will not be provided by the Township if available from another source.

Court employees hired after October 13, 1999, but before January 1, 2016, are eligible for retiree health, dental and life insurance based upon the following minimum years of service:

After 15 years of service – All benefits based on the Township paying 50% of the premium

After 20 years of service- All benefits based on the Township paying 75% of the premium

After 25 years of service- All benefits based on the Township paying 100% of the premium

If medical coverage is available elsewhere, the retirees shall use that coverage.

For employees hired before January 1, 2016 in the event of a duty related death of an active employee, the Township will continue to provide the employee's spouse and eligible dependents with the same health, dental and optical coverage as provided to retirees.

For employees hired before January 1, 2016 in the event of a non-duty death of an active employee with eight (8) or more years of service, the Township will provide the employee's spouse and eligible dependents with the same health, dental and optical insurance coverage as provided to retirees.

**Healthcare Benefits for Full-Time Court Employees Hired After January 1, 2016:**

Retiree healthcare has been eliminated for all new hires as of January 1, 2016.

For all full-time hires after January 1, 2016, Healthcare savings plan (HCSP) have been established to which the Township will contribute 2% of base salary, and employee will contribute 2% of base salary.

### **Insurances**

Employees eligible to participate include regular full-time employees; if the employee is classified as a Court Management employee, the health coverage is effective the first of the month following the employee's date of hire. If the employee is classified as a Non-Management court employee the health coverage is effective the first of the month after 30 days of employment.

### **Hospitalization/Medical**

The 51<sup>st</sup> District Court offers health care insurance to eligible full time employees and their dependents, and subject to the health care plan's enrollment procedures and eligibility guidelines.

Eligible employees may choose, during the Township's open enrollment period, one of the following health insurance plans:

1. BCBS PPO CB4(2) In-Network:  
\$500/\$1,000 Deductible  
80%/20% Co-Insurance, \$1,500/\$3,000 Embedded Co-Insurance Max, \$6,600/\$13,200 Annual Out of Pocket Max.  
Out-of-Network: \$1,000/\$2,000 deductible \$10/\$40/\$80 Rx, \$30 Office Visit -Specialty, Urgent Care, Chiropractor, \$150 Emergency Room.
2. BCN HMO: \$100/\$200 Deductible  
20% Co-Insurance  
\$6,600/\$13,200 Annual Out of Pocket Max  
\$30 Office Visit  
\$65 Urgent Care  
\$150 Emergency Room after deductible  
\$10/\$40/\$80 Rx Mail Order 2x 90 day supply

With the concurrence of the Chief Judge, the Township may change insurance carriers where the change provides comparable or better healthcare coverage for employees.

Plan costs may vary from year-to-year and will be maintained online on the Waterford Township intranet under the employee benefit section.

Employees will make insurance selections during the annual open enrollment period. If an employee fails to timely make a selection, the plan provided will default to “BCN” until the next open enrollment period.

In accordance with PA 152 of 2011, if employees select an option that costs higher than the option that the Court contributes, they will be required to pay the difference between what the Court contributes and the cost of the plan the employee selected. The employee shall sign the appropriate authorization and shall make such payment through payroll deductions.

Employees who have health insurance provided to them through a spouse or by other means may elect to waive coverage. The 51<sup>st</sup> District Court will pay regular full-time employees who are eligible for this benefit but who waive coverage a payment of \$80.00 for each pay period they waive coverage for themselves and their eligible dependents.

Should the employee lose the alternative coverage, he/she may rejoin the Township plan at any time.

### **Vision Coverage**

The 51<sup>st</sup> District Court offers vision insurance, subject to vision plan’s enrollment procedures and eligibility guidelines, to full-time employees and their dependents, Blue Vision VSP Choice Network,

### **Benefits-at-a-Glance:**

<b><u>Service</u></b>	<b><u>VSP Network Provider</u></b>	<b><u>Non-VSP Provider</u></b>
Eye Exam	No Co-Pay	Difference between approved amount and provider’s charge
Rx Glasses &/or frames	No Co-Pay	
Contact lenses	No Co-Pay	

Further details on eligibility and participation may be obtained through the Court Administrator.

### **HRA**

HRA’s will remain available to group members who retire. HRA’s will remain available to group members who leave the Court prior to retirement for a period of one year for every five years of service to the Court.

HRA’s of former employees with an account balance of less than \$1,000 for more than one year will be closed.

### **Dental Insurance**

Full-time Court employees will be provided coverage based upon the Township’s agreement with Delta Dental.

The Point-of Service Plan provides 100/90/80 Co-Pay based on levels of service, outlined below:

<b>Service</b>	<b>PPO Dentist</b>	<b>Premier Dentist</b>	<b>Out-of-Network</b>
Exams & Cleanings	100%	90%	80%
Emergency Services	100%	90%	80%
X-Rays	100%	90%	80%
Filings & Crown repair	90%	80%	80%
Root Canals	90%	80%	80%
Braces	75%	75%	75%

\$2,000 annual maximum for all services except orthodontic, which shall have a \$2,000 lifetime maximum.

All retirees shall be provided with dental benefits providing coverage as described on the Delta Dental Plan.

### **Flexible Spending Accounts**

Flexible Spending Accounts (FSAs) as governed by IRS Code 125 regulations have been established for eligible Court employees. The FSA program year runs from August 1 through July 31 and is subject to annual adjustment.

Current maximum contributions per employee are \$2,500 of medical accounts and \$5,000 for dependent care accounts. Upon completion of the program year, all funds remaining in either the medical or dependent care accounts shall revert to the Township to cover program costs as specified under IRS regulations

Probationary employees wishing to maintain Blue Cross/Blue Shield coverage from another contract, transferring to the Township contract, may do so by paying the full premium costs to the Township until the effective date of their Township paid coverage.

The Township can change insurance carriers where the Court agrees that such change would provide comparable or better benefit coverage for employees.

### **Workers' Compensation and Supplemental Pay**

The 51<sup>st</sup> District Court pays Workers' Compensation benefits, which assist employees in cases of on-the-job illness, injury or disease, pursuant to state regulations. In addition, the 51<sup>st</sup> District Court offers supplemental pay to regular full-time employees who suffer a qualifying on-the-job illness, injury or disease which qualifies for coverage under Workers' Compensation laws, and who are required to be absent from work as a result of said illness, injury or disease. In such cases, the Court will pay the difference between the employee's pay at the time leave commences and what the employee receives as workers' compensation benefits (typically 88% of an employee's pay), up to a maximum of 35 hours per week and up to a maximum length of 3 months .

An employee will not be eligible for this supplemental pay benefit for a leave that is taken relative to a reoccurrence, aggravation, or continuation of a prior injury where the employee already received the maximum amount (3 months) of supplemental pay benefits. Supplemental pay will only be granted to eligible employees for a new distinct and separate illness, injury or disease, even if the employee continues to receive workers' compensation benefits.

This supplemental pay benefit is not available to an employee who has been paid cash settlement in lieu of weekly payments of compensation for compensable injury. Further, an employee may not take Sick Leave/Personal Days (or other paid benefits) for times concurrent with when the employee receives workers' compensation and supplemental pay. No monies will be paid as supplemental pay until either the workers' compensation administrator approves the claim as meeting the above-referenced guidelines.

During any period where an employee is on a leave of absence due to an illness, injury or disease that qualifies the employee for benefits under workers' compensation laws, the 51<sup>st</sup> District Court will continue to pay on the employee's behalf the premiums for health insurance (not dental, FSA, etc.), subject to the guidelines in place for eligible employees up to a maximum period not to exceed six (6) months. For any period of leave that is six (6) months or longer, the Court pays one-half ( $\frac{1}{2}$ ) of the premium costs up to the date of when the employee has been on leave for 1 year. During any period of leave as outlined herein, dental and FSA may be purchased by the employee through COBRA.

Employees who suffer a work-related illness, injury or disease should report this immediately to the Court Administrator who will give you an appropriate form to fill out.

### **Life Insurance**

The 51<sup>st</sup> District Court offers regular full-time employees who have completed 120 days of continuous service with life insurance coverage. This benefit generally becomes effective on the 1<sup>st</sup> of the month following when the employee completes 120 days of service. The Court provides a term life insurance policy for eligible non-management employees in the face value amount of one and one-half ( $1 \frac{1}{2}$ ) times their annual salary. For eligible management employees, the Court provides a life insurance benefit in the face value amount of two (2) times an employee's annual salary. Both options are subject to the plans enrollment and eligibility guidelines.

### **Bonding**

All Court employees are bonded by the district control unit's blanket bond policy as required by law.

### **Employee Assistance Service Policy**

The 51<sup>st</sup> District Court has a strong commitment to the health, safety, and welfare of its employees and their families. The 51<sup>st</sup> District Court recognizes that a variety of personal problems, such as emotional distress, marital and family problems, alcoholism, and drug abuse, can be devastating to lives, the organization, and the community at large. Most people solve their problems either on their own or with the advice of family and friends; however, the Court recognizes that sometimes people need professional assistance and advice. The Court recognizes that an employee and their family's personal problems can be more successfully treated provided they are identified in the early stages and referred for appropriate care.

Through the Employee Assistance Service (EAS) Program, the Court provides confidential access to professional counseling services for help in confronting such personal problems. The EAS Program is available to all employees and their qualifying family members offering problem assessment, short-term counseling, and referral to appropriate community and private services. You may request referral yourself or you may ask the Court Administrator to refer you to the EAS.

The EAS Program is confidential and designed to safeguard your privacy. EAS records will be maintained in a confidential manner by the selected EAS vendor.

There is no cost for an employee to consult with the EAS Program counselor. If further counseling is necessary, the EAS Program counselor will outline community and private services available. Costs that are not covered are the responsibility of the employee.

Participation in the EAS Program does not excuse an employee from the Court's normal policies or job requirements.

The number to reach an EAS Program counselor is: 1-800-969-6162

The website address is: [www.helpneteap.com](http://www.helpneteap.com).

Username: Waterford

Password: Employee

### **Tuition Reimbursement**

As budget permits, to further develop staff skills, the Court encourages you to continue with your education. The Court offers a tuition reimbursement program to regular full-time employees who begin classes after having 6 months or more of continuous service. By this program, you are eligible to receive reimbursement for the costs of tuition and required course books. Tuition reimbursement benefits are limited to course work which will lead to a degree through an accredited college or university and is related to your work duties and potential professional advancement at the Court. The following terms and conditions also apply:

- You must notify the Court Administrator in writing by July 1 of every year regarding your educational plans in order to be eligible for reimbursement in the following calendar year.
- At least 2 weeks prior to the beginning of each semester, you must also submit an \*Application for Tuition & Textbook Reimbursement to the Court Administrator and receive advance approval from the Court Administrator to take the course. This application must be accompanied by a copy of the page or pages of the school catalog (or other school publication) that shows the curriculum of your educational program.
- Reimbursement is limited to up to \$3,600 per calendar year.
- Upon completing a course, you must submit a \*Tuition & Textbook Reimbursement Request. You must attach to the form receipts (not cancelled checks) and a copy of transcripts verifying the grade received for the course. This form should be submitted within 2 weeks after you obtain your grades.
- In order to receive reimbursement, you must satisfactorily complete the course with a “C” average or better (or the equivalent of a “C” average if a numerical grading system is used).
- Reimbursement requests will be granted based on the order in which they are received, the conditions stated above, and the availability of funds.

\*The forms are saved on the network drive under:  
G:\District Court\Administration\Tuition Reimbursement.

### **Social Security Benefits**

The Court also contributes to your Social Security benefits. These benefits include retirement income, survivor benefits and Medicare. Questions about Social Security benefits should be directed to your local Social Security office.

### **Work, Performance and Compensation Review**

Because the 51<sup>st</sup> District Court values your input as a member of the team, and as an individual, we periodically review your performance, work, and compensation. The determinations as to whether progression, compensation adjustments, or the amounts of any adjustments, will be made at the discretion of 51<sup>st</sup> District Court.

The Court, in making these determinations considers a number of factors including but not necessarily limited to the following: business conditions, knowledge, skill-set, ability, attitude, active learning, personal initiative, versatility, productivity, customer service, teamwork, dependability, work quality, efficiency, length of service, record of absenteeism or tardiness, overall performance and other factors within the Court’s determination.

These reviews are conducted within management's discretion. In between, if you have any questions about your job, feel free to talk to your supervisor at any time, or the Court Administrator.

## **POLICY PROHIBITING DISCRIMINATION, HARASSMENT, & RETALIATION**

It is the 51<sup>st</sup> District Court's philosophy to treat our employees and applicants for employment fairly and without regard to race, color, sex, religion, national origin, height, weight, age, disability, marital, familial or veteran status, or membership in another protected group. Discrimination against any employee or applicant based on any of these conditions will not be allowed or tolerated. This policy applies to all employment practices including recruiting, hiring, pay rates, training and development, promotions and other terms and conditions of employment and termination.

The 51<sup>st</sup> District Court also prohibits any form of harassment, joking remarks or other abusive conduct directed at employees because of their race, color, sex, religion, national origin, height, weight, age, disability, marital, familial or veteran status, or membership in another protected group.

The 51<sup>st</sup> District Court prohibits harassment of any employee on the basis of his/her membership in a protected class. Harassment is prohibited because it is intimidating and an abuse of power and is inconsistent with the Court's policies, practice and management philosophy. And, this policy applies to all activities that are work related, whether at work or away from work while conducting work duties (e.g., on a work-related trip, at work social functions, at work-related meetings, etc.)

We take great efforts to purge our workplace of unlawful discrimination, harassment and retaliation. As a result, pursuant to this policy, the Court may discipline employees, up to and including discharge, for conduct that violates this policy (even if it is not considered unlawful). With the same regard, this policy is not intended to extend greater rights or protections to employees beyond those offered under applicable laws. Finally, this policy is intended to further our objectives of prohibiting unlawful harassment, discrimination, and retaliation, and should not be used as a basis for excluding or separating individuals from participating in business or work-related activities or discussions.

### **Sexual Harassment**

The 51<sup>st</sup> District Court prohibits harassment of any employee. Sexual harassment is prohibited because it is intimidating and an abuse of power and is inconsistent with the Court's policies, practice and management philosophy. Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature. Sexual harassment can take the following forms:

- Unwelcome or uninvited physical contact with the body of another, even if you do not recognize the touching as offensive;

- Sexualizing conversations, turning the subject to sex, discussion of sexual subjects, past or present romances; double entendres;
- Commenting on the appearance or particular physical characteristics of an employee (i.e., breasts, legs, buttocks, biceps, etc.) or excessive compliments on appearance;
- Unsolicited or unwelcome flirtations, advances, invitations to social outings or after work events or propositions;
- Improper jokes, cartoons, photos, graffiti, e-mails, voicemails;
- Leering, whistling, catcalls;
- Using terms of endearment, nicknames or other monikers that suggest undue familiarity, such as “dear”, “sweetie”, “cupcake”, “sweetheart”, “darling”, “honey”, “handsome”, etc.;
- Discussions of or inquiries about another employee’s personal life, relationships, past romances or off-duty sexual conduct;
- Displaying, discussing or referring to pornographic, sexually explicit or offensive materials, including magazines, bathing suit calendars, websites or live performances;
- Conditioning continued employment of an employee upon unwelcome sexual advances or requests for sexual favors or other verbal or physical conduct of a sexual nature;
- Making submission to or rejection of verbal or physical sexual conduct the basis for employment decisions affecting the employee;
- Stating or implying that employment advances of a particular employee have resulted from the granting of sexual favors or the establishment or continuance of a sexual relationship; and/or
- Stating or implying that deficiencies in performance of an employee are attributable in whole or in part to the gender of that person.

### **Racial and Other Illegal Harassment**

Most of the comments and examples regarding sexual harassment set forth above also carry over to other forms of illegal harassment. The Court is strongly committed to eradicating and preventing illegal harassment in all of its forms, and for that reason encourages the prompt and early reporting of problems pursuant to the procedures outlined in this policy.

Employees are cautioned that prohibited harassment may involve ethnic, racial or religious jokes, names, epithets, discussions of stereotypical notions or ideas, ridicule of beliefs or cultures, disparagement of ethnic or cultural figures, nicknames, terms that imply less than full adult status (such as “boy” or “chico”), graffiti, gestures, references or symbols related to hate groups (such as Nazi or KKK), nooses or other references of past oppression, and/or statements implying deficiencies attributable to one’s membership in a particular group.

In fact, there are some words that simply have no place in our workplace and will not be tolerated under any circumstances, including but not limited to derogatory racial or ethnic slurs or intolerances. Even one instance may be grounds for discipline, up to and including discharge.

### **Complaint Procedure for Reporting Harassment, Discrimination or Retaliation**

Any employee who feels subjected to or observes discrimination, harassment, or retaliation should report it to the Court at the earliest possible opportunity. Remember, we encourage you to report ANY harassment, discrimination or retaliation that you may experience or observe while working regardless of the offender’s position within the Court and regardless of the offender’s relationship to the Court, even if it is by a non-employee such as an independent contractor, Court visitor, or any other individual. This also includes conduct in any form (whether verbal, in writing, by way of computer or e-mail, or in person), and whether the identity of the offender is known or unknown. Employees have a variety of ways to make a report: in writing (the preferred method), in person, by telephone, by facsimile, or by e-mail. One may make a report to his/her supervisor, the Court Administrator or the Chief Judge. Contact information for these individuals is listed in appendix section of this handbook. The Court will make forms available to employees through the Court Administrator upon which an employee may report an incident of discrimination, harassment, or retaliation. One such form has been attached as an Appendix at the end of this handbook, which form may be copied and used by the employee. Use of the Court’s form is not mandatory.

Upon receiving a complaint, the Court will immediately commence an investigation, which will include contact with you, the person against whom the complaint is made, and others who may know relevant facts. When the complaint involves Court visitors or outsiders, the Court will utilize all proper methods to resolve your complaint. When it is determined that an employee engaged in discrimination, harassment, or retaliation (including conduct that is considered unlawful and conduct that the Court deems a violation of this policy (even if not unlawful), the offending employee will be subject to disciplinary action up to and including termination from employment. Complaints of this nature will be maintained in confidence, and divulged only to the extent necessary.

## **No Retaliation**

The Court strictly prohibits retaliation against an employee who has registered a complaint (whether by way of the reporting procedure in this policy or otherwise), and also prohibits retaliation against any individual that participates in an investigation of a claim for harassment, discrimination or retaliation. Any employee of the Court who, after investigation, has been determined to have retaliated against any employee in violation of this policy will be subject to discipline, up to and including discharge. If you feel you are being retaliated against in violation of this policy, immediately report the retaliation in accord and with the reporting procedures of this policy.

## **Appeal Procedure**

If any party involved in an investigation of workplace discrimination, harassment or retaliation is dissatisfied with the outcome or resolution, that individual may appeal the decision. If you wish to appeal, your appeal should be submitted in writing within 3 business days from the time you are informed of the decision. All appeals should be submitted to one of the persons named in the complaint procedure. Contact information for these individuals is attached as an appendix to this handbook. It is recommended that you report your appeal to an alternate individual if possible from whom you originally reported your initial complaint.

## **Some General Observations about Harassment**

The above are the policy guidelines. To assist you in applying the policy requirements to your experiences here at work, here are some general comments that may further assist everybody in ensuring that we can maintain a workplace free of unlawful harassment:

- Never assume that some people may be more tolerant of sensitive matters than others. For purposes of your communications and actions here at work, always assume that you must follow the requirements of this policy in its entirety.
- Avoid touching other employees, even if you would not find the touching offensive. Many people find that any form of touching to be invasive or offensive, such as touching someone's hair, their shoulder, or patting them on the back.
- No means NO. If you ever approach somebody, and he/she indicates that your offer, advance, or invitation is unwelcome or offensive, respect that individual's wishes immediately thereafter.
- Dating or having a romantic or sexual relationship with another Court employee is strongly discouraged. For anybody in a supervisory or management position, the Court requires both individuals involved to immediately report this to the Court Administrator.
- If any employee has had a social relationship with another employee, and later finds the prior conduct offensive or unwelcome, the employee must take immediate steps to inform the other person that the employee is no

longer a willing participant and/or that the prior conduct is no longer welcomed. If an employee is in this situation, and would like assistance in communicating this information, contact the appropriate individuals listed in the appendix section of this handbook.

- Early complaints help prevent little problems from becoming large problems, help preserve positive working relationships, correct any mistaken impressions of welcomeness, and legitimize the perspective of the complaining employee. By immediately reporting any complaints you may have, you can avoid creating the impression that you were a willing participant and/or that you are making the complaint to counter any adverse employment action you may be anticipating.

### **Court Employee Responsibilities**

This policy applies to all Court Employees. If you have a complaint, observe or suspect a violation of this policy (no matter who is involved), you are required to immediately report this to your supervisor, the court administrator or the judges - no exceptions!

## **COMPLIANCE WITH THE LAW**

As a court and employer of our size, there are many federal, state, and local laws that we are required to adhere to. It is our policy to conduct our affairs in a manner that is in compliance with these laws. If you become aware of a policy, practice, or procedure at the Court that is not in compliance with the law, immediately report this to the Court. Similarly, if you feel that you are the subject of retaliation by an individual here at the Court, or by someone who you interact with in performing your job duties because of your opposition to any policy, practice, or procedure you believe is unlawful, report this also. All complaints should be reported to the Court Administrator, preferably in writing. If your complaint involves the Court Administrator or if you would like to appeal a response you got from the Court Administrator, then see the Chief Judge. The contact information for these individuals is included in the appendix section of this handbook.

## **NOTICE UNDER THE PERSONS WITH DISABILITIES CIVIL RIGHTS ACT**

The purpose of this Notice is to advise you of your rights under Michigan's Persons with Disabilities Civil Rights Act (the "Act"). This law prohibits employers from unlawfully discriminating against employees on the basis of a "disability" as defined by the Act, and to accommodate employees or job applicants in certain situations. Under this law, disabled employees and applicants may request an accommodation by notifying the Court in writing of the need for accommodation within 182 days after the date the disabled individual knows or reasonably should have known that an accommodation is needed (this requirement does not apply to an individual's rights under the federal American With Disabilities Act).

We strongly encourage all persons who believe that they require accommodation in the work place to adequately perform the duties of their job to advise the Court Administrator or District Judge by making a written request for accommodation. Failure to properly notify the Court may preclude any claim that the employer failed to accommodate the disabled individual.

## **WHAT WE EXPECT OF YOU**

### **Confidentiality Agreement**

All employees are required to keep confidential all court-related information they may acquire or become aware of through working at the 51<sup>st</sup> District Court. Each employee is responsible for safeguarding against unauthorized use or disclosure of court information.

Employees shall not disclose or discuss confidential information with anyone outside the court without written permission of the Court Administrator or Chief Judge. Under no circumstances are materials, documents or other information designated as confidential or restricted to be removed from the 51<sup>st</sup> District Court premises without the prior express permission of the Chief Judge or Court Administrator.

Confidential information includes, but is not limited to, the following: Information obtained through the Law Enforcement Information Network (LEIN)\*, Secretary of State Records, JDW, Police Records from OnBase, CLEMIS, DCCMIS or any other source, Probation files, Screening and Assessments, Personal files, Pre-Trial Service files and any other information that if disclosed could lead to or hamper the investigation of a case or the arrest of a defendant.

A breach of confidentiality may result in discipline up to and including immediate termination. In some instances, unauthorized disclosure of information may also result in criminal sanctions.

(\*Note: All employees with access to LEIN will be required to sign a LEIN use agreement.)

### **Personnel Records/Notices of Changes**

Personnel records are maintained on employees, and are Court property. Generally, information contained in the personnel files will not be given to anyone outside of the Court unless employee permission is granted in writing. The Charter Township of Waterford also maintains employee records for the purposes of benefit and compensation information only.

You have the right to review your own personnel file at a reasonable time and with reasonable notice. Certain charges for copying and processing may apply. If you wish to do so, requests must be submitted in writing to the attention of the Court Administrator. Your request will be granted within a reasonable amount of time.

For your protection, convenience and benefit, you are requested to notify the Court as soon as possible regarding any change in name, address, telephone number, marital status, number of dependents, beneficiary information, etc.

Keeping this information accurate enables us to reach you in an emergency, forward your mail and W-2 forms, maintain your insurance and other benefits, and compute your payroll deductions.

### **Conflict of Interest**

Employees of the 51<sup>st</sup> District Court shall avoid all situations where prejudice, bias, or opportunity for personal gain could influence their decisions. Employees shall avoid situations which suggest favoritism or personal gain as the motivating force in their conduct. The objectives of this policy are to maintain an impartial administration of the 51<sup>st</sup> District Court and to maintain public confidence in the Court.

No Employee shall engage in or be a party to any of the following activities:

- Disclosure of Confidential Information: Disclosing or releasing confidential information or information regarding, but not limited to, the following: warrants, LEIN, Secretary of State information, probation files and any other information which is not by law, court rule, regulation or court order available to members of the general public.
- Financial Gain: Engaging in any business transaction or conduct resulting in financial gain for the employee (or a relative, friend or acquaintance of the employee) which accrues from or is based upon the employee's official position or upon confidential information which the employee gained by reason of his or her position.
- Gifts: Soliciting, accepting, or agreeing to accept anything of value and/or any favors under any circumstances which could reasonably be expected to influence the manner in which the employee performs work or makes decisions.
- Favoritism: Granting or making available to any person, any consideration, treatment, advantage or favor beyond that which is the general practice to grant or make available to others under similar circumstances.
- Representation of Private Interest: Representing or acting on behalf of any private interest, whether for compensation or otherwise, or engaging in any transaction or activity in which the 51<sup>st</sup> District Court has a direct or substantial interest or responsibility and which could reasonably be expected to result in a conflict between the private interest of the employee and the employee's official responsibility.
- Alteration of Court Records: Any alteration of court records including, but not limited to, ticket fixing or manipulation of court records.

This policy is intended to protect the 51<sup>st</sup> District Court and its employees from undue criticism, harm or possibility of involvement in a conflict of interest. Therefore, violation of this policy could result in disciplinary action up to and including discharge.

## **Dress & Grooming Code**

Your appearance and personal hygiene at the Court should always reflect the highest standards of professionalism. You should always be well groomed and your attire should be appropriate to your position as an employee of the 51<sup>st</sup> District Court. Our requirements are simple and reasonable – we expect you to dress neatly and avoid any apparel that may not be in keeping with good business taste and safety standards. For most employees, they are expected to dress in business or business casual attire. Examples of acceptable business or business casual attire for women include: dresses, suits, skirts, blouses, sweaters, dress pants, and conservative khaki or chino style pants. For men, examples of acceptable office attire include: suits, dress shirts and ties, slacks, button down shirts, sports shirts, sweaters, and khaki style pants. Unacceptable clothing includes but is not limited to: hats; sweat pants or jogging suits; hooded sweatshirts; tank tops; shirts with writing or large logos; tube tops or shirts that reveal the midriff; t-shirts; shorts, short skirts or dresses; jeans; sheer clothing; garments that are revealing, distracting or provocative; tennis shoes/athletic shoes, beach flip-flops, hiking boots, and Birkenstock-type sandals; and, ripped, torn, or faded clothing. In addition to the above requirements, bailiffs must also wear jackets. Also, employees who work in the court rooms, or any other employees who are attending functions such as business meetings, etc., should wear more formal business attire. Finally, all clothing should be clean and reasonably free from lint, animal hair and wrinkles.

Good personal hygiene is expected of all employees at all times. While by no means inclusive, the following are illustrative of what good hygiene habits include:

- Bathe or shower daily.
- Maintain good dental hygiene.
- Keep hair clean.
- Keep your nails clean and neatly trimmed or manicured.
- Use a deodorant. Further, as a courtesy to coworkers, perfumes/colognes/body odors should be unobtrusive as some individuals may be sensitive to strong smells.

On Fridays, and other days periodically as designated by the Court, the Court has Casual Day. On these days, employees may dress more casually unless it is expected that they will be in the courtroom. Employees who are not scheduled to be in the courtroom, but may be called in unexpectedly, must still bring appropriate courtroom attire to work. On Casual Days, employees are still expected to dress in a manner that does not compromise professionalism. While appropriate casual wear includes conservative jeans, casual knit shirts or denim shirts, and khaki or chino style pants, the inappropriate examples of clothing listed above remain in effect.

If you have questions about these requirements, see the Court Administrator. An employee whose dress or grooming standards does not meet the above-outlined guidelines may be asked to go home and make proper adjustments. The Court

may require employees to use paid time-off to cover this time or designate it as unpaid within the guidelines of the FLSA as applied to nonexempt employees.

### **Pay Days**

The Court's established workweeks are from Monday through Sunday. You will be paid every other week, on Thursday.

If Thursday is a holiday, you will be paid on Wednesday of that week – the day before. If you feel an error has been made in the calculation of your pay, or if there is anything about your pay which you do not understand, please contact the Court Administrator.

### **Schedules**

Most employees work a regular schedule, as communicated to them by their supervisors. While employees' hours may be somewhat regular, it must be emphasized that from time to time, you may occasionally be asked to come in early, stay later, or work through your lunch period. The schedule requirements for employees are further outlined below:

- **Hourly (Non-Exempt) Employees**

Non-exempt employees are expected to report to work at their scheduled times, and leave no earlier than the scheduled end-time, unless prior arrangements have been made with management. Typically, non-exempt employees are given lunch periods, as set forth in the Lunch Period policy. See the Court Administrator if you have questions about your schedule.

As referenced above, from time to time, it may be necessary for the Court to require you to work some overtime. When non-exempt employees work more than 35 hours but less than or equal to 40 hours in any workweek, they may elect to use the additional time worked beyond 35 hours as additional vacation time off subject to the guidelines of that policy. For any hours worked beyond 40 hours in a workweek, employees may elect to either: 1) get paid overtime compensation at a rate of time and one-half for hours worked beyond 40 hours in a workweek, or 2) get comp time in lieu of overtime, subject to the guidelines of the 51<sup>st</sup> District Court's Compensatory Time-Off Policy which is attached as Appendix A. In calculating overtime, only actual hours worked are considered (e.g. vacation, holidays, or other nonworking time will not be considered).

Non-exempt employees are not permitted to work overtime (e.g., more than 35 hours in a workweek) or beyond their normal work schedule (e.g., coming in early, leaving late or working during their lunch) unless they have received prior permission from, or have been asked to work by management. Non-exempt employees who work overtime without authorization may be subject to discipline up to and including discharge.

- **Exempt (Salaried) Employees**

In addition to our expectation that all employees work during scheduled hours of operation, unless alternate arrangements have been made with management, exempt employees are also required to work any additional hours necessary to promptly and adequately complete their assigned duties. Pursuant to state and federal laws, exempt employees receive a predetermined salary in most cases, and are not paid additional compensation or other benefits, for overtime hours.

### **Hours of Work and Time Keeping**

The standard work week for regular full-time employees shall typically be thirty-five hours per week as assigned by the Court Administrator. The work day generally consists of an eight hour work day which includes a one hour unpaid lunch. A typical work day is from 8:30 a.m. to 4:30 p.m. From time to time deviation from this schedule may be required at the discretion of your Department Supervisor and the Court Administrator. Employees are not allowed to work overtime without authorization.

Each employee is required to prepare his or her own time sheet. We will provide you with appropriate forms to use. These are to be submitted to the employee's supervisor every two weeks on the Tuesday after each pay day. You are required to maintain an accurate record of your time by personally and carefully recording your time daily. In particular, employees should record when they start their work duties (e.g., when reporting in the morning or after lunch) and when they end their work duties (e.g., when going to lunch, leaving for the day, or otherwise not working). Also, any employee whose duties require leaving the court building on court business must mark their time accordingly on the proper date and get it approved by their department supervisor or the Court Administrator. Employees who fill out another employee's timesheet, have another employee fill out their timesheet, or falsify any time record will be subject to disciplinary action up to and including discharge.

All time will be figured on the actual time. This means that if you are scheduled to work, and arrive 15 minutes late, you will not be paid for the 15 minutes you were scheduled but were not working.

### **Lunch Periods**

It is the policy for the Court to provide a 60 minute lunch to regular full-time employees as a lunch/break period if they work 6 or more hours that day. For non-exempt employees, this time is unpaid. You are required to note the times you take as lunch on your time records. From time to time, circumstances may arise where employees may be asked to work through their lunch or to take a shorter break for lunch. Lunches are staggered to provide continuity in service during business hours. Your supervisor will let you know when to take your lunch. Promptness in returning to your duties is important so that other employees, and most important, our clients, are not kept waiting.

## **Nepotism Policy**

In order to ensure that the 51<sup>st</sup> District Court is able to attract and retain the highest quality work force, and make the most effective use of its personnel, it is ordered that the anti-nepotism Supreme Court Administrative Order # 1996-11 and its amendments effective December 1, 1996 will be followed as part of this employee manual.

## **Possession of Firearms/CCW**

It likely has come to your attention that legislative changes have made it easier for individuals to obtain concealed weapon permits. While the Court cannot prevent any employee from obtaining a CCW permit or carrying a weapon on their own time, we do want to make our position very clear about weapons at work.

The 51<sup>st</sup> District Court strictly prohibits the carrying or possession of guns or other weapons in our buildings or on our premises by any employee, and prohibits the possession of any gun or weapon while on duty when away from our premises, unless authorized to in writing by the Court Administrator. Authorization will be limited to individuals who are required to carry weapons as part of their job duties (e.g., Court Officers). Employees may not even bring weapons into our parking lot or leave them in cars when on duty, no matter what the reason. For our common safety, any employee obtaining knowledge of the possession of a weapon in violation of this policy is obligated to immediately notify their supervisor. If he/she is not available, then go to the Court Administrator or District Judge.

Failure to comply with this policy could result in termination of your employment with the 51<sup>st</sup> District Court.

## **Theft and Inspections**

Although the Court may provide desks, and other storage places for the convenience of employees, they remain the sole property of the 51<sup>st</sup> District Court. The Court reserves the right to access and inspect these items, as well as any articles or containers found in them, at any time, either with or without prior notice. **EMPLOYEES HAVE NO RIGHT OF PRIVACY IN SUCH AREAS.**

The Court has a policy prohibiting theft and unauthorized use of Court property. This policy also extends to the property of other employees, visitors, or any individuals present at the Court. To facilitate enforcement of this policy, upon reasonable suspicion, the Court or its representatives may also inspect persons entering and/or leaving the premises or any work location, and any packages or other belongings in their possession. **EMPLOYEES HAVE NO RIGHT OF PRIVACY IN SUCH ITEMS.** Employees who wish to avoid inspection of items or materials should not bring them onto the Court's premises or with them when

they are otherwise conducting work. Employees are required to cooperate with the Court in connection with any Court investigation.

### **Authorization of Employment**

All employees of the 51<sup>st</sup> District Court are required by federal law to verify their authorizations to work in the United States. In compliance with the law, 51<sup>st</sup> District Court prohibits discrimination in hiring, recruiting, referring for a fee and discharging based on citizenship and national origin.

### **Telephone, Electronic Devices and Mail Systems**

The Court's ability to serve the public is contingent upon full attention being given to your duties and responsibilities at all times. Therefore, we ask that you keep personal telephone calls to an absolute minimum.

Cell phone notifications can interfere with the Court's ability to offer prompt and professional service. Accordingly, we ask that you put them on "vibrate" while here and refrain from using them during your work hours except in cases of emergency. Many individuals find having their pictures taken offensive. Due to these, and other Court concerns, we ask that you not take photos at work.

Personal telephone calls on Court telephones are permitted only in case of an emergency. Management must authorize personal long distance and toll calls, in advance. Also, the use of the employer-paid postage for personal correspondence is not permitted. The Court may charge employees for unauthorized long distance calls, zone calls, toll calls (e.g., calling information for your personal use), or use of Court-paid postage. All mail addressed to employees is presumed to be Court-related, and the Court reserves the right to open all mail that is forwarded to the 51<sup>st</sup> District Court. **THERE IS NO RIGHT OF PRIVACY IN ANY MAIL THAT IS SENT TO OUR PLACE OF BUSINESS.**

### **Safety Issues for Cellular Phone Use**

Employees who drive as part of their job duties are expected to refrain from using a cell phone while driving when engaged in work-related activities. Regardless of the circumstances, including slow or stopped traffic, employees are strongly encouraged to pull off to the side of the road in an appropriate location and safely stop the vehicle before placing or accepting a call. If acceptance of a call is unavoidable and pulling over is not an option, employees are expected to keep the calls short, use hands-free options if available, and keep their eyes on the road. Special care should be taken in situations where there is traffic, inclement weather, or the employee is driving in an unfamiliar area.

### **Computer/System, E-Mail, Voice Mail & Internet Access and Usage Policy**

As part of our communication systems, we utilize electronic mail (e-mail), voice mail, and the Internet. These systems enhance our ability to communicate and conduct business efficiently. We use the Internet to access important business

information, and use e-mail and voicemail to communicate internally, as well as with others in conducting our duties.

As with all of our electronic and communication systems, the Court's computers, computer files, all e-mail and voicemail systems, and all Internet access systems, whether hardware or software (for purposes of this policy, collectively referenced as "Court Systems") are Court property and are to be used strictly for Court business. All messages generated, composed, created, transmitted (uploaded), received (downloaded), stored on the Court Systems are and remain the property of the Court irrespective of their content, and no employee has a proprietary interest in this information. Even when messages are deleted or erased, or protected by password, it may be possible to retrieve and read them. All software is registered to the Court, and employee duplication is prohibited.

Employees may be given Court Systems access by way of Court assigned usernames and passwords. Employees are prohibited from allowing others to use any Court Systems from their account, from disclosing without authorization their access information, from using a Court System using another employee's username or password, from changing Court assigned usernames or passwords, or from taking any other action that would jeopardize the security of Court Systems, without prior management approval. An employee's use of a Court password or access code does not restrict or limit the Court's right to access and review Court Systems or to review information in any form on those Court Systems.

The Court Systems are provided for business purposes. Accordingly, employees are prohibited from using the Court Systems for personal use (e.g., to "surf the net" or to send a friend personal e-mail messages). Any use of the Court Systems may be monitored, accessed, audited and/or copied by the Court. The Court's right to monitor and copy extends to all use of Court Systems, including but not limited to, monitoring Internet sites visited, Internet chat groups or newsgroups visited, information downloaded or uploaded, or e-mails or voice-mails sent or received. Employees who engage in non-work related communications, even if during nonworking time, may still have their activities monitored.

Employees are only authorized to retrieve and read information on the Court Systems, including but not limited to, computer files, e-mail messages, voice mail or Internet messages, that are specifically addressed or directed to them or which they have Court authorization to access. Using Court Systems for non-work solicitation and advertising is prohibited.

The content of e-mail, voice mail and other Internet messages must not be objectionable. Creating, transmitting (uploading), copying or receiving (downloading) messages of an offensive, defamatory, derogatory, threatening, objectionable or disruptive nature is a violation of Court policy. This includes but is not limited to, in particular, messages or images containing obscenity, profanity, vulgarity, sexual content or innuendo, racial or ethnic slurs, gender-specific comments, or any deprecatory statement concerning race, color, sex

(including because of pregnancy), religion, national origin, age, handicap/disability, height, weight, veteran status, marital status, familial status or membership in another protected group.

Your obligation to comply with our Confidential and Proprietary Information Policy extends to your use of Court Systems. Any information that is considered confidential should not be discussed over any systems that are not internal (e.g., over Internet chat groups, etc.). Also, any use of Court Systems must comply with HIPAA and its regulations. Specifically, employees should never disclose personal health information using Court Systems unless for a permitted use under HIPAA. Also, personal health information should not be transmitted over Court Systems without appropriate data safeguards.

The Court reserves and intends to exercise the right to review, audit, intercept, monitor, inspect, access and disclose, with or without notice, permission or consent, all Court Systems, including, but not limited to, computer files or e-mail, voice mail, or Internet messages which employees create, transmit, copy or receive. Such action may occur during or after working hours. The content or information associated with the above may be disclosed within the Court, and to third parties, without the employee's permission and without regard to whether it is business related or personal.

To avoid corruption, pollution, viruses, or incompatibility problems on the Court's software and systems, and to avoid dedication of our systems to non-work matters, employees are prohibited from installing software programs on their workstations or on the systems, or from downloading programs or files off the Internet or off of a disk or CD, without the prior approval of management.

Employees' use of any Court System constitutes full acceptance with the terms of this policy, and to any and all Court monitoring of that use consistent with this policy.

### **Social Media Policy**

The Court recognizes and understands that social media can be a fun and rewarding way to share your life and opinions with family, friends and co-workers around the world. However, use of social media also presents certain risks and carries with it certain responsibilities. These risks include the risk that your use of social media may affect the Court. To assist you in making responsible decisions about your use of social media as they may affect the Court, we have established these guidelines for appropriate use of social media. This policy applies to all persons who work for the Court.

## **Guidelines**

In the rapidly expanding world of electronic communication, *social media* can mean many things. *Social media* includes all means of communicating or posting information or content of any sort on the Internet, including but not limited to the following: your own or someone else's web log or blog, journal or diary, personal web site, social networking or affinity web site, on-line videos, web bulletin board or a chat room, whether or not associated or affiliated with the Trial Court, as well as any other form of electronic communication.

The same principles and guidelines found in the Court's policies and *Model Code of Conduct for Trial Court Employees* apply to your activities online. Ultimately, you are solely responsible for what you post online. Before creating online content, consider the risks that are involved. Do not post personal comments on, or observations about, cases handled by the Court because even the appearance of impropriety may undermine the public confidence in the independence, impartiality and integrity of the Court. Keep in mind that content that may adversely affect your job performance, the job performance of other Court employees or the work of the Court; that may disrupt the work environment or interfere with the delivery of administrative or adjudicative services; or that may have the appearance of impropriety may result in disciplinary action up to and including termination.

## **Know and Follow the Rules**

Carefully read our employment guidelines which include the Court's *Telephone, Electronic Devices and Mail Systems policy*, and the *Model Code of Conduct for Trial Court Employees*. Please ensure your postings are consistent with these policies. Inappropriate postings that may include discriminatory remarks, harassment, and threats of violence or similar inappropriate or unlawful conduct will not be tolerated and may subject you to disciplinary action up to and including termination.

## **Be Respectful**

To avoid interpersonal conflicts at work, always try to be fair and courteous to the public, court vendors, volunteers, and co-workers. Also, keep in mind that you are more likely to resolve work-related complaints by speaking directly with your co-workers or supervisor than by posting complaints to a social media outlet. Nevertheless, if you decide to post work-related complaints or criticism, or otherwise identify yourself as a Court employee, do not use statements, photographs, video or audio that reasonably could be viewed as malicious, obscene, threatening, or that might constitute harassment or bullying. Examples of such conduct might include offensive posts that could contribute to a hostile work environment on the basis of race, sex, disability, religion, age or weight or any other status protected by law.

## **Be Honest and Accurate**

Make sure you are always honest and accurate when posting any information or news, and if you make a mistake, correct it quickly. Be open to correcting any previous posts you have altered. Remember that the internet archives almost everything; therefore, even deleted postings can be searched. The Court reminds employees that rarely are employees authorized to post information as part of their job, so posting any untrue information or rumors could lead to personal liability as further noted below.

## **Post Only Appropriate and Respectful Content**

- Maintain the confidentiality of the Court's confidential information. Many court-related documents contain confidential information or communications that may not be released to the public.
- Court personnel may not ordinarily post, transmit, or otherwise disseminate any information to which they have access only as a result of their employment unless related to a bona fide effort to improve working conditions. Do not make personal comments on, or observations about, cases handled by the Trial Court whether pending or closed, including comments about, or observations on, the substance of the case, a party, a witnesses, a juror, an attorney or any other person involved.
- Do not create a link from your blog, website or other social networking site to the Court website.
- Express only your personal opinions. Never represent yourself as a spokesperson for the Court. If the Court is a subject of the content you are creating, or if you identify, or have identified, yourself as a Court employee, make it clear that your views do not represent those of the Court or your co-workers. If you do publish a blog or post online related to the work you do or subjects associated with the Court, or if you identify, or have identified, yourself as a Court employee, make it clear that you are not speaking on behalf of the Court. It is best to include a disclaimer such as "The postings on this site are my own and do not necessarily reflect the views of the Court."
- Court personnel should be aware that they may be subject to civil litigation for publishing or posting false information that harms the reputation of another person, group, or organization (defamation); publishing or posting private facts and personal information about someone without their permission that has not been previously revealed to the public; using someone else's name, likeness, or other personal attributes without that person's permission for an exploitative purpose; or publishing the creative work of another, trademarks, or certain confidential business information without the permission of the owner.

### **Using Social Media at Work**

Do not use social media while on work time or on equipment the Court provides, unless it is work-related as authorized by your supervisor or consistent with the Court's *Telephone, Electronic Devices and Mail Systems* policy. Do not use a Trial Court email address to register on social networks, blogs or other online tools utilized for personal use.

### **Retaliation is Prohibited**

The Court prohibits adverse employment action or retaliation against any employee for reporting a possible violation of this Social Media Policy or for cooperating in an investigation of such an alleged violation. Any Court employee who takes adverse employment action or otherwise retaliates against another Trial Court employee for reporting a possible violation or for cooperating in an investigation will be subject to disciplinary action, up to and including termination.

### **Media Contacts**

Trial Court employees shall not speak to the media on the Court's behalf without prior approval from the Chief Judge. All media inquiries for official comment should be directed to the Court Administrator or the Chief Judge.

### **No-Solicitation/No Distribution**

Our Court will continue to efficiently serve our community if we devote our full attention to quality work. As a consequence, employees may not use times when they are required to be actively performing their job duties, or interfere with other employees who are required to be actively performing their job duties, to sell, collect, or solicit for any other business, organization or cause. Also, in the interest of maintaining clean and orderly facilities and worksites, employees are not permitted to distribute any non-work advertising materials, or other non-work items, during times when they or persons they are distributing to, are actively performing work duties, or at any time in work areas. Non-employees are not permitted to solicit or distribute advertisements, literature, or other non-work matter on Court property at any time.

### **Bulletin Boards**

Information regarding your employment is often posted on the Court bulletin board for your guidance. This bulletin board is for Court use only. Please make it a habit of reading the notices and information posted on the bulletin board regularly.

## **Safety and Accidents**

Safety and accident prevention are vital to all of us at 51<sup>st</sup> District Court. We strive to prevent injury to our employees and operations. It is our goal that: (1) safety hazards be eliminated from all jobs; (2) unsafe acts or conditions be detected, reported and corrected; and (3) safety consciousness be instilled in all employees and our operations.

You must report all job-related injuries and illnesses to management immediately. Do not ignore small scratches or cuts, burns, bruises or abrasions--these should be treated at once. Do not wait. Failure to report an injury could result in jeopardizing your compensation claim should the injury be more serious than first determined.

If the accident or injury happened at work and requires medical treatment after going home, we urge you to attempt to get in touch with the Court Administrator who will provide you with information with a recommended medical clinic. In the event you are unable to contact anyone, then you should see a doctor of your choice or go to the emergency room at the hospital. Advise the Court Administrator of the name of the doctor or hospital where treatment was received.

## **Policy on Substance Abuse**

It is essential that all employees be alert and in full possession of their faculties when working to protect the safety of our work force, our work place, and the public, as well as promote high standards of conduct, integrity and efficiency. Being under the influence of or being impaired by alcohol, controlled substances, or illegal drugs can cause permanent injury or death. As part of the Court's commitment to maintaining a safe and drug-free workplace, all employees are expected to follow these rules:

- Employees are prohibited from using or consuming alcohol, controlled substances, or illegal drugs on the job.
- Employees are prohibited from being impaired, being under the influence of, or having in their system, alcohol, controlled substances, or illegal drugs while on the job (this means in any capacity and is not limited by any definition of impairment or influence used under civil or criminal statutes).
- Employees are prohibited from manufacturing, possessing, selling, dispensing and/or distributing, alcohol, controlled substances, or illegal drugs on Court premises, on Court projects, in Court vehicles, or during the working day.

This policy does not prohibit the use of a controlled substance prescribed or authorized by a medical practitioner, so long as the employee's use is consistent with the safe performance of the employee's duties and the substance is used at the dosage prescribed or authorized.

To prevent alcohol, controlled substances, or illegal drugs and other contraband from being brought onto the Court premises, and in an effort to maintain a safe workplace, the Court may, at its discretion, inspect any locker, package, purse, tool box, vehicle or other personal belongings brought onto the Court premises in connection with the investigation of any rule violation or in the maintenance of a safe workplace. Employees are required to cooperate in all investigations.

The Court reserves the right to require applicants (after an offer has been made) and employees to submit to a substance abuse testing, including but not limited to, post-accident or injury testing, upon reasonable suspicion, or after returning from a leave of absence for any duration. Employees who violate this policy, fail a required test, or refuse a test may be subject to discipline, up to and including discharge.

### **Smoking**

Smoking is prohibited on Court property, or otherwise while working at client locations.

### **Personal Property**

The Court is not responsible for personal property or items that employees bring to work, including but not limited to purses, wallets, personal cell phones, or any other personal belonging.

### **Moonlighting**

Employees are expected to devote their primary work efforts to 51<sup>st</sup> District Court's business. Therefore, employees must not have any additional jobs that are either inconsistent with the Court's interests, or have a detrimental impact on the Court's image. Also, outside activities must not require devoting such time and effort that the employee's work here would be adversely affected. While taking time-off, whether under any policy in this Employee Handbook or otherwise, all employees are prohibited from engaging in outside employment while on leave unless they have the express written authorization from the Court. Before obtaining outside employment, you must first get approval from the Court Administrator. Any change in the status of your outside work must also be immediately reported to the Court Administrator.

### **Accuracy of Employment Applications and Other Court Documents**

51<sup>st</sup> District Court relies upon the accuracy of information contained in the employment application, as well as the accuracy of other Court documents and data presented throughout the hiring process and throughout your employment.

Any misrepresentations, falsifications, or omissions in any of this information or data may result in 51<sup>st</sup> District Court's exclusion of an applicant from further consideration for employment or, if the individual has been hired or is a current employee, may result in disciplinary action up to and including immediate termination of employment.

### **HIPAA Authorizations**

Occasionally, the Court has the need for medical information concerning applicants and employees for such matters including but not limited to post-offer/pre-hire physical examinations, treatment and investigation of work-related injuries, assessment and accommodation of disabilities under the Americans with Disabilities Act or similar state laws, threat assessment and/or drug testing. In many cases, such information may constitute personal health information under HIPAA. When the Court's need for personal health information arises, employees are required to execute HIPAA authorizations for personal health information. Failure to execute a HIPAA authorization will be considered a failure to cooperate with the Court and may result in the loss of protection under the program for which the information is needed, such as the denial of accommodation or leave requested. In addition, under appropriate circumstances, failure to provide authorization may lead to discipline, up to and including discharge, at the discretion of the Court.

### **Social Security Privacy**

The Court recognizes that employees, and those we come in contact with in performing our work duties, have privacy rights in their social security numbers in accordance with Michigan law. Accordingly, only employees with an absolute need for access to social security information will be given access to this information. Moreover, the Court treats social security numbers as confidential information. This means that the information must be kept secure (in locked files and on our computer systems) and employees must have authority to access such information.

In cases where authorized employees access the information on their computer, they must ensure that it is not visible to the public on the computer screen. The best way to secure the information on a computer is to limit your access to occasions when you are in a closed office or in a private area and your computer screen is not visible to those who might be passing by. The Court requires that employees shred any documents containing social security information.

Employees who access the information without proper authorization, who disclose the information or improperly dispose of documents containing social security information may be subject to discipline, up to and including discharge.

### **When Absent or Tardy**

You were hired because we need you to be at work on a timely and regular basis. Work schedules are disrupted when employees are absent or tardy.

Absenteeism includes not working your scheduled shift. Tardiness and absenteeism also place additional burdens on your fellow employees and those we serve. If you know you must be absent or late on a certain day, or must leave early, discuss it in advance with your supervisor to seek advance approval of your absence or tardiness. Your request will be given serious consideration.

If you have not received prior approval and you cannot report for work as scheduled, you are expected to contact your supervisor and speak with him/her directly, or in cases where he/she is not available another member of management, as early as possible but no later than 30 minutes before the time you are scheduled to start work. Texting, leaving a voice-mail message, or leaving a message with somebody else is not sufficient! If you must leave early for any reason, you must also let your supervisor know as far in advance as possible.

The only exception to this requirement is when an employee is unable to call. In those rare circumstances, the employee must call as soon as he/she is able. Employees must inform management each day that they will be absent, unless their absence has been excused in advance.

Failure to notify the Court, as required, of your absence will result in your absence being considered UNEXCUSED, regardless of the reason for your absence. If you do not report to work and fail to notify the Court for 3 consecutive days as to the reason for your absence, the Court will consider you a voluntary quit and process your termination.

When you call in or otherwise are absent, you may be asked to provide the reason for your absence, and when (date and time) you expect to return to work. You should know that you may be required to substantiate the reason for your absence or lateness (e.g., a doctor's note for times you are sick, receipts for times your tire is flat, etc.). It is your responsibility to verify the accuracy of all information presented to the Court by anyone on your behalf. Reporting an absence or providing documentation does not necessarily excuse the absence, and any determinations as to excused tardiness or absenteeism is within management's determination.

Unexcused tardiness and/or absenteeism (including leaving early), as determined by the Court, will result in disciplinary action, up to and including termination of your employment.

### **Rules of Conduct**

We have certain rules of conduct that have to be followed if we are to get our work done in an efficient and orderly way. Your cooperation is essential, and we urge you to familiarize yourself with those rules of prohibited conduct listed below so you know what is and is not acceptable behavior. We know employees who will violate the rules are rare exceptions. Based on common sense and good judgment, these rules are designed to protect your rights, the rights of your fellow employees as well as the public we serve.

Violations of the following rules which prohibit the indicated behavior will, in the discretion of the Court, result in disciplinary action up to and including discharge:

1. Violation of any of the policies set forth in this Employee Handbook;
2. Poor work performance;
3. Insubordination (disobedience to authority or failure to follow instructions);
4. Theft, unauthorized removal of property, or misappropriation of funds of either the Court, employees, or other persons employees deal with in conducting their duties;
5. Horseplay, scuffling, running or throwing material or other objects;
6. Causing hazardous or unsafe working conditions or engaging in any action which threatens the safe and efficient operation of the Court;
7. Possession of weapons on Court premises, during working hours, or while otherwise performing work duties;
8. Falsification of personnel or other records (including the submission of false or inaccurate records developed by others) or dishonesty;
9. Restricting or interfering with production or attempting to induce others to do so;
10. Damage to, destruction of, or misuse of property and equipment belonging to the Court or its employees, or other persons with whose employees interact in performing their work duties;
11. Leaving the job before the end of the assigned schedule without permission, wasting time, loafing, sleeping on the job, neglect or failure to perform assigned duties, or being away from an assigned work area without permission;
12. Threatening, intimidating, coercing, interfering, or fighting with employees or visitors;
13. Conducting personal business on Court time and/or property;
14. Discourteous driving when entering or leaving the Court parking lot or parking in unauthorized areas;
15. Engaging in other employment without prior approval by the Court including while on a medical or personal leave of absence;
16. Failure to cooperate in the investigation of an offense, or in the maintenance of a safe workplace;
17. Personal conduct which is obnoxious or abusive of other employees including gossip, rumors and statements of a defamatory nature;
18. Posting, removing or tampering with notices on Court bulletin boards without authorization;
19. Possessing books, magazines, or posters which contain nudity or sexually explicit material on Court premises; and
20. Using, removing or disclosing confidential information of any nature without prior written authorization from the Court.

The above rules are not intended to be all inclusive of the proper standards of conduct or other obligations of employees. The Court reserves the right to take disciplinary action for other offenses not specifically listed here.

Disciplinary action may include a verbal warning, written warning, suspension without pay and termination. The appropriate disciplinary action imposed will be determined by the Court. The Court does not guarantee that one form of action will necessarily precede another. This listing of Rules of Conduct and any discipline taken (under these rules or otherwise) does not modify the at-will status explained in the "About Your Handbook" and "Termination-Leaving Employment" sections of this Handbook.

### **Termination - Leaving Employment**

All employees are requested to submit, in writing, notice of intent to leave employment at least 2 weeks prior to the actual date of resignation. Just as any employee may resign at any time, for any reason or for no reason at all, with or without cause, the Court reserves the right to release an employee at any time, for any reason or for no reason at all, with or without cause. The Chief Judge of the Court is the only person who has the authority to make an exception to this policy, and it must be in writing, directed to you personally, and signed by him or her. This policy applies to all of our employees, irrespective of their length of service, and will continue to apply to your employment as long as you work for 51<sup>st</sup> District Court.

All benefits are only effective through your last day of employment, unless you elect COBRA coverage.

## **Employee Handbook Acknowledgment Form**

I, \_\_\_\_\_ hereby acknowledge that I have received a copy of the Employee Handbook for the 51<sup>st</sup> District Court dated December, 2018.

I agree to comply with the policies and procedures of the 51<sup>st</sup> District Court as set forth in the Employee Handbook. I also acknowledge that these policies and procedures may be changed, interpreted, withdrawn, or added to by the Court at any time at the Court's option and without prior notice to me.

I understand that my employment with the 51<sup>st</sup> District Court is not for any fixed period to time. I may resign at any time for any reason, and the Court may terminate my employment for any reason or no reason as long as it is not in violation of the law.

Employee's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Supervisor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**51<sup>st</sup> DISTRICT COURT  
NON-EXEMPT EMPLOYEES COMPENSATORY TIME-OFF  
FOR HOURS WORKED OVER 40 IN A WORKWEEK**

In accordance with the Fair Labor Standards Act, the 51<sup>st</sup> District Court has a policy of giving employees the option of either getting paid overtime pay for hours worked in excess of 40 hours per workweek, or getting compensatory time off in lieu of compensation for hours worked in excess of 40 hours per workweek. I understand that when I elect to receive comp time in lieu of overtime for hours worked beyond 40 hours in a workweek, I will receive comp time at a rate of time and one-half for all hours worked in excess of 40 hours per work-week. I further understand that the compensatory time may be limited, preserved, used or cashed out consistent with the provisions of this policy, and the FLSA and its applicable regulations. In particular, the following will apply:

- Time off will be provided at a rate of one and one-half hour times the amount of time worked beyond 40 hours in a workweek.
- Employees will be permitted to use their comp time within a reasonable amount of time after making their request. However, employees are asked to provide advance notice of at least 2 weeks to the extent possible. When not possible, employees are expected to make their request as soon as practicable. While the court will attempt to honor your reasonable requests, sometimes requests may be denied if they unduly interrupt the Court's operations (e.g., if other employees from the same department are on leave, on short notice, etc.).
- Employees are asked to limit their accumulation of comp time to no more than 40 hours. Employees who reach their maximum will be informed that they have reached their maximum, and asked to take steps to reduce their accumulated comp time by a specified date. If the employee does not do so voluntarily, he/she may be required to take the time off at a date and time selected by the Court.
- At termination, employees will be paid for unused comp time at the higher rate of either: 1) average regular rate of pay during the last 3 years, or 2) employee's final regular rate.
- When employees request time off, any time in this leave bank must first be used. Thereafter, if there is no comp time available, then time off under other handbook policies will apply.

I agree to the provisions of the time as compensation for overtime work as a condition of my employment, or continued employment, with the 51<sup>st</sup> District Court and consent to the use of compensatory time in accordance with this policy. I also understand that in the event any portion of this policy is interpreted to conflict with the FLSA or its applicable regulations, that the conflicting portion will be invalid but that the remainder of this policy will continue to apply.

\_\_\_\_\_  
Employee Name

\_\_\_\_\_  
Date

**COMPLAINT FORM FOR REPORTING  
DISCRIMINATION, HARASSMENT & RETALIATION**

---

The 51<sup>st</sup> District Court takes all employee complaints, including those of discrimination, harassment and retaliation, as serious matters. Upon notice, we will conduct a prompt and thorough investigation. While we do not require a written complaint, filling out this form would be helpful. If you choose to use this form, please try to fill it out accurately and completely and then turn it in to either the Chief Judge or the Court Administrator. If you need to, feel free to use additional paper. After our investigation, we will notify you of the 51<sup>st</sup> District Court's intended action. If you have any questions or further information as we proceed, please direct them to the above-named individuals. We thank you for your cooperation!

Employee Name: \_\_\_\_\_ Title: \_\_\_\_\_

Department/Facility: \_\_\_\_\_ Supervisor: \_\_\_\_\_

1. Please describe in detail the nature of your complaint and the date(s) of occurrence(s).

---

---

2. Please provide the identity of all known persons who are the subject of your complaint, documents that may help us resolve your complaint, and known witnesses to your concerns.

---

---

3. Are there any other employees you know with a similar complaint? If so, who?

---

---

4. Please describe any possible action or solutions you believe may help resolve your complaint.

---

---

5. Please provide any additional comments or information you wish the court to consider when investigating your complaint.

---

---

Employee Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Supervisor Signature: \_\_\_\_\_ Date: \_\_\_\_\_

*(Use back of page or attach separate sheet if more space is needed.)*

\*Please review the Court's Problem Resolution Procedure, Open Door Policy and Harassment Policies regarding the proper procedures for contacting the above individuals.

<b>51st District Contact Information</b> <i>*As of October, 2018</i>			
<b>Court Address:</b> 5100 Civic Center Drive, Waterford, MI 48329			
<b>Judges</b>			
Richard D. Kuhn, Jr.	Chief Judge	248.674.4655	<a href="mailto:rkuhn@waterfordmi.gov">rkuhn@waterfordmi.gov</a>
Todd A. Fox	Chief Judge Pro Tempore	248.674.4655	<a href="mailto:tfox@waterfordmi.gov">tfox@waterfordmi.gov</a>
<b>Administration</b>			
Jennifer Thom	Court Administrator	248.618.7598	<a href="mailto:jthom@waterfordmi.gov">jthom@waterfordmi.gov</a>
<b>Court Supervisors</b>			
Shelly Booth	Supervisor	248.618.7665	<a href="mailto:sbooth@waterfordmi.gov">sbooth@waterfordmi.gov</a>
Daniel Mata	Supervisor of Court Security	248.618.7617	<a href="mailto:dmata@waterfordmi.gov">dmata@waterfordmi.gov</a>
Jill Penfound	Clerical Department Chief	248.618.7619	<a href="mailto:jpenfound@waterfordmi.gov">jpenfound@waterfordmi.gov</a>
Angie Reid	Chief Probation Officer	248.618.7621	<a href="mailto:areid@waterfordmi.gov">areid@waterfordmi.gov</a>