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# **Conway Township**

# **Personnel Policy Manual**

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Adopted by the Conway Township Board of Trustees on  
October 30, 2018,  
Last approved October 17, 2023 with immediate effect.



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**Definitions** ..... 1

**Purpose and Scope** ..... 1

    Scope ..... 2

    Employment Contracts and At Will Employment ..... 2

    Roles and Responsibilities in Administration of Manual ..... 2

    Guidelines and Amendments ..... 2

    Township Authority ..... 3

**Types of Township Employees** ..... 3

**Other Township Personnel** ..... 3

**Equal Employment Opportunity** ..... 3

**Immigration Law Compliance** ..... 4

**Bonding** ..... 4

**Vacancies** ..... 4

    Non-Elected Positions ..... 4

    Elected Positions ..... 5

    Application for Employment or Appointment to Public Office ..... 5

**Personnel Records** ..... 5

    Employee Files ..... 5

    Personnel Access to Own Personnel File ..... 5

    Access to Personnel Files by Township ..... 5

    Release of Personnel Records to a Third Party ..... 6

    Freedom of Information Requests for Personnel Records ..... 6

    Social Security Number Policy ..... 6

**Compensation** ..... 6

    Wage Laws ..... 6

Workweek and Overtime ..... 7

**Payroll..... 7**

    Payroll Procedures ..... 7

    Payroll Discrepancies ..... 7

    Employee Required Deductions ..... 7

    Independent Contractors ..... 7

    Compensation Advances ..... 7

    Garnishments and Support Orders..... 7

    Record Keeping ..... 8

**Attendance ..... 8**

    Work Hours ..... 8

    Lunch and Break Periods..... 8

    Absence and Tardiness..... 8

    Paid Leave ..... 8

    Severe Weather ..... 8

**Employee Benefits ..... 8**

    Worker’s Compensation Insurance, Social Security and Unemployment Insurance ..... 8

    Holidays Observed ..... 9

    Jury Duty ..... 9

    Unpaid Time ..... 9

    Military Leave..... 9

**Disability Accommodation for Employees ..... 9**

    Hiring..... 9

    Procedure for Handling Accommodation Requests..... 10

**Request for Disability Leave of Absence..... 10**

**Personal Business During Work Hours ..... 10**

    Personal Mail, Phone Calls, Visitors ..... 10

    Personal Use of Township Equipment..... 11

Pets ..... 11

Personal Property ..... 11

**Drug-free Workplace ..... 11**

**Safety ..... 11**

    Injuries ..... 11

    Security ..... 11

    Smoking ..... 12

    Workplace Violence ..... 12

**Township Confidential Information ..... 12**

**Career Progress with the Township ..... 13**

    Job Descriptions ..... 13

    Employee Performance Evaluations ..... 13

    Maintenance of Skills and Qualifications ..... 13

**Training Scheduling and Reimbursement Policy ..... 14**

    Request to Attend Training ..... 14

    Training Pay ..... 14

    Mileage ..... 14

    Meals ..... 14

    Lodging ..... 14

    Reimbursement for Spouses ..... 15

    Other Reimbursement ..... 15

**Input and Ideas for Improvement ..... 15**

**Food and Beverage ..... 15**

**No Harassment Policy ..... 15**

    Reporting ..... 16

    Investigative Procedure ..... 16

    Right to Appeal ..... 16

**Communication Systems and Computer Files Security ..... 16**

Personal Use..... 17

Freedom of Information Act..... 17

Security ..... 17

Prohibited Communications and Uses..... 17

Guidelines for Using the Internet..... 18

Conway Township Website..... 19

Email System ..... 19

Voice Mail System ..... 20

System Monitoring ..... 20

System Backup and Recovery ..... 20

**Social Media Policy ..... 20**

    Information ..... 20

    Definitions ..... 21

    Legitimate and Potential Township Uses ..... 21

    Township Use ..... 21

    Personal Use ..... 22

    Reporting Violations..... 22

**Political Activity..... 23**

**Collections and Solicitations ..... 23**

**Outside Employment and Activities..... 23**

**Gifts and Gratuities ..... 23**

**Conflicts of Interest ..... 24**

    Examples of Conflicts ..... 24

**Public Statements ..... 24**

**Personnel Conduct and Work Expectations ..... 25**

    Performance of Duties..... 25

    Personnel Expectations ..... 25

    Unacceptable Behaviors ..... 25

**Conflict Resolution ..... 26**

    Personnel Communications ..... 26

    Disciplinary Action for Personnel ..... 26

    Discharge ..... 27

**Termination of Employment..... 27**

    Resignation..... 27

    Discharge ..... 27

    Final Compensation ..... 27

**Other Important Provisions ..... 27**

    Severability ..... 27

    Claims Limitations ..... 27

    Conflict with other Governing Documents ..... 27

**Acknowledgment..... 29**

**Appendix—FORMS ..... A**

    Request to Inspect Personnel File.....A

    Personnel Request to Inspect Own File .....A

    Training Request and Reimbursement Form .....A

    Direct Deposit or Payroll Debit Card Election .....A

    Volunteer Activity Waiver.....A

## Definitions

The words and phrases contained in this Manual have the following meanings:

Board or Township Board: Shall refer to the Conway Township Board of Trustees. Members of the Board of Trustees are elected by residents of the Township.

Conway Township or Township: Conway Township is a general law Township pursuant to the Revised Statutes of 1846, as amended, MCL 41.1a et seq. and located in Livingston County, Michigan.

Employee: An individual hired by the Conway Township Board, and on the payroll of Conway Township as an employee, for a specific position.

Immediate Supervisor: The person or position having direct responsibility for the oversight of a specific job or jobs held by other persons.

Independent Contractor: A natural person or business that provides services to the Township under terms set by contract. No term in this Manual shall be read to create an employment relationship between the Township and an Independent Contractor. Notwithstanding any term herein to the contrary, the Township shall not prevent or seek to prevent an Independent Contractor from providing services to third parties or to control or direct the manner of performing the services provided by the Independent Contractor, except as set forth in the services contract between the Independent Contractor and the Township. The conduct of work performed by Independent Contractors in the service of the Township shall be governed, except where explicitly excluded, by the policies set forth herein applicable to Township personnel. Independent Contractors may be required to sign an acknowledgement to this effect prior to commencing work on behalf of the Township.

Job Description: A written listing containing a position's duties and responsibilities, work schedule, designated Immediate Supervisor and job classification.

Personnel: Includes all individuals acting in any capacity on behalf of the Township, including employees, certain independent contractors, elected and appointed officials of the Township, officers, Planning Commission and ZBA members, committee staff, and volunteers.

Township Attorney: Michigan-licensed attorney providing legal services to the Township on a contract basis.

Township Office: The Conway Township office is located at 8015 N. Fowlerville Road, Fowlerville, MI 48836 or other location as determined by the Conway Township Board.

Township Officer: The Township Supervisor, Township Clerk, and Township Treasurer.

Vendor: Third-parties (individuals or companies) selling certain specified goods or services to the Township. The sale of vendor's product to the Township may or may not be pursuant to a written contract.

Volunteer: Persons who are engaged in volunteer activities for the Township and are not compensated by the Township for their work (except for no more than a de minimus payment for expenses actually incurred) and are not considered an employee of the Township. Any Township employee who wishes to also volunteer for the Township may only do so provided the volunteer work to be performed is not the same or similar type of work the employee normally performs for the Township.

## Purpose and Scope

The Conway Township Personnel Policy Manual was adopted by the Conway Township Board of Trustees on October 30, 2018, and shall become effective immediately. This Manual contains the personnel policies and

procedures of the Township, and replaces and rescinds all prior manuals, policies, and resolutions of the Township Board which are inconsistent with this Manual. This Manual is written with the intent of complying with federal, state and local law; these legal requirements will take precedence when inconsistent with this Manual. This Manual is designed to give personnel of the Township information about Township policies and to communicate what is expected of Township personnel, including anyone who performs work on behalf of or at the request of the Township or anyone representing the Township in an official capacity. This Manual also provides information about what Township personnel can expect from the Township.

### *Scope*

Not all of the policies and procedures set forth in this Manual apply to all categories of individuals who are Township personnel, as defined herein. Accordingly, applicability of a particular provision is determined by the contents of the provision itself. These policies and procedures apply to all full-time, part-time, and temporary employees of Conway Township whether exempt or non-exempt, except where specifically noted or where a contractual agreement exists, as well as to all independent contractors, elected or appointed officials, and volunteers to the extent permitted by law. Notwithstanding the foregoing, any hiring, termination, withholding, benefit, or other employment-specific policies and procedures contained herein *do not* apply to independent contractors, elected officials or appointed officials, and volunteers who are not considered to be employed by the Township.

All personnel will receive a copy of this Manual and any updates or additions upon adoption. The Township requests that recipients keep the contents of the Manual private and return their copies upon termination of their duties with the Township. Review of this Manual by non-employees (i.e. applicants, the public) will be subject to Freedom of Information Act requirements.

### *Employment Contracts and At Will Employment*

Each employee of the Township serves at the Township's pleasure and is considered at will. Either the Township or the employee may terminate the employment relationship at any time without notice and without cause. **This basic condition of employment is not, and may not be, modified by any verbal assurances or other policies, procedures or practices of the Township.** Nothing in the Manual is meant to create an employment contract nor does this Manual promise employment for any specific length of time. However, where provisions of this Manual differ from the provisions of an existing valid contract or collective bargaining agreement between Conway Township and an employee of the Township, the provisions of the contract or agreement will prevail.

### *Roles and Responsibilities in Administration of Manual*

The Township Board reserves all authority to hire, supervise, provide direction, discipline, and terminate employees as collectively determined by the Board, except as otherwise provided by statute. The Board of Trustees has authority to enforce all policies contained in this Manual subject to applicable laws, to add new policies, and to change, interpret and/or cancel existing policies at any time. When new policies are adopted or policies are changed, all affected personnel will be notified.

The Township Clerk shall have custody of and shall be responsible for maintaining all records of the Township related to this Manual, unless otherwise specified and shall be responsible for any other matters as set forth herein. Additional responsibilities with regard to administration of this Manual or the policies contained herein shall be determined by the Township Board from time to time.

### *Guidelines and Amendments*

The policies and procedures contained within this Manual are guidelines. They are not to be construed as a contract existing between any individual, including any employee, and Conway Township. No personnel policy manual can anticipate every circumstance or question, and there may be situations where the need arises for the Township to revise, add or cancel policies. Therefore, the Township reserves the right to add new policies, and to change, interpret, or cancel existing policies at any time. Notice of any change may be communicated to Township personnel



digitally, via email or otherwise as determined appropriate by the Township. The only exception is that the Township's employment-at-will policy may not be changed or cancelled. The employment-at-will policy permits an employee or Conway Township to end the employment relationship at any time and for any reason.

### *Township Authority*

The Township has and will continue to retain, whether exercised or not, the sole right to operate and manage its affairs in all respects and retains all its powers and authority pursuant the Michigan Constitution, the Revised Statutes of 1846, MCL 41.1 et seq., as amended, and the laws of the State of Michigan.

## **Types of Township Employees**

All Conway Township employees are considered "at will" employees and are identified by one of the following categories:

*Full-Time Employee:* An employee who is normally scheduled to work, and normally does work, at least thirty (30) or more hours per week. They are eligible for benefits offered by the Township for full time employees.

*Part-Time Employee:* An employee who is normally scheduled to work, and normally does work, **less than** thirty (30) hours per week. A part time employee receives all legally mandated benefits (social security and worker's compensation insurance) but is not eligible for other Township benefits.

*Temporary Employee:* An employee hired for a period of set duration or one who is called upon to work sporadically depending upon Township workload needs. Temporary employees are used as interim replacements, to temporarily supplement the work force, or to assist in the completion of specific projects. Assignments in this category are of a limited duration. Temporary employees receive all legally mandated benefits (social security and worker's compensation insurance) but are ineligible for other Township benefits, except where otherwise required by law.

In addition, every employee is either EXEMPT or NONEXEMPT from federal and state wage and hour laws.

*Exempt Employee:* A Township employee who, because of his/her duties, responsibilities, and salary, is exempt from the overtime provisions as provided by applicable law. Typically these are executive, administrative, professional, and sales positions.

*Nonexempt Employee:* A Township employee who, because of his/her duties, responsibilities, and salary, is not exempt from the overtime provision of the Michigan Minimum Wage Law and/or the Fair Labor Standards Act. A nonexempt employee receives the minimum overtime compensation as provided by State and/or Federal statute, to the extent the statutes are applicable. Typically these are non-supervisory positions and are entitled to overtime pay for hours worked over 40 hours a week, or as specified by state law.

The Conway Township Board of Trustees are responsible for determining which positions are exempt and non-exempt based on legal criteria.

## **Other Township Personnel**

All volunteers for Conway Township shall provide to the Township Clerk a completed Volunteer Activity Waiver. See Appendix.

## **Equal Employment Opportunity**

Conway Township is an equal opportunity employer whose policy is to undertake all personnel actions without unlawful discrimination on the basis of race, color, religion, sex, sexual orientation, age, disability, national origin, height, weight, marital status and all other categories protected by federal, state and local anti-discrimination law. Conway Township

will maintain a system of uniform personnel policies and procedures to assure that only lawful employment-related criteria is considered in all personnel decisions such as hiring, promotion, recruitment, training, development, transfer, promotion, work environment, job status, compensation, employee benefits and termination.

Conway Township conducts its business in compliance with both the intent and letter of federal, state and local laws to provide a work environment which is free from all forms of discrimination. The Township's internal policies and procedures involving employment practices forbid any type of discrimination against all protected groups and individuals and have been designed to promote equal employment opportunity for all.

Conway Township is committed to providing a work environment free of discrimination, however, a discrimination-free environment can only be maintained if personnel notify appropriate Township officers when they encounter situations that they believe to be discriminatory. Accordingly, personnel are encouraged to immediately and confidentially report such situations, even if they have discussed the situation with the individual(s) engaged in the behavior perceived to be discriminatory, to the Township Supervisor or directly to a member of the Township Board of Trustees. Individuals receiving a discrimination complaint, or hearing a rumor of discrimination must immediately and confidentially report such information to the Township Supervisor or, if not appropriate, a member of the Township Board of Trustees.

Board members who receive complaints of discrimination are obligated to consult with the Township Attorney to determine steps necessary to resolve the complaint. All complaints of discrimination will be treated seriously and investigated promptly. Township personnel reporting acts of suspected discrimination are protected by law from discrimination or retaliation. Township personnel who discriminate or retaliate against an individual who has complained of discrimination are subject to disciplinary action, up to and including termination of employment and/or relief from their duties on behalf of the Township. Discrimination by personnel performing services for the Township on a contract basis shall constitute breach of said contract and shall permit the Township to unilaterally terminate the contract without penalty.

If it is determined that this policy has been violated, disciplinary action will be taken up to and including immediate termination. The action to be taken will be determined based on the circumstances of each situation. If it is determined that this policy has not been violated or that there is not sufficient evidence to conclude that this policy has been violated, this outcome will be communicated to the complainant, as well as the affected personnel as appropriate along with the reason for this determination.

## **Immigration Law Compliance**

Conway Township is committed to employing only United States citizens and aliens who are legally authorized to work in the United States. Conway Township does not unlawfully discriminate on the basis of citizenship or national origin. Federal regulations require that all applicants complete and sign a federal form I-9, Employment Verification Form and that all hired employees present documents of identity and eligibility to work in the United States. Conway Township reserves the right to request additional documentation from all personnel as necessary to ensure Township compliance with state and federal law.

## **Bonding**

Conway Township may require personnel to be bonded. In such circumstances, it is that person's responsibility to assure that he or she is bondable. Conway Township will pay the cost of bonding. If the personnel cannot meet the qualifications, he or she will be subject to transfer to another position, if available, or termination.

## **Vacancies**

### *Non-Elected Positions*

Descriptions of any vacant or open position or job that is to be filled shall be posted at the Conway Township Hall, included on the Conway Township website, and any other venue the Clerk's office deems appropriate, if any.

Candidates to be considered for any vacancy shall be asked to submit a letter of interest, resume, and, if applicable, an application form as directed by the posting. All information submitted by interested candidates shall be presented to the Township Board for consideration in advance of the final decision. Candidates may be evaluated based upon their education and experience, personal interviews and other criteria as determined by the Township Board. Exceptions to the above provisions may be made if approved by a majority of the Township Board for good cause. Candidates should be disqualified if the candidate has made a false statement or engaged in deception in the application process.

### *Elected Positions*

Vacancies related to any elected position shall be referred to the Township Attorney for further direction.

### *Application for Employment or Appointment to Public Office*

An applicant for employment or appointment to a public office may request that the application remain confidential. Upon such a request, the Township Board shall conduct the review and consideration of the contents of said applicant's application for appointment to public office in a closed session. Notwithstanding a request for confidentiality, any interviews of applicants for appointment to public office conducted by the Township Board must be held in an open meeting pursuant to the Michigan Open Meetings Act.

## **Personnel Records**

### *Employee Files*

The Township Clerk shall maintain a permanent record of each Township employee. The records shall be kept complete and accurate in compliance with federal and state laws and any applicable general record retention schedules adopted by the State of Michigan.

Each employee file shall contain information necessary for effective administration including by not limited to:

- Employee data, including full name, Social Security number, current address, resume or application
- Performance evaluations
- Commendations or disciplinary actions
- Tax withholding information
- Beneficiary information
- Record of positions held.

Employees shall keep their information up to date. To the extent applicable, similar files shall be kept for all Township personnel. An employee or personnel file shall not include information that is kept separately from other records and that relates to an investigation by the Township regarding criminal activity that may result in loss or damage to the Township's property or disruption of the Township's business operation.

### *Personnel Access to Own Personnel File*

Upon written request on a form designated for that purpose, any personnel may examine the contents of his or her own personnel file under the direct supervision of the Township Clerk or designee. See Appendix. Any personnel may obtain a copy of the information or part of the information contained in their personnel record. The Township may charge a fee for providing a copy of information contained in the personnel record. The fee shall be limited to the actual incremental cost of duplicating the information.

### *Access to Personnel Files by Township*

Board members shall be allowed to view any personnel file when necessary within the scope of their authority and

responsibility upon written request on a form designated for that purpose. See Appendix. Confidential information contained in a personnel file shall be released to others only with written authorization of the particular personnel. The contents of a personnel file shall not be removed from the Township Hall by anyone.

#### *Release of Personnel Records to a Third Party*

Except as required by FOIA, court order, or any applicable law, personnel files shall not be released to a third party except with the express written permission and direction of the particular Township personnel. In any case when release is not by the express written permission of the personnel, the Township Clerk shall consult with the Township Attorney to determine what records to disclose and whether written notice of a release of the personnel records to the person is required by law.

#### *Freedom of Information Requests for Personnel Records*

Copies of documents contained in the personnel files that are requested pursuant to the Freedom of Information Act (FOIA) may be released only after information that is exempt from FOIA disclosure that may be contained on the document is redacted (deleted or edited out). The FOIA Coordinator shall consult with the Township Attorney before responding to a FOIA request involving personnel records.

#### *Social Security Number Policy*

In order to properly secure and protect personnel social security number/identification information, the Township requires all who use or have access to any individual's social security number and personal information maintain the highest degree of confidentiality. Personnel, other than those so designated, are prohibited from accessing, viewing or using social security or other personal information maintained by the Township. Only authorized personnel may access records and documents, both internal and external, which contain social security number and identification information. In addition, not more than four sequential digits of a social security number will be publicly displayed, used as an account number, password or identifier or included in any document sent by Conway Township, except as authorized by law.

Any documents containing social security numbers are to be shredded when disposed. The Township shall ensure that any Social Security numbers in electronic storage are rendered irretrievable before any equipment is discarded. Any personnel that accesses social security data without authorization or for illegal purposes shall be disciplined up to and including discharge. If illegal intent is determined, the person shall be referred to authorities for possible criminal prosecution.

## **Compensation**

Conway Township seeks to reasonably compensate its personnel for services which they provide. From time to time, the Township will study wages, salaries, and benefits paid by other persons in comparable positions and for comparable services, with the goal being to keep the wages, salaries, and benefits paid by the Township commensurate with those paid by other nearby and similar sized townships. This, however, does not guarantee that the compensation paid by the Township will always equal or exceed those available elsewhere. Each personnel shall be entitled to an annual salary or hourly wage (established by internal and external market factors, personnel's experience, qualifications and job duty performance) approved by the Township Board of Trustees, in its sole discretion, and as appropriated in the Township budget. Personnel's compensation may be reviewed annually for appropriate adjustments. Any change in compensation will be effective commencing with the first pay period following approval by the Township Board of Trustees, or any other time deemed appropriate by the Township Board.

#### *Wage Laws*

The Michigan Minimum Wage Law sets minimum wage and overtime compensation for all Township employees, except those who hold positions which are exempt from the overtime provisions of the law. The Township also complies with any other applicable federal or state law relating to wages.

### *Workweek and Overtime*

The workweek for the purpose of calculating overtime is the 7 calendar day period beginning at 12:00 a.m. Sunday. If overtime work is necessary, the employee must have prior authorization from their Immediate Supervisor. Employees will be paid one and one-half times their regular hourly rate of pay for all hours actually worked in excess of 40 hours per week or as required by Michigan state law. Sick leave, vacation, holidays, and personal leave of absence, if then offered to Township employees, will not be considered hours worked for purposes of calculating overtime pay. Nonexempt employees cannot be offered time off in lieu of overtime pay.

## **Payroll**

### *Payroll Procedures*

Conway Township requires all personnel to select either direct deposit or payroll debit card as a means to receive compensation on forms designated for that purpose. See Appendix. Any and all forms necessary to confirm this election must be completed and turned into the Township Clerk before any personnel may begin work. The Township does not provide paper checks to any personnel. Personnel are paid monthly on a date designated by the Township Board, unless there exists a written contract between the person and the Township which provides for a different payment schedule.

### *Payroll Discrepancies*

Any error or discrepancy on a pay check should be reported to the Township Clerk immediately, but in any event not later than 3 days after receipt of the deposit. If any payroll deposit is not received, it is personnel's responsibility to notify the Township Clerk as soon as possible.

### *Employee Required Deductions*

Conway Township is required by law to make certain deductions from employee paychecks each time one is prepared. Among these are federal, state, and local income taxes and employee contribution to Social Security, as required by law. The amount of the deductions may depend on employee earnings and on the information furnished on the W-4 form regarding the number of dependents/exemptions claimed. Any change in name, address, telephone number, marital status or number of exemptions must be reported to the Township Clerk immediately, to ensure proper credit for tax purposes. The W-2 form, provided annually to each employee, indicates precisely how much of an employee's earnings were deducted for these purposes.

### *Independent Contractors*

Compensation paid to independent contractors shall not be subject to customary withholding of income taxes and other employment taxes. Independent contractors shall be solely responsible for reporting and paying any taxes.

### *Compensation Advances*

The Township will not advance compensation due to any personnel against compensation unearned or currently being earned.

### *Garnishments and Support Orders*

Garnishment of compensation pursuant to court order may occur if any personnel fails to meet a financial obligation. The Township will comply with any lawful court order to deduct a certain portion of compensation from an employee's paycheck and to otherwise withhold and pay out as required by law for independent contractors. Notice of garnishment will be placed in personnel's payroll records and personnel will be informed.

### *Record Keeping*

The Township follows applicable standards of the Fair Labor Standards Act (“FLSA”) and 29 CFR 516 regarding the keeping of payroll records. Hourly employees are required to submit a monthly time sheet. All time worked must be approved and by the Immediate Supervisor. For personnel paid by the meeting, the Township requires evidence the person was present and participated at meeting in the form of a sign-in meeting sheet. Other form of record keeping may be by written directive by the Township.

## **Attendance**

### *Work Hours*

Personnel may have a schedule different from the hours the office is open but will be scheduled according to their job description and work assignments. Hours worked by independent contractors will be as set forth in their individual contractual agreement with the Township or as otherwise arranged.

### *Lunch and Break Periods*

Personnel lunch and break period, if any, shall be as determined by their Immediate Supervisor. No pay or accumulation of time for missed breaks is allowed.

### *Absence and Tardiness*

All personnel are expected to be reliable and conscientious about consistently reporting for work and meetings on time. Absenteeism and tardiness puts a burden on fellow Township personnel and on the proper functioning of Conway Township. If a person is unable to work or attend a meeting as scheduled, personnel should notify their Immediate Supervisor or chairperson of the committee prior to their scheduled arrival time or as soon thereafter as possible. Poor attendance and excessive tardiness are disruptive and may lead to disciplinary action, up to and including termination.

### *Paid Leave*

Conway Township does not currently offer paid leave time of any kind to any employee or other personnel.

### *Severe Weather*

If personnel must report to work late due to adverse weather conditions and/or traffic problems (due to severe weather) they must notify their Immediate Supervisor or appropriate Township personnel, that person will not be penalized for time missed and it will not be considered as “unacceptable attendance.” Personnel are responsible for notifying their Immediate Supervisor or another Township officer of an estimated time of arrival if possible. If the Township Office is open and personnel is unable to report to work, or decides not to report to work, that person must take unpaid time. Personnel are expected to notify their Immediate Supervisor or another Township officer prior to their work start time or as soon as possible if they are unable to report to work.

## **Employee Benefits**

### *Worker’s Compensation Insurance, Social Security and Unemployment Insurance*

The Township complies with all legal requirements for offering employee benefits when required by law. All employees are covered by worker’s compensation insurance for disability or death as a result of accidental injuries or occupational disease suffered in the course of employment. All injuries, even minor ones, must be immediately reported to the Township Clerk. Other programs, such as Social Security and Unemployment Insurance cover all employees and are paid for jointly by the Township and employees as required by law.

### *Holidays Observed*

The following are Holidays observed by Conway Township by closure of the Township Office, if otherwise scheduled to be open:

- New Year's Day
- Martin Luther King Day
- President's Day
- Good Friday
- Memorial Day
- Independence Day
- Labor Day
- Veterans Day
- Thanksgiving Day
- Day After Thanksgiving
- Christmas Eve
- Christmas Day

The Township Clerk will determine the calendar for observed holidays each year and submit the calendar to the Township Board for approval each December prior to the new calendar year.

### *Jury Duty*

Employees summoned for jury duty shall be given the necessary time off from work. The Township shall reimburse the employee for the difference between the wages the employee would have earned but for the jury duty and the jury duty stipend. If any Township employee is released from jury duty before the end of the employee's work shift on that day, the employee must report directly to work for the balance of the regularly scheduled hours, provided that the employee's combined hours of jury duty and work do not exceed the number of hours normally worked during a day.

### *Unpaid Time*

Employees may request approved unpaid time off at the discretion of the Immediate Supervisor.

### *Military Leave*

Conway Township supports employees who are also active or reserve members of the armed forces and will allow time away from work in order to fulfill duty requirements. The Township will grant and administer this leave in compliance with state and federal guidelines. Employees in need of Military Leave must apply for this leave in writing and with as much notice as possible prior to the need for leave.

## **Disability Accommodation for Employees**

Conway Township is committed to complying fully with the Americans with Disabilities Act (ADA) and other applicable laws, including the Persons with Disabilities Civil Rights Act (PDCRA), and ensuring equal opportunity in employment for qualified persons with disabilities. All employment practices and activities are conducted on a non-discriminatory basis. Under the law, a disability is defined as (1) having a physical or mental impairment that substantially limits one or more major life activity, (2) having a record of such an impairment, or (3) being regarded as having such an impairment. Specific definitions under the ADA and Michigan law are available from the Township Supervisor upon consulting with the Township Attorney.

### *Hiring*

The Township's hiring procedures provide persons with disabilities meaningful employment opportunities. When requested, the Township will make job applications available in alternative, accessible formats, and provide assistance

in completing the application. Pre-employment inquiries are made only regarding an applicant's ability to perform the duties of the position. Reasonable accommodation is available to all disabled employees, where their disability affects the performance of essential job functions. The Township makes all employment decisions based on the merits of the situation in accordance with defined criteria, not the disability of the individual. Qualified individuals with disabilities are entitled to equal pay and other forms of compensation (or changes in compensation) as well as job assignments, classifications, organizational structures, position descriptions, lines of progression, and seniority lists. The Township makes leaves of all types available to all employees on an equal basis. The Township is also committed to not discriminating against any qualified employee or applicant because the person is related to or associated with a person with a disability. The Township will follow any state or local law that provides individuals with disabilities greater protection than the ADA.

This policy is neither exhaustive nor exclusive. Conway Township is committed to taking all other actions necessary to ensure equal employment opportunity for persons with disabilities in accordance with the ADA and all other applicable federal, state, and local laws. In accordance with Michigan law, employees are required to notify Conway Township in writing of their need for accommodation as soon as possible, but not more than 182 days after the employee knew or should have known the accommodation was needed.

#### *Procedure for Handling Accommodation Requests*

To initiate a request for accommodation, employees shall request accommodation and/or the Immediate Supervisor shall advise, where appropriate, of the Township's accommodation policy and assist the employee in requesting accommodation in writing. Upon receipt of a written request for an accommodation, the Township Supervisor, upon consultation with the Township Attorney, shall make a determination and a response shall be provided to the requesting person within a reasonable time of the date of the request. Upon receipt of the determination, the employee may accept or reject the determination. If the employee chose to reject the Township's determination, that person may request the Township Supervisor refer the request to the Board of Trustees for further consideration. If job applicant expresses a need for accommodation, the applicant must be referred to the Township Supervisor.

### **Request for Disability Leave of Absence**

In its discretion, Conway Township may grant an unpaid leave of absence for illness, disability, or pregnancy. To request disability leave, the employee should submit, or have someone submit on their behalf, a statement of ill health or disability from his or her doctor. Pregnancy is treated, for the purposes of this policy, the same as an illness or disability. An approved disability leave may be granted for up to ninety (90) days at the discretion of the Township Board. Employees may request extensions as necessary in thirty (30) day increments for a maximum of one (1) year. Whenever possible, employees are required to give as much notice as possible of their pending request for a disability leave of absence.

Employees who develop an illness or physical condition, which requires medical treatment or restrictions and precautions as to their health, will be required to submit a physician's statement. This statement must give approval that continued employment in their present position, including hours worked, would not jeopardize their health or the safety of others, in the event they continue to work. A similar statement is required upon return from a disability leave.

Should an employee's attendance or job performance suffer during the period preceding and/or following a granted disability leave, the Township will accommodate them to the extent provided by law. The Township is under no obligation to reduce or alter such employee's workload, or to assign fewer than the usual hours of work.

### **Personal Business During Work Hours**

#### *Personal Mail, Phone Calls, Visitors*

Personnel may send personal letters through the Township's mail facilities; however, personnel may not use Township letterhead stationery, envelopes, or postage for personal business. Personnel are permitted to make



personal local calls during working or “on-duty” hours but are expected to keep them infrequent and brief and not allow them to interfere with the conduct of job duties or Township business. This applies to use of Township phones or personal cell phones and email. Personnel are asked to keep personal visitors to Township work sites to a minimum, both on the basis of frequency and duration.

#### *Personal Use of Township Equipment*

The personal use of the Township premises, equipment, machines, tools, supplies, postage, or labor is strictly prohibited with the exception that personnel may make personal photo copies at the same rate charged to the public and must reimburse the Township according to the fee schedule in effect.

#### *Pets*

No employees or other personnel shall maintain any animal on Township premises unless the animal is a trained service animal for persons with a disability under the ADA or an accommodation necessary for the performance of job responsibilities in accordance with the prior section.

#### *Personal Property*

Personnel are encouraged not to keep money or other valuables on Township premises, such as at desks or workstations. The Township shall not be held responsible for the loss of personnel money, valuables or personal property.

### **Drug-free Workplace**

All personnel must refrain from performing work, duties, or services on behalf of the Township with the presence of drugs or alcohol in their systems. Personnel are subject to disciplinary action, up to and including immediate discharge, for using drugs or drinking alcoholic beverages, or for the distribution, dispensation, possession or sale of drugs or alcohol, while performing Township business or representing the Township. Although violations of this policy will ordinarily result in discharge, the Township reserves the right to consider extenuating circumstances and impose lesser disciplinary action when such action is deemed appropriate and subject to such conditions as the Township may impose. This provision expressly excludes Township sanctioned gatherings.

### **Safety**

The Township strives to provide a healthy and safe place to work for Township personnel. The Township will follow and enforce safety and health regulations established by law. Township personnel are urged to utilize good safety and health practices as dictated by job duties, location, and circumstances. Personnel should immediately report any accidents, unsafe conditions or practices to the Township Clerk.

#### *Injuries*

On the job injuries, even minor ones, must be reported immediately to the Township Clerk by the injured employee. An accident report shall also be completed within twenty-four (24) hours. The Township provides a comprehensive workers' compensation insurance program to employees. This program covers any eligible injury or illness sustained by an employee in the course of his or her work. When the injury is life threatening, immediate medical assistance should be sought. If the injury is non-life threatening it must be reported to the Township Clerk and an accident report filed before medical treatment is sought or the claim may be denied.

#### *Security*

Township personnel who have keys and/or alarm codes to access Township property are expected to use them appropriately, only in the performance of job duties, and protect them from unauthorized access or use. **Lost keys must be reported immediately and the fee for lost key replacement is \$25.** All keys remain the property of the Township, must not be duplicated, and must be returned upon termination of association with the Township.

### *Smoking*

Conway Township maintains a smoke-free environment at the Township Hall, for the safety and comfort of Township personnel and visitors to the Township office and to maintain an appealing professional business environment. Smoking is PROHIBITED by any person in any Township building and outside all Township owned and operated buildings near areas that present a fire or other safety hazard, such as in close proximity to a gas tank or pump, or open hazardous waste materials, and in any other area prohibited by applicable laws. Personnel or Township guests may smoke outside the building in designated areas. The success of this policy depends upon the thoughtfulness, consideration and cooperation of smokers and nonsmokers. All Township personnel share in the responsibility for adhering to and enforcing the policy. In general when conflicts arise the right of a nonsmoker to protect his or her health and comfort will prevail over a personnel member's desire to smoke.

### *Workplace Violence*

The Township expressly prohibits any acts or threats of violence by any Township personnel against any other individual in or about Township facilities or elsewhere at any time. The Township will not condone any acts of violence against personnel, vendors, visitors or Township residents at any time or while they are engaged in business with or on behalf of Conway Township. In keeping with the spirit and intent of this policy, Conway Township will:

- Provide a safe and healthy work environment in accordance with the Safety Policy outlined herein.
- Take prompt and remedial action, up to and including immediate termination, against personnel who engage in any threatening behavior or acts of violence or who uses any obscene, abusive, or threatening language or gestures.
- Take appropriate action when dealing with vendors, visitors, the public or former personnel visiting Conway Township offices who engage in such behavior. Such action may include notifying the police or other law enforcement personnel and prosecuting violators of this policy to the maximum extent of the law.
- Prohibit personnel from bringing firearms or other weapons onto Conway Township's premises except as part of the performance of job duties or with specific authorization.
- Establish viable security measures to ensure that Conway Township's facilities are safe and secure to the maximum extent possible and to properly handle access to facilities by the public, off-duty personnel, and former personnel.

Personnel have a "duty to warn" their Immediate Supervisor or any Township Board member of any suspicious workplace activity, situations, or incidents they observe or are aware of that involves other personnel, former personnel, vendors or visitors that is or would be contrary to this policy. This includes, for example, threats or acts of violence, aggressive behavior, offensive acts, threatening, or offensive comments or remarks. Personnel reports made pursuant to this policy will be held in confidence to the maximum possible extent. Conway Township will not condone any form of retaliation against any personnel member for making a report under this policy.

## **Township Confidential Information**

Unless otherwise provided, personnel shall not release confidential information about the Township, its employees or other personnel, or its activities to the press or to others unless authorized to do so by the Township Board as required by applicable law. Confidential information, including methods or procedures used for handling a specific case, shall not be repeated or discussed with other personnel unless necessary to the conduct of Township business.

Many government records are available to the public under the Freedom of Information Act. Nevertheless, personnel shall protect the confidentiality of all Conway Township records, including personnel, tax, zoning and election information, and information regarding complaints. Any questions about whether information is public or not should be referred to the Township's FOIA Coordinator.

Personnel shall generally refrain from discussion of internal Township business with the public and press, unless

authorized to do so by a person designated by the Township Board to approve certain releases. Personnel shall not release information concerning Township business without supervisory approval or make statements that would be detrimental to the Township or any personnel associated with it. The provisions of this section are not intended to include any matters of public policy or any related discussion, decision, or communications of any officials. Because the Township considers security breaches to be very serious, if personnel improperly use or disclose confidential business information, the disclosing individual will be subject to disciplinary action, up to and including termination of employment and/or duties on behalf of the Township and legal action, even if the individual does not actually benefit from the disclosed information.

Records and other information requested under the Freedom of Information Act (FOIA), shall be released only with proper authorization from the Township's FOIA Coordinator, in the manner required by FOIA.

## **Career Progress with the Township**

### *Job Descriptions*

Job descriptions are maintained by the Township Clerk. Each job description contains a descriptive title, summary of the responsibilities, and required minimum qualifications, as applicable. In preparing a job description several factors will be considered, including but not necessarily limited to the following:

- Input from Board of Trustees
- Consistency with other Township job descriptions
- Legal requirements
- Equal employment opportunity guidelines requiring work related qualifications
- The Americans with Disabilities Act

If any personnel feels their duties have changed during the year, they may request, in writing, to their supervisor that their job be reviewed to determine if a change is necessary. Changes may be approved in the job description if a person's duties have changed significantly and must be approved by the Township Board. The Township reserves the right to change job descriptions as necessary. All personnel will be given a copy of their own job description. Candidates interviewed for job openings may also be given a copy of the job description. Duties listed in the job description are meant to be a general guide and are not all inclusive. Personnel may be asked to perform tasks not specifically listed in the job description.

### *Employee Performance Evaluations*

Periodically, Immediate Supervisors will provide certain personnel with an evaluation of performance. This may be done informally through a casual conversation, or through a formal written performance evaluation. The primary goal of any performance evaluation is to ensure that personnel obtain accurate and timely feedback from their Immediate Supervisor concerning their job performance.

A performance evaluation provides mutually beneficial information and generally includes:

- Recognition of individual accomplishments, strengths and potential
- Assessment of skills and abilities
- Identification of developmental needs/areas of improvement
- Awareness of contribution to the organization
- Communication of goals and objectives
- Counseling for future growth and career planning

### *Maintenance of Skills and Qualifications*

All personnel, including employees, must maintain the level of qualifications and training required for their job. Some

positions may require periodic training, continuing education, or recertification, as a condition of continued Township association or employment. Employees and other personnel may also be required to undergo skills testing similar to that used to evaluate job applicants. These requirements vary from job to job.

## **Training Scheduling and Reimbursement Policy**

### *Request to Attend Training*

It is in the interest of Conway Township that Township personnel attend certain training and continuing education opportunities from time to time, upon approval of the Township. If any Township personnel wishes to attend any class or training course or program that personnel believes relates to the person's function within the Township, will advance Township interests, or improve the person's ability to serve the public, personnel should complete the form designated for this purpose and return to the Township Clerk. See Appendix. If the request is approved, the Township Clerk shall issue payment for the course or program directly to the offering entity and confirm scheduling with said entity and the attending personnel.

Any personnel who fails to attend any training event for which the Township has approved and paid, that personnel shall be responsible for reimbursement to the Township for the cost of the missed training. If the personnel fails to repay the Township for the full amount within thirty (30) days of the last day of class, the cost of the class shall be deducted from the personnel's next paycheck. Alternatively, a personnel may elect to pay the cost of the class, training course, or program themselves and submit documentation of the cost paid to the Township Clerk for reimbursement on a form designated for that purpose. See Appendix. Training pre-paid by any personnel shall still be subject to approval by the Township Board.

Personnel attending any training course, class, or program paid for by the Township shall be required to present a brief synopsis of the class content and any relevant information of benefit to other personnel who did not attend the class.

### *Training Pay*

Hourly personnel will be paid for the travel time to and from a training event, as well as classroom time. Training schedule needs to be submitted with monthly timesheet.

### *Mileage*

Personnel using their personal vehicle for travel to and from an approved training course, class, or program under this policy will be reimbursed at the current IRS established rate of reimbursement for mileage and actual parking fees. Travel must be documented and submitted to the Township Clerk at the end of the pay period in which the expense was incurred. Mileage requests should include documentation of actual miles traveled, including, but not limited to data from MapQuest, Google Maps, or other similar mapping or GPS program. Traffic fines will not be reimbursed by the Township and no personnel will be reimbursed by the Township for travel from their home to the Township Hall.

### *Meals*

The Township will reimburse personnel for actual expenses incurred for meals, not provided by the event, during time spent on an *approved* training program up to \$25 per person, per day for a training program not requiring an overnight stay and up to \$60 per person, per day during training programs requiring the personnel to stay overnight away from their place of residence. Reimbursement is contingent upon timely provision of receipts for amounts spent to the Township Clerk.

### *Lodging*

Personnel will be reimbursed for actual expenses incurred for lodging while attending an *approved* training course,

program, or class, if approval is given in advance by the Township Board. In order to receive reimbursement, personnel must submit a reimbursement request form accompanied by receipts for lodging.

#### *Reimbursement for Spouses*

Conway Township will not reimburse expenses for spouses of personnel who attend conferences or conventions or travel with Township personnel.

#### *Other Reimbursement*

Reimbursement for other personnel work-related expenses will not be paid unless approved, in advance, by the Township Board.

### **Input and Ideas for Improvement**

Conway Township believes that the person who performs a role for the Township is often in the best position to think of ways of doing the job more effectively and more efficiently. Conway Township welcomes ideas or suggestions from personnel. If you have a suggestion or idea for improvement that you would like to share, please discuss it with the Township Clerk.

### **Food and Beverage**

The Township may purchase food and beverage, including but not limited to such items as coffee, water, donuts, snacks, and sandwiches, for the benefit of its employees, commissioners, board members, volunteers, workers, and officials while working an extended period of time or while attending regular meetings, special meetings, or training sessions. The provision of food and beverage is considered a public purpose and promotes the effective and continued participation of said persons in Township governance. Under no circumstances may food and beverage be purchased for any individual or private group purposes. Any funds spent pursuant to this policy shall be authorized in advance by the Township Board provided, however, that the Township Clerk may approve an expenditure not to exceed \$100 per occasion if timing makes it impractical to obtain advance authorization from the Board.

### **No Harassment Policy**

Conway Township believes that all personnel should be treated with respect and dignity. Any actions or words that are considered to be harassment on any basis for which discrimination is prohibited by law is strictly prohibited. Treating people with respect involves refraining from harassment on the basis of race, color, religion, sex, sexual orientation, age, disability, national origin, height, weight, marital status and all other categories protected by federal, state and local anti-discrimination law. Harassment will not be permitted by an employee or other personnel member, Township Board member, vendor, or citizen. The Township is committed to having a workplace free from harassment.

Harassment is defined as any unwelcome advance, request, verbal, or physical conduct that interferes with personnel work performance; or creates an intimidating, hostile, or offensive work environment; or when submission to or rejection of said conduct is made either a direct or indirect condition of obtaining or retaining employment or other position with the Township; or when submission to or rejection of such conduct is used as a factor in decisions affecting personnel employment or other role with the Township.

While it is not easy to define harassment, the following types of conduct are not permitted:

- Unwelcome slurs, jokes, and harassing comments about someone's race, color, creed, religion, sex, national origin, citizenship, age, disability, veteran status or any other protected status.
- Unwelcome graffiti, cartoons, drawings, or other written comments about someone's race, color, creed, religion, sex, national origin, citizenship, age, disability, veteran status or other legally protected status.
- Unwelcome sexual advances, repeated unwelcome requests for dates, and requests of sexual favors.

Unwelcome or offensive touching or other physical conduct directed at an employee because of their race, color, creed, religion, sex, national origin, citizenship, age, disability, veteran status, or any other legally protected status.

- Threatening or requiring an employee to submit to sexual advances in return for an employment are related benefit.
- Retaliation for having reported possible harassment.

### *Reporting*

Any personnel member who believes that the actions or words of a fellow employee or other personnel, Township Board member, official, volunteer, vendor, or citizen constitute harassment should report the incident, either orally or in writing, as soon as possible (but within ten working days of the incident) to the Township Supervisor, or, if inappropriate, directly to a member of the Board of Trustees. Individuals who receive complaints of harassment are obligated to consult with the Township Attorney to determine steps necessary to resolve the complaint.

### *Investigative Procedure*

All reports of possible harassment will be investigated promptly. Every effort will be made to handle all such complaints in a fair, impartial, and speedy manner and to keep the investigation confidential to the extent possible under the circumstances. Personnel reporting violations of this policy will not be punished or retaliated against in any way.

Investigations are conducted by the Township Supervisor, Township Attorney, and other appropriate Board members. The purpose of such an investigation is to determine the facts surrounding the incident and to develop a plan for appropriate disciplinary action if necessary. Investigation of a discrimination complaint may include, but is not limited to, interviewing the complaining party as well as other personnel and/or other persons necessary to obtain sufficient information upon which to make an assessment of the situation. In the course of the investigation, every effort will be made to be sensitive to privacy issues, and relevant information will be discussed with appropriate parties on a need-to-know basis. To allow for this investigation, where appropriate, the subject personnel member may temporarily be placed on administrative leave with or without pay. If it is determined that this policy has been violated, disciplinary action will be taken up to and including immediate termination. The action to be taken will be determined based on the circumstances of each situation. If it is determined that this policy has not been violated or that there is not sufficient evidence to conclude that this policy has been violated, this will be communicated to the individual making the complaint along with the reasons for this determination.

### *Right to Appeal*

The outcome of any investigation and/or resulting action may be appealed to the Board of Trustees. In that event, the affected individual or designee may state his or her position to the Board of Trustees, or a designee may explain the reason for the action to the Board of Trustees, and then the Board of Trustees shall decide to affirm, rescind or modify the action. Also, the affected individual may request that this meeting with the Board of Trustees be in a "closed session" of the Board pursuant to MCL 15.268(a), Section 8(a) of the Michigan Open Meetings Act.

## **Communication Systems and Computer Files Security**

The Township strives to best serve our citizens and provide personnel with the best tools to do their jobs. The Township provides access to the Internet to help personnel do their job and be well informed. This represents a significant investment in the resources for telecommunications, networking, software and storage in order to make available electronic media and services. All of these systems are the property of Conway Township and are provided to personnel (Users) as a business tool meant to be used primarily for Township business and business-related purposes. When using these systems, Users are expected to conduct themselves honestly and appropriately, respect all copyrights, software licensing rules, property rights, privacy and prerogatives of others. This policy applies to all Users of the Conway Township electronic communication systems.

All computer data and information (of either a business or personal nature) located on all Conway Township computers (including PCs and laptops) remain the property of Conway Township. This information is considered proprietary information and should be treated as such and protected from unauthorized access. All information of a personal nature contained on Conway Township computers is subject to access by Township Officials or other designees. Likewise the telephone system and all voice mail systems (of either a business or personal nature) are the property of Conway Township and accessible by Township Officials or their designees. In that capacity the Township has the capability and reserves the right, with or without notice, to access, monitor, review, copy and/or delete any computer files, including email sent or received, voice mail messages, and all web site communications, access, and/or transactions.

### *Personal Use*

It is understood and acceptable that Users access the electronic communications systems for personal reasons on a limited, occasional, or incidental basis and which should be kept to a minimum and preferably during meal-time, break-time or outside work hours. However, this must be done responsibly, cautiously (in order not to create or transmit information of a private nature) and in a manner that does not negatively affect the systems' use for business purposes and in compliance with the policies outlined herein.

### *Freedom of Information Act*

Any electronic communications generated by Township resources are subject to the Freedom of Information Act and may be subject to public access.

### *Security*

Access to the Township's electronic communications systems and the level of access to the various tools incorporated in these systems is determined by the Township Board based on business need, among other things. Access is limited to authorized users and protected by passwords given to each authorized individual. Passwords are meant to be kept confidential and are not to be used for unauthorized access to the Township systems. The Township Clerk shall maintain a master list of all usernames and passwords, and all personnel shall keep their username and password information up to date. Users are prohibited (unless given express permission by the account owner or Township Board) from:

- Monitoring or intercepting the files, messages or electronic communications of other personnel or third parties;
- Hacking or obtaining access to systems or accounts for which authority has not been given
- Using other individuals' usernames or passwords
- Breaching, testing, or monitoring computer or network security measures or attempting to disable or defeat the system firewall
- Sending messages which attempt to hide the identity of the sender or represent the sender as someone else
- Propagating any virus, worm, Trojan horse, trap-door or destructive program code

Caution is necessary when creating or transmitting Township information. Information should not be transmitted to individuals who are not authorized to receive it. When transmitting messages via email, Users should consider that email messages can be read by persons other than the addressee and that the message may be later disclosed to outside parties or a court in connection with litigation. Users are required to maintain the highest standards of courtesy and professionalism when transmitting email.

### *Prohibited Communications and Uses*

Electronic media cannot be used for knowingly transmitting, retrieving, or storing any communication that is:

- Discriminatory or harassing
- Derogatory to any individual or group

- Obscene, sexually explicit or pornographic
- Defamatory or threatening
- In violation of any license governing the use of software
- Engaged in for any purpose that is illegal or contrary to Conway Township's policy or business interests
- Political in nature
- Cost incurring without prior authorization from the Immediate Supervisor;
- Chain letters through email
- Private, commercial activities for profit-making purposes

In order to maintain the integrity of the Township's systems, all personnel must refrain from the following:

- Soliciting funds for any candidate, millage ballot proposal, political party or political affiliate
- Distributing or sending campaign materials or anything which a reasonable person would interpret as such
- Distributing or sending appeals to vote for or against any candidate, millage or ballot proposal

Township systems may be used for information gathering, contacts with constituents relating to Township business, contacts with employees, department heads or other elected officials, contact with Township affiliated organizations and links to political sites. **None of the above restrictions on the use of Township electronic media are intended to restrict the free speech rights of any Township personnel.**

At no time should email, use of the Conway Township network connection to the Internet, and/or other computer programs be used to endorse, promote or advertise commercial ventures, religious or political causes, or otherwise be used for personal financial endeavors. These systems are in place to enhance Conway Township personnel's business communications, and should be used accordingly.

#### *Guidelines for Using the Internet*

The following guidelines should be followed regarding use of Internet access:

- Do not access sites which offer questionable, or sexually explicit viewing material. Access to all Internet links can be traced.
- Do not download large non-work related files during normal business hours or without prior authorization. Large file downloads could saturate Township communication lines and interrupt normal business processes which use these communications lines.
- Do not engage in "chat rooms" which offer questionable topics. Links to chat rooms can also be traced for verification.
- Do not download and/or install, applications from the Internet without first discussing the application with the Township's designated IT professional. This is an easy way for viruses to enter the network.
- Do not upload software or data owned by the Township without express permission.
- Do not place Township material or data on any mailing list, public news group or any such service without the express permission of the Township Clerk.
- Do not download entertainment software or games; or play games residing on a computer or against opponents over the Internet. Images and videos should not be downloaded without an express business purpose.
- Personnel may use the Internet to look up company and individual addresses in the Internet White Pages or the Internet Yellow Pages.
- Personnel may use the Internet to search for topics that would assist them in performing their job duties, preparing research material, or to support the business functions of Conway Township.
- Personnel shall always identify themselves honestly, accurately, and completely when setting up user accounts.
- Personnel shall follow all copyright and licensing legal requirements and refrain from making or using unauthorized copies of software programs, intellectual property or downloadable information.



If any violation of these guidelines occurs through no fault of Township personnel's own (e.g. an individual is placed on a spam email list or is targeted for inappropriate advertising pop-ups), the Township Clerk should be contacted immediately to correct the situation without negative consequences. Hesitation or delay in reporting the problem may be viewed as condoning the infraction and may lead to disciplinary action.

### *Conway Township Website*

The Township Board has the sole authority to determine the content of the Conway Township official website and designate authorized individuals to publish, update, add, delete, or link information on or to this website. Only designated personnel may publish information to the official website or other Internet location regarding the Township. Generally the website will contain the following types of information:

- Meeting times, agendas, and minutes
- Public notices, hall rental information, general contact information
- Ordinances, policies, forms
- Informational materials such as the Township newsletter, brochures, news releases, calendar of events
- Other Township information determined useful for public disclosure.

The Township will not publish personal information, such as, but not limited to, political preference or support, personal opinions on any topic, confidential information or information that has not been reviewed and approved by the Township Board. The Township does not endorse any particular viewpoint that appears on any web page that is linked to the Township website.

Links to or from the Township website will be considered, such as:

- Other governmental and educational institutions in the State of Michigan
- Non-profit or public organizations that have some relationship to the Township or legitimate Township business
- Generally recognized community councils and organizations
- Arts, cultural, sports, major festivals and similar organizations of general interest to the citizens of Conway Township.

Generally not considered will be links to:

- Candidate sites or sites advocating a position on Township or other ballot issues
- Corporate commercial sites
- Individual personal home pages
- Web pages that contain obscene, scurrilous, or otherwise objectionable material.

Access to the Township website will not require disclosure of personally identifiable information; however, the Township may track statistical access information in order to analyze site usage or enhance services provided through the website. Email addresses or personal information collected through the website will not be sold or given to private companies for marketing purposes.

### *Email System*

All email communication systems, and all information transmitted by, received from, or stored in these systems, are the property of Conway Township. As such, they should be used for the benefit of Conway Township. All messages composed, sent or received on the email systems are property of Conway Township, not the private property of any User, and are therefore accessible by Township Officials.

The email systems should not be used to create or send frivolous, hostile, disruptive, abusive or otherwise inappropriate messages. Forwarding, or sending messages to other Conway Township personnel, vendors or the public not reasonably related to furthering the legitimate business purposes of Conway Township, shall be considered inappropriate. Among those messages considered abusive, and therefore inappropriate, are messages containing

sexual implications or overtones, racial slurs or any other comments which address a person's age, gender, sexual orientation, religious or political beliefs, national origin or disability status in a manner which may be considered offensive to a reasonable person. This includes forwarding jokes and/or other offensive material received via email or the Internet to employees, officials, vendors or the public.

Conway Township reserves the right, through its authorized representatives, to monitor, audit, access, intercept, retrieve and review any and all email messages created, received or sent via Conway Township's systems. Accordingly, the privacy of any message should not be assumed. Except for Conway Township's right to monitor, audit, access, intercept, retrieve, and review email messages, such messages should be accessed only by the sender or intended recipient, or those personnel who are specifically authorized by the intended recipient to retrieve that recipient's messages.

#### *Voice Mail System*

The voice mail system is provided to authorized users as a convenience for conducting Township business. Users are expected to follow standard operating protocols for using the voice mail system including maintaining courteous and friendly communications, returning or responding to phone messages promptly, recording appropriate incoming messages and updating those messages appropriately. Use of the speaker phone feature should be considerate of other personnel or individuals occupying space on Township premises and should guard against inadvertent confidential information disclosure.

#### *System Monitoring*

The Township Clerk will work with authorized individuals and service providers to maintain up to date (i.e. add, delete or activate/inactivate) system accounts with the authority and system privilege levels authorized by the Township Board. System access privileges will not be continued after employment termination (or election term end) without the express permission of the Township Board.

#### *System Backup and Recovery*

Subject to and keeping in mind applicable record retention policies, Users are asked to be helpful in maintaining the individual computers assigned to their use by deleting extraneous emails and data files, emptying email and computer file waste baskets/recycle bins, archiving outdated information, performing routine system cleanups and utility processes. Personnel should be mindful resource consumers by conserving paper, toner, ink, and processing resources.

These guidelines are meant to set the standards for appropriate use of the Conway Township electronic communications media and apply to all Users; however, no policy can address every situation so the Township reserves the right to address individual circumstances as they arise using the principals outlined in this policy. Conway Township reserves the right to modify, change or discontinue any portion of these guidelines from time to time at its sole discretion.

## **Social Media Policy**

### *Information*

The Township endorses the secure use of social media to enhance communication, collaboration, and information exchange; streamline processes; and foster productivity. Social media provides a new and potentially valuable means of assisting the Township and its personnel in meeting community outreach, problem-solving, communication, idea sharing, and related objectives. This directive is not meant to address one particular form of social media, rather social media in general, as advances in technology will occur and new tools will emerge. The Township also recognizes the role that these tools play in the personal lives of some personnel. The personal use of social media may have bearing on personnel in their official capacity. This section provides information of a precautionary nature as well as prohibitions on the use of social media by personnel.

## Definitions

- **Blog:** A self-published diary or commentary on a particular topic that may allow visitors to post responses, reactions, or comments. The term is short for “Web log.”
- **Page:** The specific portion of a social media website where content is displayed, and managed by an individual or individuals with administrator rights.
- **Post:** Content an individual shares on a social media site or the act of publishing content on a social media site.
- **Profile:** Information that a user provides about himself or herself on a social networking site.
- **Social Media:** A category of Internet-based resources that integrates user-generated content and user participation. This includes, but is not limited to, social networking sites (i.e. Facebook), microblogging sites (i.e. Twitter), photo and video sharing sites (i.e. Flickr, YouTube), wikis, blogs, news sites and any other sites.
- **Social Networks:** Online platforms where users can create profiles, share information, and socialize with others using a range of technologies.
- **Speech:** Expression or communication of thoughts or opinions in spoken words, in writing, by expressive conduct, symbolism, photographs, videotape, or related forms of communication.
- **Wiki:** Web page(s) that can be edited collaboratively (i.e. Wikipedia).

## Legitimate and Potential Township Uses

Social media may be used by the Township for purposes that facilitate community outreach, problem solving, communication, idea sharing and related objectives. It can be used to make time-sensitive notifications related to road construction and closures, special events, weather emergencies, and other emergency situations. Social media may be a valuable recruitment tool to fill open Township positions and volunteer opportunities.

## Township Use

All proposals to create an official social media page (or to maintain an existing social media page not previously approved) must be submitted for justification, goal assessment and approval to the Township Board, or the Township Clerk. Such approval must be granted in writing. Only Township social media pages that are approved may be maintained. Such pages shall be administered only by account administrators in accordance with this policy.

Each official social media page must name the Township Clerk or the Township Clerk’s designee as one of the administrators. All administrators must have access to edit and control the social media page and each administrator shall be disclosed to the Township. **Social media pages shall indicate they are maintained by the Township and shall have Township contact information prominently displayed. Each social media page should include an introductory statement that clearly specifies the intended purpose and scope.** All social media pages should include a link to the Township’s official website.

Social media content shall adhere to applicable laws, regulations, and Township policies, including all records retention policies. Content is subject to public records laws. Relevant records retention schedules apply to social media content.

**Social media pages should state that the opinions expressed by visitors to the pages do not necessarily reflect the opinions of the Township. Pages shall clearly indicate that posted comments may be monitored and that the Township reserves the right to remove obscenities, off-topic comments, personal attacks, and any other comment the Township Board or Clerk deems inappropriate or in violation of this policy. Pages shall clearly indicate that any content posted or submitted for posting is subject to public disclosure.**

Social media administrators representing the Township via social media outlets and any personnel that use social media for Township purposes shall:

- Conduct themselves at all times as representatives of the Township and, accordingly, shall adhere to all

- Township standards of conduct and observe conventionally accepted protocols and proper decorum.
- Be responsible for creating, maintaining and monitoring content on respective social media sites, engaging with users, and removing any content that violates this policy.
- Refrain from posting content that violates any Township, state, or federal laws, regulations, ordinances, and policies.
- Adhere to the content strategies, goals and objectives set forth by the Township Board.
- Not comment or post anything related to legal matters or litigation without appropriate approval.
- Not use the Township's name to endorse any view, product, private business, cause or political candidate.
- Not represent personal opinions as Township-endorsed views or policies.
- Not conduct political activities or private business.
- Abide by all copyright, trademark and service mark restrictions in posting to electronic media.

### *Personal Use*

Barring federal or state law to the contrary, Township personnel shall abide by this policy when using social media for personal purposes. Township personnel are free to express themselves as private citizens on social media sites to the degree that their speech does not:

- Impair working relationships of this Township of which loyalty and confidentiality are important
- Impede the performance of duties  
Impair discipline and harmony among coworkers
- Negatively affect the public perception of the Township.

As public workers, Township personnel are cautioned that speech made in or appearing to be in their official Township capacity, whether on or off duty, is not protected speech under the First Amendment and may form the basis for discipline if deemed detrimental to the Township.

Township personnel shall not post, transmit, or otherwise disseminate any information to which they have access as a result of their role with the Township without written permission from the Township. Township personnel may not divulge information gained by reason of their authority or role with the Township; make any statements, speeches, appearances, and endorsements; or publish materials that could reasonably be considered to represent the views or positions of the Township without express written authorization by the Township Board.

Township employees should be aware that they may be subject to civil litigation in their personal or professional use of social media 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, is not of legitimate public concern, and would be offensive to a reasonable person
- Using someone else's name, likeness, or other personal attributes without that person's permission for an exploitative purpose
- Publishing the creative work of another, trademarks, or certain confidential business information without the permission of the owner.

Township personnel should be aware that privacy settings and social media sites are constantly in flux, and they should never assume that personal information posted on such sites is protected. Township personnel should expect that any information created, transmitted, downloaded, exchanged, or discussed in a public online forum may be accessed and/or removed by the Township at any time without prior notice.

### *Reporting Violations*

Personnel becoming aware of or having knowledge of a posting or of any website or web page in violation of the provision of this directive shall notify the Township Clerk.

## **Political Activity**

Conway Township does not attempt to influence the political decisions or persuasions of any Township personnel. Personnel are free to express their wishes and desires concerning political activities outside of Township related activity. Personnel may neither use their Township position for any political purpose nor engage in political activities during working time or at the Township Office. Some examples of banned political activities during work time include wearing political buttons, soliciting political contributions, displaying political bumper stickers or posters on Township vehicles or property, engaging in excessive or potentially disruptive political discussions, or distributing political materials on Township property and/or during work time.

## **Collections and Solicitations**

Personnel are not permitted to collect donations which are not for the Township or Township sponsored events and/or sell non-Township merchandise to the general public during working time. In the interests of efficiency and safety, personnel are prohibited from engaging in solicitation of any kind during work time or while otherwise performing duties on behalf of the Township. Personnel are also prohibited from engaging in the distribution of materials of any kind during work time (as defined above) or in work areas. Use of Conway Township resources, including email, for solicitation purposes is also prohibited.

## **Outside Employment and Activities**

The Township does not limit personnel employment or other activities during non-working hours unless those activities interfere with or are in conflict with the performance of that person's position at Conway Township. Personnel may accept employment or engage in other activities in addition to their duties with the Township provided that employment or other activities do not:

- Constitute a conflict of interest with the person's Township duties
- Interfere with the person's position with the Township
- Occur during the person's regular Township working hours
- Occur while the person is on sick leave.

Personnel must notify the Township Clerk in writing of any outside employment and business interests for a determination as to any possible conflict of interest, and shall keep that information up to date and current. The notice will be placed in the personnel file. Personnel may not solicit outside work for personal gain during business hours, engage in off-duty employment for any business under contract with the Township, or participate in any off-duty employment that adversely affects the person's performance of work for the Township. If it is determined that any personnel's outside job or business interest interferes with or is in conflict with their position with the Township, he or she may be asked to terminate their outside job or business interest if they wish to remain with the Township.

The same requirements discussed above in this section applies to any outside or additional activity which could give any possible appearance of a conflict of interest or impropriety.

## **Gifts and Gratuities**

No personnel may receive any income or material gain from outside individuals for materials produced or services rendered in connection with his or her work at Conway Township. Personnel may not solicit or accept gratuities from Township constituents. No personnel member may directly or indirectly accept for himself/herself or for another, any gift which value exceeds a value of twenty-five (\$25) from a person or a firm that does business or seeks to do business with the Township, or accept any gift (regardless of the amount) from which it can be inferred or implied that special

consideration is expected in the performance of the person's official duties. Any personnel who receives any gift or gratuity or service of more than \$25.00 in fair market value must immediately return such gift or gratuity or refuse such service offered, and notify the Township Clerk.

## Conflicts of Interest

Township personnel have the obligation to conduct business within guidelines that prohibit actual or potential conflicts of interest. The guidelines here are intended to provide a general framework within which the Township expressly wishes to operate and to provide direction so that personnel can get further clarification on areas that affect them. An actual or potential conflict of interest occurs when a person is in a position to influence a decision that may result in a personal gain for that individual or for a relative as a result of business dealings with Conway Township. For the purposes of this policy, a relative is any person who is related by blood or marriage, or whose relationship with Township personnel is similar to that of persons who are related by blood or marriage.

There is no presumption created by the mere existence of a relationship with outside firms. However, if a Township personnel has any influence on transactions involving purchases, contracts, or leases, it is imperative that the person disclose this fact to the Township Supervisor or Township Clerk as soon as possible. By alerting the Township to the existence of any actual or even potential conflict of interest, the Township can establish safeguards to protect all parties. The potential for personal gain is not limited to situations where personnel members or his or her relatives has a significant ownership in a firm with which Conway Township does business. Personal gains can also result from situations where, for example, personnel members or their relative receives a kickback, substantial gift, or special consideration as a result of a transaction or business dealings involving Conway Township.

### *Examples of Conflicts*

The following list, while quite extensive, should not be assumed to cover all situations where conflicts of interest may arise. When in doubt, personnel members should ask their Immediate Supervisor about the situation.

- Accepting or Soliciting Gifts or Favors
  - ❖ Tokens of general appreciation at Christmas time or on birthdays, etc., such as candy, fruit, and advertising gimmicks are acceptable as long as they are not solicited and/or the value does not exceed \$25.00. Gifts of higher value, or more personal in nature, are not acceptable, and should be returned.
  - ❖ Accepting free lunches from vendors or developers is *not* acceptable and should especially be avoided by any personnel involved in purchasing or in decision-making roles relative to the interests involved. Lunches during legitimate business meetings should be approved by the Immediate Supervisor.
- Use of Privileged Information – For personal or financial gain of the involved Township personnel.
- Participation in Transaction – Acting as a Township representative with a business entity in which the personnel member has a direct or indirect financial or other personal interest.
- Conspiring or Influencing of Personnel – Attempting to conspire with or influence a fellow personnel member to engage in acts of conflict of interest.
- Determination of Conflict of Interest – When a member of Township personnel has any doubt as to the possible conflict of a particular situation, they should consult with a Township Official before becoming involved with the situation.
- Use of Position – For personal or financial gain of the involved personnel.

In the event any personnel is subject to multiple conflict of interest policies, such as but not limited to Planning Commission members, the more restrictive provision shall apply.

## Public Statements

Only designated Township representatives have permission to make public statements to the media or other groups on behalf of Conway Township. If contact is made requesting a public statement, all personnel must refer the person designated by the Township Board to make such statements.

## **Personnel Conduct and Work Expectations**

Any group of people working together must abide by certain rules of conduct based on honesty, good taste and safety. This is essential if everyone is to work together effectively. Following basic rules of conduct make the workplace a safer and more cooperative place to accomplish the goals and objectives of Conway Township office operations. Understanding the policies in this Manual and expectations for all Conway Township personnel is the responsibility of the individual and not the Township.

### *Performance of Duties*

Conway Township personnel are expected to perform their assigned duties diligently and conduct Township business with professionalism, cooperation and a positive attitude. Inefficiency, incompetence, or negligence in the performance of duties, including failure to perform assigned tasks or training, or failure to discharge duties in a prompt, competent, and reasonable manner are unacceptable in the workplace. Personnel are expected to be able to perform and continuously improve the performance of their responsibilities after a reasonable training period.

### *Personnel Expectations*

Personnel are expected to familiarize themselves with this Manual and understand the policies contained herein. Any questions should be directed to the individual's Immediate Supervisor or the Township Clerk. Failure to follow the policies outlined in this Manual means that person may be subject to disciplinary action up to and including termination. Personnel are expected to dress appropriately according to the nature of their job, job responsibilities or planned job duties on behalf of the Township. The success of Township operations is enhanced by maintaining a proper business atmosphere and personnel are expected to project that image by their appearance and in conducting Township business. The Township Clerk or an Immediate Supervisor may determine if a person's appearance is inappropriate. It may be requested that the affected individual change or correct their appearance before continuing their job duties. Time away from work necessary to change will not be considered as paid work time.

### *Unacceptable Behaviors*

The following illustrations of unacceptable conduct are to provide specific reasons for initiating disciplinary action. However, because conditions of human conduct are unpredictable, this is not meant to be a complete list.

- Violation of applicable policies outlined in this Manual
- Excessive absenteeism, tardiness or early departure from work or violation of the absenteeism and tardiness policy
- Conduct that discredits the personnel member or Township or willful misrepresentation of the Township
- Conviction of a crime, including convictions based on a plea of nolo contendere, the nature of which reflects poor moral character of the personnel member or a threat to the welfare of the Township or its officials, employees, contractors, residents, or guests
- Knowingly falsifying, removing, or destroying information or documents related to employment, payroll, work-related records or reports or related to Township operations
- Discourteous treatment of the public or other personnel, including harassing, coercing, threatening, or intimidating others
- Conduct that interferes with the management of Township operations
- Violation or neglect of safety rules, or contributing to hazardous conditions
- Unauthorized removal or use of any Township property, or that of its customers
- Physical altercations, gambling or sleeping on the job

- Refusal to accept assignments from an authorized supervisor
- Driving any Township vehicle while impaired or under the influence of alcohol or drugs; suspension of driver's license where job duties require driving; or violation of the Drug and Alcohol policy
- Careless, negligent, or improper use of Township property or equipment, damage or unreasonable risk of damage to Township property.

## **Conflict Resolution**

### *Personnel Communications*

The Township strives to create a friendly, open work environment. By keeping the lines of communications open, all will benefit from day-to-day work relations that are pleasant and enjoyable. To ensure that lines of communication remain open, personnel are encouraged to raise concerns and issues with the appropriate parties. To protect a friendly work atmosphere, all personnel are expected to treat each other with respect and conduct themselves professionally when discussing concerns or issues. Communications should focus on facts and resolving the problem.

Personality conflicts are counterproductive and create unnecessary tension among a work team. All personnel are expected to work well together regardless of personal feeling for one another. Cooperative teamwork is essential to success and is accordingly part of everyone's job responsibilities. If there is a specific complaint relating to issues other than discrimination or harassment, personnel should use the following procedure:

- Speak with the Immediate Supervisor; or, if a discussion with the Immediate Supervisor would be inappropriate or uncomfortable
- Speak with a Township Officer
- Request a meeting with the Township Board.

If any personnel has a complaint relating to possible discrimination or harassment, you should use the complaint procedures outlined in prior sections of this Manual. Conway Township desires to maintain a good working relationship with its personnel, and will not permit retaliation against any personnel member who avails himself or herself of this communication process.

### *Disciplinary Action for Personnel*

A personnel member's Immediate Supervisor or designated Board Member will work with them individually to improve performance and address work-related problems by conducting coaching and counseling discussions. When such methods are not successful, continued efforts may be made to enhance performance or resolve a problem using one or more of the disciplinary measures outlined below. **Disciplinary action may be taken at the Immediate Supervisor's or Board Member's discretion based on the circumstances of the behavior and/or situation unless such decision has been expressly reserved for itself by the Township Board; but in any event, no action or inaction will be deemed to alter the "employment at will" relationship, as applicable.**

The nature and circumstances of a work-related incident, problem or performance deficit will determine the type of corrective action to be taken. Discipline will ordinarily be progressive and bear a reasonable relationship to the specific issue; however, certain types of misconduct or behavior may result in immediate deviation from the progressive discipline process and the Township reserves the right at any time, and in its discretion, to determine when and how to use the progressive disciplinary process.

The types of discipline that may occur are listed below generally in order of increasing formality and seriousness.

- Verbal Warning (Counseling)
- Written Reprimand
- Final Written Warning
- Probation



### *Discharge*

Township personnel may be discharged from association with the Township following input from the Immediate Supervisor and the Township Board.

## **Termination of Employment**

### *Resignation*

Personnel desiring to separate their relationship with Conway Township are urged to notify their Immediate Supervisor or the Township Board at least two weeks in advance of their intended separation. The Township prefers to receive this notice in writing although verbal notice will be accepted. The letter may include the reason for resigning and the effective date of resignation. Any person who receives notice of a resignation shall notify promptly and present a copy of any related writings to the Township Clerk. Personnel are required to remit all Conway Township property or assets prior to, or on the date of separation. This includes Township office keys, computer/office equipment, printed materials, this Manual, and other items as directed by the Township. Resignation of non-employee personnel shall occur in accordance with contractual requirements and/or state and federal law, as applicable. Resignation of any elected official shall be referred to the Township Attorney.

### *Discharge*

Personnel to be terminated for disciplinary reasons will be given a written notice by the Township Supervisor as authorized by the Township Board.

### *Final Compensation*

Final compensation for personnel who have separated employment will be adjusted for any monies due to the Township, and by the personnel member's signature below, personnel expressly consents to this deduction. Upon discharge, personnel will be paid the amount determined justly due and earned to the date of termination. Personnel who have terminated or been terminated from their Township position, for whatever reason, will receive their final compensation as soon as the amount can be determined or as dictated by state law.

## **Other Important Provisions**

### *Severability*

If any provision of this Manual is determined to be invalid, void, or unenforceable for any reason, it shall be ineffective only to the extent of that particular provision without affecting or impairing the validity and enforceability of the remainder of the provisions of this Manual.

### *Claims Limitations*

By accepting a position with the Township or continuing in a position with the Township, and as evidenced by signing below, all personnel agree not to commence any claim, complaint, action or lawsuit relating to their work or employment with the Township, including but not limited to any claims under any federal or state civil rights statute, more than one hundred and eighty-two (182) calendar days after the event giving rise to the claim, complaint, action, or lawsuit, unless a shorter statute of limitations period is provided by applicable law. By accepting a position with the Township, or continuing in a position with the Township, each personnel expressly waives any other limitations period to the contrary.

### *Conflict with other Governing Documents*

To the extent this Manual conflicts in any material respect with a governing document that applies directly and specifically to any particular personnel's position, including but not limited to any bylaws of any commission or committee, those governing documents applying to that particular position shall govern.

## Acknowledgment

By my name and signature below, I hereby acknowledge receipt of a copy of the Conway Township Personnel Policy Manual as of the date indicated. **In lieu of my printed name and signature, I understand I may also acknowledge receipt by email to the Clerk containing my name, date, and the following statement: "I acknowledge receipt of a copy of the Conway Township Personnel Policy Manual."**

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Printed Name

Position

---

Signature

Date

---

Conway Township Clerk Signature

Date

## **Appendix—FORMS**

*Request to Inspect Personnel File*

*Personnel Request to Inspect Own File*

*Training Request and Reimbursement Form*

*Direct Deposit or Payroll Debit Card Election*

*Volunteer Activity Waiver*