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5. Personnel Administration

5.1 Authority for Personnel Matters

The township board reserves all authority to hire, supervise, provide direction, discipline and terminate employees as collectively determined by the board of trustees.

The board may create a position and assign applicable duties to a personnel manager (PM).

5.2 Personnel Management

The board, or a designated personnel officer, shall, as needed,

- convene an Ad Hoc Personnel Committee;
- develop job descriptions for all non-statutory township positions, and update job descriptions for accuracy and currency;

- recommend to the township board necessary changes in personnel policies & procedures manual and employee handbook;
- update and distribute a personnel policies & procedures manual and employee handbook to all new and existing staff;
- spearhead recruitment activities;
- monitor changes in state and federal law that impact on township personnel and operations practices;
- provide initial interpretations of the township personnel policies and procedures when requested by staff (appeal of that interpretation shall rest with the township board);
- recommend appropriate pay grade or compensation for all employees, subject to board policies and appropriations;
- hire independent contractors or day laborers or recruit volunteers to provide specialized work
- request services on a project or as-needed basis
- conduct exit interviews of all terminating employees following a voluntary separation from township employment

5.3 Policy & Procedures Manual and Employee Handbook

The provisions of the policies and procedures manual, and the employee handbook, may be changed at the sole discretion of the township board.

5.4 Work Force Authorization

The board shall reserve the right to create a new position and may not create any new position without prior adoption of any necessary budget amendments.

5.5 Volunteers

The township board may hire volunteers to provide services without prior promise, expectation or receipt of compensation.

Township volunteers may be reimbursed for authorized expenses per policies adopted by the board or, if not by adopted rates, another amount with board approval.

Waivers for liability may be required for work of volunteers for protection of the township.

5.6 Equal Opportunity Employment

The township is an equal opportunity employer and shall employ, promote and transfer all employees and job applicants without regard to religion, race, national origin, ancestry, sex, disability, age, marital status, height, weight, arrest record, genetic information, medical

condition, requests for a protected leave, or any other protected characteristic under local, state or federal law.

5.7 Employee Selection

The township shall employ, promote and transfer all employees and job applicants on the basis of merit, qualifications and competence in compliance with all applicable employment laws.

The following procedures in filling any vacant non-deputy(*) employment positions shall be used:

- A notice of position vacancy shall be developed, posted and published.
- Applicants must fill out application form and submit all relevant materials requested before close of application period.
- The applications/resumés submitted will be reviewed and relevant staff a list of qualified candidates developed.
- Interviews will be conducted with relevant staff. At least three non-related references shall be contacted.
- The candidates shall be selected who best meet the job prerequisites for education, experience and management style, as applicable. The board may schedule an interview.

(*) Procedures are highly recommended but not required for deputy positions.

5.8 Employment of Relatives

The township permits but discourages the hiring or appointment of relatives, especially if the relative's position would come under a staff member's chain of command, responsibility or decision making influence.

No relatives are permitted to work in a position in which the township board believes an inherent conflict of interest may exist.

5.9 Employee Compensation

The township board shall establish an equitable compensation system for township employees by annual resolution.

5.10 Employee Supervision

Employees shall be provided with guidance that complies with the provisions of the township's policies and procedures manual, employee handbook, as well as all federal and state laws, and township ordinances.

5.11 Employee Safety

The township shall provide a workplace free from recognized hazards that may cause or are likely to cause death or serious physical harm to employees.

Insuring company may be consulted for lowering risk-to-safety ratio.

5.12 Non-Retaliation

The township shall not tolerate retaliation against any employee or other person who, in good faith, reports a violation or perceived violation of township policies, or retaliation against any employee or other person who participates in any investigation as a witness or otherwise.

5.13 Payroll

The township shall comply with applicable state and federal laws that regulate payment of wages, the payment of wages upon termination of employment, allowable deductions, income tax withholding and payment of employment taxes, wage garnishments, recordkeeping and maintenance of payroll records.

5.14 Payment on Termination

An employee whose employment terminates will be paid all wages earned as soon as the amount can be determined per contract or agreement, or no later than on the next regularly scheduled payday, unless amount is still in dispute.

In the absence of a contract or agreement, the board shall be final arbitrator of amount of payment.

5.15 Time Records

All completed time sheets shall be submitted to the clerk as soon as service is rendered, or no later than before the end of each pay period. Time cards will include all necessary information to process payroll, and be signed by both the employee and the worker's supervisor.

5.16 Deductions and Withholdings

The township shall make appropriate deductions to satisfy any court orders for garnishments or for family support orders.

5.17 Independent Contractors

For purposes of payment, an independent contractor shall provide:

- a written contract between the township and the contractor
- a federal identification number or Social Security number if a sole proprietor
- proof of liability and worker's compensation insurance
- a completed W-9 form
- evidence of a business (e.g., business card or current advertisement)

5.18 Payroll Changes

A payroll change order or other documentation shall be used by the clerk to make any employee changes (e.g., setting or changing compensation, and deductions or withholdings) or to add a new employee to payroll. A payroll change order or other documentation must be signed by the clerk.

A new employee payroll record shall also be accompanied by the following:

- New Hire Reporting Form
- I-9 Form
- W-4 Form
- Direct deposit authorization and any other voluntary deduction forms

5.19 Pay Advances

Pay advances shall not be authorized under any circumstances.

5.20 Payroll Problems

Employees shall immediately notify the clerk of any problems or errors on their paycheck or expense reimbursement payment. A written account of the problem and its resolution shall be created by the clerk.

5.21 Personnel Files

The clerk shall maintain a personnel record of each township employee. The personnel records shall be kept complete, accurate and secure in compliance with federal and state laws and with any applicable general record state and federal retention schedules.

Each employee's personnel file shall at minimum contain the following:

1. Personnel data, including full name, Social Security number, current address, resumé or application submitted and physical examination (if required)
 2. Commendations or disciplinary actions
 3. Tax withholding information
 4. Beneficiary information
 5. Record of positions held

A personnel file shall *not* include:

1. Employee references supplied to an employer if the identity of the person making the reference would be disclosed
2. Information of a personal nature about a person
3. Information that is kept separately from other records and that relates to an investigation of the employee by the employer regarding criminal activity that may result in loss or damage to the employer's property or disruption of the employer's business operation
4. Records limited to grievance investigations that are kept separately and are not used for the purposes provided in this subdivision
5. Records kept by an executive, administrative or professional employee that are kept in the sole possession of the maker of the record, and are not accessible or shared with other persons.

5.22 Access to Personnel Files

The contents of s staff member's personnel files shall be considered confidential.

Upon request that describes the personnel record, any employee may examine the contents of his/her file under the direction supervision of the clerk. The employee may request, in writing, a copy of her/his own file contents; otherwise, the contents of a personnel file shall not be removed from the township by anyone.

Board members shall be allowed to view any personnel file on a need-to-know basis and only when necessary within the scope of their authority and responsibility.

Contents of a personnel file shall be released to a third party only with written authorization of said employee, or by court order.

The clerk shall review an employee or former employee's personnel record before releasing information to a third party and, except when the release is ordered in a legal action or arbitration to a party in that legal action or arbitration, shall redact non-applicable information.

When notice is required by law, the clerk shall provide written notice to an employee or former employee of a release of the employee's personnel records.

Copies of documents contained in the personnel files that are requested pursuant to the Freedom of Information Act 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 may contact the township attorney for advice in responding to a FOIA request involving personnel records.