



Manistee County Board of Commissioners

Manistee County Courthouse • 415 Third Street • Manistee, Michigan 49660

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David A. Kieft, Jr.
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POLICY COMMITTEE MINUTES

Friday, June 26, 2020
2:30 p.m.

Manistee County Courthouse & Government Center
Board of Commissioners Meeting Room

MINUTES

Members Present: Margaret Batzer (remotely), Gene Lagerquist (remotely)
and Karen Goodman, Chairperson

Members Absent: None

Others Present: Lisa Sagala, Interim County
Administrator/Controller/Human Resources
Manager/Assistant Administrator; Bruce (ph. #); Sam
Sobaski, Appraiser; Susan Zielinski, Finance Officer; Julie
Schmeling, Administrative Assistant; Kristyn Malkowski,
Property Description Specialist; Sheriff Ken Falk and Jill
M. Nowak, County Clerk.

The meeting was called to Order at 2:30 p.m.

NOTE – Items requiring Board Action are indicated in BOLD

The County Board and its Committees are operating remotely and electronically by Zoom under Executive Order #2020-75 issued by Governor Gretchen Whitmer due to the COVID-19 pandemic.

PUBLIC COMMENT

None.

NEW BUSINESS:

None.

OLD BUSINESS

DISCUSSION REGARDING UPDATING VACATION POLICY (PTO)

Appendix A

PTO Policy

Purpose

The purpose of Paid Time Off (PTO) is to provide employees with flexible paid time off from work that can be used for such needs as vacation, personal or family illness, doctor appointments, school, volunteerism, and other activities of the employee's choice.

The PTO days you accrue, effective January 01, 2021 replace all existing vacation, sick time, and personal days that you have been allotted under prior policies. The vacation time you accrued will carry over, in excess of the PTO policy, per the guidelines at the time.

Guidelines

Each full-time and part-time employee will accrue PTO bi-weekly in hourly increments based on their length of service as defined below. PTO is added to the employee's PTO bank when the bi-weekly paycheck is issued. PTO taken will be subtracted from the employee's accrued time bank in one-hour increments.

Temporary employees, Elected Officials, and interns are not eligible to accrue PTO.

New Employees are eligible to use accrued PTO on the first of the month following 90 days of employment.

Eligibility to accrue PTO is contingent on the employee either working or utilizing accrued PTO for the entire bi-weekly pay period. PTO is not earned in pay periods during which unpaid leave or short-term disability leave are taken.

An employee injured at the County under circumstances such that Workers' Compensation benefits are paid by the County, shall, with respect to vacation years occurring after the employee's return to work, have the period during which Workers' Compensation benefits were paid counted as continuous employment for the purpose of determining the amount of vacation to which the employee is currently entitled.

Employees may use time from their PTO bank in half hour (.5) increments. The time that is not covered by the PTO policy, and for which separate guidelines and policies exist, include company paid holidays, bereavement time off, required jury duty, and military service leave.

To take PTO requires two days of notice to the department head unless the PTO is used for legitimate, unexpected illness or emergencies. Use the Paid Time Off form to request PTO. In all instances, PTO must be approved by the employee's department head in advance.

Paid Time Off (PTO) Exceptions

- Employees who miss more than three consecutive unscheduled days may be required to present a doctor's release to Human Resources that permits you to return to work.
- PTO taken in excess of the PTO accrued can result in progressive disciplinary action up to and including employment termination. This time off will be unpaid. The only possible exception to this policy must be granted by the Board of Commissioners.
- PTO accrued prior to the start of a requested and approved unpaid leave of absence must be used to cover hours missed before the start of the unpaid leave.
- Under Manistee County's Family Medical Leave Act (FMLA) policy, all accrued PTO time is taken before the start of the unpaid FMLA time.
- Unscheduled absences that result in consecutive days off, excessive call ins, pattern absences may all be considered as absence incidents in relation to potential disciplinary action.
 - Progressive disciplinary action relative to incidents of absenteeism is administered on a rolling 12-month calendar as follows:
 - One – three incidents: No disciplinary action. Supervisory coaching.
 - Fourth incident: Verbal Warning with a documented coaching session
 - Fifth incident: Written warning in the employee's file
 - Sixth incident: Employment termination

An employee who receives a second written warning in a rolling 24-month time period will have his or her employment terminated.

- An employee who has used all of his or her FMLA and Short-Term Disability benefits, and is still unable to return to work, will have his or her employment terminated.
- Any employee who misses two consecutive days of work without notice to their supervisor may be considered to have voluntarily quit their job.

Specific Eligibility for Paid Time Off (PTO)

PTO is earned on the following schedule based on a 37.5 or 40 hour work week. PTO is prorated based on the number of hours worked on an employee's regular schedule.

Years of Service

0-4: 120 or 128 hours per year, earned at a rate of .06153 for each full work week in a calendar year.

5-9: 157.5 or 168 hours per year, earned at a rate of .08077 for each full work week in a calendar year.

10-15: 195 or 208 hours per year, earned at a rate of .1000 for each full work week in a calendar year.

16-20: earn one additional day per year until you reach 20 years of service.

16: 202.5 or 216 hours per year, earned at .10384 for each full work week in a calendar year.

17: 210 or 224 hours per year, earned at .10770 for each full work week in a calendar year.

18: 217.5 or 232 hours per year, earned at .11154 for each full work week in a calendar year.

19: 225 or 240 hours per year, earned at .11540 for each full work week in a calendar year.

20: 232.5 or 248 hours per year, earned at .11923 for each full work week in a calendar year.

Maximum Time Accumulated

Although you may carry over unused PTO time from year to year, there is a cap on the amount of PTO time you can accumulate.

Each employee may carry over 37.5 or 40 hours of accrued PTO over into a new calendar year. At the end of each calendar, employees may cash out up to 3 days of PTO time. Employees are responsible for monitoring and taking their PTO over the course of a year so that they do not lose time accrued when the current calendar year ends. (PTO is subject to department head approval and not every employee can take accumulated time in December: Manistee County must continue to serve customers.)

If extenuating business circumstances prevented the employee from taking scheduled PTO, this PTO may be carried over and taken in the first half of the next calendar year with the approval of the department head.

Employees are paid for the PTO they have accrued at employment end. If an employee has used PTO time not yet accrued, and employment terminates, the PTO taken is deducted from the final paycheck. Employees who give two weeks' notice of employment termination must work the two weeks without utilizing PTO. If an employee dies, the County will pay to the person the employee designates as the next of kin, accrued but unused PTO. This provision also applies to employees who are laid off.

Employees who are rehired will receive credit for the former time worked and accumulate current PTO for the combined time.

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Donating Hours

Employees who wish to donate PTO leave to another employee, he/she will complete the PTO Donation Form and submit to Administration.

The minimal amount of leave donation allowable is – eight (8) hours; the maximum allowable leave donation is – forty (40) hours. The employee donating the leave must have a balance of at least eighty (80) hours remaining in his/her PTO Bank, after the donation. Accrued and unused paid leave donated by any one employee may not exceed 160 hours.

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PTO Donation Form – Donor Application Form

For Payroll Period Ending _____

I. DONOR INFORMATION

(Last) (First) (M.I.) (Social Security Number)

DEPARTMENT: _____

JOB TITLE: _____

SUPERVISOR'S SIGNATURE _____ DATE: _____

TYPE OF LEAVE DONATED:

PTO [] # HOURS DONATED _____

Note: The minimal amount of leave donation allowable is – eight (8) hours; the maximum allowable leave donation is – forty (40) hours. The employee donating the leave must have a balance of at least eighty (80) hours remaining in his/her PTO bank, after the donation. Accrued and unused paid leave donated by any one employee may not exceed 160 hours.

II. PERSON TO RECEIVE LEAVE

(Last) (First) (M.I.) (Social Security Number)

DEPARTMENT: _____

JOB TITLE: _____

SUPERVISOR'S SIGNATURE: _____ DATE: _____

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- 1. Use of donated leave is limited to the average number of hours in the employee's weekly schedule.
- 2. Donated leave may not be used to supplement paid benefit program(s) (i.e. Disability Leave, Worker's Compensation)
- 3. Donated leave hours will be subject to taxes for both the employee donating and the employee receiving the donation.

III. CERTIFICATION

I hereby certify that this request is made voluntarily. By signing, I hereby relinquish all rights to the leave shown above and the benefits accruing to or attached to the same. I certify that I will have a remaining balance of 80 hours or more of combined leave (sick, vacation, personal and compensatory) after making this donation. I also understand that my identity as a donor is to be kept confidential and I will also honor that confidentiality.

SIGNATURE: _____ DATE: _____

Donating Employee

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IV. VALIDATION - TO BE COMPLETED BY ADMINISTRATION

Annual Leave Balance Before Donation	_____	Number of Hrs. Hours Donated	_____	New Annual Hrs. Leave Balance	_____	Hrs.
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ADMINISTRATION REVIEW: _____
SIGNATURE DATE

Ms. Sagala stated that per the March Board meeting, a draft of the PTO Policy (Appendix A) was sent to all employees. There was little feedback but mostly employees wanted clarification on a few areas of the policy. Also assurance that no one would lose any time off when switching over to the new policy. Courts have a little different policy in accruing time as they are not union and they set their own policies and procedures. It is difficult to enter the different amounts and accrual rates into BS&A, create different groups, make exceptions and different parameters. Uniformity makes for easier record keeping.

It was asked if a visual graphic can be made available to employees with different scenarios of an accrued bank, front loading the current year and payout. The PTO Policy will be written to establish a normal policy, then there will be an addendum to the Policy to address special circumstances due to COVID 19 for just one year, where there may be large carryover. There could also be a combination of payout and carryover for the first year of this new policy and due to COVID 19.

An example would be:

Employee has remaining vacation for 2020 6 days, earned vacation for 2021 15 days = total 21 days. Then for 2021, the County would front load ten (10) days PTO (this would just be done for this one year). Therefore, the employee would have 11 days remaining to decide on options, such as cash out at severance, put in a 457 Deferred Compensation account, put in a HRA/HSA account. (An additional idea came up after the meeting of a separate leave bank and the time must be used in a two year period.)

The Paid Time Off (PTO) Policy itself is acceptable.

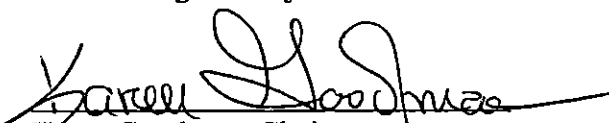
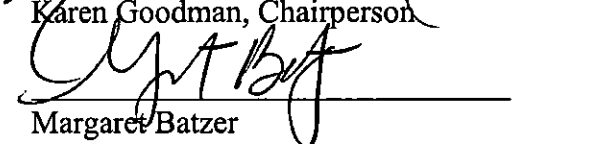
Moved by Batzer, seconded by Goodman to recommend approval of the Paid Time Off (PTO) Policy as presented. Ayes: All. Motion Carried.

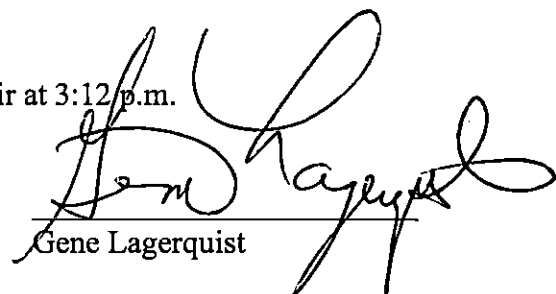
Ms. Sagala will create language for an Addendum Policy relating to COVID 19 with the above suggestions and visual graphics and email it to All Users for ideas and thoughts. The Addendum Policy will then be referred to the Personnel Committee before going to the full Board.

OTHER ITEMS FROM COMMITTEE MEMBERS

None.

The meeting was adjourned at the Call of the Chair at 3:12 p.m.


Karen Goodman, Chairperson

Margaret Batzer


Gene Lagerquist