



ADMINISTRATION / PERSONNEL COMMITTEE

420 N. Front St.


Suttons Bay, MI 49682

August 7, 2024 at 8:30 am

AGENDA

Call to Order

1. Reports (staff)
  - a. Treasurer Report
2. Public Comments  
Please limit remarks to no more than three (3) minutes or less.
3. Committee Business
  - a. VSB-2024-33 Managers Ordinance
  - b. VSB-2024-34 Employee Handbook Update(s)
4. Status Update – Other Committees
  - a. Art Placement in the Park(s)
5. Public Comments/Written Communication
6. Committee Member Comments
7. Announcements
8. Adjournment

		<b>VILLAGE OF SUTTONS BAY</b> <b>REPORT VSB -2024-33</b>	
Prepared:	July 16, 2024	Pages:	1 of 1
Meeting:	August 7, 2024	Attachments:	<input type="checkbox"/>
Subject:	Managers Ordinance Amendment		

**PURPOSE**

To consider an amendment to the Managers Ordinance.

**STAFF COMMENT**

The manager is currently charged with the ability to purchase items or a service up to \$2,000 without village council approval. If a purchase or contract amount exceeds the \$2,000 threshold and the item was not budgeted, we bring the request to the appropriate committee for discussion and recommendation to the village council before proceeding.


I am recommending that the current language be updated to distinguish between purchasing an item and executing a contract. This method will still protect the village, but also allow our office to be more efficient. Below you will find current text in **BLACK** font and proposed text in **BLUE**.

- B. The Village Manager shall have the authority to purchase any product or service, the cost of which does not exceed two-thousand dollars (\$2,000.) provided, that funds have been appropriated. The cost of the product or service shall not exceed the unencumbered balance of the appropriation for that account. Except as hereinafter provided, the Village Manager shall not purchase any product or service, the cost of which exceeds the above dollar amount without prior approval of the Village Council. The Village Manager may promulgate rules governing the purchase of products or services.
  
- B. The Village Manager shall have the authority to purchase items up to an amount of five-thousand dollars (\$5,000) and to execute contracts for services up to the amount of eight-thousand dollars (\$8,000). Except as hereinafter provided, the Village Manager shall not purchase any product or execute a service, which exceeds the above dollar amount without prior approval of the Village Council.*

The language proposed is intended to allow a bit more flexibility while keeping within a justifiable range. In essence, we are still limiting purchasing to a rather low amount while recognizing service contracts which require a more flexible range.

**REQUESTED ACTION**

Discussion

		<b>VILLAGE OF SUTTONS BAY</b> <b>REPORT VSB -2024 - 34</b>	
Prepared:	July 16, 2024	Pages:	1 of 1
Meeting:	August 7, 2024	Attachments:	<input checked="" type="checkbox"/>
Subject:	Employee Handbook Updates		

**PURPOSE**

To consider various housekeeping amendments to the personnel policy manual.

**OVERVIEW**

This item was introduced at the May 8, 2024 Personnel Committee meeting; However, no action was taken at the time. This is a continuation of that discussion; therefore, the report remains largely the same as Report VSB-2024-23.

We have recently performed a 5-year review on our personnel manual to ensure we are up to date on recent court opinions, new laws and changes to existing laws. In doing so, we were informed that we needed to amend our manual to reflect the Pregnant Workers’ Fairness Act, Michigan Crown Act, and PUMP for Nursing Mothers Act. We also took this opportunity to re-introduce language that was inadvertently left out of the manual and addressing employee pay for individuals who are not scheduled to work, yet are called in. Lastly, further clarification on holiday pay was incorporated to clarify how many hours may be claimed on holidays.

The changes include:

- Section 2.1 – Update to reflect the new Michigan Crown Act (MCA)– Non-discrimination.
- Section 2.1 – Update to reflect the new Pregnant Workers Fairness Act (PWFA) - Non-discrimination.
- Section 2.2 – Harassment Prevention – Update per MCA & PWFA
- Section 2.3 - Disability Accommodation – Update per MCA & PWFA
- Section 2.4 - Religious Accommodation – Update per MCA & PWFA
- Section 2.5 - Pregnancy Accommodation – Update per MCA & PWFA
- Section 5.6 – Call in Pay – This text will reflect a 2-hour minimum pay when called in.
- Section 7.1 – Holidays – Clarifications made regarding holiday pay, eligibility, and qualifying hours.
- Section 7.3 – PUMP for Nursing Mothers Act – Standard incorporated.

**CONCLUSION**

These changes are intended to address the various new and amended laws intended to further protect employees against discrimination, as well as, to clarify and address holiday pay and call in pay for our employees.



Only hours actually worked are considered in the calculation of overtime.

Advance approval from your direct supervisor is required for any non-exempt employee to work overtime. Further, non-exempt employees may not start early, work late, take work home, or work through a meal break without their supervisor's approval. Thus, although employees will be paid for all hours worked in accordance with applicable law, failure to obtain advance approval as required under this policy may result in disciplinary action up to and including termination of employment.

### 5.6 Call-In Pay

Non-exempt on-call employees are eligible for call-in pay when they are called in to work at a time other than their normally scheduled shift. At least two (2) hours will be paid when an employee is called in for unscheduled work when on-call (even if the actual time worked is less than two (2) hours). Further, all such actual time worked during the service call will be paid at a rate of one and one-half times their regular rate of pay.

### 5.7 Compensatory Time

The Village reserves the right, prior to the end of the work week, to reduce a non-exempt employee's hours to avoid overtime provided operational demands allow for such a reduction. When a reduction in hours is not possible, non-exempt employees shall earn overtime or may elect to accrue compensatory time off, which will accrue at time and one-half of the employee's regular rate of pay. For full-time and part-time employees, compensatory time may be accrued up to 240 hours (or 160 actual hours at time and one-half). The Village or employee may elect to convert unused compensatory time back to overtime pay.

### 5.78 Compensation

Because recruiting and maintaining employees is critical to our success, the Village is committed to paying equitable, competitive wages that reflect the requirements and responsibilities of the position, and in compliance with applicable state and federal wage and hour laws.

Hourly rates of pay and salaries are set by the Village Council, based upon recommendations from supervisors, performance evaluations, and in compliance with wage and hour laws. An employee's hourly rate or salary is subject to an annual review and may be adjusted based upon factors including but not limited to attendance, punctuality, quality of work, quantity of work, employee dedication and commitment to the community, employee's excellence in the position, the employee's ability to be a team player and evidence of an attitude of cooperation that supports the Village's mission and objectives, the budget, and an employee's performance review, if any. The Village, at its sole discretion, may award incentive bonuses based upon an employee's individual contribution.

## 7.1 Holidays

The Village observes the following paid holidays for full-time employees:

- New Year's Day
- Martin Luther King Day
- Presidents Day
- Memorial Day
- Juneteenth
- Independence Day
- Labor Day
- Indigenous People Day
- Veterans Day
- Thanksgiving Day
- Day after Thanksgiving
- Christmas Eve
- Christmas

If a scheduled holiday falls on a Saturday, the Village will observe the preceding Friday as a paid holiday. Should it fall on a Sunday, the Village will observe the following Monday as a paid holiday.

Holiday pay is paid to eligible employees only for the hours the employee would have otherwise worked that particular day, up to eight (8) hours maximum pay.

Part-time employees who regularly work at least 20 hours a week are eligible for are allowed up to five (5) holidays with pay (if the employee would otherwise have been scheduled to work that day). ~~with 8 hours maximum pay.~~ All other holidays over the five (5) paid holidays that occur on a day the part-time employee would have otherwise worked, will be unpaid unless the employee has available PTO.

To qualify for Holiday Pay, the employee must be a non-exempt employees.

Full-time Employees who are required to work on a holiday will receive 1.5 times their rate of pay for the actual hours worked, in addition to the eight (8) hours Holiday Pay. The eight (8) hour

Holiday Pay is not considered worked time for purposes of calculating additional overtime for the week. However, additional overtime will be paid for any hours worked over forty (40) hours per week, including those hours worked on a holiday. All overtime must be pre-approved by a supervisor.

Any employee observing a religious holiday not listed above is entitled to use any PTO or Vacation Time to observe that holiday.



Eligible full-time employees who are on approved paid leave (e.g. PTO or Vacation Time) during a holiday will receive holiday pay for that particular day and their PTO/Vacation Time will not be charged for that day. If eligible, part-time employees will have the holiday pay charged in lieu of PTO/Vacation if they have not already exhausted their five (5) holidays with pay.

Employees on an unpaid leave of absence (including, without limitation, authorized unpaid medical leave or, extended Military leave, or other approved unpaid leave of absence) are not eligible for Holiday Pay for holidays occurring during the unpaid leave.

### 7.2 Meal and Rest Breaks

Employees are allowed a thirty (30) minute unpaid meal break each day. Meal breaks are generally taken around the halfway point of the employee's scheduled shift. The schedule for meal breaks should be established based on work requirements. Staggered meal breaks may be necessary to ensure the continuity of operations and services. Non-exempt employees are not permitted to work during meal breaks, unless expressly authorized by their supervisor, and thus, meal breaks are unpaid. However, all time worked must be recorded and will be paid in accordance with applicable law.

In addition to the meal break, two paid rest periods of fifteen (15) minutes each are permitted each day. Rest periods may not be combined and/or added to a meal break to extend the time. The schedule for these breaks depends on the needs of the Village and department.

### 7.3 Lactation Breaks

The Village accommodates employees who wish to express breast milk during the workday when separated from their newborn children. For up to one year after the child's birth, nursing employees will be provided with reasonable break time to express breast milk during the workday. Nursing mothers who are returning from maternity leave should speak with the Village Manager or his/her designee regarding their needs. The Village and the employee's direct supervisor will work with employee to develop a break schedule that is reasonable, accounts for needs that may vary from day to day and creates the least amount of disruption to the Village's operations. The Village will provide a private area, other than a bathroom, for nursing employees to express breast milk. To the extent possible, lactation break time should run concurrently with scheduled meal and rest breaks already provided to the employee. If a non-exempt employee's lactation break time cannot run concurrently with already provided meal and rest breaks, or additional time is needed, such breaks will be provided, unpaid. However, if the lactation breaks are longer than 20 minutes and the employee is not performing any work, the break time will be unpaid.

### 7.4 Bereavement Leave

The Village has taken into consideration the personal needs that arise from the death of an immediate family member. In the event of such a loss, full-time and part-time employees will be allowed up to five (5) days of paid leave for the death of a spouse or domestic partner, child (or step-child), mother or father (or step-parent), and sister or brother (or step-sibling) and grandchild (or step-grandchild);