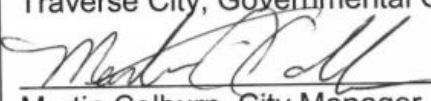
	CITY OF TRAVERSE CITY PERSONNEL POLICY TITLE: A.C.T. GROUP PROVISIONS	POLICY NO: 215-P
		SUBMITTED BY: Kristine M. Bosley
		APPROVED BY: Martin Colburn
Adopted Date: Effective Date: Supersedes No: 215P Procedure Reference No: xxx-P Page 1 of 15		HISTORY: Initial Adoption Date:08/15/2007 Amended Date:07/2011 Amended Date:07/2/2014

I hereby certify that this Policy was authorized by the City Manager for the City of Traverse City, Governmental Center, 400 Boardman Avenue, Traverse City Michigan.


08/25/2017

 Martin Colburn, City Manager Date

I. Purpose:

To provide written documentation of the provisions which affect the Administrative, Confidential and Technical (A.C.T.) Group of City Employees.

II. Additional Authority

City Charter, Chapter V, Section 39


III. Scope/Applies to

The provisions of this Order shall cover employees in the positions listed in Section 1.

This policy is intended as a guide to the conditions of employment and benefits that apply to the administrative, confidential and technical (A.C.T.) employees within the city. Nothing herein contained shall be construed to be a contract between the employer and the employee. Additionally, this policy is not to be construed by any employee as containing binding terms and conditions of employment. The city retains the absolute right to terminate any act employee, at any time, with or without good cause. Management retains the right to change the contents of this policy as it deems necessary, with or without notice.

IV. Responsibility

The City Manager, through the Human Resource Department, is responsible for the development and implementation of this policy.

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V. Definitions/Acronyms

Exempt: Exempt employees are not granted the protections of the Fair Labor Standards Act (FLSA) and are therefore not entitled to overtime pay. Some types of jobs are considered exempt by definition under the law, or an individual is an exempt employee if he or she is paid at least \$23,630 per year, is paid on a salary basis, and performs exempt job duties.

Non-Exempt: A non-exempt employee is entitled to overtime pay through the Fair Labor Standards Act (FLSA). Employers are required to pay time and a half the employee's regular rate of pay when they work more than 40 hours in a given pay week.


VI. Policy Statement

SECTION 1. COVERAGE AND STATUS

The A.C.T. Group consists of the following positions:

NON EXEMPT

- | | |
|--------------------------------------|---|
| Administrative Assistant (Police) | Financial Analyst/Compliance Officer |
| Asset Management/GIS Analyst | Human Resource Specialist |
| Asset Management/GIS Technician | Legal Assistant |
| Code Enforcement Officer | Office Coordinator – Water and Sewer |
| Executive Assistant/Purchasing Agent | Public Services Assistant – Engineering |

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EXEMPT

- | | |
|---|---|
| Assistant City Manager | Garage Superintendent |
| Chief of Police | GIS Coordinator |
| City Assessor | Human Resource Director |
| City Clerk | Marina Dockmaster/Hickory Hills Manager |
| City Engineer | Parks and Recreation Superintendent |
| City Treasurer/Finance Director | Parks Supervisor |
| Civil Engineer II | Planning Director |
| Deputy City Assessor | Planning/Zoning Administrator |
| Deputy City Clerk | Senior Center Director |
| Deputy Treasurer/Assistant Finance Director | Streets Superintendent |
| Director of Public Services | Streets Supervisor |
| Director of Municipal Utilities | Water Treatment Plant Superintendent |
| Fire Chief | Water/Wastewater Maintenance Superintendent |

Positions may be added to or deleted from the A.C.T. Group by the City Manager. Positions in the A.C.T. Group are full-time, forty (40) hours per week. Part-time positions (less than forty (40) hours per week) are not in the ACT Group and are not eligible for benefits contained in Section 3.

Employees in the A.C.T. Group are “AT WILL” appointments and serve at the discretion of the City Manager. The City or the employee may terminate the employment relationship at any time, with or without cause. The City Clerk and City Treasurer are subject to the appointment and removal provisions of the City Charter.

The policies, insurance and benefit coverages contained in this document are subject to change with or without notice.

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SECTION 2. SALARIES

The salary rates for the A.C.T. Group are determined by the City Manager with the approval of the City Commission, in accordance with budget appropriations.


New hires normally begin employment at Step 1 of the Grade. However, for recent, directly comparable work experience or advanced academic qualifications, the City Manager may authorize a higher starting step. The City Manager in conjunction with the Human Resources Department will determine an appropriate starting step for employees who enter the A.C.T. Group by way of promotion or transfer from another City position.

Progression through the pay grade from Steps 1 to 5 shall be automatic. Employees will be granted an increase of one (1) pay step once every twelve (12) months based on the employee's date of hire/promotion date, whichever is later. *Progression through the pay grade from Steps 6 to 9 shall be merit based. An employee's supervisor may submit the employee's performance evaluations and a written request to advance the employee to the next higher step citing specific, meritorious service to the City, subject to approval by the City Manager. Employees may be granted a merit increase of one (1) pay step once every twelve (12) months effective only at the beginning of the fiscal year and subject to the final budget approval by the City Commission. While transitioning to the Merit base increases, some employees may experience a lag of more than twelve months but less than 24 months between Step 5 and Step 6.*

Overtime Pay

Non-exempt employees are eligible to receive overtime pay in accordance with the provisions of the Federal Fair Labor Standards Act (FLSA). Employees may earn compensatory time in lieu of paid overtime in accordance with provisions of the FLSA. However, accumulated compensatory time cannot exceed forty (40) hours. The employee's supervisor must authorize overtime in advance.

Exempt employees are not eligible for overtime pay unless specifically authorized by the City Manager.

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Longevity Pay

Employees hired prior to January 1, 1990, receive the following payment added to their base wage:

- After 10 years continuous service- 3% of base pay
- After 15 years continuous service- 5% of base pay
- After 25 years continuous service- 7% of base pay

Employees hired after January 1, 1990, shall receive a pro-rated payment for longevity, which is added to the employee’s hourly wage. This amount is calculated on the employees’ anniversary date:

- After 10 years continuous service- \$0.15
- After 15 years continuous service- \$0.25
- After 25 years continuous service- \$0.35

SECTION 3. EMPLOYMENT AND INSURANCE BENEFITS

Employment benefits begin the first day of the month following the date of hire unless otherwise noted.


Leaves

Holidays

The A.C.T. Group observes the following holidays:

New Year’s Day, President’s Day, Good Friday, Memorial Day, July 4th, Labor Day, Thanksgiving Day, Day after Thanksgiving, Christmas Eve Day, Christmas Day.

If the holiday falls on Saturday, the preceding Friday will be observed as the holiday. If the holiday falls on Sunday, the following Monday will be observed as the holiday. A.C.T. Group employees receive eight (8) hours of holiday pay for each observed day. Holidays begin upon date of hire.

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Annual Leave


Annual leave is earned and accumulated each pay period at a rate dependent on the length of the employee’s service with the City. The determination of when annual leave is to be used and the amount that is taken at one time are at the discretion of the employee’s supervisor. Annual leave may not be used before it is earned. Employees of the A.C.T. group earn and accumulate annual leave according to the following schedule:

<u>Length of Service</u>	<u>Maximum Hrs Per Pay</u>	<u># of Hrs/Days Per Year</u>
0 to 4 years	3.08	80 hrs/10 days
5 to 14 years	4.62	120 hrs/15 days
15 to 19 years	6.15	160 hrs/20 days
= to or > 20 years	7.08	184 hrs/23 days

New hires may use accrued vacation time after six (6) months from the date of hire. Effective the first full pay period following October 1 of each year, accumulated vacation shall not exceed five (5) weeks (200 hours). Employees separated from City employment who have completed at least six (6) months service will be paid at separation for their unused accumulations of annual vacation leave at their pay rate at the date of separation. Such payment shall not be included in the Final Average Compensation for pension benefits.

Short Term Leave

On December 1 of each year, employees receive 56 hours (7 days) of short term leave. Short term leave may be used for illness or other purposes with the approval of the employee’s supervisor. Short term leave does not accumulate. The benefit period is from December 1 to November 30 of each year. Effective the first full pay period following December 1 of each year, employees will be paid for any unused short term leave, not to exceed 56 hours, at the employees regular rate of pay. New hires will receive a pro-rata amount of short term leave based on their date of hire with usage beginning on their benefit eligibility date.

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Personal Day Leave

ACT Group employees are granted three (3) personal days (24 hours) for each fiscal year (July through June). Personal days are non-accumulative and may be taken with approval of the supervisor. Upon separation and after at least six (6) months of service, employees are entitled to a payout of any unused personal time. Any personal leave remaining as of June 30 of each year shall be lost.

Frozen Accrued Sick Leave Bank

A.C.T. Group employees who were employed by the City prior to November 30, 1987 may have a frozen accrued sick leave bank. The employee may use the frozen accrued sick leave bank for the following purposes:

- A. In lieu of Short Term Disability insurance coverage where the employee would otherwise qualify for benefits under the terms of the policy.
- B. For all days not covered by Short Term Disability insurance, provided the length of time lost, due to the illness or injury, would qualify the employee for benefits under the terms of the policy.
- C. In the event a member of the employee's immediate family living in the same household is ill and a doctor has recommended that the employee remain at home during this illness. The employee must provide the Employer with written verification of the doctor's recommendation to be eligible to use accumulated sick leave for this purpose.
- D. Where the illness or injury arises out of or in the course of employment with the Employer; to provide the difference between the employee's regular pay, based on their normal forty (40) hour work week, and the weekly benefit provided through Worker's Compensation Insurance. Provided, however, only the amount of sick leave required to make up this difference shall be deducted from the employee's sick leave bank. Sick leave will not be deducted for the day of the injury.

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E. To provide the difference between the employee's regular pay, based on their normal forty (40) hour work week, and the weekly benefit provided through Short Term Disability Insurance. Provided, however, only the amount of sick leave required to make up this difference shall be deducted from the employee's sick leave bank.

Upon an employee's retirement, the City shall pay the employee fifty percent (50%) of their accumulated sick leave. Such payment shall be at the employee's regular rate of pay at the time of retirement. Such payment shall not exceed sixty (60) days (480 hours). Such payment shall not be included in the Final Average Compensation for pension benefits.

Bereavement Leave


Bereavement leave with pay is available to A.C.T. Group employees in case of death of any relative living within the household of the employee or the death of:

- | | |
|--------------------------------|--------------------------------|
| Spouse | Child |
| Parents | Sister |
| Brother | Father-in-law |
| Mother-in-law | Sister-in-law |
| Brother-in-law | Son-in-law |
| Daughter-in-law | Grandparents |
| Grandchildren | Stepmother of current marriage |
| Stepfather of current marriage | Stepchild of current marriage |

Bereavement leave will be granted for three (3) consecutive work days, or up to five (5) days for relatives living in the household or if the funeral is more than 300 miles away.

Jury Duty Leave

Employees shall be paid their regular wage for any response to a summons from a court of jurisdiction to perform jury service. The employee must submit to the City the jury duty payment from the Court, less mileage allowance. The Employer's payment is limited to a maximum of eight (8) hours to an employee scheduled to work on the date(s) jury service is required.

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SECTION 4. INSURANCES

Health Insurance

-Effective 1st of the month following your date of hire


The employer shall provide the following health benefits. The coverage is the Priority Health Savings Account HMO 100% Hospital Plan with minimum individual and family deductibles subject to annual deductible adjustment in accordance with Internal Revenue Service (IRS) regulations, and \$10 generic/\$40 brand name copayment for prescription drugs, or equivalent plan. For employees unable to qualify for the above plan due to IRS regulations, the City will make available Priority Health HMO 100% Plan (Priority 1) with \$10 copayment primary care provider office visit, \$10 copayment specialist office visit and \$10 generic/\$30 brand name copayment for prescription drugs or equivalent plan.

The City shall make this coverage available to all regular full-time employees, the employee's spouse, and the employee's dependents in accordance with Federal Law. Employees shall be required to complete an application for coverage and required to promptly notify the City of any changes in status affecting the employee's coverage. New hires shall be eligible for health insurance coverage pursuant to terms and conditions of the City's health insurance contract.

1. For employees enrolled in the Priority Health Savings Account HMO 100% Hospital Plan, the employer shall be responsible for eighty percent (80%) of the cost of the plan deductible and premium. Employees shall be responsible for twenty percent (20%) of the cost of the plan deductible and premium and such amount shall be payroll deducted.

The applicable plan deductible will be paid into individual employee's health savings accounts on an annual basis. New hires and/or employees who increase coverage level from single to double/family after July 1 shall receive a pro-rata payment into their health savings account beginning with the first full month of insurance eligibility or coverage change through the end of the plan year. Employee shall be responsible for the remainder of the deductible.

2. For employees enrolled in the Priority Health HMO 100% Plan (Priority 1), the employer shall be responsible for eighty percent (80%) of the cost of the premium. Employees shall be responsible for twenty percent (20%) of the cost of the premium and such amount shall be payroll deducted.

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The City reserves the right to change health insurance providers and/or programs.

The City agrees to compensate employees who have other health insurance coverage, three thousand six hundred dollars (\$3,600.00) per year pro-rated at three hundred dollars (\$300.00) per month for each month the employee has opted out of the Employer's health insurance coverage. Opt-out compensation will be payable in the last pay in June for eligible employees. Eligible employees will be required to sign a Payment In Lieu of Insurance Waiver and Release form annually. The Opt-Out Benefit payment shall not be included in the Final Average Compensation for pension benefits.

STATUS	EMPLOYEE COST PER MONTH	CITY COST PER MONTH
SINGLE	\$ 113.09	\$ 452.35
DOUBLE	\$ 264.18	\$ 1,056.70
FAMILY	\$ 287.23	\$ 1,148.93

Dental Insurance

-Effective 1st of the month following your date of hire


The City provides Delta Dental Plan 2979-0001, or equivalent, to A.C.T. Group employees, the employee's spouse and dependent children to the end of the calendar year in which they turn 26 and dependent unmarried children who are eligible to be claimed as an IRS dependent. The City pays 100% of the insurance premium.

Vision Insurance

-Effective 1st of the month following your date of hire

The City makes available vision insurance coverage for employees who wish to purchase the coverage. The coverage is VSP network with \$20 eye exam co-pay and \$ 20 material co-pay. The City pays 0% of the insurance premium.

STATUS	EMPLOYEE COST PER MONTH
SINGLE	\$ 9.31
DOUBLE	\$ 14.20
FAMILY	\$ 25.47

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Life Insurance

– *Effective 2 months following the date of hire*

The City provides Group Life insurance to A.C.T. Group employees. The benefit is two (2) times annual earnings, rounded to the next higher multiple of \$500, if not already a multiple of \$500. The maximum benefit amount is \$100,000. The City pays 100% of the insurance premium.

Life insurance amounts in excess of \$50,000 are subject to Federal tax. Tax deductions for life insurance are taken on the final paycheck at the end of the calendar year.

Short Term Disability Insurance

– *Effective 2 months following the date of hire*

A.C.T. Group employees will be provided with Short Term Disability (STD) insurance for non-duty related injury or illness which provides the following:

- up to twenty-six weeks of coverage per occurrence
- coverage effective upon the first day of an accident and the eighth day of an illness
- a weekly benefit payment of 66-2/3% of the employee’s gross wage.

The City pays 100% of the insurance premium. STD insurance eligibility begins two (2) months following date of hire.


Long Term Disability Insurance

– *Effective 2 months following the date of hire*

The City provides Long Term Disability insurance to A.C.T. Group employees. After a 180 day benefit waiting period, the benefit is 60% of the first \$6,667 of monthly pre-disability earnings, reduced by deductible income, with a maximum of \$4,000 before reduction by deductible income. The City pays 100% of the insurance premium.

Insurance Committee

The City reserves the right to change health insurance providers and/or programs. The health insurance provider selected by the City shall be licensed in the State of Michigan and shall be generally recognized and accepted by the health services community.

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There shall be a City of Traverse City Group Health Insurance Committee consisting of representatives from each union and administrative group. Up to Two (2) members of the administrative group will be part of this committee. The committee shall examine the health insurance program including, but not limited to, alternate providers, benefit levels, and premiums and shall make recommendations to the City regarding such.

In the event that the Federal or State government take-over or substantially change the current system of employer-provided group medical insurance coverage, or costs related thereto, this policy may be amended.


POST-EMPLOYMENT BENEFITS

Pension Plan

The City provides a defined benefit pension plan through the Michigan Municipal Employees' Retirement System (MERS).

Effective July 1, 2014 for employees hired before July 1, 2009, the pension multiplier shall be reduced to a 1.5% multiplier of FAC (final average compensation) upon termination for all future years of service. The plan includes the following benefit provisions:

Benefit Program B-3:	For years of service prior to July 1, 2014, 2.25% multiplier, not to exceed 80% of employee's final average compensation (FAC)
Normal retirement age:	60
Vesting:	V-6 (6 years)
Early retirement benefit:	F55(25) – full retirement benefit at age 55 with 25 years of service
FAC-5:	Average of the highest consecutive 5 year (60 months) period of earnings of the employee's credited service
Employee contribution:	0%

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For employees hired on or after July 1, 2009, the City provides a defined benefit pension plan through MERS. The plan includes the following benefit provisions:


- Benefit Program C-1 New: For years of service after to July 1, 2014, 1.5% multiplier
- Normal retirement age: 60
- Vesting: V-6 (6 years)
- Early retirement benefit: F55(25) – full retirement benefit at age 55 with 25 years of service
- FAC-5: Average of the highest consecutive 5 year (60 months) period of earnings of the employee’s credited service
- Employee contribution: 0%

Section 457 Deferred Compensation Plan

The City offers a Section 457 Deferred Compensation Plan through MassMutual or ICMA Retirement Corporation. Participation in the plan is voluntary. For A.C.T. Group employees participating in the plan, the City provides a guaranteed 4% (no employee contribution necessary). In addition to the guaranteed 4%, the City will also contribute a dollar-for-dollar match up to 6% of the employee’s gross pay (including regular hours, overtime, vacation pay, short term leave/sick pay and longevity). Annual benefit cash-outs and retirement cash-outs are not eligible to receive the City match. Employees can individually choose investment options offered through this program. All employees are required to enroll in accordance with I.R.S. regulations covering such plans.

IRS Qualifying Health Savings Plan

The City provides an I.R.S. qualifying health savings plan that allows employees to save for retiree medical expenses with pre-tax dollars. The City and A.C.T. Group employee each contribute ½% of the employee’s gross pay (including regular hours, overtime, vacation pay, short term leave/sick pay and longevity). Annual benefit cash-outs and retirement cash-outs are not subject to employer or employee contributions. Employees can individually choose investment options offered through this program. All employees are required to enroll in accordance with I.R.S. regulations covering such plans.

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Retiree Health Insurance

For employees hired prior to July 1, 2012 and who have not waived their eligibility for health insurance at retirement, the City will pay the single rate premium amount for the retiree only for the first three (3) years of retirement (36 consecutive months) for A.C.T. Group employees who retire from the City subject to the following conditions:

1. The employee must have a minimum of six (6) years of service with the City; and
2. the employee must have qualified for a pension under the Michigan Municipal Employees' Retirement System (MERS); and
3. the employee must leave employment collecting the MERS pension benefit.

The single rate premium amount for retirees is the monthly single rate premium for Priority Health HMO Plan 1, or equivalent. The single rate premium amount is deposited into the retiree's IRS qualifying health savings account on the first of each eligible month.

Effective for any employee hired on or after July 1, 2012, there will be no retiree health insurance. Instead the City will add 1.5% to the current .5% into the I.R.S. qualifying health savings account for retiree health matched by an employee share of .5%.

A.C.T. Group employees who retire under the Traverse City Act 345 retirement system are not eligible for this benefit.


Miscellaneous Benefits

Section 125 Plan

The City has established a Section 125 Plan that includes an employee pre-tax premium program for group health plans, a voluntary dependent care assistance program and a voluntary limited purpose health flexible spending account program.

Indemnification

Members of the A.C.T. Group shall be indemnified against any and all claims and liabilities.

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Automobile Accident Deductible Reimbursement

The City pays up to \$300 deductible for employees involved in accidents using personal vehicles to conduct City business.

Tuition Reimbursement

The City of Traverse City recognizes the value of continuing education. Therefore, a tuition reimbursement program has been established to help eligible employees improve job skills and enhance opportunities for advancement within the City. Tuition reimbursement is available to eligible employees who voluntarily pursue educational opportunities or training from an accredited college, university or trade school. The City, in its sole discretion, will determine whether or not a degree program or course is business or job related. Refer to Personnel Policy 224P, Tuition Reimbursement, for further requirements.

SECTION 5. RESIDENCY

Employees must live within a radius of twenty (20) miles of the City limits as measured from the nearest City limit. Employees who were living outside such radius prior to March 10, 2000 shall be permitted to remain in such place of residence, but if they move, must move within the above mentioned distance. New Hires have one (1) year from date of hire to attain such residency. Failure to comply with this provision shall be a reason for termination. Extensions due to extenuating circumstance may be granted by the City Manager. Change of address shall be reported within seven (7) calendar days to the Office of Human Resources.