

# **Sherman Township**

# **Employee Handbook**

Revised September 2022

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## **Introduction**

**Sherman Township** (the Agency) is pleased to have you as one of our employees.

This Employee Handbook sets forth the policies applicable to all employees. It contains major policies and procedures of the Agency.

It is important that you read and familiarize yourself with the policies in this Employee Handbook.

This handbook supersedes all previously issued handbooks and any inconsistent policy statements or memoranda made in the past. With or without prior notice, the Agency reserves the right to revise, modify, delete, or add to any and all policies, procedures, work rules, or benefits stated in this handbook or in any other related document.

Any written changes to this handbook will be distributed to all employees, so that they will be aware of the new policies or procedures. No oral statements or representations can in any way change or alter the provisions of this handbook.

Nothing in this handbook or in any other personnel document creates or is intended to create a promise or representation of continued employment for any employee.

If you have any questions concerning the contents of this handbook, please consult Township Supervisor.

## **Equal Employment Opportunity**

The Agency is an equal opportunity employer and makes all employment decisions on the basis of merit, qualifications, and abilities.

The Agency shall recruit, hire, train, and promote in all job titles, including interns, apprentices, and volunteers, without regard to race, religious creed (including religious dress and grooming practices), color, national origin (includes language use and possession of a driver's license issued to persons unable to prove their presence in the United States is authorized under federal law), ancestry, physical disability, mental disability, medical condition, genetic information, registered domestic partner status, marital status, sex (including pregnancy), gender, gender identity (including transgender identification), gender expression, age, sexual orientation, military and veteran status of any person, or any other consideration made unlawful by federal, state, or local laws ("protected class").

Pay discrimination between employees of the opposite sex performing substantially similar work, as defined by state and federal law, is prohibited. Pay differentials may be valid in certain situations defined by law.

All personnel actions, such as compensation, benefits, Agency-sponsored training, apprenticeships, internships, volunteer opportunities, transfer, demotion, termination, layoff, and return from layoff, shall be administered without regard to any protected class stated under federal, state, or local laws.

In addition, the Agency has numerous policies that are designed to achieve important business objectives. We recognize, however, that an otherwise legitimate workplace policy can have unintended consequences to individuals in a particular group or class. If you feel that one of our policies adversely impacts you, you should report your issue(s) regarding the particular policy to the Agency.

You may discuss equal employment opportunity related questions with Human Resources or with your manager.

## **Prohibition Against Discrimination and Harassment in the Workplace**

The Agency is committed to providing a work environment that is free of illicit discrimination and harassment. As a result, the Agency maintains a strict policy prohibiting discrimination, harassment, and sexual harassment against applicants and employees based on any legally-recognized basis, including, but not limited to: race, religious creed (including religious dress and grooming practices), color, national origin (includes language use and possession of a driver's license issued to persons unable to prove their presence in the United States is authorized under federal law), ancestry, physical disability, mental disability, medical condition, genetic information, registered domestic partner status, marital status, sex (including pregnancy), gender, gender identity (including transgender identification), gender expression, age, sexual orientation, military and veteran status of any person, or any other consideration made unlawful by federal, state, or local laws ("protected class").

The Agency's anti-harassment policy applies to all persons involved in its operations, regardless of their position, and prohibits harassing conduct by any employee of the Agency, including supervisors, managers, and nonsupervisory employees. This policy also protects employees from prohibited harassment by third parties, such as vendors, visitors, or independent contractors. If such harassment occurs in the workplace by someone not employed by the Agency, the procedures in this policy should be followed. The workplace includes: actual worksites, any setting in which work-related business is being conducted (whether during or after normal business hours), Agency-sponsored events, or Agency owned/controlled property.

### **Sexual Harassment Defined**

Sexual harassment includes unwanted sexual advances, requests for sexual favors or visual, verbal, or physical conduct of a sexual nature when:

- Submission to such conduct is made a term or condition of employment; or
- Submission to, or rejection of, such conduct is used as a basis for employment decisions affecting the individual; or
- Such conduct has the purpose or effect of unreasonably interfering with an employee's work performance or creating an intimidating, hostile or offensive working environment.

Sexual harassment also includes various forms of offensive behavior based on sex. The following is a non-exhaustive list of the types of conduct prohibited by this policy:

- Unwanted sexual advances or propositions (including repeated and unwelcome requests for dates).
- Offers of employment benefits in exchange for sexual favors.
- Making or threatening reprisals after a negative response to sexual advances.
- Visual conduct: leering, making sexual gestures, displaying of sexually suggestive objects or pictures, cartoons, posters, websites, emails, or text messages.
- Verbal conduct: making or using sexually derogatory comments, innuendos, epithets, slurs, sexually explicit jokes or comments about an individual's body or dress, whistling, or making suggestive or insulting sounds.
- Verbal and/or written abuse of a sexual nature, graphic verbal and/or written sexually degrading commentary about an individual's body or dress, sexually suggestive or obscene letters, notes, invitations, emails, text messages, tweets, or other social media postings.

- Physical conduct: touching, assault or impeding or blocking normal movements.
- Retaliation for making reports or threatening to report sexual harassment.

### **Other Types of Harassment**

Harassment on the basis of any legally protected class is prohibited. Prohibited harassment may include behavior similar to the illustrations above pertaining to sexual harassment. It also includes, but is not limited to:

- Verbal conduct including taunting, jokes, threats, epithets, derogatory comments, or slurs based on an individual's protected status;
- Visual and/or written conduct including derogatory posters, photographs, calendars, cartoons, drawings, websites, emails, text messages, or gestures based on an individual's protected status; and
- Physical conduct including assault, unwanted touching, or blocking normal movement because of an individual's protected status.

### **Reporting Complaints**

The Agency needs, expects, and encourages you to come forward, without delay, should you suspect that any form of discrimination, sexual harassment, and/or harassment has occurred in the workplace. The Agency takes all complaints regarding discrimination, sexual harassment, and/or harassment in the workplace seriously. If you feel you have been subject to discrimination, sexual harassment, and/or harassment, please notify the Agency immediately using the Agency's Complaint Reporting Procedure (below). Discrimination, sexual harassment, and/or harassment in the workplace will not be tolerated.

### **Retaliation Prohibited**

In addition, the Agency prohibits retaliation against any person who reports conduct prohibited by this policy, objects to such conduct, participates in any investigation into such conduct, files, testifies, assists, or participates in any manner in a proceeding or hearing conducted by a governmental enforcement agency. Prohibited retaliation includes, but is not limited to, termination, demotion, suspension, failure to hire or consider for hire, failure to give equal consideration in making employment decisions, failure to make employment recommendations impartially, adversely affecting working conditions, or otherwise denying any employment benefit.

### **Violations of Policy**

Any employee, regardless of position or title, whom the Agency determines has engaged in discrimination, sexual harassment, harassment, and/or retaliation in violation of this policy, will be subject to discipline, up to and including unpaid suspension and/or termination of employment.

### **Complaint Reporting Procedure**

The Agency encourages all individuals to report any incidents of unlawful discrimination, sexual harassment, other harassment, retaliation, or denial of accommodation immediately so that complaints can be quickly and fairly resolved.

If you believe that you have been the victim of discrimination, harassment (including sexual harassment), retaliation, and/or denied accommodation (for your disability, pregnancy, childbirth, or related medical condition, or for your religious belief and/or religious practice), you should report this problem to your immediate supervisor or any member of Township Board of Trustees. In a case where your complaint may involve your immediate supervisor, you should notify any member of Township Board of Trustees.

Your complaint should be as detailed as possible. You will be asked to provide the details of the incident(s) that occurred and the names of all individuals involved and any witnesses. It would be best to communicate your complaint in writing, but this is not mandatory.

Supervisors and managers will refer all complaints involving discrimination, harassment, or other prohibited conduct to the Township Board of Trustees. Upon receipt of a complaint, the Township Board of Trustees will immediately undertake an effective, thorough, and objective investigation of the allegations. All complaints will be investigated.

Investigations will be confidential to the greatest extent possible. Information obtained during the complaint procedure and investigation will be only shared with those individuals on a need-to-know basis or as required by law. An Agency representative will advise all parties concerned of the results of the investigation.

If the Agency determines that discrimination, harassment, or other prohibited conduct has occurred, effective remedial action will be taken in accordance with the circumstances involved. Any employee determined by the Agency to be responsible for discrimination, harassment, or other prohibited conduct will be subject to appropriate disciplinary action, up to and including unpaid suspension and/or termination of employment.

The Agency will not retaliate against you for filing a complaint and will not tolerate or permit retaliation by management, employees, co-workers, or third parties.

## **Genetic Information Non-Discrimination Act (GINA) Policy**

The Genetic Information Nondiscrimination Act of 2008 (GINA) prohibits covered employers from requesting or requiring genetic information of an individual or an individual's family member, except as specifically allowed by this law. To comply with GINA, the Agency asks that employees not provide any genetic information when responding to a request for medical information for purposes of leaves of absence or otherwise.

"Genetic information" as defined by GINA, includes an individual's family medical history, the results of an individual's or family member's genetic tests, the fact that an individual or an individual's family member sought or received genetic services, and genetic information of a fetus carried by an individual or an individual's family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services.

## **Workplace Violence Policy**

The Agency has a zero-tolerance policy for workplace violence, verbal and nonverbal threats, and related actions.

The Agency prohibits and will not tolerate any form of workplace violence by an employee, supervisor, or third party (including vendors, patients, customers, subscribers, clients, and/or visitors), both in the workplace and at employer-sponsored events.

### **Prohibited Conduct**

For purposes of this policy, workplace violence includes:

- Making threatening remarks (written or verbal);
- Aggressive or hostile acts, such as shouting, using profanity, throwing objects at another person, fighting, or intentionally damaging a coworker's property;

- Bullying, intimidating, or harassing another person (for example, making obscene phone calls or using threatening body language or gestures, such as standing close to someone or shaking your fist at them);
- Behavior that causes another person emotional distress or creates a reasonable fear of injury, such as stalking; or
- Assault.

This list is illustrative only and not exhaustive. No form of workplace violence will be tolerated.

### **Prohibition of Weapons in the Workplace**

Except where the Agency has given express written permission, such as in the case of security guards, the Agency prohibits all employees from possessing any weapons of any kind at the workplace while an employee is engaged in activities for the Agency, and/or at Agency-sponsored events. Possession of a valid license or permit that an employee may have which would otherwise authorize the employee to carry firearms or weapons is not an exemption under this policy.

For purposes of this policy, the workplace is defined to include the Agency's buildings, outdoor areas, and parking lots to the extent permitted under state law.

For purposes of this policy, "weapons" include, but are not limited to:

- Any device from which a projectile may be fired by an explosive;
- Guns/firearms;
- Any simulated firearm operated by gas or compressed air;
- Any spring blade knife;
- Any knife which opens or is ejected open by an outward, downward thrust or movement;
- Sling shot;
- Sand club;
- Metal knuckles;
- Mace;
- Explosives;
- Any instrument that can be used as a club and poses a reasonable risk of injury; and/or
- Any item with the potential to inflict harm that has no common purpose.

Employees who violate this policy are subject to immediate discipline, up to and including unpaid suspension and/or termination of employment.

### **Complaint Procedure**

Employees should immediately report to their supervisor, a member of management, and/or Human Resources incidents of violence or threats of violence.

If you witness or are subjected to any conduct you believe violates this policy, you are required to report this conduct as soon as possible. Your complaint should be as detailed as possible, including the names of all individuals involved and any witnesses.

The Agency will directly and thoroughly investigate all complaints of workplace violence and will take prompt corrective action, including discipline, if appropriate. The Agency reserves the right to contact law enforcement, if appropriate.

The Agency will not retaliate against any employee for reporting such an incident and will not knowingly permit any retaliation by management or non-management employees.

## **Workplace Safety Policy**

Protecting the safety of our employees and visitors is vital to the Agency. All employees have the opportunity and responsibility to contribute to a safe work environment by using commonsense rules and safe practices, and by notifying management when any health or safety issues are present. All employees are encouraged to partner with management to ensure maximum safety for all.

No employee will be retaliated against for reporting any workplace health or safety concerns.

An employee who sustains a work-related injury or illness should inform his or her supervisor immediately. No matter how minor an on-the-job injury may appear, it is important that it be reported immediately.

Employees who sustain work-related injuries may be eligible for workers' compensation benefits. Employees should contact the Township Clerk.

**In the event of an emergency, notify the appropriate emergency personnel by dialing 911.**

## **Employee Acknowledgement**

I hereby acknowledge receipt of the Sherman Township Employee Handbook. I have read, understand, and agree to follow the policies and procedures contained therein. I understand that the Agency can change any and all policies or practices at any time. In consideration of my employment, I agree to abide by the policies and procedures of the Agency.

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Employee Signature

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Print Name

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Dated



**Amendment A: Nondiscrimination Policy**

Sherman Township is committed to providing its residents and businesses with a great place to live, work, and play! That commitment is inseparable from our commitment to diversity, equity, and inclusion. It is important that each member of our community has full opportunity to thrive in Sherman Township and we believe that diversity is key.

**Diversity:** Sherman Township will commit to increasing diversity in all its many forms, including race and ethnicity, gender and gender identity, sexual orientation, culture, language, religious commitments, socioeconomic status, age, (dis)ability status, and political perspective.

**Equity:** Sherman Township will commit to working actively to challenge and respond to bias, harassment, and discrimination. We are committed to a policy of equal opportunity for all persons and do not discriminate based on race, color, national origin, age, marital status, sex, sexual orientation, gender identity, gender expression, disability, religion, height, weight, or veteran status.

**Inclusion:** Sherman Township will commit to pursuing efforts to ensure that the Township is a place where differences are welcomed, diverse perspectives are respectfully heard, and where every individual feels a sense of belonging and inclusion.

**Equal Employment Opportunity**

An inclusive and welcoming work environment is our priority. Sherman Township is an equal opportunity employer and is dedicated to the goal of building a culturally diverse staff. Sherman Township strongly encourages applications from minorities and women. It is the policy of Sherman Township not to discriminate against anyone because of actual or perceived race, color, religion, national origin, sex, age, height, weight, marital status, physical or mental limitations, source of income, familial status, sexual orientation, or gender identity/expression. The following person has been designated to handle inquiries regarding the non-discrimination policies: Township Supervisor, 8872 Second Street, Lake Linden, MI 499454 (906) 296-1211.

**Non-Discrimination**

It is the intent of the township that no person be denied equal protection of these laws: 1) Title VI of the Civil Rights Act of 1964, which prohibits discrimination based on race, color, or national origin (including limited English proficiency), 2) Section 504 of the Rehabilitation Act of 1973, and 3) Age Discrimination Act of 1975, which prohibits discrimination based on age. The township’s intent of using the above-mentioned laws is to prohibit any person being denied the enjoyment of his or her civil or political rights or be discriminated against because of actual or perceived race, color, religion, national origin, sex, age, height, weight, marital status, physical or mental limitation, source of income, familial status, sexual orientation, or gender identity/expression It is also the intent of the township to preserve the rights of religious organizations granted to religious organizations by state and federal law. This shall govern discriminatory conduct and shall not infringe upon free speech rights granted by the First Amendment to the United States Constitution. Nothing contained in this policy shall be construed to prohibit any affirmative action policies passed by any level of government.

**Retaliation**

Sherman Township is committed to protecting anyone from retaliation against any person who in good faith reports or participates in an inquiry or investigation into township non-discrimination procedures and policy. The township will provide ongoing training and education designed to identify, mitigate, and eliminate retaliation, and support resources for anyone who report concerns and participate in inquiries or investigations including those alleged to have violated this policy. In addition, whenever appropriate, the township may develop long-term mitigation plans that are written and binding on all parties to a good faith report or concern and are enforceable for such period as needed to ensure compliance with the terms and spirit of this policy.

**Non-discrimination by Township Contractors**

(a) A written contract to which the township, a political subdivision, or any agency thereof, is a party shall contain a covenant by the contractor and his/her subcontractors not to discriminate against an employee or applicant for employment with respect to hiring, tenure, terms, conditions, or privileges of employment, including a benefit plan or system or a matter directly or indirectly related to employment, because of actual or perceived race, color, religion, national origin, age, sex, height, weight, marital status, physical or mental limitation, source of income, familial status, sexual orientation, gender identity or expression, or use by an individual of adaptive devices or aids. Breach of this covenant may be regarded as a material breach of the contract. (b) This section is also applicable to labor organizations, employment agencies, apprenticeships, and job training programs. In addition, a labor organization shall not discriminate in its membership practices nor fail to fairly represent its membership in a grievance process because of actual or perceived religion, race, color, national origin, age, sex, height, weight, marital status, physical or mental limitation, source of income, familial status, sexual orientation, gender identity/expression, or use by an individual of adaptive devices or aids.

## **Amendment B: Title VI Complaint Process**

**Objective:** A process has been established for receiving and processing all complaints filed pertaining to employment, program, activity, or service receiving that is administered by Sherman Township or its sub-recipients and contractors. This process is optional and does not affect the right of the complainant to file formal complaints with other state or federal agencies or to seek private counsel for complaints alleging discrimination. These procedures are part of an administrative process which does not provide for remedies that include punitive damages or compensatory remuneration for the complainant.

**Filing:** Any individual, group of individuals or entity that believes he, she or it has been subjected to discrimination based on race, color, or national origin by the Township may file a complaint with the Township's Title VI Coordinator. The complaint must be reduced to written form and filed within 180 calendar days of the alleged occurrence, or when the alleged discrimination became known to the complainant. The complainant(s) must meet the following requirements:

- a. Submit the complaint in writing and signed by the complainant(s);
- b. Present the date of the alleged act of discrimination (or the date when the complainant(s) became aware of the alleged discrimination); and,
- c. Present a detailed description of the issues including name(s) and job title(s) of the person(s) committing the alleged act of discrimination.

Allegations received by fax or email will be acknowledged but will not be processed until the identity of the complainant(s) is (are) known and a signed copy of the complaint is submitted to the Township.

Allegations received by telephone will be reduced to written form and provided to the complainant(s) for confirmation or revision before processing. A complaint form will be forwarded to the complainant(s) for completing, signing and return to the Township for processing. Complainants with limited English proficiency shall be provided an interpreter to assist in completing the complaint. The Township may engage an interpreter or an interpretation services contractor as necessary to assist with taking a complaint or completing the complaint process, as necessary.

**Processing:** The Township will promptly process all complaints that are fully and timely completed and submitted. Once the complaint is received, the Township will review it to determine whether:

- a. The Township has jurisdiction;
- b. The allegations involve discrimination based on race, color, or national origin;
- c. The allegations involve an activity of the Township, or a sub-recipient or contractor of the Township;
- d. The complaint is administratively complete; and,
- e. The complaint is timely.

### **Dismissal:**

A complaint may be dismissed if:

- a. The complainant(s) request(s) withdrawal of the complaint;
- b. The complainant(s) fail(s) to respond to repeated requests for additional information needed to process complaint;
- c. The complainant(s) cannot be located after reasonable attempts; and/or,
- d. The Township determines the complaint does not meet the requirements for filing and processing stated above.

The complainant will be notified in writing of the ground(s) for dismissal.

**Investigation:** If the Township determines that jurisdiction is proper and that the complaint is administratively complete, timely and in proper form, the complainant(s) and the respondent(s) will be promptly notified in writing of such determination. The complaint will then receive a case number and be logged into the Township's records identifying its basis (race, color, or national origin) and the alleged harm.

In cases where the Township determines to investigate the complaint, the Title VI Coordinator will promptly commence investigation of the complaint and provide the respondent(s) with the opportunity to respond to the allegations in writing. The respondent(s) will have twenty (20) calendar days from the date of the Township's written notification of its determination to furnish a written response to the allegations.

The Title VI Coordinator will use all reasonable efforts to resolve the complaint at the lowest level possible. The Title VI Investigator will make every reasonable effort to pursue a timely resolution of the complaint. Initial interviews with the complainant and the respondent will request information regarding specifically requested relief and settlement opportunities. Within thirty (30) calendar days after the due date for the response(s) of the respondent(s), the Title VI Coordinator will prepare an investigative report including a narrative description of the incident, the identification of person(s) interviewed, any findings of fact, and any recommendations for disposition, and will review such draft report with Township legal staff.

**Final Report:** If the complaint is not resolved to the mutual satisfaction of the complainant(s) and the respondent(s) within sixty (60) days after the Township's determination, the Township Title VI Coordinator's final investigative report shall be filed and recorded as hereinafter provided, and the Township will notify the parties of its findings.