

**CITY OF VASSAR
TUSCOLA COUNTY, MICHIGAN**

RESOLUTION NO. 15-16

A RESOLUTION AMENDING THE CITY OF VASSAR EMPLOYEE HANDBOOK,
ADOPTED ON JANUARY 1, 2013

WHEREAS, the City of Vassar, Tuscola County, Michigan ("City") is a Michigan Home Rule City; and

WHEREAS, the City Council on January 1, 2013, adopted the City of Vassar Employee Handbook ("Employee Handbook"); and

WHEREAS, the City, pursuant to the procedure set forth in the Employee Handbook, desires to amend the Employee Handbook to amend the Procedure for Grievances and Employee Appeals; and

WHEREAS, the City desires that this amendment take immediate effect upon notice of this amendment being provided to the individuals governed by the Employee Handbook; now

THEREFORE BE IT RESOLVED, that the section entitled **PROCEDURE FOR GRIEVANCES AND EMPLOYEE APPEALS** in the City's Employee Handbook is hereby deleted in its entirety and shall be replaced with a new **COMPLAINT PROCEDURE** section that shall read as follows:

Complaint Procedure

The purpose of this procedure is to provide a method for complaints to be voiced in a manner that will allow such matters to be resolved fairly and in a timely manner by the proper City authority. This complaint procedure is not applicable to complaints of harassment or discrimination, which are covered separately in the City's Employee Handbook.

Scope of Application

All non-represented regular full-time and part-time employees who are subject to these policies and have completed their contingency period shall have the right to use this procedure.

Definition of a Complaint

A complaint is a grievance regarding an alleged violation or misinterpretation of the rules provided in the City's Employee Handbook, or a complaint of unfair application of those rules.

Complaint Procedure

Any complaints shall be handled in accordance with the following procedure:

Step 1. The employee shall within ten (10) working days of the date of the cause of the complaint, or within ten (10) working days of date he or she could reasonably be expected to

have knowledge of the cause of the complaint, appeal to his or her direct supervisor requesting an investigation of the complaint. The employee shall provide his or her direct supervisor with a written complaint reciting the specific issues alleged, the policy, rule or regulation allegedly violated and shall specify with particularity the remedy sought.

The direct supervisor shall reply to the employee within five (5) working days. If an employee reports directly to a Department Head, such employee may skip Step 1 and proceed to Step 2.

Step 2. If an employee, after appeal to the direct supervisor, feels that a proper investigation and resolution has not been undertaken, the employee shall, within ten (10) working days of the receipt of the direct supervisor's reply, appeal in writing to his or her Department Head by requesting a review of the decision made in Step 1. The Department Head shall consider the appeal according to the established procedures and reply to the employee in writing within five (5) working days of receipt of the appeal. If an employee reports directly to the City Manager, such employee may skip Step 2 and proceed to Step 3.

Step 3. If an employee, after appeal to the Department Head, feels that a proper resolution of the complaint has not been provided, then the employee shall, within ten (10) working days of receipt of the Department Head's reply, appeal in writing to the City Manager by requesting a review of such decision. The City Manager shall consider the appeal and respond to the employee in writing. A determination shall be made within ten (10) business days after receipt of the request.

Complaints Regarding City Manager or Elected Officials

If an employee makes a complaint regarding conduct by the City Manager, the employee shall report the complaint in writing, as set forth in Step One, above, to the City's Mayor. The City's Mayor shall then direct an investigation of the employee's complaint by immediately forwarding the complaint to the City's attorneys for investigation. Upon the City attorney's completion of the investigation, a report shall be provided to the City's Mayor for review and action, if appropriate, by the City Council at the next regularly scheduled meeting of the City Council.

If an employee makes a complaint regarding conduct by any elected City official, the employee shall report the complaint in writing, as set forth in Step One, above, to the City Manager. The City Manager shall then direct an investigation of the employee's complaint by immediately forwarding the complaint to the City's attorneys for investigation. Upon the City attorney's completion of the investigation, a report shall be provided to the City Manager for review and action, if appropriate, by the City Council at the next regularly scheduled meeting of the City Council.

Failure to Make a Timely Request

If an employee fails to make a timely request at any step in the complaint procedure, then that employee shall be deemed to have waived this complaint procedure. However, any of the deadlines set forth above may be extended by written agreement of the City and the employee.

Anti-Retaliation Policy

Employees shall be free to use this procedure without restraint, interference, coercion, discrimination, or reprisal. An employee, whether acting in an official capacity for the City or

