



# AGENDA

## EXECUTIVE COMMITTEE MEETING

Friday, March 28, 2025, 2:00 a.m.

**SWMPC Conference Room**  
376 West Main Street, Suite 130  
Benton Harbor, MI 49022

1. **CALL TO ORDER** **Chair Kurt Doroh**
  - Pledge Allegiance
  - Roll Call
2. **ACCEPTANCE OF AGENDA**
3. **REVISIONS TO FINANCIAL POLICIES & PROCEDURES\**Accept***
  - **Changes Necessary to Satisfy EPA Community Change Grant**
4. **BROADBAND ISP BEAD LETTERS OF SUPPORT \**Accept*** **K. John Egelhaaf**
  - **Discussion of Internet Service Provider Requests for Support for Applications to the Broadband Equity Access and Deployment Program (BEAD)**
  - **Comcast, Surf, Midwest Energy and Communications, 123 Net, Frontier**
5. **REVISIONS TO PERSONNEL POLICIES\**Accept*** **Chair Doroh**
  - **To Conform to Earned Sick Time Act as of February 21, 2025**
  - **See Page 23 Text Highlighted in Green**
6. **PUBLIC COMMENT**
7. **PRIVILEGE OF THE FLOOR**
8. **ADJOURNMENT**

*\*enclosures*

*SWMPC Mission: Our team uses its passion and expertise to connect people, assist communities, and advance cooperative solutions to regional challenges experienced by the communities that created us.*

# **SOUTHWEST MICHIGAN PLANNING COMMISSION**

## **Financial Management Policies and Procedures**



Approved February 3, 2009  
*Updated April 19, 2011*  
*Updated February 20, 2018*

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## **Introduction**

The Southwest Michigan Planning Commission (SWMPC) Financial Management Policies and Procedures Manual has been developed to define financial policy for conduct of business and to provide general procedures for their implementation. The information in the manual is in accordance with SWMPC Bylaws, a policy framework established by the SWMPC Board of Commissioners. Through the Bylaws, the Board delegated authority and responsibility for the administration of financial policies to the Executive Director. The Executive Director has the authority to modify, amend, and/or establish new fiscal operational procedures without advance notice; however, changes in policy are subject to Board approval. In the absence of the Executive Director and with the approval of the SWMPC Executive Committee, the Deputy Director shall assume the Executive Director's responsibilities detailed within this document.

Board Members and staff are encouraged to consult the Executive Director for additional information regarding the financial policies and procedures described in this manual.

## Part 1 – Financial Planning and Budgeting

### **Policy**

SWMPC fiscal year is the calendar year. SWMPC uses QuickBooks accounting software and follows generally accepted accounting principles (GAAP). With respect to fiscal planning and budgeting, the employees responsible for financial reporting shall not jeopardize the programmatic or fiscal integrity of the organization. Accordingly, she/he shall not cause or allow budgeting that:

- Deviates from board-stated ends, policies and priorities.
- Contains too little detail to enable a reasonably accurate projection of revenue and expenses.
- Fails to separate capital and operational items or disclose planning assumptions.
- Plans the expenditure of more funds in a fiscal year than conservatively projected to be received in that period.
- Reduces the current cash assets below a reserve amount representing a minimum three months expenses.

### **Procedures**

#### **Annual Budget and Work Plans**

The Executive Director shall develop a preliminary budget and work plan annually.

#### A. Budget Development:

1. Project Authorization or Executed contract received from grantor, or project client.
2. Project Information Sheet prepared and passed to the Office Manager to create a Project file and assign a Program/Class Code.
3. Insert income details into the Projects and Funding Source Summary table
4. Preliminary Project Budget prepared by Executive Director or Project Planner
  - May be developed from a prospectus, proposal, or grant proposal
  - If the project is part of a continuing planning process (NATS, T-CATS, etc) the accounting history from prior years are examined in order to derive the most accurate numbers possible for the Preliminary Project Budget.
  - Preliminary Project Budgets are submitted for input from project planners prior to final draft.
5. Preliminary Project Budget final draft provided to Office Manager
6. Office Manager inserts Preliminary Project Budget into Master Accounting Budget
7. Executive Director inserts Preliminary Project Budget into SWMPC budget document package (Draft Budget or next budget revision submitted to the Commission).

B. The Executive Director presents the preliminary budget to the Executive Committee for review prior to the formal presentation to the Commission.

C. The Executive Director presents the preliminary budget with any suggested revisions to the Board for provisional approval at the last Commission meeting of the year.

- D. The Board reviews the proposed annual budget with the Executive Director during the last Commission meeting of the year. The Executive Director presents the fiscal year work plan to the Commission at the first meeting of the year.
- E. After the Commission approves the annual budget, the Executive Director then manages the annual budget effective January 1 of each fiscal year, requesting budget amendments at Commission meetings. The Office Manager prepares monthly reports that are presented to the Commission or Executive Committee.

## Part 2 – Financial Condition/Financial Reporting and Documentation

### Policy

With the respect to the actual, ongoing condition of the organization’s financial health, the Executive Director may not cause or allow the development of fiscal jeopardy or loss of allocation integrity. The SWMPC shall maintain a minimum three-month fund balance. If the fund balance should dip below the three-month level, the Treasurer and Chair with the Executive Director shall review the bi weekly financial management and Office Manager until the three-month fund balance is restored. SWMPC will retain financial and supporting records for a minimum of 3 years after a federal award is closed.

Accordingly, the Executive Director may not:

- Allow actual allocations to deviate materially from board priorities and policies.
- Indebt the organization in an amount greater than can be repaid by unencumbered revenue within 90 days and, in no event, beyond the fiscal year.
- Funds shall not be intended for long-term investment although checking and contingent accounts may be interest bearing.
- SWMPC shall not expose the organization, its board or staff to claims of liability.
- SWMPC shall not receive, process, or disburse funds under controls insufficient to meet audit standards.

### Procedures

#### Chart of Accounts and Other Financial Records

1. The Office Manager shall maintain the Chart of Accounts as new programs are added. Updates are distributed to the Executive Director and planners.
2. The Office Manager shall produce a general ledger, accounts receivable, accounts payable, cash receipt, disbursements, and revenue and expense statements through QuickBooks as requested by the Executive Director. These reports reflect actual income and expenses to the approved annual budget.
- ~~2.~~3. QuickBooks is used to track revenues and expenditures and provide financial results separately for each federal agreement, project, or program. The Office Manager uses QuickBooks to generate reports by project/grant to show obligations, unobligated balances, assets, outlays, income, interest, and comparison of outlays to budgeted amounts. The Office Manager maintains a file on each project/grant with source documentation to support the entries in QuickBooks.

#### Financial Reporting

1. For federally funded projects SWMPC prepares regular updates on the status of program implementation following the reporting requirements found in the award’s terms and conditions. The project manager will review grant terms and conditions to determine frequency and format of technical reports and requirements for submitting associated a financial statement of expenditures. The project manager will prepare and submit

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Interim/Final Financial Status Reports (SF-425) as required or at least annually for all federal funding sources.

### **Drawing Funds and Advanced Payments**

1. SWMPC draws down federal funds approximately once a month unless the federal granting agency requires another way of accessing their funds. The draw-down process is performed by the Office Manager with approval by the Deputy Director and Executive Director. For federal grants and contracts, funds are drawn down on a reimbursement basis (i.e., federal funds are not drawn down until they have been spent).
2. The organization complies with federal provisions for minimizing the time elapsing between the drawdown of funds and disbursement by operating its federal grant awards on a reimbursement basis. Prior to conducting the drawdown, a report is generated to show a comparison of revenues to expenses to date for each federal grant. The Office Manager will conduct an analysis of budget to actual expenses and a summary of funds drawn to date prior to drawing down funds. The analysis spreadsheet is organized by individual grant index, granting agency and the grand total of all federal grant funds to be drawn down. Federal grant funds are received from each granting agency via wire transfer.
3. The Office Manager with approval of the Executive Director is authorized to request payments from the Federal government for grant awards from the federal website. The Office Manager with approval of the Deputy Director prepares reimbursement requests/invoices and supporting documentation in accordance with the associated grant and contract requirements, ensuring that all expenses submitted for reimbursement are reasonable, allowable, allocable, and accurate. The Executive Director is copied on all invoices and payment requests and verifies that the requests and payments requests are accurate. Supporting documents from the grantee and all partners/contractors are required for the draw of funds and for issuing payments.
4. Supporting documentation for expenses include staff timesheets, receipts, and mileage and expense reimbursement forms with associated approvals. After the drawdown request has been finalized, the completed analysis is used to allocate the funds when they arrive. Once the federal funds are received the Office Manager documents it in the accounting system as received income and ensures that the amount loaded into each federal grant equals the requested draw-down amount. If the reimbursable expense was not already paid out, the Office Manager will disperse the funds as according to federal provisions.

### **System for Award Management (SAM)**

1. SWMPC will register and/or update organization information in the SAM portal once annually as required by federal grant agreements to maintain SAM compliance. (The SAM enables informed decisions about whether vendors and/or contractors will be engaged for

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## Part 3 – Revenue

### Policy

#### Contracts for Services

1. The Executive Director shall cultivate and enter into contracts for new projects including technical assistance to area municipalities and the general public up to \$75,000. These contracts for services shall be subject to the two signatures requirement and contracts for services greater than \$75,000 shall require the approval of the Executive Board.
2. Contracts for services shall be billed and accounted for consistent with the following guidelines:
  - Fees for assistance shall be based on the nature of the project incorporating salaries, benefits, direct costs, travel, supplies, surveys, mapping or other materials.
  - An agreement identifying the proposed scope of services, terms and conditions, and fees shall be signed by the appropriate signatory of SWMPC and the entity(ies) bearing the cost.
  - SWMPC shall only respond to those requests for assistance from local governments that do not involve an open competitive bid process.
  - SWMPC retains the right to waive a portion or all costs for a service in cases where other local state or federal grant sources allow for such.

#### Other Revenue

1. SWMPC invoice terms shall be due and payable upon receipt.
2. All revenue is to be deposited to an established SWMPC account promptly. Checks and cash is not to be held in the office more than two business days.

### Procedures

#### Contracts and Awards

1. Any agreement entered into will be reviewed and signed by both parties. Before the contract is made, SWMPC will verify the contractor's eligibility to receive federal funds and verify they are not vendors that are suspended and debarred via search of the SAM.gov website. The organization will follow all applicable rules for payment of any consultants as outlined by the appropriate federal agency. For EPA grants consultant rates shall not exceed SES Level 4. Refer to 2 CFR 1500.10 for full guidance and exception, as well as in each of the applicable grant's terms and conditions. All applicable agreements with contractors and consultants will be included in the federal award file and retained on records.
2. SWMPC will conduct regular meetings with any entity with whom they have entered into an agreement. Agreements will include a termination clause, and in the event the contractor fails to meet their obligations as outlined in the agreement, the organization reserves the right to terminate them.
3. The Executive Director receives the award letter, signed contract or Project Authorization form and copies are given to the Office Manager and appropriate Planner. The Office Manager files original.

2-4. Staff respond to grants, contracts and awards as appropriate. Recognition of donors is included in the Annual Report, newsletters and on the website.

### **County Contributions, Local Matches and Other Income**

1. County contributions are established as a per capita rate at the August Commission meeting upon recommendation from the Executive Committee and Executive Director. The Executive Director contacts each County Administrator to assure inclusion in the county budgets. County Contributions serve as Local Match for Economic Development Administration funding (required by Federal legislation) and other grants. In January, the Office Manager prepares invoices sent with cover letters from the Executive Director for each county.
2. Metropolitan Planning Organization Local Match rates are established by federal legislation and are included in the Unified Work Programs approved at the August Commission meeting. In January, the Office Manager prepares invoices for each participating community.
3. Sales of reports, course fees, and document copying have fees assigned based on cost. Fees are collected as incurred and recorded in receipt log.

### **Accounts Receivable**

1. The Office Manager generates invoices at the end of the quarter in which services are rendered, unless a specific exception is made in a program contract.
2. The SWMPC pursues aggressive collection of unpaid receivables, enlisting Board members and staff for personal contact with account holders and reminder invoices quarterly unless other arrangements are made.
3. The Office Manager discharges uncollectible accounts receivable in consultation with the audit firm upon final approval of the Board.
4. The Office Manager invoices employees for all due personal expenses quarterly.
5. Personal employee expenses due are paid by cash or check payable to SWMPC and deposited by the Office Manager.

### **Deposit of Funds**

1. The Office Manager receives, records, copies, endorses "For Deposit Only" all incoming funds, and prepares the bank deposit. If not deposited immediately, checks and cash are in a locked cabinet until ready for deposit. All revenue received by SWMPC is deposited within two business days to an SWMPC account.
2. The deposit is made to the bank by the Office Manager. The bank stamps the verification on the bottom of the Deposit Summary and the check stubs are staples to it, it is then filed with the financial files in the Office Managers office.

## Part 4 – Expenditures

### Policy

#### Purchase Authority and Limits

The Executive Director shall make on her/his own authority purchases per the approved budget. Purchase amounts not budgeted shall be limited to \$3,000.00 compatible with requirements of financial conditions. Amounts greater require approval of the Executive Committee.

#### Procurement

SWMPC is a tax-exempt organization and, therefore, does not pay Michigan sales tax for certain items. Purchasers should contact the Executive Director and Office Manager for guidance about sales tax prior to purchasing. If needed, the Office Manager will provide the purchaser with a Michigan sales tax exemption certificate. Taxes for which exemptions are available are unallowable costs. “Goods and services” refers to any item used in the course of the SWMPC operations; or a non-tangible activity performed for SWMPC by an outside entity (business or government) on a one-time or ongoing basis in support of SWMPC work. Goods may be, but are not limited to, office equipment, technology (software, etc), office supplies, educational materials, and storage systems. Services may consist of, but are not limited to, auditing, computer support, insurance, janitorial, clerical work, and printing (including both the supply of paper and processing). Leases of all kinds and specifically for office space are included.

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“Vendors” are any outside entity that offers goods or services for financial consideration.

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1. All purchases of goods and services shall not exceed approved budget limitations.
2. All purchases of goods and services shall meet contractual requirements.
3. Consideration of priority in the selection of goods and services shall proceed as follows:
  - a. Quality; taking account of any equipment compatibility concerns.
  - b. Value; cost analysis incorporating delivery, set-up, warranties, future service, etc.
  - c. Significance shall be attached to product sources within southwest Michigan.
  - d. SWMPC may choose to utilize certain vendors who offer intrinsic measurable fiscal advantages. The establishment of such regular vendors for ongoing supply of goods or services should be reviewed at least annually. There must be no exclusivity requirements.
4. No employee or Board member may profit directly from any SWMPC financial arrangement for goods or services unless potential conflicts of interest are fully disclosed to the Executive Committee. Business, family, and social relationships of staff or Board members with vendors should not be automatically considered a conflict of interest, but must be disclosed when relevant financial matters are under discussion. Board members must adhere to SWMPC Conflict of Interest Policy in the Board Manual.
5. Any compensated officer, employee, or agent of the organization in violation of said standards of conduct shall be subject to disciplinary action and/or penalty that could ultimately result in termination of employment. Managers, President, and/or Board of Directors reserve the right to terminate employment effective immediately upon discovery of incident depending on the nature and severity of offense.

- 5-6. Final selection of a vendor for any capital purchase shall be based on price, rate quotes obtained from at least three qualified sources, if possible an online product, or vendor search should be included when determining the final selection.
7. No contract or sub-award will be entered into with parties that are debarred, suspended, or excluded from Federal assistance programs.
8. In the event a product or service is available only from a single source, negotiations shall be conducted to obtain the most favorable conditions possible for SWMPC.
9. Leases shall be reviewed prior to renewal. At least two alternatives should be considered. Where appropriate, SWMPC will conduct an analysis of lease and purchase alternatives to determine which would be the most economical and practical procurement.
10. Purchases made when procuring property or services through a federal award with federal funds follow the procurement standards under the Federal Uniform Grants Guidance. Procurement transactions maximize free and open competition. Written solicitations have a clear scope of work, requirements and features prospective bidders must meet, a preference to conserving natural resources and the environment, and positive efforts to use small, disadvantaged and minority owned firms when possible. The organization documents the reason for the type of procurement bin used, the basis for contractor selection, a justification for lack of competition or sole-source procurement, and the basis for award cost and price.
11. SWMPC will avoid purchasing unnecessary items and limit the purchase to necessary quantities, SWMPC will ensure that goods and services are received, approved and acceptable before payments are made.
12. Purchase requirements are based on the current federally adopted simplified acquisition thresholds (SAT). Purchases exceeding \$100,000 are subject to pre-award review by the Federal Entity to ensure procurement procedures are adequate. Special consideration is given to environmentally friendly, and energy efficient products/services (2 CFR 200.322) Quotes and bids must include specifications and qualifying characteristics considered by the vendor/contractor, including delivery and time frame, the scope of work, references, and other relevant specifications. A quote is a written statement from a vendor regarding the price for a specific good or service.
13. SWMPC ensures that Disadvantaged Business Enterprises have an equal opportunity to receive and participate in and ensures nondiscrimination in the award and administration of contracts; to create a level playing field on which DBEs and small businesses can compete fairly for contracts; ensures that the DBE program is narrowly tailored in accordance with applicable law; ensures that only firms that fully meet eligibility standards are permitted to participate as DBEs; helps remove barriers to the participation of DBEs and small businesses in federally funded contracts; and assists the development of firms that can compete successfully in the marketplace outside the DBE program. Whenever possible, DBE and SBE contractors and vendors shall be given

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procurement preference when multiple bids have been received that are equal in value and services to be provided. When services or goods related to Capital Projects are to be procured, staff shall comply with all SBE and DBE requirements outlined in the funding agreements. These Good Faith Efforts are methods used by SWMPC to ensure Disadvantaged Business Enterprises (DBE) have the opportunity to compete for procurements funded by federal financial assistance dollars. SWMPC documents the methods used to adhere to the Good Faith Efforts as described in the 2 CFR 200.321 and will retain the documentation in the records of the organization. Documentation will include, but is not limited to, email logs, phone logs, electronic searches and communication, handouts, flyers, or similar records. In addition, if one or more of the Good Faith Efforts cannot be performed, the circumstances that have prohibited the full execution of each step will be documented and retained.

### **Purchase Threshold Requirements**

Purchase Thresholds and categories are defined as bulleted below, as referenced from 2 CFR 200.320:

- Micro-Purchases (Purchases under \$10,000)
- Small Purchases (\$10,001 – \$250,000)
- Competitive Purchases/Sealed Bids (\$250,001+)
- Noncompetitive Proposals

For all purchases (single or cumulative) over \$10,000 from a single vendor within a fiscal year, written price or rate quotes will be obtained from an adequate number of qualified sources.

#### **a) Micro-Purchases (Purchases under \$10,000)**

Competitive quotations are not required if the prices are reasonable. Selection will be based on the quality and cost, with every effort made to identify 3 (three) price quotes. Price quotes will be documented in file. To the extent practicable, purchases will be distributed equitably among qualified suppliers.

#### **b) Small Purchases (\$10,001 – \$250,000)**

SWMPC will obtain price quotes for small purchases, with every effort made to obtain 3 (three) price quotes. Price quotes may be formal (i.e., a quote submitted to SWMPC on vendor letterhead) or informal (i.e., phone call or web search) from an adequate number of sources, but not less than three. All quotes, including phone calls, web searches, etc., will be documented and kept on file. Evaluation and selection of supplies/vendors shall be determined by performing a cost analysis by the review/purchaser.

#### **c) Competitive Purchases/Sealed Bids (\$250,001+)**

Sealed bids will be used when the selection of the successful bidder can be made principally on the basis of price. Invitation for bids will define the items or services needed to allow bidders to properly respond. Descriptions will not contain features that

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unduly restrict competition, such as requiring certain brands or manufacturers of items. Bids will be solicited from an adequate number of know supplies providing sufficient response time. Price and cost analyses will be performed and documented in the file.

**d) Noncompetitive Proposals**

Procurement shall be conducted competitively to the maximum extent possible. Procurement by non- competitive proposals must have prior approval from any/all federal funding sources. Procurement by non- competitive proposals may be used only when the award of a contract is not feasible using small purchase procedures, sealed bids, or competitive proposals and one of the following applies:

- The item is available only from a sole source, based on a good faith review of available sources.
- An emergency exists that seriously threatens the public health, welfare, or safety, or endangers property, or would otherwise cause severe injury, as may arise by reason of flood, earthquake, epidemic, riot, equipment failure, or similar event. In such cases, there must be an immediate and serious need for supplies, services, or construction such that the need cannot be met through any other procurement methods, and the emergency procurement shall be limited to those supplies, services, or construction necessary to alleviate the emergency; or
- After solicitation of a number of sources, competition is determined inadequate.

Written justifications for using such procedures shall support all procurements based on noncompetitive proposals and shall be provided by the grant manager. The reasonableness of the price for all procurement based on noncompetitive proposals shall be determined by performing price and or cost analyses, as noted in “Best Practice Guide for Procuring Services, Supplies, and Equipment Under EPA Assistance Agreements”.

**Davis Bacon Policy**

SWMPC will follow the Davis Bacon Act that requires that all laborers and mechanics employed by contractors or subcontractors on construction projects over \$2,000 under such awards shall be paid wages at rates not less than those prevailing for the same type of work on similar construction in the locality as determined by the Secretary of Labor in accordance with 40 USC Subtitle II, Part A, Chapter 31, Subchapter IV (Wage Rate Requirements). The Secretary of Labor’s wage determinations are available at <https://sam.gov/content/wage-determinations>. These requirements are detailed in the terms and conditions of the awards and contracts. Those requirements flow down to all subcontracts made under these projects.  
are available at <https://sam.gov/content/wage-determinations>. These requirements are detailed in the terms and conditions of the awards and contracts. Those requirements flow down to all subcontracts made under these projects.  
[s://sam.gov/content/wage-determinations](https://sam.gov/content/wage-determinations). These requirements are detailed in the terms and conditions of the awards and contracts. Those requirements flow down to all subcontracts made under these projects.

**MBE/WBE Utilization Form**

As applicable, SWMPC will submit the required MBE/WBE Utilization Form <https://www.epa.gov/grants/epa-form-5700-52a-united-states-environmental-protection-agency->

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minority-business(at least annually) to applicable federal agencies for any assistance agreement when: funds are budgeted for procuring construction, equipment, services and supplies (including funds budgeted for direct procurement by the recipient or procurement under sub-awards or loans in the “Other” category) with a cumulative total that exceed the Simplified Acquisition Threshold (SAT) (currently, \$250,000), including amendments and/or modifications. Note: The threshold will be automatically revised whenever the SAT is adjusted; See 2 CFR Section 200.1)

### **SOLE SOURCE PURCHASING**

For aggregate purchases greater than \$10,000 and in which the aforementioned means of procurement are not appropriate, the purchaser may request that the procurement procedures be waived. Failing to anticipate needs resulting from poor planning is not an exception to the bidding process. For an exception to be valid, a clear statement of justification for waiving the competitive bidding process must be submitted in writing for approval by completing the Sole Source Justification Form. A waiver must be submitted to and approved by the Executive Director and Board prior to purchasing. A waiver is obtained by submitting a Sole Source Justification Form, which can be requested via email to [egelhaafj@swmpc.org](mailto:egelhaafj@swmpc.org). Complete the Sole Source Justification Form and submit it to the Executive Director. Include as much documentation as possible to justify the waiver. Do not proceed with any purchases until you have received notification from the Commission that the waiver has been approved.

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Example situations that would justify purchases without the competitive bid process are:

- The supplier is obviously a sole source for the item. Examples:
  - Artwork
  - Unusual and not generally available used equipment
  - A very specialized piece of scientific equipment
  - A specialized service (lobbyist, consultant) when the supplier has a one-of-a-kind ability to provide the required service due to demonstrably unique circumstances (knowledge, contacts, experience)
- There is an undeniable compatibility requirement. The item will be connected to existing equipment or the purchase is an upgrade to existing equipment/software.
- Subcontracts which explicitly approve sole source purchasing, whereby such an agreement was written into the grant award
- There has been an unpredictable emergency and there is no time to bid. Examples:
  - Human life, health or Commission property is in jeopardy
  - Repairs are immediately needed for equipment where delay would lead to higher expense

Example situations that would NOT justify purchases without the competitive bid process are:

- *I waited so long to work on this that now I need it tomorrow.*



Busy schedules do not excuse the Commission from following federal regulations.

- *We did some looking around and this supplier is offering a very good deal.*  
While this may be true, federal guidelines require a competitive bidding process that demonstrates that due diligence was used in spending taxpayer dollars.
- *It would be so much more convenient if we could just use this supplier.*  
Convenience is not a strong enough factor to allow the granting of a waiver from the process. An emergency situation must be present.
- *The company already started the work.*  
Making such agreements or purchases is contrary to federal regulations.

### **EMERGENCY PURCHASES**

The Commission Executive Director has the authority to determine a purchase as an emergency purchase over \$1,000 and under \$8,000, without prior Board approval, as deemed necessary, for supplies, materials and equipment only as follows: computer equipment, electrical, contracting for services, and equipment.

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### **Credit**

1. By policy, SWMPC should not borrow money and no employee or Board member shall have authority to incur any debt without Full Board approval.
2. Vendor Accounts may be opened when advantageous to SWMPC. The Executive Director must approve use of such accounts. Documentation must be provided to indicate programs to be charged. Accounts shall be paid in full when due so no interest or late fee shall accrue. Vendor accounts established as credit cards issued directly by the vendor shall be restricted to use with that issuing vendor.
3. Credit Card Policy
  - a. The SWMPC may acquire an agency credit card that may be used for the purchase of goods or services for the official business of the SWMPC with prior approval by the Executive Director. The use of credit card shall be limited to purchase of items for travel, meals and accommodations while on SWMPC business or phone/electronic orders for required services and supplies unavailable by standard prepayment or invoicing, or if such purchases result in lower prices and/or improved timeliness of delivery
  - b. The total amount of outstanding charges on the SWMPC credit card shall not be more than \$10,000 per month. Single purchases up to \$3,000 shall require the Executive Director's prior approval. The Executive Committee shall be consulted prior to larger purchases.
  - c. Staff members shall agree to use the card for business purposes only by signing the Employee Manual receipt form. Any charges not approved shall be the responsibility of the employee. SWMPC shall prohibit the personal use of any SWMPC credit card.

- d. An agency card shall be the property of SWMPC and must be returned immediately to the Executive Director after each use. The credit card shall be issued to the Executive Director and shall be returned to the SWMPC Office Manager upon termination of the Director's employment or service with the SWMPC.
- f. The Executive Director shall be responsible for accounting for, monitoring, retrieving and generally overseeing compliance with the SWMPC's credit card policy.
- g. The Executive Director shall be responsible for the protection, custody and authorization of use of the credit card. If the credit card is lost, or stolen, the SWMPC Office Manager shall be notified. The entity issuing the lost or stolen credit card shall be immediately notified to cancel the card.
- h. After approved use of the SWMPC credit card, employees shall submit receipts and a purchase authorization and voucher when charge is incurred to the Office Manager, addressing all charges incurred by the closing date of credit card statement. If no credit card slip was obtained that described the transaction, the employee shall submit a signed voucher that shows the name of vendor or entity from which goods or services were purchased, the date and the amount of the transaction, the official business that required the transaction, and the project number indicating which program is to be charged. All credit card slips shall include this information as well. Vouchers shall also include a statement why a credit card slip was not obtained.

## **Procedures**

### **Employee Compensation**

1. Each employee prepares and submits a Timesheet to the Office Manager at the end of each two-week pay period. Timesheets include allocation of the employee's hours to appropriate programs.
2. The Office Manager reviews all timesheets to verify inclusion of approved vacation time/sick leave and forwards to the Executive Director for further review. The Executive Director receives and approves the timesheet and returns to the Office Manager for completion of payroll preparation and filing.
3. Per the direction of the employee, the Office Manager is authorized to deduct from an employee's payroll check all benefit or other expenses per SWMPC's policies and the request for the deduction is kept in the employee's personnel file. (i.e., retirement deductions, etc.)
4. The Office Manager files and retains all payroll reports and maintains all payroll tax reports.
5. The Office Manager posts information for payroll in the general ledger.
6. SWMPC issues payroll checks every two weeks on Wednesday, unless the day falls on a holiday, then the payday is the last workday before the designated Wednesday.
7. Accrued annual leave is shown on SWMPC financial statements as a liability and in accordance with policies outlined in the SWMPC Employee Handbook and other policy memoranda. It is adjusted at yearend.

### **Travel and Expense Reimbursement**

1. SWMPC reimburses employees for travel, conference/meeting and other expenses related to the performance of their responsibilities in accordance with policies outlined in the SWMPC Personnel Policies Manual and other policy memoranda. These expenses are

- mileage or transportation, parking fees, meal cost and other charges unless otherwise approved. The most economical means of travel is standard.
2. The Executive Director pre-approves all travel by the staff.
  3. If a hotel stay is required, the Employee may make a reservation using the organization's credit card with the approval of the Executive Director.
  4. All original receipts and a completed expense report form are due to the Office Manager by the end of the pay period the expenses were incurred. Receipts should be coded to identify the associated project. Expenses must be submitted in the quarter incurred for invoicing purposes. Prior to payment, the Office Manager should review these costs to determine if they are allowable, allocable and reasonable.
  5. If a Board member incurs approved expenditures for the organization, the individual files a request for reimbursement form prior to the semi annual processing of Member Per Diem and Mileage.
  6. Board members receive payment of a per diem as determined by the approved SWMPC annual budget per Commission and Executive Committee meeting under the following conditions:
    - Members attending meetings without any other compensation from an employer or employing institution are eligible to receive a per diem.
    - Members attending meetings who are required to use employee leave time to account for time spent at the meetings are eligible to receive a per diem.
    - Members who attend meetings during their normal working hours and are paid as part of their normal duties are NOT eligible to claim a per diem.
    - Full Board, Administration, and Executive committees meetings receive full per diem (\$30) and mileage. To be paid if eligible for per diem/mileage through the SWMPC.
    - Special committee assignments and ad hoc meetings (any board member) receive half per diem (\$15) and mileage. To be paid if eligible for per diem/mileage through the SWMPC.
  7. Board members receive payment of mileage expense reimbursement in the amount determined by US Internal Revenue Service regulations per mile, for the distance normally traveled from home or work place to the commission meeting location, under the following conditions:
    - Members who use their own vehicle and receive no other expense reimbursement from an employer or employing institution are eligible to receive mileage reimbursement.
    - Members who use a company or employer-owned vehicle or are compensated for their mileage in any other way are NOT eligible to receive mileage reimbursement.
  8. Members indicate their eligibility for per diem and mileage by submitting the "PER DIEM AND EXPENSE VERIFICATION FORM" which must be on file in order for funds to be disbursed.
  9. Officers, the Chair and Treasurer receive additional compensation.
    - Chair: conducts meetings, confers with Executive Director about topics that shall be addressed at meetings, makes committee appointments, represents SWMPC and other State/Regional events, signs resolutions and occasionally other contracts and documents, serves on Executive Committee. Performs Executive Director Evaluation with the vice chair. \$200.00 officer compensation.

- Vice Chair: conducts meetings in absence of Chair, conducts review of Executive Director in August and September for Administration Committee, and serves on Executive Committee. \$100.00 officer compensation.
- Secretary: Signs the Signatory Resolution and some other documents, serves on Executive Committee, conducts meetings when both Chair and Vice Chair are unavailable. No extra officer compensation.
- Treasurer: Presents financial reports after consultation with Office Manager (monthly, budget, audit), reviews back-up materials and signs checks (at SWMPC offices, bi-weekly), serves on Executive Committee. \$100.00 officer compensation.
- Alternate Treasurer: performs all functions of the Treasurer as needed, serves on Executive Committee. \$100.00 officer compensation.

### **Accounts Payable**

1. The Office Manager receives reviews and processes all accounts payable in accordance with written contractual agreements. Bills are date-stamped when received.
2. The Executive Director, or his/her designee in accordance with written terms approved by the Executive Director and agreeable to both SWMPC and the vendor settles bills for which payment amounts are disputed.

### **Check Writing**

1. The Office Manager receives and processes all check requests and invoices. This request includes an invoice, applicable receipt, or other written/financial documentation (e.g. Request for Expense Reimbursement, Purchase Authorization, etc.). All invoices require review by the Executive Director prior to check processing.
2. The Office Manager prepares the check and forwards it to the Executive Director and Treasurer for approval and signature.
3. Checks are normally processed on a bi-weekly basis, according to the due date of specific payments.
4. The Executive Director authorizes approval of payment by signing the check request. All checks are required to have two signatures as designated by the Signatory Resolution. Documentation is available to the Treasurer before he signs the checks.
5. Checks required outside normal bi-weekly schedule still require two signatures. The Office Manager ensures the signatures are obtained in a timely manner by arranging for the Treasurer to visit the SWMPC offices or with a signature stamp. Authorization by fax for the use of signature stamp must be kept on file.
6. The Office Manager is responsible for disbursing all signed checks.
7. All processed payments and void checks are retained with appropriate backup paperwork and are maintained by the Office Manager.

## Part 5 – Management of Physical Assets

### Policy

- Property assets in excess of \$1,000 shall be subject to depreciation.
- Inventories for computation of assets and insurance purposes are to be maintained.
- The SWMPC library and presentation equipment shall be resources for the southwestern Michigan community. The use of SWMPC equipment and materials will be monitored.

### Procedures

#### Capital Depreciation

SWMPC maintains a capital depreciation account for office equipment and furnishings valued above \$1,000. The depreciation is applied over their useful lives, normally considered three years for office equipment and five years for office furnishings. The depreciation of property assets acquired by sale, loan, or gift requires written documentation and approval of the Executive Director.

#### Inventories and Property Management

1. The Office Manager prepares an annual inventory of office equipment and furnishings and records such on the Inventory of Equipment done before annual audit. This includes a description of the equipment, serial number, model number, or other identification number, the source (federal award number) of the equipment if federally funded with percentage of federal participation in the cost, acquisition date, cost of equipment, location, use and condition of the equipment, disposition data (date of disposal and sale price).
2. The Executive Director approves the Inventory Report.
3. The Inventory Report is maintained and updated on an ongoing basis by the Office Manager.
4. The Office Manager prepares a separate inventory of office equipment and furnishings for insurance purposes with replacement values and no depreciation.
5. Employees taking SWMPC property offsite must post on Office Planner Board, which Office Manager monitors.

#### Library

1. Library materials are often original documents or planning resources that are not commonly available. Library materials that are original or available only in limited copies may not be removed or loaned. They may be copied using the SWMPC facilities at cost.
2. Published planning resources are lent, but must be signed out. Materials on loan from the SWMPC library are to be returned no later than three weeks from the date they were signed out. An individual who does not return materials on loan after the three-week period is fined for the cost of replacement of material. Additionally, the individual is not subsequently permitted to remove SWMPC library materials.

## **Part 6 – Audit and Reporting**

### ***Policy***

A certified public accountant shall audit the financial records of the Commission within one year after the end of the longest period permissible by governmental audit guidelines.

### ***Procedures***

- A. The Office Manager coordinates activities of the audit with the auditor. She/he also schedules and participates in an audit exit interview with the audit firm, Executive Director, Chair and Treasurer.
- B. The Executive Director and a representative from the auditing firm submit the audit, which includes a management letter to the Board at the first board meeting after the completion of the audit. The Board approves the audit and considers taking any recommended actions.
- C. With the assistance of the Auditor, the Office Manager ensures the Auditor's preparation, completion, and submission of other federal and state financial reports as required by law.
- D. The Office Manager retains the audit, all background information, and other federal and State reports in the appropriate files. The final audit is kept as permanent records. Financial information is retained for no less than seven years.



## Southwest Michigan Planning Commission Procurement Policy

### 1. Background

In December 2013, the Office of Management and Budget (OMB) issued the “Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards” (Uniform Guidance). The Uniform Guidance includes procurement procedures required when using federal funds. The information below summarizes the Uniform Guidance in regards to procurement, but it is important that all authorized staff on federally funded grants read the [procurement sections of the Uniform Guidance](#), 2 CFR §200.317 through §200.326, to ensure compliance.

### 2. Procurement Standards and PI Responsibilities

It is the responsibility of the Southwest Michigan Planning Commission (SWMPC) to ensure that federal grant funds are used properly. This document applies when using federal funds for procuring.

In regard to procurement, authorized staff are directly responsible for the following:

- Ensure purchases are reasonable and necessary, and that grant purchases are approved
- Avoid purchasing unnecessary or duplicative items
- Analyze lease versus purchase alternatives
- Use surplus property in lieu of purchasing new equipment and property
- Award contracts only to responsible contractors
- Maintain oversight to ensure contractors perform in accordance with terms and conditions
- Use recovered materials designated by the Environmental Protection Agency when practicable
- Maintain documentation to support procurement decisions
- Adhere to all Commission, funding agency, and federal policies

### 3. Conflict of Interest Considerations

The Uniform Guidance requires that the Commission “maintain written standards of conduct covering conflicts of interest and governing the performance of its employees

engaged in the selection, award and administration of contracts.” ([Code of Federal Regulations, Title 2 – Grants and Agreements, §200.318 General Procurement Standards \(c\)\(1\)](#); May 30, 2017). For this reason, it is necessary for Board members to adhere to the SWMPC Conflict of Interest Policy.

#### **4. What are the Methods of Procurement?**

This section introduces basic definitions of the five required methods of procurement. For purposes of calculating your project costs, purchase costs are aggregate dollar amounts, not unit costs. Calculate the total purchase price of all units, not the individual cost of the item(s), to determine the appropriate purchase threshold below. Documentation may be required to verify why the procurement threshold was chosen. See the “What Purchasers Need to Know and Do” section below for specific procurement procedures.

##### **Micro-Purchase**

- the acquisition of supplies or services, the aggregate dollar amount of which does not exceed \$10,000
- the threshold for a micro-purchase is \$2,000 if the procurement is subject to the Davis-Bacon Act, as described further in the “Procurement Procedures” section below

##### **Small Purchase**

- the acquisition of supplies, services, or equipment, the aggregate dollar amount in the range of \$10,001 to \$250,000

##### **Sealed Bid**

- the acquisition of supplies, services, or equipment, the aggregate dollar amount exceeding \$250,000, when bids are publicly solicited, and a firm fixed price contract is awarded to the responsible bidder whose bid is the lowest price

##### **Competitive Proposal**

- the acquisition of supplies, services, or equipment, the aggregate dollar amount exceeding \$250,000, conducted with more than one source submitting an offer, and either a fixed price or cost-reimbursement contract when a Sealed Bid is not appropriate

##### **Noncompetitive Proposal**

- procurement through solicitation of a proposal from only one source requiring preapproval

*For additional information on each of these methods, refer to [2 CFR §200.320 of the Uniform Guidance](#).*



## 5. What Purchasers Need to Know and Do

### **Contracting with Small and Minority Businesses, Women’s Business Enterprises, and Labor Surplus Area Firms**

The Commission must take all necessary affirmative steps to assure that minority businesses, women’s business enterprises, and labor surplus area firms are used when possible. See [2CFR §200.321](#) for affirmative steps.

### **Tax Exemption**

SWMPC is a tax-exempt organization and, therefore, does not pay Michigan sales tax for certain items. Purchasers should contact the Finance and Programs Manager for guidance about sales tax prior to purchasing. If needed, the Finance and Programs Manager will provide the purchaser with a Michigan sales tax exemption certificate. Taxes for which exemptions are available are unallowable costs.

## 6. Procurement Procedures

Authorized staff and purchasers should choose the appropriate procurement threshold below and follow the procedures described. Questions should be directed to **the Office Manager or Executive Director**.

- a. **For aggregate purchases less than \$10,000 and for aggregate purchases less than \$2,000 subject to the Davis-Bacon Act**, the purchaser should use his or her own judgment in identifying potential suppliers. Purchases must be reasonable and may require explanation for determination of the reasonableness. If the purchaser is uncertain as to whether or not a purchase qualifies as a micro-purchase, contact **the Office Manager or Executive Director** prior to making the purchase. Records must be maintained to support the purchase decision.

“The Davis-Bacon and Related Acts, apply to contractors and subcontractors performing on federally funded or assisted contracts in excess of \$2,000 for the construction, alteration, or repair (including painting and decorating) of public buildings or public works.” ([Wage and Hour Division, Davis-Bacon and Related Acts, Overview](#); May 30, 2017.) For purchases subject to the Davis-Bacon Act, contact **the Office Manager or Executive Director** for assistance.

Purchasers must follow section [2 CFR §200.320 of the Uniform Guidance](#).

- b. **For aggregate purchases between \$10,001 and \$150,000**, the purchaser will need to document at least three price quotes and the basis for vendor selection prior to making a purchase. Documentation from the vendors needs to be in writing and can include screen shots from websites, copies of published price lists, and advertised pricing in established magazines or journals. Price or rate quotations must be obtained from a minimum of three qualified sources prior to making a purchase. Documentation

should be submitted to **the Office Manager or Executive Director** before making the purchase.

Purchasers must follow section [2 CFR §200.320 of the Uniform Guidance](#).

- c. **For aggregate purchases greater than \$250,000**, buyers will need to contact the **Executive Director** to assist with the formal bid process. They will work collaboratively to facilitate this process and meet all federal requirements, whether a Sealed Bid or Competitive Proposal. Therefore, it is important that the purchaser communicate plans for major purchases as early as possible to allow reasonable time to accomplish the bidding procedure. Completed records will be maintained by the Commission.

Purchasers must follow section [2 CFR §200.320 of the Uniform Guidance](#).

## 7. **Sole Source Purchasing**

**For aggregate purchases greater than \$10,000 and in which the aforementioned means of procurement are not appropriate**, the purchaser may request that the procurement procedures be waived. Failing to anticipate needs resulting from poor planning is not an exception to the bidding process. For an exception to be valid, a clear statement of justification for waiving the competitive bidding process must be submitted in writing for approval by completing the Sole Source Justification Form. A waiver must be submitted to and approved by the **Executive Director and Board** prior to purchasing. See “*How Do I Request a Waiver?*” below for instructions.

Example situations that would justify purchases without the competitive bid process are:

- The supplier is obviously a sole source for the item. Examples:
  - Artwork
  - Unusual and not generally available used equipment
  - A very specialized piece of scientific equipment
  - A specialized service (lobbyist, consultant) when the supplier has a one-of-a-kind ability to provide the required service due to demonstrably unique circumstances (knowledge, contacts, experience)
- There is an undeniable compatibility requirement. The item will be connected to existing equipment or the purchase is an upgrade to existing equipment/software.
- Subcontracts which explicitly approve sole source purchasing, whereby such an agreement was written into the grant award
- There has been an unpredictable emergency and there is no time to bid. Examples:
  - Human life, health or Commission property is in jeopardy
  - Repairs are immediately needed for equipment where delay would lead to higher expense

Example situations that would **NOT** justify purchases without the competitive bid process are:

- *I waited so long to work on this that now I need it tomorrow.*  
Busy schedules do not excuse the Commission from following federal regulations.
- *We did some looking around and this supplier is offering a very good deal.*  
While this may be true, federal guidelines require a competitive bidding process that demonstrates that due diligence was used in spending taxpayer dollars.
- *It would be so much more convenient if we could just use this supplier.*  
Convenience is not a strong enough factor to allow the granting of a waiver from the process. An emergency situation must be present.
- *The company already started the work.*  
Making such agreements or purchases is contrary to federal regulations.

#### **8. How Do I Request a Waiver?**

A waiver is obtained by submitting a Sole Source Justification Form, which can be requested via email to [egelhaafj@swmpc.org](mailto:egelhaafj@swmpc.org). Complete the Sole Source Justification Form and submit it to the **Executive Director**. Include as much documentation as possible to justify the waiver. Do not proceed with any purchases until you have received notification from the Commission that the waiver has been approved.

#### **9. Emergency Purchases**

The Commission Executive Director has the authority to determine a purchase as an emergency purchase over \$1,000 and under \$8,000, without prior Board approval, as deemed necessary, for supplies, materials and equipment only as follows:

- Computer equipment
- Electrical
- Equipment
- Contracting for services

*Adopted by the SWMPC on October 20, 2020.*

# BEAD – Broadband Equity, Access, & Deployment Program

- Michigan Has Been Allocated \$1.559 Billion
- Michigan High-Speed Internet Office (MIHI) Will Manage the Competitive Grant Process
- Application Period is Open – ISPs Eligible
- Applications Due April 9<sup>th</sup>
- Applicants Must Include LOS from ALL Elected Bodies that are Included in their Applications
- Eligible Addresses can be Found Here:  
[www.MichiganBroadbandMap.com](http://www.MichiganBroadbandMap.com)



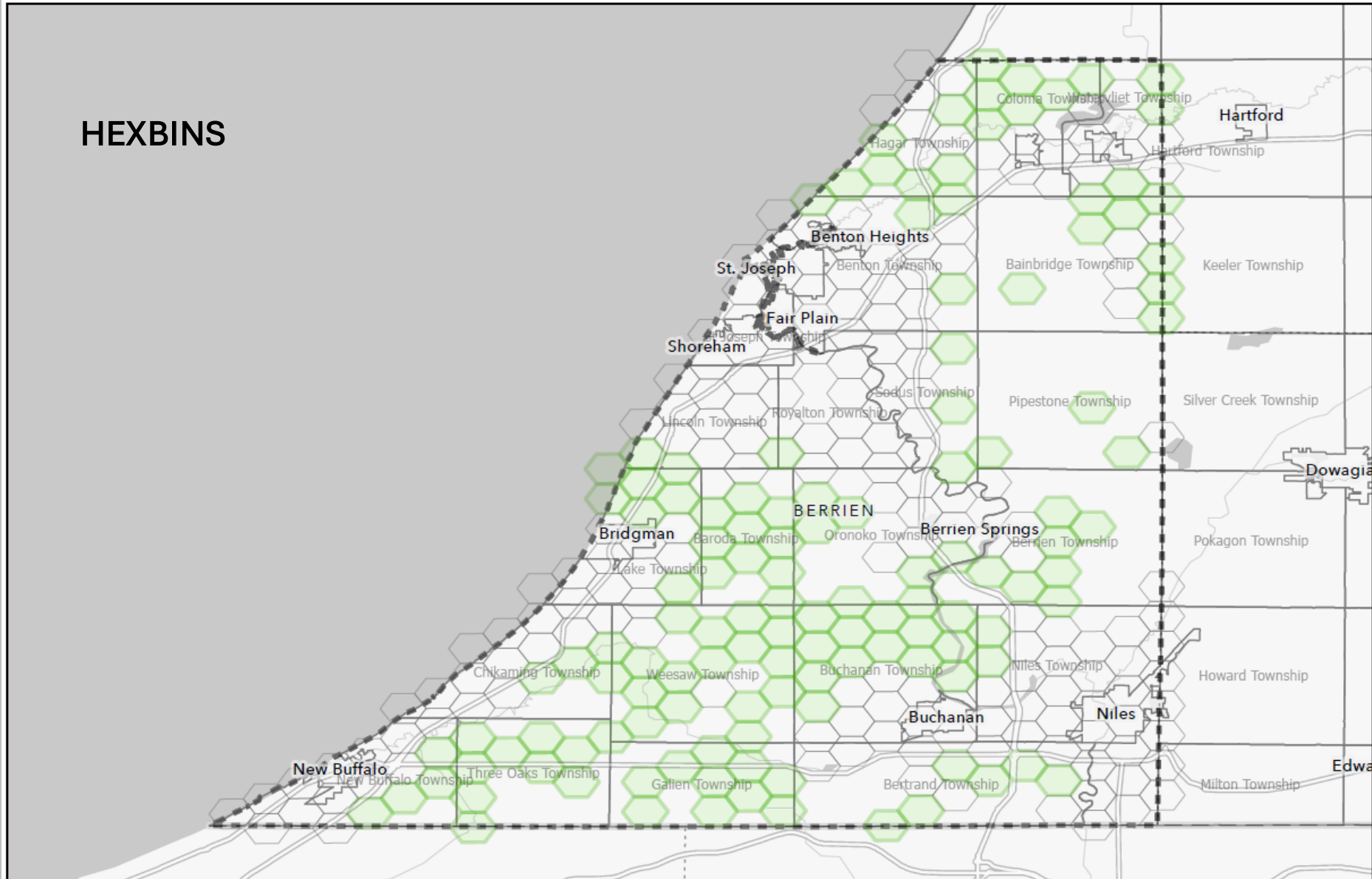
## BERRIEN COUNTY BEAD

Name	Type	BSLs
Bainbridge	Township	32
Baroda	Village	1
Baroda	Township	26
Benton	Township	5
Berrien	Township	27
Bertrand	Township	28
Buchanan	Township	286
Chikaming	Township	24
Coloma	Township	28
Galien	Village	13
Galien	Township	36
Hagar	Township	18
Lake	Township	215
Lincoln	Township	49
New Buffalo	Township	7
Oronoko	Township	21
Pipestone	Township	2
Royalton	Township	3
Sodus	Township	11
Three Oaks	Village	13
Three Oaks	Township	29
Watervliet	Township	4
Weesaw	Township	60
<b>Total</b>		<b>938</b>





# HEXBINS



**CONFIDENTIAL - SUBJECT TO THE MICHIGAN BEAD PROGRAM ANTI-COLLUSION & PROHIBITED COMMUNICATIONS POLICY**

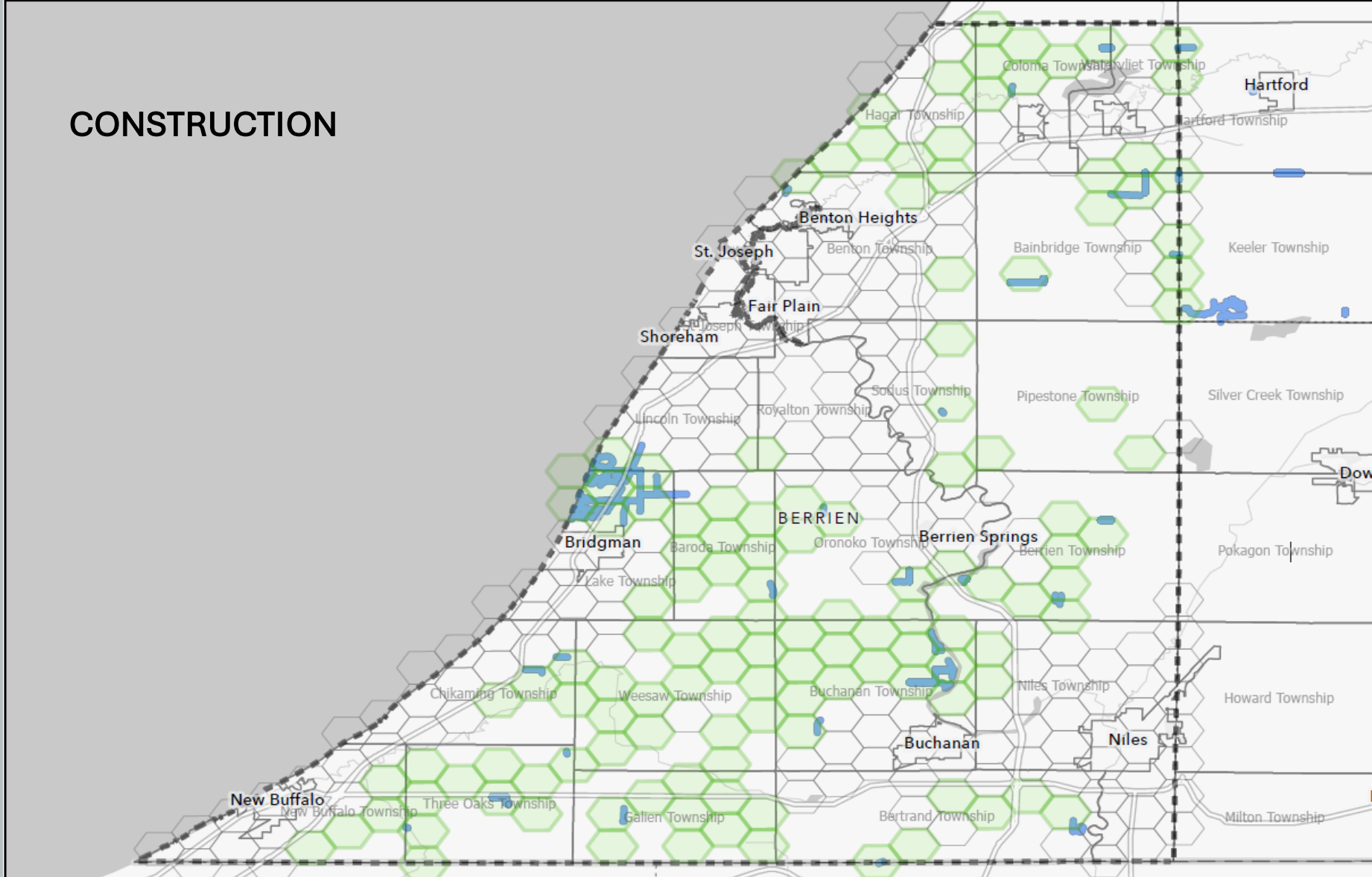


**Midwest Energy & Communications**  
 Michigan Broadband Equity, Access, & Deployment (BEAD)  
 Hexbins Tentatively Under Consideration for Application  
 County of Berrien - State of Michigan  
 (as of February 19th, 2025)

**LEGEND**

- Townships
- County
- Hexbins**
- Considering
- Not Considering

# CONSTRUCTION



**CONFIDENTIAL - SUBJECT TO THE MICHIGAN BEAD PROGRAM ANTI-COLLUSION & PROHIBITED COMMUNICATIONS POLICY**



**Midwest Energy & Communications**  
**Michigan Broadband Equity, Access, & Deployment (BEAD)**  
**Hexbins Tentatively Under Consideration for Application**  
**County of Berrien - State of Michigan**  
*(as of February 26th, 2025)*

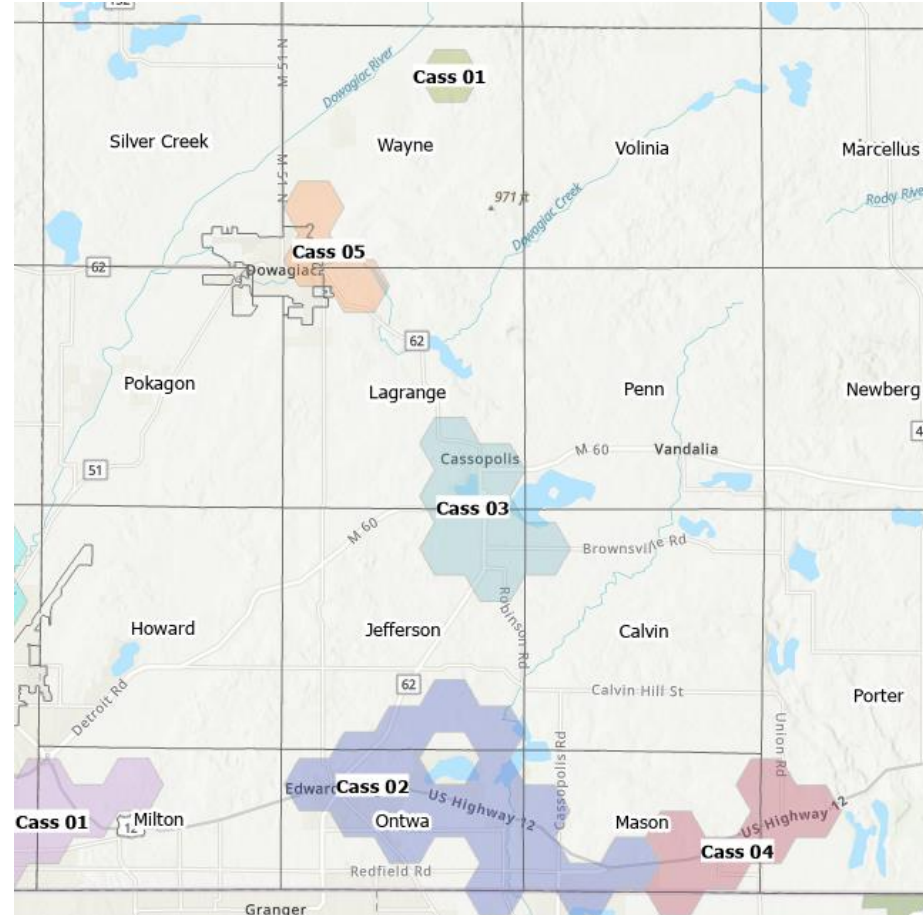
- Townships
- County
- BEAD-Specific MEC Fiber
- Hexbins**
- Considering
- Not Considering

# Surf Internet

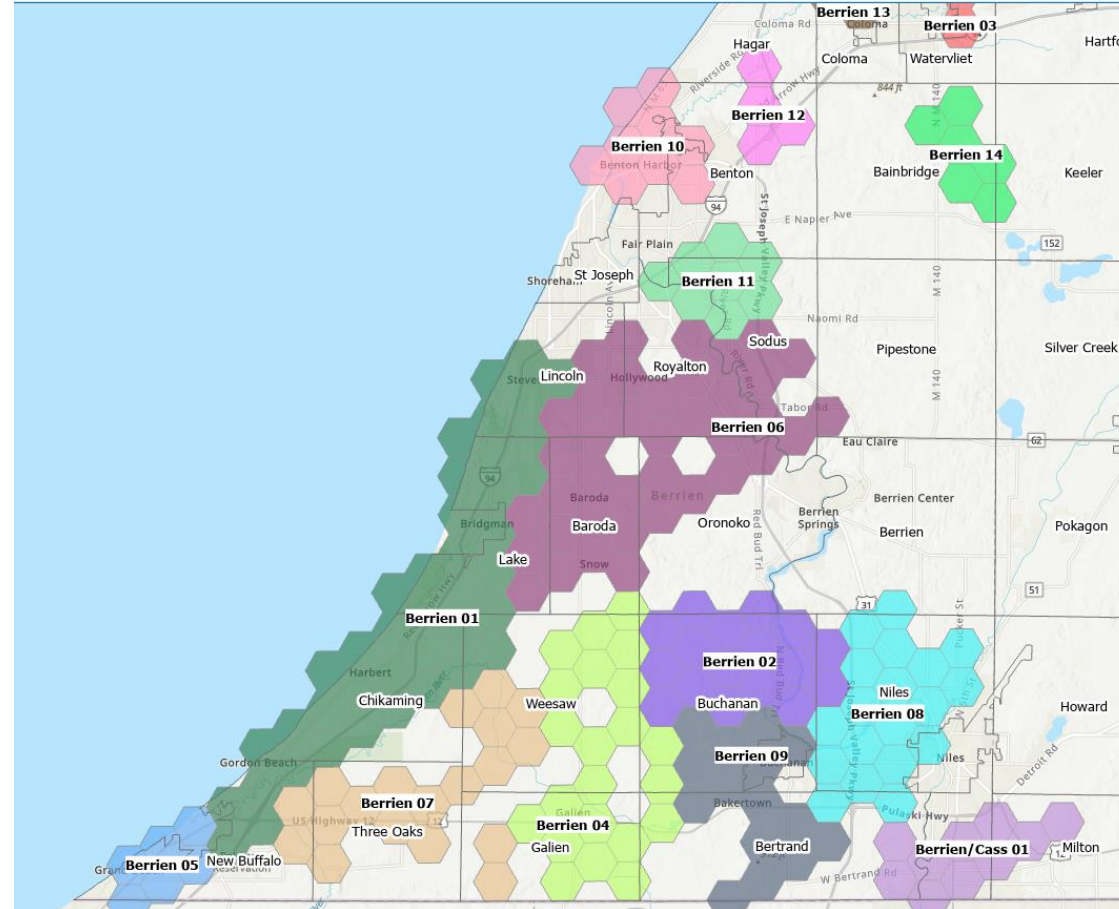
- Village of Baroda: \$954,930 to connect 687 addresses
- Village of Stevensville: \$2,186,970 to provide 1,614 addresses with fiber optic connectivity
- Village of Three Oaks: \$890,877 to offer high-speed fiber services to 689 addresses
- City of Watervliet: \$4,922,112 to connect 3,536 addresses
- City of Bridgman: \$1,035,552 completed development for 736 addresses
- City of Niles: \$2,045,518 completed development serving 1,402 addresses
- Additional Watervliet development: \$2,781,216 providing service to 1,998 addresses
- Three Oaks Township Library: \$590 investment for the development of a 200MB fiber internet connection into the library
- Brandywine Community Schools: \$3,762 investment to develop a 10Gb WAN service for three locations plus 1.2Gb internet access for the school district



# Comcast – Cass Hexbins



# Comcast – Berrien Hexbins



# Comcast

- One Gig Symmetrical Service via Fiber
- Proposing a 24-Month Build For All Berrien & Cass Projects
- Free Installation for Residents

# 123 Net

BARODA

BENTON HARBOR

BRIDGMAN

HARBERT

LAKESIDE

NEW BUFFALO

SAINT JOSEPH

SAWYER

STEVENSVILLE

THREE OAKS

UNION PIER

# Frontier

**TO:** Michigan High-Speed Internet Office (MIHI)

**FROM:**

**DATE:**

**SUBJECT:** Broadband Equity Access and Deployment Program (BEAD) Application Support

---

Please accept this letter of support from Southwest Michigan Planning Commission for the Broadband Equity Access and Deployment (BEAD) grant application from [Choose ISP].

We are acutely aware that access to and use of the Internet has become an integral component of everyday life in the 21st century, where digital information has reshaped how individuals participate in nearly every dimension of society. It is imperative that communities leverage broadband network access to eliminate the homework gap and improve education, socioeconomic equality, telemedicine, public safety, agriculture, and economic development to maintain and grow the quality of life for our residents, visitors, community anchor institutions, and businesses.

The Southwest Michigan Planning Commission (SWMPC), along with community leaders, have identified gaps in broadband coverage that the awarding of this grant will address. The result will be improved digital equity throughout the region and a direct economic impact through enhanced entrepreneurship, business development, educational opportunities, and health outcomes.

We respectfully ask for your consideration of this grant application with the intent to increase the attractiveness of the area, encourage existing entities to maintain their presence, and improve broadband and digital equity for all of the citizens and guests of southwest Michigan.

Sincerely,

# SOUTHWEST MICHIGAN PLANNING COMMISSION

## Personnel Policies and Procedures



Approved June 19, 2018  
Revised February 18, 2020

**Acknowledgement of Receipt of Southwest Michigan Planning Commission  
Employee Handbook**

I acknowledge that I have received a copy of the Southwest Michigan Planning Commission (SWMPC) Employee Handbook. I understand that I am responsible for reading and abiding by all policies and procedures in this Handbook, as well as all other policies and procedures of the Southwest Michigan Planning Commission.

I also understand that the purpose of this Handbook is to inform me of the SWMPC's policies and procedures, and that it is not a contract of employment. Nothing in this Handbook provides any entitlement to me or to any SWMPC employee, nor is it intended to create contractual obligations of any kind. I understand that the SWMPC has the right to change any provision of this Handbook at any time and that I will be bound by any such changes.

\_\_\_\_\_  
*Signature*

\_\_\_\_\_  
*Date*

\_\_\_\_\_  
*Full Name (please print)*

Please sign and date one copy of this acknowledgement and return it to the Office Manager. Retain a second copy for your reference.



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## Welcome

It is our privilege to welcome you to the Southwest Michigan Planning Commission. We wish you every success in your new job, and we hope that you quickly feel at home.

The SWMPC was created in 1973 by the three counties in southwest Michigan (Berrien, Cass, and Van Buren) that we serve. Ever since then we have been dedicated to delivering planning that is responsive to the needs of southwest Michigan. We regularly partner with state and federal departments and agencies to apply resources to the planning needs of our region. You can expect to develop professional connections to people at the local level as well as those in the state and federal government levels.

You are joining a staff that expects excellence from one another. Collaboration across all planning categories and projects is a hallmark of our culture. We are in this to make southwest Michigan the best it can be. Listening and responding to the people of this region is the centerpiece of our work. I encourage you to embrace our approach to regional planning.

This Handbook was developed to describe some of the expectations we have for all of our employees and what you can expect from us. We hope that your experience here will be challenging, enjoyable, and rewarding. Again, welcome!



K. John Egelhaaf, AICP  
Executive Director

## **SWMPC VISION**

*Planning great communities together.*

## **SWMPC MISSION**

*Our team uses its passion and expertise to connect people, assist communities, and advance cooperative solutions to regional challenges experienced by the communities that created us.*

## **SWMPC VALUES**

*We value highly skilled and trained staff with diverse skill sets, ideas, and experiences.*

*We value a team that is enthusiastic about its work.*

*We value an atmosphere of mutual respect among team members where staff can freely share ideas.*

*We believe that our work is most fulfilling when individual and team contributions are recognized.*

*We believe that all people should have a voice in solving the challenges their communities face.*

*We believe quality data is essential in our work.*

*We value a regional perspective that provides us a unique vantage point to address multi-jurisdictional issues.*

*We believe that actions should be connected to plans.*

*We believe that successful solutions require a balance between the needs of people, the economy, and the natural environment.*

*We believe that responsible stewardship of the natural and built environment is essential for prosperity.*

*We believe in returning the highest possible value for every dollar spent through the SWMPC.*

*We believe that it is important for us to be accurate, dependable, reliable, thoughtful, and customer focused in all we do.*

*We value the perseverance necessary to guide projects across time and changes in participants and conditions*

# **The Commission**

## **Establishment**

The Southwest Michigan Planning Commission, hereinafter referred to as SWMPC was duly established on April 26, 1973 by joint action of Berrien, Cass and Van Buren Counties under authority of Michigan Public Act 281 of 1945, the Regional Planning Commission Act and Section 27 of Public Act 405 of 1978. Establishment and function of SWMPC is consistent with Michigan Executive Directives 1968-1, 1970-4, and 1973-1 concerning sub-state planning and development regions.

## **SWMPC Purpose**

The purposes of SWMPC are set forth in the Bylaws, Article III, and are pursuant to Michigan Public Act 281 of 1945 and Public Act 405 of 1978.

## **Governing Body**

The SWMPC governing body, hereinafter referred to as the Commission, is that policy-level body of member representatives established pursuant to the Bylaws, Article V.

## **Commission's Personnel Responsibilities**

In addition to those Commission responsibilities set forth in the Bylaws, the Commission's personnel-related responsibilities shall include:

1. Review and approval of employee job classifications and salary ranges, job descriptions, individual salary levels, fringe benefits, working conditions, hiring practices, and related personnel matters, periodically as recommended by the executive director.
2. Review and make final determination concerning employee/Executive Director and employee/Commission disputes or appeals in accordance with the provisions of this Handbook
3. Employ an executive director who shall serve at the Commission's pleasure as the Commission's agent for carrying out administration of SWMPC's functions and activities in accordance with the Commission's policies, procedures, and directives.

## Introduction

This Employee Handbook (“Handbook”) is a compilation of personnel policies, practices and procedures currently in effect at Southwest Michigan Planning Commission (SWMPC).

The Handbook is designed to introduce you to SWMPC, familiarize you with our policies, provide general guidelines on work rules, benefits and other issues related to your employment, and help answer many of the questions that may arise in connection with your employment.

**This Employee Handbook is not a contract of employment, and does not create a contract of employment.** Southwest Michigan Planning Commission generally does not offer individual employees formal employment contracts with SWMPC. This Handbook does not create a contract, express or implied, guaranteeing you any specific term of employment, nor does it obligate you to continue your employment for a specific period of time. The purpose of the Handbook is simply to provide you with a convenient explanation of present policies and practices at SWMPC. This Handbook is an overview or a guideline. It cannot cover every matter that might arise in the workplace. For this reason, specific questions regarding the applicability of a particular policy or practice should be addressed to the Office Manager.

SWMPC reserves the right to modify any of our policies and procedures, including those covered in this Handbook, at any time. We will seek to notify you of such changes by email and/or other appropriate means. However, such a notice is not required for changes to be effective.

## **Part 1 – General Employment Policies and Practices**

### ***Equal Employment Opportunity***

SWMPC is an equal opportunity employer. We will extend equal opportunity to all individuals without regard to race, religion, color, sex (including pregnancy, sexual orientation and gender identity), national origin, disability, age, genetic information, or any other status protected under applicable federal, state, or local laws. Our policy reflects and affirms SWMPC's commitment to the principles of fair employment and the elimination of all discriminatory practices. Details of our equal employment opportunity policies are further explained in Part 2.

### ***Your Employment Relationship with SWMPC***

Like most American companies, Southwest Michigan Planning Commission generally does not offer individual employees a formal employment contract with SWMPC. Employment is "at will," meaning that you or SWMPC may end your employment at any time for any lawful reason.

**This Employee Handbook is not a contract.** It does not create any agreement, express or implied, guaranteeing you any specific terms or conditions of employment. Nothing contained in this Handbook should be construed as creating a contract guaranteeing employment for any specific duration, nor does the Handbook obligate you to continue your employment for a specific period of time. Unless you have entered into an employment agreement that supersedes this document, either you or SWMPC may terminate the employment relationship at any time. The Handbook does not guarantee any prescribed process for discipline and discharge.

No representative of the SWMPC, other than the Executive Director, has the authority to enter into any agreement guaranteeing employment for any specific period. No such agreement shall be enforceable unless it is in writing and signed by the Executive Director and the employee.

### ***Recruitment and Hiring***

SWMPC's primary goal when recruiting new employees is to fill vacancies with persons who have the best available skills, abilities, or experience needed to perform the work. Decisions regarding the recruitment, selection, and placement of employees are made on the basis of job-related criteria.

When positions become available, qualified current employees are encouraged and are welcome to apply for the position. As openings occur, notices relating general information about the position are posted. The Executive Director will arrange interviews with employees who apply.

## ***Employment Classifications***

### **Full-Time Employees**

Full-time employees are those who are regularly scheduled to work at least 31 hours per week and are not hired on a temporary basis.

### **Part-Time Employees**

Part-time employees are hereby defined as those who are regularly scheduled to work 30 or fewer hours per week that are not hired on a temporary basis.

### **Temporary Employees**

Employees hired for an interim period of time, usually to fill in for vacations, leaves of absence, or projects of a limited duration. Temporary employees are not eligible for SWMPC paid benefits, except as required by law.

## ***Immigration Law Applicable to All Employees***

SWMPC complies with the Immigration Reform and Control Act of 1986 by employing only U.S. citizens and non-citizens who are authorized to work in the United States. All employees are asked on their first day of work to provide original documents verifying the right to work in the United States and to sign a verification form required by federal law (Form I-9). If you cannot verify your right to work in the United States within three (3) days of hire, SWMPC is required by law to terminate your employment.

## ***Hours of Work***

The workweek is 37.5 hours and is generally from Monday through Friday, with normal operating hours from 8:30 a.m. to 5:00 p.m., with one hour for lunch; except on paid holidays as specified in Part 5. Core hours are 10:00 a.m. until 3:00 p.m. and all employees should be at work during those hours. If you are out of the office, during regular business hours, whether attending off-site meetings, on vacation, telecommuting, etc., you are responsible for recording it on the SWMPC Calendar.

## ***Flex Time and Telecommuting***

SWMPC recognizes that many employees need flexibility in work schedules in order to meet childcare and other needs. When deemed in the best interests of SWMPC, the Executive Director may approve a flexible work time schedule for employees. Any such flexible work schedule shall be subject to the following conditions:

- a. All full-time employees shall work a minimum of 75 hours per pay period with a daily average of 7.5 hours, unless minimum number of hours per pay period is otherwise established in advance between 62 and 74 hours subject to approval of the Executive Director.
- b. Each Employee shall ordinarily keep office hours from 10:00 a.m. until 3:00 p.m. at least four days out of five days between Monday and Friday, except for part-time employees and those who normally work less than 75 hours per pay period by special arrangement. Said employees shall establish regular routine office hours in advance subject to approval of the Executive Director.



- c. Each employee utilizing a flexible work time schedule shall predetermine such schedule on a pay period basis and such predetermined schedule shall be subject to approval of the Executive Director.
- d. Each employee shall be required to submit a time sheet for each SWMPC pay period. Such time sheet shall fully account for a full pay period of 75 hours of job performance or established number of work hours if part-time or otherwise arranged in advance. The employee shall be required to sign and submit the time sheet and his/her signature shall be deemed as certification that the time sheet represents a true and accurate accounting of hours worked.
- e. Willful misrepresentation of hours worked as accounted for on the required time sheet shall be cause for immediate termination of the employee.
- f. Employees have the option to bank hours during each pay period. All banked hours shall be assigned to the project on which the employee's work was dedicated. Employees will be eligible to use the banked hours up to two pay periods before or after the time is banked.

SWMPC also offers employees the opportunity to telecommute. Not all jobs are suitable for telecommuting. You may telecommute up to three (3) days per week with the approval of the Executive Director.

### ***Overtime and Banked Hours***

Because of the nature of our business, your job may periodically require overtime work. If SWMPC requires that you work overtime, we will give you as much advance notice as possible. Overtime hours shall be banked and assigned to the project on which the employee's work was dedicated. Employees will be eligible to use the banked hours up to two pay periods before or after the time is banked.

### ***Attendance and Punctuality***

It is important for you to report to work on time and to avoid unnecessary absences. SWMPC recognizes that illness or other circumstances beyond your control may cause you to be absent from work from time to time. However, frequent absenteeism or tardiness may result in disciplinary action, up to and including discharge. Excessive absenteeism or frequent tardiness puts an unnecessary strain on your co-workers and can have a negative impact on the success of SWMPC.

You are expected to report to work when scheduled. Whenever you know in advance that you are going to be absent, you are responsible for recording it on the SWMPC Calendar. If your absence is unexpected, you should attempt to reach SWMPC as soon as possible, but in no event later than one hour before you are due at work. In the event no one is available, you must leave a voicemail, or send an email.

Some, but not all, absences are compensated under SWMPC's leave policies described in Part 5.

### ***Inclement Weather***

SWMPC is open for business unless there is a government-declared state of emergency or unless you are advised otherwise by the Executive Director. There may be times when we will delay

opening, and on rare occasions, we may have to close. In the event that SWMPC's facilities are closed, employees are expected to work remotely for the day. You should always use your judgment about your own safety in getting to work.

### ***Dress Code and Public Image***

As an employee of SWMPC, we expect you to present a clean and professional appearance when you represent us, whether you are in or outside of the office. You are, therefore, required to dress in appropriate business attire and to behave in a professional, businesslike manner.

The current SWMPC dress code is business casual. Please keep in mind, however, that SWMPC is a professional business office, where clients and others often visit. Generally, clean, neat clothing is acceptable. However, torn jeans or other torn clothing and tee shirts are not appropriate casual attire. As always, please use common sense in your choice of business attire.

It is the intent of this policy to comply with applicable state, local and federal laws prohibiting discrimination on the basis of color, race, religion, sex (including pregnancy, sexual orientation and gender identity), national origin, disability, age, genetic information and any other status protected under such laws.

### ***Workspace***

Employees are responsible for maintaining the workspace assigned to them. A clean, orderly workspace provides an environment conducive to working efficiently. Employees should keep in mind that their workspace is part of a professional environment that portrays SWMPC's overall dedication to providing quality service to its clients. Therefore, your workspace should be clean, organized. With the exception of a few personal items your workspace should be free of items that are not required to perform your job.

### ***Office Equipment***

Certain equipment is assigned to staff depending on the needs of the job, such as a calculator, personal computer, printer and access to our central computers and servers. This equipment is the property of the SWMPC and cannot be removed from the office without prior approval from the Executive Director. SWMPC expects that you will treat this equipment with care and report any malfunctions immediately to staff members equipped to diagnose the problem and take corrective action.

### ***Copier/Printer***

SWMPC permits personal copying and printing at cost by employees. Details SWMPC's Printer/Copier Reimbursement Policy are contained in Appendix B of this Handbook.

### ***Personnel Records***

It is important that SWMPC maintain accurate personnel records at all times. You are responsible for notifying the Office Manager of any change in name, home address, telephone number, immigration status, or any other pertinent information. By promptly notifying SWMPC of such changes, you will avoid compromise of your benefit eligibility, the return of W-2 forms, or similar inconvenience.

## ***Performance Reviews, Salary Reviews***

The performance of each employee shall be evaluated by the Executive Director annually. The Executive Director shall conduct performance evaluation in a fair and impartial manner and evaluations shall become a part of the employee's personnel file. The employee shall receive a true copy of each of his/her performance evaluations and shall acknowledge that he/she has received the evaluation and has been provided a copy. Factors considered in your review include the quality of your job performance, your attendance, meeting the requirements of your job description, dependability and cooperation, compliance with SWMPC's employment policies, any disciplinary actions, and year-to-year improvement in overall performance. Compensation increases are given by the SWMPC at its discretion in consideration of various factors, including your performance review.

It shall be the duty of an Ad Hoc committee to oversee the performance review of the Executive Director. For this purpose, the ad hoc committee shall be comprised of the Executive Committee plus an appointee from each of the three member counties. Ad Hoc Committee Members are appointed by the Chair. It shall be the responsibility of the Committee to disseminate, collect and tabulate review materials from the members of the Ad Hoc Committee and the staff. This evaluation should be complete and a component of the first SWMPC board meeting of the year. The record of such evaluation shall become a part of the Executive Director's personnel file.

## **Staff Salary and Wage Review**

By October each year, and upon promotion or reassignment, the Executive Director shall review the salary or wage status of each employee and shall make appropriate recommendations to the Commission for necessary salary or wage adjustments to assure that employee compensation is commensurate with assigned duties and responsibilities, as well as, with results of performance evaluations.

## ***Internet Access***

Access to the Internet is given principally for work-related activities or approved educational/training activities. Incidental and occasional personal use and study use is permitted. This privilege should not be abused and must not affect the employee's performance of employment-related activities.

## **Right to Monitor**

SWMPC computer, cloud, email and Internet systems are at all times the property of SWMPC. By accessing the cloud, Internet, and email services through facilities provided by SWMPC, you acknowledge that, SWMPC (by itself or through its Service Providers) may from time to time monitor, log and gather statistics on employee activity and may examine all individual connections and communications. Please note that our Service Providers use email filters to block spam and computer viruses. These filters may from time to time block legitimate email messages.

## **Responsibilities and Obligations**

Employees may not access, download or distribute material that is illegal, or which others may find offensive or objectionable, such as material that is pornographic, discriminatory, harassing, or an incitement to violence.

You must respect and comply with copyright, trademark and similar laws, and use such protected information in compliance with applicable legal standards. When using web-based sources, you must provide appropriate attribution and citation of information to the websites. Software must not be downloaded from the Internet without the prior approval of qualified persons within SWMPC.

## **Violation of this Policy**

In all circumstances, use of Internet access and email systems must be consistent with the law and SWMPC policies. Violation of this policy is a serious offense and, subject to the requirements of the law, may result in a range of sanctions, from restriction of access to electronic communication facilities to disciplinary action, up to and including termination.

## ***Email***

The email system is the property of SWMPC. All emails are subject to review by SWMPC. You may make limited use of our email system for matters involving your own personal business, so long as such use is kept to a minimum and does not interfere with your work.

The SWMPC email system is SWMPC property, and as such, is subject to monitoring. System monitoring is done for your protection and the protection of the rights or property of the provider of these services. Please consider this when conducting personal business using SWMPC hardware and software.

Electronic mail is like any other form of SWMPC communication, and may not be used for harassment or other unlawful purposes. Your email account is a SWMPC provided privilege, and is SWMPC property. Remember that when you send email from the SWMPC domain, you represent SWMPC whether your message is business-related or personal.

## **Confidentiality of Electronic Mail**

As noted above, electronic mail is subject at all times to monitoring, and the release of specific information is subject to applicable laws and SWMPC rules, policies and procedures on confidentiality. Existing rules, policies and procedures governing the sharing of confidential information also apply to the sharing of information via commercial software.

## ***Social Media***

The term “social media” includes all means of communicating or posting information or content of any sort on the Internet, including to your own or someone else’s web log or blog, journal or diary, personal website, social networking or affinity website, web bulletin board, or a chat room, whether or not associated or affiliated with SWMPC, as well as any other form of electronic communication. The same principles and guidelines found in SWMPC rules, policies and procedures apply to an employee’s social media activities online.

Any conduct that adversely affects an employee's job performance or the performance of fellow employees, or otherwise adversely affects SWMPC's legitimate business interests, may result in disciplinary action, up to and including termination. Similarly, inappropriate postings, including but not limited to discriminatory remarks, harassment and threats of violence or similar inappropriate or unlawful conduct will not be tolerated and may result in disciplinary action, up to and including termination. However, this restriction will not apply to any postings made in the exercise of any rights granted to an employee by federal law.

### ***Telephones***

Access to the SWMPC telephone system is given principally for work-related activities or approved educational/training activities. Incidental and occasional personal use is permitted. This privilege should not be abused and must not affect the employee's performance of employment-related activities.

You should use common sense and your best judgment when making or receiving personal cellular phone calls at work. To the extent possible, employees should make personal cell phone calls during their breaks or lunch times. The use of cameras on cell phones during work hours is prohibited to protect the privacy of SWMPC as well as of fellow employees. However, this restriction will not apply to any recordings made in the exercise of any rights granted to an employee by federal law.

The SWMPC telephone system is at all times the property of SWMPC. By accessing the telephone system through facilities provided by SWMPC, you acknowledge that SWMPC has the right to monitor its telephone system from time to time to ensure that employees are using the system for its intended purposes.

### ***Smoking***

In order to provide a safe and comfortable working environment for all employees, smoking is strictly prohibited at all times inside the SWMPC Office.

### ***Drug-Free Workplace***

SWMPC takes the problem of drug and alcohol abuse seriously, and is committed to providing a substance abuse-free workplace for its employees. Substance abuse of any kind is inconsistent with the behavior expected of our employees, subjects all employees and visitors to our facilities to unacceptable safety risks, and undermines our ability to operate effectively and efficiently.<sup>i</sup>

### ***Safety and Accident Rules***

Safety is a joint venture at the SWMPC. We strive to provide a clean, hazard-free, healthy, safe environment in which to work, and we make every effort to comply with all relevant federal, state and local occupational health and safety laws, including the federal Occupational Safety and Health Act. As an employee, you have a duty to comply with the safety rules of the SWMPC, and you are expected to take an active part in maintaining this hazard-free environment. Your workspace should be kept neat, clean and orderly. You are required to report any accidents or injuries – including any breaches of safety – and to promptly report any unsafe equipment, working condition, process or procedure to the Executive Director. In addition, if you

become ill or are injured while at work, you must notify the Executive Director immediately. Failure to do so may result in a loss of benefits under the state workers' compensation law.

Failure to abide by the SWMPC's safety and accident rules may result in disciplinary action, up to and including termination.

### ***Workplace Violence Prevention Policy***

As stated above, SWMPC is committed to the safety and security of our employees. Workplace violence presents a serious occupational safety hazard to our organization, staff, and clients.

Workplace violence includes any physical assault or act of aggressive behavior occurring where an employee performs any work-related duty in the course of his or her employment, including but not limited to an attempt or threat, whether verbal or physical, to inflict physical injury upon an employee; any intentional display of force which would give an employee reason to fear or expect bodily harm; intentional and wrongful physical contact with a person without his or her consent that entails some injury; or stalking an employee with the intent of causing fear of material harm to the physical safety and health of such employee when such stalking has arisen through and in the course of employment.

Acts of violence by or against any of our employees where any work-related duty is performed will be thoroughly investigated and appropriate action will be taken, including involving law enforcement authorities when warranted. All employees are responsible for helping to create an environment of mutual respect for each other as well as clients and visitors, following all policies, procedures and practices, and for assisting in maintaining a safe and secure work environment.

### ***Promotions***

Most job openings that are intended to be filled from within the SWMPC will be posted. SWMPC reserves the right, however, to transfer or promote an employee without posting the availability of that position.

Your eligibility for promotion is dependent, of course, on your having the needed skills, education, experience and other qualifications that are required for the job.

## **Part 2 – Anti-Discrimination & Harassment**

### ***Discrimination Is Prohibited***

SWMPC is an equal opportunity employer and makes all employment decisions without regard to race, religion, color, sex (including pregnancy, sexual orientation and gender identity), national origin, disability, age, genetic information, or any other status protected under applicable federal, state, or local laws. This policy applies to all terms and conditions of employment, including but not limited to, hiring, placement, promotion, termination, layoff, recall, leaves of absence, benefits, compensation and training. We seek to comply with all applicable federal, state and local laws related to discrimination and will not tolerate the interference with the ability of any of SWMPC's employees to perform their job duties.

SWMPC makes decisions concerning employment based strictly on an individual's qualifications and ability to perform the job under consideration, the comparative qualifications and abilities of other applicants or employees, and the individual's past performance within the organization.

If you believe that an employment decision has been made that does not conform with management's commitment to equal opportunity, you should promptly bring the matter to the attention of your immediate supervisor, designated manager, or Human Resources. Your complaint will be promptly, thoroughly and impartially investigated. There will be no retaliation against any employee who files a complaint in good faith, even if the result of the investigation produces insufficient evidence to support the complaint.

### ***Americans with Disabilities Act***

The federal Americans with Disabilities Act (ADA) prohibits discrimination against qualified individuals with disabilities in job application procedures, hiring, firing, advancement, compensation, fringe benefits, job training, and other terms, conditions and privileges of employment. The ADA does not alter SWMPC's right to hire the best-qualified applicant, but it does prohibit discrimination against a qualified applicant or employee because of his or her disability, or because of a perceived disability. As a matter of Company policy, SWMPC prohibits discrimination of any kind against people with disabilities.

### ***Disabled Defined***

An applicant or employee is considered disabled if he or she (1) has a physical or mental impairment that substantially limits one or more major life activities; (2) has a record or past history of such an impairment; or (3) is regarded or perceived (correctly or incorrectly) as having such impairment.

A qualified employee or applicant with a disability is an individual who satisfies the requisite skill, experience, education and other job-related requirements of the position held or desired, and who, with or without reasonable accommodation, can perform the essential functions of that position.

## **Reasonable Accommodation**

A reasonable accommodation is any change in the work environment (or in the way things are usually done) to help a person with a disability apply for a job, perform the duties of a job, or enjoy the benefits and privileges of employment.

Qualified applicants or employees who are disabled should request reasonable accommodation from SWMPC in order to allow them to perform a particular job. If you are disabled and you desire such reasonable accommodation, contact your immediate supervisor, designated manager, or Human Resources. On receipt of your request, we will meet with you to discuss your disability. We may ask for information from your health care provider(s) regarding the nature of your disability and the nature of your limitations, or take other steps necessary to help us determine viable options for reasonable accommodation. We will then work with you to determine whether your disability can be reasonably accommodated, and if it can be accommodated, we will explore alternatives with you and endeavor to implement a mutually agreeable accommodation.

Reasonable accommodation may take many forms and it will vary from one employee to another. Please note that according to the ADA, SWMPC does not have to provide the exact accommodation you want, and if more than one accommodation works, we may choose which one to provide. Furthermore, SWMPC does not have to provide an accommodation if doing so would cause undue hardship to SWMPC.

## ***Workplace Harassment***

SWMPC is committed to providing a work environment that provides employees equality, respect and dignity. In keeping with this commitment, SWMPC has adopted a policy of “zero tolerance” with regard to employee harassment. Harassment is defined under federal law as unwelcome conduct that is based on race, color, religion, sex (including pregnancy, sexual orientation and gender identity), national origin, age (40 or older), disability or genetic information. Harassment becomes unlawful where: (1) enduring the offensive conduct becomes a condition of continued employment; or (2) the conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive.

This policy applies to all aspects of your employment. Harassment of any other person, including, without limitation, fellow employees, contractors, visitors, clients or customers, whether at work or outside of work, is grounds for immediate termination. SWMPC will make every reasonable effort to ensure that its entire community is familiar with this policy and that all employees are aware that every complaint received will be promptly, thoroughly and impartially investigated, and resolved appropriately. SWMPC will not tolerate retaliation against anyone who complains of harassment or who participates in an investigation.

## **Sexual Harassment**

Sexual harassment is prohibited by federal, state and local laws, and applies equally to men and women. Federal law defines sexual harassment as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, when the conduct: (1) explicitly or implicitly affects a term or condition of an employee’s employment; (2) is used as the basis for employment decisions affecting the employee; or (3) unreasonably interferes with



an employee's work performance or creates an intimidating, hostile or offensive working environment.

Such conduct may include, but is not limited to: subtle or overt pressure for sexual favors; inappropriate touching; lewd, sexually oriented comments or jokes; foul or obscene language; posting of suggestive or sexually explicit posters, calendars, photographs, graffiti, or cartoons; and repeated requests for dates. Company policy further prohibits harassment and discrimination based on sex stereotyping. (Sex stereotyping occurs when one person perceives a man to be unduly effeminate or a woman to be unduly masculine and harasses or discriminates against that person because he or she does not fit the stereotype of being male or female.) SWMPC encourages reporting of all perceived incidents of sexual harassment, regardless of who the offender may be. Every employee is encouraged to raise any questions or concerns with the Executive Director.

### ***Procedures for Reporting and Investigating Harassment***

Employees should report incidents of inappropriate behavior or sexual harassment as soon as possible after the occurrence. Employees who believe they have been harassed, regardless of whether the offensive act was committed by a manager, co-worker, vendor, visitor, or client, should promptly notify the Executive Director. If the Executive Director is involved in the incident, the employee should report the incident to the Executive Committee. SWMPC takes claims of harassment seriously, no matter how trivial a claim may appear. All complaints of harassment, sexual harassment, or other inappropriate sexual conduct will be promptly, thoroughly and impartially investigated by SWMPC.

SWMPC prohibits retaliation against any employee who files or pursues a harassment claim. To the extent possible, all complaints and related information will remain confidential, except to those individuals who need the information to investigate, educate, or take action in response to the complaint.

All employees are expected to cooperate fully with any ongoing investigation regarding a harassment incident. Employees who believe they have been unjustly charged with harassment can defend themselves verbally or in writing at any stage of the investigation.

To protect the privacy of persons involved, confidentiality will be maintained throughout the investigatory process to the extent practicable and appropriate under the circumstances.

Investigations may include interviews with the parties involved, and, where necessary, individuals who may have observed the alleged conduct or who may have relevant knowledge.

At the conclusion of a harassment investigation, the complainant and the alleged "harasser" will be informed of the determination. Where appropriate, the "harasser" and the "victim" may be offered mediation or counseling through an employee assistance program (EAP).

### ***Penalties for Violation of Anti-Harassment Policy***

If it is determined that inappropriate conduct has occurred, SWMPC will act promptly to eliminate the offending conduct, and take such action as is appropriate under the circumstances. Such action may range from counseling to termination of employment, and may include such other forms of disciplinary action (such as, for example, suspension), as SWMPC deems appropriate under the circumstances and in accordance with applicable law.

## **Part 3 – Compensation**

### ***Payroll Practices***

Employees are paid bi-weekly, on Wednesdays. When a payroll date falls on a holiday, employees will, when possible, be paid on the last business day before the holiday. Otherwise, employees will be paid on the first business day following the scheduled payroll date.

Timesheets and Travel/Expense forms are due by 11:00 a.m. on the Monday prior to the payroll date. If a holiday falls anytime between and including the pay date, timesheets will be due by 11:00 a.m. the Friday prior.

### ***Salary Deductions and Withholding***

SWMPC will withhold the following from your paycheck:

#### **Taxes**

Federal, state and local taxes, as required by law, as well as the required FICA (Social Security and Medicare) payments.

#### **Insurance**

Your contribution to health insurance or other insurance premiums for yourself and any eligible family members or to other contributory benefit programs.

#### **Other Deductions**

Other deductions, which you authorize, including Retirement and HSA Contributions. Or deductions mandated by Court Order.

#### ***Direct Deposit***

Payroll Direct Deposit may be made in accordance with employee authorization and the procedural requirements of the financial institution. Other withholdings may be withheld with approval of the employee and the Executive Director.

## **Part 4 – Benefits**

### ***General***

This section describes the benefits provided by SWMPC and information on your eligibility for benefits. Employees are eligible to participate in the various insurance programs offered by SWMPC on the first of the month following 30 days of employment. Employees working at least 20 hours per week shall be eligible for fringe benefits such as annual leave, paid holidays, health insurance and similar benefits on a sliding scale of 20-25 hours @ 50 percent; 26- 30 hours @ 75 percent; 31+ hours @ 100 percent. Please refer to Appendix D Insurance Summary of Benefit Summaries for an explanation of the various plan benefits and limitations.

### ***Medical Insurance***

SWMPC offers medical, dental and vision coverage for eligible employees and their eligible dependents. These programs are administered by the Buursma Agency. These plans are subject to change at SWMPC's discretion. Additionally, the amount that you may be required to contribute towards the premiums for any of these plans may be changed at SWMPC's discretion.

### ***Health Savings Account (HSA)***

SWMPC contributes to the employees' Health Savings Account (HSA) account on a quarterly basis, (the first year is prorated) to cover the medical insurance deductible. Employees may also make pre-tax contributions to their HSA account through payroll deduction. These funds may be used for approved expenses. Contribution limits and approved expenses change annually. There are websites that focus on HSA's, and are a good resource for finding up to date information.

### ***Employee Contributions***

SWMPC's benefit package is contributory, you are responsible for a 2% portion of the premium for your benefits and HSA. Your contributory cost is deducted from your paycheck on a pre-tax basis.

### ***Special Enrollment***

Special enrollment allows individuals who previously declined coverage to enroll in the plan upon loss of eligibility for other coverage and upon certain life events, such as marriage and the birth, adoption, or placement for adoption of a child. Employees must request enrollment within 30 days of the loss of coverage or life event triggering the special enrollment.

### ***Continuation of Health Coverage***

At this time, SWMPC does not qualify to offer COBRA Insurance.

*Federal law generally requires employers with 20 or more employees to offer COBRA.*

### ***Dental Insurance***

SWMPC offers a dental plan for eligible employees and their families.

### ***Short-Term Disability Plan (STD)***

A short-term disability plan is provided for eligible full-time employees. During periods covered by SWMPC's disability benefits, annual leave will not accrue.

### ***Long-Term Disability Plan (LTD)***

Long-term disability coverage is provided for eligible full-time employees. During periods covered by SWMPC's disability benefits, annual leave will not accrue.

### ***Life Insurance***

Term Group Life insurance is provided for eligible full-time employees. The face value of this benefit is equal to one times the employee's annual salary.

### ***Accidental Death***

Term Group Accidental Death insurance is provided for eligible full-time employees. The face value of this benefit is equal to one times the employee's annual salary.

### ***Workers' Compensation Insurance***

To provide for payment of your medical expenses and for partial salary continuation in the event of a work-related accident or illness, you are covered by workers' compensation insurance, provided by SWMPC and based on state regulations. The amount of benefits payable, as well as the duration of payments, depends upon the nature of your injury or illness.

### ***401 and 457 Retirement plans***

SWMPC shall provide a 401(a) Defined Contribution Plan to all employees working at least 1,000 hours per year in accordance with federal law. New employees shall be enrolled in the retirement program beginning the first pay period of the month following completion of six months of full-time employment. The retirement program, general provisions of which have described in the appendix, is subject to the following supplemental provisions.

#### ***401(a) Defined Contribution Plan***

SWMPC's contribution into the 401(a) Defined Contribution Plan on behalf of each enrolled employee shall be in the amount of 6.5% of the employee's annual salary or wage. For employees enrolled in the 401(a) Defined Contribution Plan, benefits of the plan shall be vested on behalf of the employee at a rate of 20% for each full year of vesting eligibility. Employees shall be automatically vested at age 60. Upon termination of employment, the employee shall receive 20% of the accumulated funds for each year of vesting. Upon termination of employment, the employee's participation in the pension plan is likewise terminated and he/she make arrangements to cash in his/her assets in the plan or make arrangements with the carrier to continue purchase of plan benefits in accordance with the Internal Revenue Service regulations

### **457 Deferred Compensation Plans**

Employee contributions shall not be mandatory; however, employees may, at their option, contribute a percentage of their annual salary or wage into the 457 Deferred Compensation Plan on their own behalf, in accordance with the terms of the plan. Upon termination of employment, the employee shall receive 100% of his own contributions into the 457 Deferred Compensation, plus accumulated earnings.

### ***Travel***

SWMPC's Travel and Expense Reimbursement Policy is contained in Appendix C of this Handbook.

## Part 5 – Holidays, Annual Leave and Other Leave

### **Holidays**

Employees are entitled to the following paid holidays:

New Year's Day	January 1
Birthday of Martin Luther King, Jr.	Third Monday in January
President's Day	Third Monday in February
Good Friday (afternoon)	According to Calendar
Memorial Day	Last Monday in May
Independence Day	July 4
Labor Day	First Monday in September
Veteran's Day	November 11
Thanksgiving Day	Fourth Thursday in November
Day After Thanksgiving	Friday After Thanksgiving
Christmas Day	December 24
Christmas Day	December 25
New Year's Eve (afternoon)	December 31

### **Religious Observance**

Federal and state equal opportunity laws generally require employers to accommodate the religious beliefs of employees, but do not require them to provide paid leave. SWMPC respects your religious beliefs, however, and therefore, will provide one (1) day of paid leave to employees who, for religious reasons, must be away from the office on days of normal operation. Employees who require additional time off may use accrued leave. This leave must be requested through the Executive Director two weeks prior to the event.

### **Annual Leave (Vacation)**

SWMPC recognizes the importance of vacation time in providing rest, recreation and personal enrichment. After six months of continuous employment, employees shall be entitled to utilize accumulated annual leave. Beginning from the date of employment, annual leave shall accumulate as follows:

Full-time employees earn vacation time as follows:

#### **Staff Employee Annual Leave**

Up to five years of employment	5.5 hours per pay period
Five to ten years of employment	7.0 hours per pay period
Ten or more years of employment	8.5 hours per pay period

#### **Executive Director Annual Leave**

Up to ten years of employment	20 days total
Ten years or more	30 days

Part-time employees working at least 20 hours per week shall be eligible for annual leave on a sliding scale of 20-25 hours 2.5 hours per pay period, 26-30 hours 4 hours per pay period.

## **Accrual and Carryover**

Employees may carry forward into the next year a maximum of one year's accrued annual leave. All excess time not taken will be forfeited. For those employees having met the requirements for vestment in the 401(a) Retirement Plan, the Commission shall make a contribution to the individual's 401(a) Retirement Plan in an amount equal to 37.5 hours of excess time not taken at their respective rate of pay. Adjustments and/or contributions will be made the first pay period of the following year.

If an employee accrues more than 40 hours of accrued annual leave in a calendar year, the employee shall be entitled to use up to an additional 32 hours of unpaid annual leave in that year (conforming to the Earned Sick Time Act as of February 21, 2025).

## **Termination**

Conditions for withholding accumulated annual leave:

- a. If employee's employment is terminated by SWMPC for cause, the employee shall not be compensated for unused accumulated annual leave.
- b. If employee fails to provide SWMPC a written notice of voluntary termination with an effective date 30 days after the date of delivery, the employee shall not be compensated for unused accumulated annual leave.
- c. If the employee provides SWMPC with a written notice of voluntary termination with an effective date of 30 days after the date of delivery, but fails to perform the last 30 days of his or her employment satisfactorily, the employee shall not be compensated for unused accumulated annual leave.

Conditions for payment of accumulated annual leave:

- a. If the employee is terminated by SWMPC without cause, employee shall be fully compensated at their respective rate of pay for unused accumulated annual leave
- b. In the event of voluntary termination by an employee, the employee who provides SWMPC a written notice with an effective date 30 days after the date of delivery, and performs the last 30 days of his or her employment satisfactorily, shall be fully compensated at their respective rate of pay for unused accumulated annual leave.
- c. In the event the employer finds that an exception to the 30 days' notice requirement is merited, SWMPC may accept an employee's written notice of voluntary termination. In such cases, based on the amount of the actual termination notice time provided to SWMPC, SWMPC shall determine the appropriate amount of accumulated annual leave to be compensated to the employee.

## **Other Leave**

Unless otherwise specified below, a leave of absence is unpaid. There will be no accrual of compensated leave time during a leave of absence. When a leave of absence is unpaid, contributions into employee pension programs will pause during the leave time unless the employee chooses to pay the entire amount during their absence. Also for an unpaid leave of absence, disability, life and healthcare (health, vision, dental) will pause unless the employee continues to pay the standard employee share of the total premium cost.

## **Notification Procedures**

When you are absent from work and your absence has not been previously scheduled, you must personally notify the Executive Director as soon as you are aware that you will be late or unable to report to work.

When absence is due to illness, SWMPC reserves the right to require appropriate medical documentation. Such documentation includes the employee's name, the date and time the employee was seen, and if applicable, a specific instruction regarding the employee's incapacity to perform his or her job. Excessive absenteeism or tardiness can result in discipline, up to and including discharge.

If you are absent because of an accident or you are absent for longer than seven (7) days due to illness, compensation is paid under the benefits of SWMPC's short-term disability plan, annual leave will not accrue. The application of disability benefits must be in compliance with the Michigan Workman's Compensation Law. The employee shall use accumulated annual leave to the extent available for the first seven days of disability.

## ***Bereavement Leave***

Employees will receive up to five (5) days with pay upon the death of a present spouse or child, or if the employee is the guardian of a member of the immediate family. Three (3) days of paid time off, shall be allowed, in the event of the death of a member of their immediate family. Immediate family includes; domestic partners, parents, parents-in-law, brothers or sisters, brothers/sisters-in-law, grandparents, grandchild, half-brother/sister, stepparent, stepchild, and stepbrother/sister.

## ***Military Service Leave***

Employees serving in the uniformed services, including the Army, Navy, Marine Corps, Air Force, Coast Guard and Public Health Service commissioned corps, as well as the reserve components of each of these services, may take unpaid military leave, as needed, to enable them to fulfill their obligations as servicemembers. Servicemembers must provide advance written or verbal notice to SWMPC for all military duty, unless giving notice is impossible, unreasonable, or precluded by military necessity. Employees should provide notice as far in advance as is reasonable under the circumstances. In addition, employees may, but are not required to, use accrued vacation or personal leave while performing military duty. The employee shall be reinstated upon expiration of the leave of absence, in accordance with applicable rules and regulations of the Selective Service Training Act and any other applicable laws currently in effect.

## ***Temporary Military Service Leave***

Temporary Leave for Reserve Duty shall be granted to a full-time employee who is called for emergency duty by an Armed Forces Reserve Training Unit or by the Michigan National Guard. The Employee shall be paid the difference between his/her regular SWMPC salary and Armed Forces salary for a period not to exceed ten working days.



## **Family and Medical Leave**

SWMPC does not offer Family and Medical Leave. *The federal Family and Medical Leave Act (FMLA) generally applies to employers of 50 or more employees in 20 or more workweeks in the current or preceding calendar year.*

## **Break Time for Nursing Mothers**

The federal Fair Labor Standards Act (FLSA) allows employees to take reasonable, unpaid break time to express breast milk as needed for up to one (1) year after the birth of a child. SWMPC will provide a place for the employee to express breast milk, other than a bathroom, that is shielded from view and free from intrusion from co-workers and the public. Employees will not be discharged or in any other manner discriminated against in exercising their rights under this policy.

## **Civic Duty Leave**

### **Jury Duty**

SWMPC encourages employees to fulfill their civic duties. To that end, employees will be allowed leave to serve on a jury, if summoned. We request that you give us a copy of your summons notice as soon as you receive it, so that we may keep it on file.

Jury duty can last from a portion of a single day to several months or more. During this time, you will be considered on a leave of absence and will be entitled to continue to participate in insurance and other benefits as if you were working. While serving on jury duty, you are expected to call in to the Executive Director periodically to keep him or her apprised of your status.

SWMPC will compensate full-time employees for the first five (5) days of jury service. If additional time is required, it will be granted, but without pay, or you may choose to use accrued leave. Jury duty compensation received must be turned in to the Office Manager to process through payroll.

### **Appearance as a Witness**

An employee called to appear as a witness will be permitted time off to appear, but without pay. Employees will be permitted to use accrued leave when appearing as witnesses.

### **Voting**

SWMPC encourages all employees to vote. Most polling facilities for elections for public office have hours that are scheduled to accommodate working voters. SWMPC, therefore, requests that employees schedule their voting for before or after their work shifts. An employee who expects a conflict, however, should notify the Executive Director, in advance, so that schedules can be adjusted if necessary.

## **Part 6 – Miscellaneous**

### ***Leaving SWMPC***

SWMPC asks all employees to participate in an exit interview with the Executive Director prior to leaving SWMPC. This provides an opportunity to return, keys and other property and to tie up any loose ends.

***If you leave SWMPC in good standing, you may be considered for reemployment at a later date. However, in the case of rehiring, SWMPC may consider you to be a new employee with respect to vacation time, benefits and seniority.***

### ***Policy Enforcement***

It shall be the responsibility of the Executive Director to enforce all SWMPC policies including personnel policies.

### ***Types of Disciplinary Action***

The Executive Director will determine, depending upon the severity of the offense, the type of disciplinary action to be taken. If the employee being disciplined is not satisfied with the action taken or procedure used, the employee may submit an appeal in accordance with the appeal procedure.

### ***Oral Reprimand***

The Executive Director will review the facts in the case with the employee involved.

The employee will be told what action will be taken if another violation occurs.

The Executive Director will keep a record of the verbal reprimand by having a written report of the incident placed in the employee's personnel file.

### ***Written Reprimand***

The Executive Director will review the facts in the case with the employee involved.

The employee will be told what action may be taken if another violation occurs.

A record of the meeting, stating the facts, which were reviewed with the employee, will be prepared by the Executive Director. The Executive Director will then review the warning memo with the employee and give a copy to the employee. Another copy shall be placed in the employee's personnel file. Signature of Executive Director must appear on each copy. Employee will be offered the opportunity to sign.

## **Suspension**

The Executive Director will review the facts in the case with the employee involved.

A record of the meeting, stating the facts, which were reviewed with the employee and the action to be taken, will be prepared by the Executive Director. The Executive Director will review the suspension memo with the employee and give a copy to the employee. Another copy shall be placed in the employee's personnel file. Signature of Executive Director must appear on each copy. Employee will be offered the opportunity to sign.

## **Termination**

The Executive Director will review the facts in the case with the employee involved.

A record of the meeting, stating the facts, which were reviewed with the employee and the action to be taken, will be prepared by the Executive Director. The Executive Director will review the termination memo with the employee and give a copy to the employee. Another copy shall be placed in the employee's personnel file. Signature of Executive Director must appear on each copy. Employee will be offered the opportunity to sign.

The employee will be terminated.

Any terminated employee may appeal his/her termination to the Executive Committee within five working days of the termination date for a final and binding decision. Failure to appeal within five days indicates acceptance of the termination.

The Executive Committee will meet within five working days after such a request is received by the Executive Director to resolve the dispute. The Executive Committee will consider statements concerning the termination from the terminated employee and the Executive Director. The Executive Committee may request additional information from other persons with knowledge of the case. The Committee will reach a decision immediately after hearing the case.

## **Appeals**

If an employee is in disagreement with the Executive Director's interpretation of any SWMPC policy, or if exception is taken to any determination, action, disciplinary memo, or directive of the Executive Director, an employee may appeal for reconsideration of the issue in accordance with the following provisions:

If a disciplinary memorandum is unsatisfactory to the employee, the employee must, within ten days of the delivery of the disciplinary memorandum, place his/her concerns and requests in writing addressed to the Executive Director with a copy provided to the Commission chairman. The Executive Director shall, likewise make his/her response to the employee within ten days after receipt of the employee's letter.

If step 1, above, fails to produce resolution of the issue, the employee may request and be granted a conference with the Executive Committee at its next regularly scheduled meeting. The Executive Committee shall hear and decide the appeal issue and its decision shall be deemed final; provided however that the employee may seek further recourse through applicable legal procedures pursuant to Michigan law.

# Appendix

## **Appendix A**

Organizational Chart

## **Appendix B**

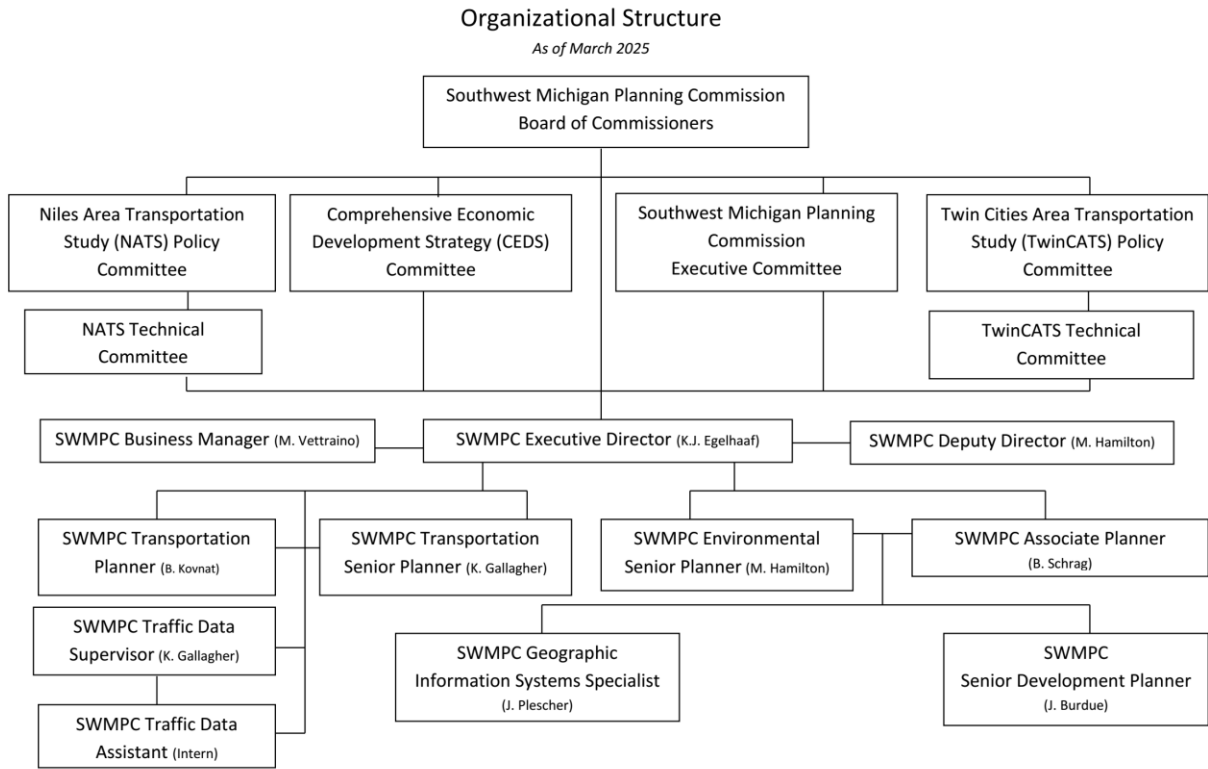
Printer Copier Cost

## **Appendix C**

Travel Reimbursement

# Appendix A

## Organizational Chart



## Appendix B

### ***Printer/Copier Costs***

#### **Printing/Copying**

The SAVIN 4040 can copy in black and white or color, duplex, collate, staple and a stapleless feature. It has a choice of paper sizes, 8.5x11, 8.5x14 and 11x17. To access the machine use the applicable Program/Class Code, they are posted on the machine.

To print from your computer you must enter the access code in the Properties tab on your computer. All the features listed above are available for printed documents also. Access codes are the same as the copy feature, a list will be provided to you.

To use the machine for personal copy or print jobs use your extension number as the access code. Personal copy/print charges are as follows:

<u>White Paper</u>	<u>B &amp; W Ink</u>	<u>Color Ink</u>
8.5 x 11	\$0.04	\$0.16
11 x 14	\$0.06	\$0.18
11 x 17	\$0.06	\$0.18
<u>Color Paper</u>		
8.5 x 11	\$0.06	\$0.18
11 x 14	\$0.08	\$0.24
11 x 17	\$0.08	\$0.24

For Large Format prints, see the GIS Specialist. Cost for Large Format prints is \$2.64.

The Office Manager will notify you of your charges on a quarterly basis. Submit all payments to the Office Manager.

## Appendix C

### ***Travel Reimbursement***

A completed Travel/Expense Form with receipts attached is required for reimbursement of expenses.

### **Mileage**

Mileage will be reimbursed at the current I.R.S. allowed rate. As of 1/1/2019 the rate is .545, however, the rate is subject to change upon notification and will take immediate effect.

Claim mileage on trips actually departing from residence at whichever is shortest distance, from home or from SWMPC office.

### **Meals and Lodging**

Receipts are required for all the following expenses. Actual cost paid subject to prior approval for lodging if less expensive is not available and/or associated with conference.

	<u>Breakfast</u>	<u>Lunch</u>	<u>Dinner</u>	<u>Lodging</u>
In-Region <sup>1</sup>	\$8.50	\$8.50	\$19.00	N/A
In-State All Other <sup>2</sup>	\$8.50	\$8.50	\$19.00	\$85.00 <sup>4</sup>
Select Cities <sup>3</sup>	\$10.25	\$10.25	\$24.25	
Out-of-State	\$10.25	\$10.25	\$23.50	Actual cost
Select Cities <sup>4</sup>	\$13.00	\$13.00	\$25.25	

<sup>1</sup>In state (75% of In-State meals or actual, whichever is less). Prior approval of Executive Director must be given for all In-Region dinner claims.

<sup>2</sup>Out of region travel must be approved by Executive Director prior to travel.

<sup>3</sup>Ann Arbor, Auburn Hills, Detroit/Wayne Co., Grand Rapids, Holland, Leland, Mackinac Island, Petoskey, Pontiac/Oakland Co., South Haven, Traverse City/Grand Traverse Co.

<sup>4</sup>Baltimore, Chicago, Boston, Los Angeles, New York, Washington D.C.

### **Related Travel Expense**

Parking, ground transportation and other related travel expenses will be reimbursed at actual cost plus tip with submittal of receipt.

Notes:

1. Guests/meeting attendees may be claimed at actual cost of meal if prior approval received and receipt is attached indicating name(s), meeting location and purpose of meeting.
2. Tip allowance for overnight lodging is \$2.00 per day.
3. Parking, ground transportation and other related travel expenses will be reimbursed at actual cost plus tip.