



Personnel Policy Manual

Election Workers

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C. Bradley Kaye

City Manager

City of Midland
Human Resources
333 W. Ellsworth Street
Midland, MI 48640
(989) 837-3357

I. INTRODUCTION

The policies and procedures contained in this Manual apply to all elected and appointed officials as representatives of the City, and unless otherwise stipulated, become effective immediately. The City Charter and the Code of Ordinances take precedence over these rules and regulations when a conflict exists.

The City reserves the right, at its sole discretion, to amend the contents of this Manual at any time. Amendments to any part of this manual obligating the City or imposing changes on the City, can be made only by order of the City Manager, per City Ordinance #1813. Any changes must be in writing and issued by the City Manager. No other employee, representative or agent of the City has the authority to amend, alter or change the policies set forth in this Manual or to enter into any agreement concerning the terms and conditions of employment at the City. Written amendments will be issued directly to employees and posted on the employee internet site.

1.1: APPLICATION OF POLICIES: These policies and procedures apply to all of the City's elected and appointed officials unless otherwise specifically provided for in this Manual or by the City Charter or Code of Ordinances. It is also acknowledged that each City department will supplement this policy manual with departmental specific policies and procedures.

1.2: DISTRIBUTION: A copy of this Manual will be provided to all elected and appointed officials of the City of Midland. Updated policies, procedures, and Federal/State mandated notices are also available on the employee internet site.

1.3: SEVERABILITY: In the event that one or more of the provisions of this Manual are superseded by or become in conflict with State or Federal laws, or the City Charter, or if they are determined by a court of competent jurisdiction to be invalid and unenforceable, then the balance of the Manual shall remain in full effect.

1.4: NOTIFICATION OF POLICY CHANGES & UPDATES: Written notification will be provided and an updated copy of the manual will be provided whenever any changes are made to the policies contained herein. Said notification may be made via email.

1.5: REPLACEMENT OF MERIT RULES AND ADMINISTRATIVE REGULATIONS: This manual replaces the content of the Merit System Board Rules and Regulations (eliminated by City Council as of June 1, 2018) and replaces the following Administrative Regulations which have been eliminated by the City Manager as of June 1, 2018: *104, 106, 107, 109, 110, 111, 113, 401, 402, 403, 404, 406, 408, 409, 410, 411, 413, 414, 416, 418, 419, 420, 421, 422, 423, 424 and 501.*

II. CUSTOMER SERVICE AND ETHICS EXPECTATIONS

2.1: ETHICS PHILOSOPHY: “Where government is based on the consent of the governed, every citizen is entitled to have complete confidence in the integrity of his or her government. Each individual official, employee, or advisor of government must help to earn, and must honor that trust by his or her own integrity and conduct in all official duties and actions.” All elected and appointed officials must strictly adhere to the City of Midland Ethics Ordinance (Chapter 32 of the Code of Ordinances).

2.2: COURTESY TO CITIZENS: All citizens, whether that citizen is a resident of the City or not, shall be treated in a respectful and courteous manner. Inquiries, questions and complaints should be addressed in a prompt and professional manner. In dealing with upset citizens, please remain calm and composed and if possible, direct the individual to the City Manager or an appropriate City department head for assistance in resolving their issue.

2.3: DIVERSITY INITIATIVE: The City of Midland, as a local government, is responsible for providing certain public services to all citizens of the City, regardless of the citizen’s status. The City believes that employees, as well as elected and appointed officials, must respect, support and protect diversity in the community to ensure a safe, secure, and inclusive environment for all citizens and employees. Diversity within the Midland community includes acceptance and tolerance for intellectual and physical abilities, socio-economic status, race, ethnicity, religion, age, language, sexual orientation and identity, family composition, citizenship, immigration status, beliefs, expression, character and other qualities. The City is committed to developing initiatives that support the rich advantages of diversity in the community and in City employee policies.

The City’s diversity initiatives are applicable, but not limited to, our practices and policies on recruitment and selection; compensation and benefits; professional development and training; promotions; transfers; social and recreational programs; layoffs; terminations; and the ongoing development of a work environment built on the premise of diversity equity that encourages and enforces:

- Respectful communication and cooperation between all employees.
- Teamwork and employee participation, permitting the representation of all groups and employee perspectives.
- Employer and employee contributions to the community we serve to promote a greater understanding and respect for diversity.

All representatives of the City have a responsibility to treat others with dignity and respect at all times. All representatives of the City are expected to exhibit conduct that reflects respect and inclusion when interacting with citizens and City employees, during work, at work functions on or off the work site, and at all other City-sponsored and participative events. Any individual found to have exhibited any inappropriate conduct or behavior against others may be subject to removal from appointed office as well as potential legal action from the injured party. Appointed officials who believe they have been subjected to any kind of discrimination that conflicts with the City’s diversity policy and initiatives should seek assistance from a supervisor or Human Resources (HR) representative.

III – POLICIES

3.1: EQUAL EMPLOYMENT OPPORTUNITY POLICY: It is the policy of the City of Midland to provide equal opportunity in the provision of services and to all qualified individuals in its recruitment, hiring and employment practices. No one will be denied service or an employment opportunity based on race, religion, color, gender, national origin, age, disability, political affiliation, marital status, height, weight, or other factor prohibited by Federal or State law, unless deemed a bona-fide occupational qualification.

3.2: WORKPLACE BULLYING: The City promotes a healthy workplace culture where all are treated with respect and dignity in an environment free of bullying behavior. Workplace bullying is unacceptable and will not be tolerated under any circumstances. Bullying hampers productivity by creating dysfunction and damaging morale within work environments. Any appointed official found in violation of this policy may be subject to removal from office. Independent contractors found to be in violation of this policy may be subject to contract cancellation.

Definition of Bullying: Bullying is any persistent, malicious, unwelcome, severe or pervasive mistreatment made with the intent to harass, harm, intimidate, offend, degrade or humiliate an employee, whether verbal, physical or otherwise, at the place of work and/or in the course of employment. It is important to note that necessary and normal feedback from a supervisor to an employee is not considered bullying. Bullying behaviors include, but are not limited to, the following:

- Staring, glaring or other nonverbal communication made with the intent of intimidating or exhibiting hostility;
- Verbal abuse or threats, including yelling, screaming or offensive language;
- Excluding or isolating people from workplace activities;
- Assigning impossible tasks, meaningless tasks unrelated to the job, or giving someone the majority of unpleasant tasks;
- Deliberately withholding information essential to do a task properly;
- Cyber bullying to include critical, derogatory or false comments made on social media and/or forwarding to others emails that are critical, derogatory or false about an employee;
- Spreading malicious rumors;
- Supervisor work-related harassment (work overload, unrealistic deadlines, meaningless tasks);
- Being held to a different standard than the rest of the employee's work group;
- Encouraging others to turn against the targeted employee;
- Sabotage of a co-worker's work product/work area or undermining of an employee's work performance.

Reporting Bullying: Anyone that is a victim of bullying or has witnessed bullying behavior should report the incident to Human Resources (HR). Any report of workplace bullying will be treated seriously and investigated thoroughly. The City will protect anyone that reports workplace bullying from retaliation or reprisal.

3.3: ACCEPTANCE OF GIFTS AND FAVORS: The proper operation of government requires that public officials be independent, impartial, and responsible to the people, and that public positions not be used for personal gain. This policy establishes that no representative of the City shall engage in any transaction which is incompatible with the proper discharge of his or her official duties in the public interest or would tend to impair independent judgment or action in the performance of official duties.

All public officials should endeavor to remove any chance of impropriety in the exercise of their official duties. The City will consider impropriety in terms of whether a reasonable person aware of all of the relevant facts and circumstances surrounding their action would conclude that the action was inappropriate.

In general, elected and appointed officials are prohibited from accepting a material gift, favor, service, or meal beyond a nominal value from any single individual or organization. Any questions concerning the interpretation of this policy and what constitutes “impropriety” should be directed to the City Attorney.

3.4: DRUG & ALCOHOL FREE WORKPLACE: The City of Midland is dedicated to maintaining a safe and drug free workplace. The City recognizes that alcoholism and drug dependence are an illness for which there is effective treatment and rehabilitation. The City encourages any elected or appointed official with a chemical dependence problem to seek professional treatment before the problem becomes a deterrent to job performance. To comply with the Drug-Free Workplace Act of 1988, the City of Midland has adopted and all employees are required to adhere to, the following Drug Free Workplace Policy.

- Elected and appointed officials are prohibited from unlawful manufacture, distribution, dispensing, sale, delivery, possession or use of controlled substances as defined by law.
- A violation on City premises, in City vehicles, while being paid by the City, or while representing the City may result in removal from appointed office.
- Elected and appointed officials must remain free of being under the influence of drugs and alcohol while in their official capacity with the City.
- For purposes of this policy, drugs and controlled substances are defined as: a drug, substance, or immediate precursor under part 72 of Act No. 368 of the Public Acts of 1978, as amended, being sections 333.7201 to 33.7231 of the Michigan Compiled Laws and includes, but is not limited to: marijuana, amphetamines, opioids, phencyclidine (PCP), and cocaine, as well as any drug not approved for medical use by the U.S. Drug Enforcement Administration or the U.S. Food and Drug Administration. Illegal use includes use of any illegal drug, misuse of legally prescribed drugs, and use of illegally obtained prescription drugs. Also, the medical and recreational use of marijuana, or the use of hemp related or synthetic products, which cause drug or drug metabolites to be present in the body above the minimum thresholds, is a violation of this policy

3.5: VIOLENCE IN THE WORKPLACE POLICY: The City of Midland is committed to preventing workplace violence and to maintaining a safe work environment and has adopted the following guidelines to deal with intimidation, harassment or other threats of or actual violence that may occur onsite or offsite during work-related activities.

Prohibited Conduct

All employees, customers, vendors and business associates should be treated with courtesy and respect at all times. Employees are expected to refrain from fighting, “horseplay” or other conduct that may be dangerous to others. Conduct that threatens, intimidates or coerces another employee, customer, vendor or business associate will not be tolerated. City resources may not be used to threaten, stalk or harass anyone at or outside the workplace. The City treats threats coming from an abusive personal relationship as it does other forms of violence.

Indirect or direct threats of violence, incidents of actual violence and suspicious individuals or activities should be reported as soon as possible to the City Manager. When reporting a threat or incident of violence, please be as specific and detailed as possible. Do not place yourself in peril or attempt to intercede during an incident.

Elected and appointed officials must promptly inform the City Manager or City Attorney of any protective or restraining order that they have obtained that lists City facilities as a protected area. You are encouraged to report safety concerns with regard to intimate partner violence. The City will not retaliate against anyone making good-faith reports. The City is committed to supporting victims of intimate partner violence by providing referrals to the Employee Assistance Program (EAP) and community resources.

Investigations and Enforcement

The City will promptly and thoroughly investigate all reports of both direct and indirect threats of violence, incidents of actual violence and of suspicious individuals or activities. The identity of the individual making a report will be protected to the extent allowed by law. The City will not retaliate against individuals making good-faith reports of violence, threats or suspicious individuals or activities.

3.7: WEAPONS AND FIREARMS: To ensure that the City of Midland maintains a workplace safe and free of violence for all, the City prohibits the possession or use of weapons by individuals conducting work or City business on all City property, vehicles and equipment, except as explicitly authorized in this policy.

Persons covered

All City of Midland employees, contractors, volunteers, elected and appointed officials are covered by this policy except sworn officers of the City of Midland Police Department and those explicitly provided an exemption by the City Manager.

Definitions

“**City property**” is defined as all City buildings, land and surrounding areas such as sidewalks, walkways, driveways and parking lots under the City’s ownership or control. This policy also applies to all City-owned or leased vehicles and equipment.

“**Weapons**” includes firearms, explosives, clubs, knives (except small folding pocket knives with blades less than 3 inches or knives used as tools of trade for City work), taser (electromuscular disruption devices) or any other object that might be considered a weapon,

dangerous, or cause bodily harm. Employees are responsible for making sure that an item possessed during their employment or while on City property does not violate this policy by contacting the Human Resources Department.

Searches of City Property

The City of Midland reserves the right to search all City-owned property, including but not limited to, facilities, desks, work spaces, lockers or vehicles at any time with or without prior notice for the purpose of determining whether any weapon is being, or has been brought onto its property in violation of this policy. The City may also search any person or personal possessions (including bags, briefcases, purses, packages, etc.) entering its property, for the same purpose. Employees who fail or refuse to promptly permit a search under this policy will be subject to discipline up to and including termination.

Firearms in Personal Vehicles

The City will allow, on a case-by-case basis, hunting bows and firearms to be properly secured in a locked personal vehicle parked in an employee parking lot, with prior permission of the City Manager. Requests to bring and secure hunting weapons in personal vehicles on City property will only be allowed during recognized hunting seasons, as specified by the State of Michigan Department of Natural Resources.

In addition, any individual who holds and maintains a valid Concealed Pistol License (CPL) is allowed to properly secure and store their firearm in his/her locked personal vehicle when the individual brings and parks his or her personal vehicle on City property. This does not allow an individual with a CPL to carry a firearm outside their personal vehicle while on City property or when engaged in their official duties with the City.

Exemptions

An individual granted an exemption will be subject to all conditions defined by the City Manager. Failure to follow said conditions will result in revocation of the exemption and potential disciplinary action up to, and including discharge of employment.

3.8: EMPLOYEE RIGHT-TO-KNOW ACT: The City complies with Federal and State Right-to-Know laws. The City will make every effort to provide employees with information on any hazardous chemical to which they may be exposed to in the workplace. The City's entire Right to Know/Hazardous Materials Policy are available at www.msdsonline.com. Product safety information can also be obtained by calling MSDS On-line at 1-888-362-7416.

3.9: POLITICAL ACTIVITY: The City does not discourage political participation and activity by employees. However, certain restrictions are imposed to insure the integrity and impartiality of the City. Employees engaging in political activity must adhere to the following:

1. Elected and appointed officials shall not engage in political activities on behalf of a candidate, either partisan or non-partisan; distribute or circulate literature or materials either for or against an issue, question or campaign, when acting in their official capacity or representing the City of Midland.

2. Solicitation, distribution, and display of political literature or materials are prohibited while acting in the official capacity or representing the City of Midland.
3. City of Midland equipment, materials and supplies, including City letterhead, shall not be used to engage in political activity.
4. **All laws as stipulated by Michigan law for election workers or other rules as disseminated by the City Clerk.**

3.10: VOICE & VIDEO RECORDING: Unless required for effective City operations (examples: cameras in police & DART vehicles), required by court order, or as part of an internal investigation initiated by the City, it is a violation of City policy for employees and elected and appointed officials to record conversations with a tape recorder, video recorder or other recording device including a cell phone or any other electronic device unless prior approval is received from the City Manager. The purpose of this policy is to ensure compliance with Federal and State law and to eliminate a chilling effect on the expression of views that may exist when one person is concerned that his or her conversation with another is being recorded.

3.11: SEARCH POLICY: The City may, at its discretion, inspect both City-provided and employee personal belongings including, equipment, lockers, packages, desks, tool boxes or vehicles brought onto City property in connection with the investigation of any rule or violation or in the maintenance of a safe workplace.

3.12: SMOKING AND TOBACCO FREE WORKPLACE: Smoking or the use of any tobacco product is prohibited in all City buildings, facilities, vehicles and equipment. This smoke free / tobacco free policy also prohibits the use of e-cigarettes, **vaping devices**, chewing tobacco and any other form of smokeless or synthetic tobacco.

3.13: USE OF CITY RESOURCES: All City facilities, equipment, and supplies are provided by the public and are intended to be used for public purposes. To protect and conserve these resources, individuals are expected to comply with the following provisions:

Employer Information & Property: No City-related information or property, including without limitation, documents, files, records, computer files, equipment, office supplies or similar materials (except in the ordinary course of performing duties on behalf of the City) may be removed from City premises. In addition, when an individual leaves the City, the individual must return to the City all City-related information and property that the individual has in his/her possession, including without limitation, documents, files, records, manuals, information stored on a personal computer or on a computer disc, supplies, and equipment or office supplies. Violation of this policy is a serious offense and may result in criminal charges or disciplinary action up to and including termination.

Care of Equipment: The City of Midland owns and maintains a wide array of expensive equipment and materials. Individuals are expected to follow prescribed procedures for equipment and vehicle usage.

Equipment, Facilities and Supplies: Individuals are to use the City's equipment, facilities and supplies only for public service. Under no circumstances shall anyone be permitted to utilize or borrow City property or equipment for personal use.

3.14: TECHNOLOGY AND ELECTRONIC COMMUNICATIONS POLICY: The City of Midland recognizes that use of electronic communications, such as the internet and e-mail, has many benefits and can make workplace communication more efficient and effective. Unacceptable use of the City's technology, internet, messaging and e-mail can place City of Midland and others at risk. This policy outlines the City's guidelines for acceptable use of technology and electronic communications.

Scope: This policy must be followed in conjunction with other City policies governing appropriate workplace conduct and behavior. The City of Midland complies with all applicable Federal, State and local laws as they concern the employer/employee relationship, and nothing contained herein should be construed to violate any of the rights or responsibilities contained in such laws.

Use Guidelines: The City of Midland has established the following guidelines for employee use of the City's technology and communications networks, including internet and e-mail in an appropriate, ethical and professional manner.

1. All technology provided by the City of Midland, including computer systems, communications networks, City-related work records and other information stored electronically is the property of the City. In general, use of the City's technology systems and electronic communications should be job-related and are not intended for personal convenience beyond incidental casual use.
2. Individuals may not use the City of Midland's internet, e-mail or other electronic communications to transmit, retrieve or store any communications or other content of a defamatory, discriminatory, harassing or pornographic nature. No messages with derogatory or inflammatory remarks about an individual's race, age, disability, religion, national origin, physical attributes or sexual preference may be transmitted. Harassment of any kind is prohibited.
3. Disparaging, abusive, profane or offensive language; materials that might adversely or negatively reflect on the City of Midland or be contrary to its legitimate business interests; and any illegal activities—including gambling, piracy, hacking/cracking, extortion, blackmail, copyright infringement and unauthorized access to any computers on the internet or e-mail—are forbidden.
4. Copyrighted materials belonging to entities other than the City of Midland may not be transmitted on the City's network without permission of the copyright holder. Saving copyright-protected information to a network drive without permission is prohibited. Sharing the URL (uniform resource locator or "address") of an internet site with other interested persons for business reasons is permitted.

5. To prevent contamination of the City of Midland technology and communications equipment and systems by harmful computer viruses, downloaded files should be checked for possible infection through the Information Services department. Also, given that many browser add-on packages (called “plug-ins”) may not be compatible with other programs and may cause problems for the systems, downloading plug-ins or any other application is prohibited without prior permission from Information Services.
6. Every individual representing the City of Midland is responsible for the content of all text, audio or image files that he or she places or sends over the City’s information systems. No e-mail or other electronic communications may be sent that hide the identity of the sender or represent the sender as someone else. The City of Midland’s identity is attached to all outgoing e-mail communications, which should reflect City values and appropriate workplace language and conduct.
7. E-mail and other electronic communications transmitted by the City of Midland equipment, systems and networks are not private or confidential, and they are the property of the City. Therefore, the City of Midland reserves the right to examine, monitor and regulate e-mail and other electronic communications, directories, files and all other content, including internet use, transmitted by or stored in its technology systems, whether onsite or offsite.
8. Internal and external e-mail, voice mail, text and other messages are considered business records and may be subject to discovery in the event of litigation or Freedom of Information Act (FOIA) requests. Employees must be aware of this possibility when communicating electronically within and outside the City.

City of Midland’s Right to Monitor and Consequences for Misuse: All City-supplied technology, including computer systems, equipment and City-related work records, belong to the City of Midland and not to the individual user. It is understood that the City may monitor use patterns, and individuals should observe appropriate workplace discretion in their use and maintenance of such City property.

All computer systems and software, as well as e-mail and internet connections, are the property of the City of Midland and all City policies apply to their use and are in effect at all times.

Questions Regarding the Use of City of Midland Technology: If you have questions regarding the appropriate use of City of Midland electronic communications equipment or systems, including e-mail and the internet, please contact your supervisor, Human Resources or the Information Services department.

3.15: SOCIAL MEDIA - ACCEPTABLE USE: The City encourages individuals to share information with co-workers and with those outside the City for the purposes of gathering information, generating new ideas, and learning from the work of others. Social media provides inexpensive, informal, and timely ways to participate in an exchange of ideas and information. However, information posted on a website is available to the public and, therefore, the City has

established the following guidelines for participation in social media. **Note:** As used in this policy, “social media” refers to blogs, forums, and social networking sites, such as but not limited to Twitter, Facebook, LinkedIn, YouTube, Instagram, and SnapChat.

Nothing in this policy is meant to, nor should it be interpreted to, in any way limit your rights under any applicable Federal, State, or local laws, including your rights under the National Labor Relations Act to engage in protected concerted activities with other employees to improve or discuss terms and conditions of employment, such as wages, working conditions, and benefits.

Off-duty use of social media: Employees may maintain personal websites or weblogs on their own time using their own devices. Employees must ensure that social media activity does not interfere with their work. In general, the City considers social media activities to be personal endeavors, and employees may use them to express their thoughts or promote their ideas.

Required Disclaimer Notice: If an individual identifies himself or herself as a City representative or discusses matters related to the City on a social media site, the site must include a disclaimer on the front page stating that it does not express the views of the City and that the individual is expressing only his or her personal views. For example: “The views expressed on this website/weblog are mine alone and do not necessarily reflect the views of the City of Midland.” Place the disclaimer in a prominent position and repeat it for each posting expressing an opinion related to the City or the City’s business. Individuals must keep in mind that if they post information on a social media site that is in violation of City policy and/or federal, state, or local law, the disclaimer will not shield them from disciplinary action.

Respect: Demonstrate respect for the dignity of the City, its employees, and its residents. A social media site is a public place and inappropriate comments should be avoided. Do not engage in harassing or discriminatory behavior that targets other employees or individuals because of their protected class status or make defamatory comments. Even if a message is posted anonymously, it may be possible to trace it back to the sender.

Legal: Individuals are expected to comply with all applicable laws, including but not limited to, Federal Trade Commission (FTC) guidelines, copyright, trademark, and harassment laws.

3.16: POLICY ON NON-DISCRIMINATION AND HARASSMENT: It is the City's philosophy and policy that any unlawful discrimination or harassment against any employee or applicant based on race, color, sex, sexual orientation, religion, national origin, age, handicap, height, weight, arrest record, veteran, marital status, or other factor prohibited by law will not be allowed or tolerated. This policy applies to all employment practices including recruiting, hiring, pay rates, conditions of employment and termination. For purposes of this policy, the term

employee will include all City of Midland personnel including appointed, elected, full-time, part-time, temporary, seasonal and volunteer workers.

The City prohibits any form of harassment, joking remarks or other abusive conduct directed at employees because of their race, color, sex, religion, national origin, age or handicap, height, weight, arrest record, veteran, marital status or membership in another protected group. Harassment is defined as any conduct including verbal, physical, and/or written, which is of a sexual, racial, religious, or other nature impermissible by law when:

- Submission to such conduct is made, either explicitly or implicitly, a term or condition of employment;
- Submission to, or a rejection of, such conduct by an individual is used as a basis for employment decisions such as discharge, promotion, transfer, work assignments, salary, etc.; or
- Such conduct has the purpose or effect of substantially interfering with an individual's work performance or creates an intimidating, hostile or offensive work environment.

Examples of impermissible harassment include, but are not limited to:

- Jokes, comments, insults, cartoons, pictures, personal conduct and mannerisms of a sexual, ethnic, racial, religious or other impermissible nature.
- Stating or implying that deficient job performance is attributable to a person's gender, ethnic, racial, religious background or other impermissible characteristic.
- Propositions or requests for sexual favors or physical contact which is sexual in nature.
- Verbal abuse of a sexual nature, unnecessary touching, the display of sexually suggestive objects or pictures, or physical assault.

Reporting Procedure:

An employee who believes that he/she has been subjected to harassment prohibited by law at work by any of the following, but not limited to, superiors, supervisors, co-workers, contractors, appointed officials, elected officials, volunteer workers, visitors, customers, citizens, or suppliers/vendors shall report the incident immediately after it occurs to either his/her immediate supervisor or Department Head. In circumstances where the immediate supervisor or Department Head either participated in the prohibited activity or condoned the activity, a complaint may be filed directly with the Director of Human Resources. If the complaint of harassment prohibited by law is against the Director of Human Resources, the employee shall report the alleged occurrence to the City Manager.

The City Manager, Director of Human Resources, or their designee shall promptly investigate a complaint of harassment prohibited by law. Every reasonable effort will be made to handle all such complaints in a fair, impartial and timely manner. In order to protect both the person making the complaint and the person(s) against whom the complaint is made, every reasonable effort will be made to handle all complaints in a confidential and discreet manner. However, the City cannot guarantee strict confidentiality. The investigation conducted shall include interviews, where appropriate, with other witnesses to the alleged occurrence(s).

During the complaint investigation, work assignments or contact may be limited at the discretion of the City between the employee making the complaint and the employee against whom the complaint is made.

Retaliatory action or conduct of any kind taken by any employee of the City of Midland, during or after the investigation, against an employee(s) filing a complaint is strictly prohibited and shall be regarded as a violation of this policy and subject to disciplinary action up to and including termination.

The complaining employee will be informed of the outcome of the investigation. In those circumstances where a violation has been shown to have occurred, appropriate action up to and including termination, will be taken against any employee(s) found to have engaged in harassment.

All employees, particularly supervisors and Department Heads, have a responsibility for keeping the work environment free of harassment prohibited by law. Any employee who becomes aware of an incident of harassment prohibited by law, whether by witnessing the incident or being told of it, must immediately report it to his/her immediate supervisor, Department Head or Director of Human Resources. When a supervisor or Department Head becomes aware that harassment prohibited by law may exist, he/she is obligated to take prompt and appropriate action, whether or not the recipient of the harassment prohibited by law has filed a complaint.

Any questions, concerns, or other inquiries regarding conduct that is prohibited by this policy or the procedures contained herein shall be directed to the Director of Human Resources.

Non-Compliance: Failure to comply with this policy shall result in disciplinary action up to and including termination. Any employee who has an alleged misconduct complaint made against him/her and engages in retaliatory activities, during or after the investigation, shall be subject to disciplinary action, up to and including termination.