



NEWAYGO COUNTY BOARD OF COMMISSIONERS
1087 NEWELL STREET, WHITE CLOUD, MI 49349

DECEMBER 22, 2010

Meeting called to order by Chairman Adam Wright at 9:30 A.M.

Prayer by Newaygo County Clerk, Laurel J. Breuker.

Pledge of Allegiance to the Flag led by Commissioner Stanley Nieboer.

PRESENT: Patrick Gardner; Barbara Geno; James Maike, Jr.; Stanley Nieboer; Simon Scholtens; Charles Trapp; Adam Wright

10-554

MOTION BY MAIKE, SECONDED BY NIEBOER, TO APPROVE THE AGENDA OF DECEMBER 22, 2010. AYES-ALL. MOTION CARRIED.

10-555

MOTION BY GENO, SECONDED BY SCHOLTENS, TO APPROVE THE BOARD OF COMMISSION REGULAR MEETING MINUTES OF DECEMBER 8, 2010. AYES-ALL. MOTION CARRIED.

PRESENTATION/DISTRICT EXTENSION COUNCIL/KATHRYN CUMMINGS - Michigan State University Extension District Coordinator, Kathryn Cummings, appeared before the Board to provide an update on the anticipated formation of a District Extension Council. It is anticipated this council will meet four times a year. According to Ms. Cummings, membership will consist of three members from each county: one county commissioner and two positions from the general public. It was suggested that an alternate county commissioner be appointed as well. Chairman Wright anticipates the two public positions will be published in the same manner as all other Board appointments. Ms. Cummings also reported that due to recent changes, the County MSU Extension Office will be closed during the lunch hour effective January 1, 2011.

APPOINTMENT/AREA AGENCY ON AGING OF WESTERN MICHIGAN

10-556

MOTION BY GENO, SECONDED BY TRAPP, TO PLACE THE NAME OF MARILYN J. SNELL IN NOMINATION AND CAST A UNANIMOUS BALLOT FOR APPOINTMENT TO THE AREA AGENCY ON AGING OF WESTERN MICHIGAN FOR ONE (1) ONE-YEAR TERM EXPIRING JANUARY 1, 2012. AYES-ALL. MOTION CARRIED.

APPOINTMENT/LIBRARY BOARD

10-557

MOTION BY MAIKE, SECONDED BY GENO, TO PLACE THE NAME OF CATHERINE KELLERMAN IN NOMINATION AND CAST A UNANIMOUS BALLOT FOR APPOINTMENT TO

THE NEWAYGO COUNTY LIBRARY BOARD FOR THE PARTIAL TERM EXPIRING
SEPTEMBER 1, 2013. AYES-ALL. MOTION CARRIED.

APPOINTMENTS/BOARD OF PUBLIC WORKS

(Pursuant to the County Ethics Policy, Commissioner Trapp disclosed
his LLC business relationship with Mr. Twing.)

10-558

MOTION BY TRAPP, SECONDED BY GENO, TO PLACE THE NAMES OF RICHARD
BESSER, ALEX KELLERMAN, AND DALE TWING IN NOMINATION FOR APPOINTMENT
TO THE BOARD OF PUBLIC WORKS FOR TWO (2) THREE-YEAR TERMS EXPIRING
DECEMBER 31, 2013. AYES-ALL. MOTION CARRIED.

ROLL CALL VOTE:

GARDNER	BESSER	TWING
SCHOLTENS	BESSER	TWING
GENO	BESSER	TWING
TRAPP	BESSER	TWING
NIEBOER	BESSER	TWING
MAIKE	BESSER	TWING
WRIGHT	BESSER	TWING

Richard Besser and Dale Twing are duly appointed to the Board of
Public Works for two (2) three-year terms expiring December 31, 2013.

APPOINTMENTS/BROWNFIELD AUTHORITY BOARD

10-559

MOTION BY GENO, SECONDED BY SCHOLTENS, TO PLACE THE NAMES OF WARREN
BENDER, BRYAN GRUESBECK, ALEX KELLERMAN, AND HOLLY MOON IN NOMINATION
FOR APPOINTMENT TO THE BROWNFIELD AUTHORITY BOARD FOR THREE (3)
THREE-YEAR TERMS EXPIRING DECEMBER 31, 2013. AYES-ALL. MOTION
CARRIED.

ROLL CALL VOTE:

GENO		GRUESBECK	KELLERMAN	MOON
GARDNER	BENDER	GRUESBECK		MOON
SCHOLTENS	BENDER	GRUESBECK		MOON
TRAPP	BENDER	GRUESBECK		MOON
NIEBOER	BENDER	GRUESBECK		MOON
MAIKE	BENDER	GRUESBECK		MOON
WRIGHT	BENDER	GRUESBECK		MOON

Warren Bender, Bryan Gruesbeck, and Holly Moon are duly appointed to
the Brownfield Authority Board for three (3) three-year terms expiring
December 31, 2013.

APPOINTMENTS/PARKS COMMISSION

10-560

MOTION BY SCHOLTENS, SECONDED BY GARDNER, TO PLACE THE NAMES OF LARRY
FEIKEMA, JACK HOVING, KARL STRESSMAN, STANLEY STROVEN, AND KENNETH

TICE IN NOMINATION FOR APPOINTMENT TO THE PARKS COMMISSION FOR TWO (2) THREE-YEAR TERMS EXPIRING DECEMBER 31, 2013. AYES-ALL. MOTION CARRIED.

ROLL CALL VOTE:

SCHOLTENS	HOVING	STROVEN
GARDNER	HOVING	STROVEN
TRAPP	HOVING	STROVEN
NIEBOER	HOVING	STROVEN
GENO	HOVING	STROVEN
MAIKE	HOVING	STROVEN
WRIGHT	HOVING	STROVEN

Jack Hoving and Stanley Stroven are duly appointed to the Parks Commission for two (2) three-year terms expiring December 31, 2013.

APPOINTMENTS/PLANNING/ZONING COMMISSION
10-561

MOTION BY GENO, SECONDED BY TRAPP, TO PLACE THE NAMES OF CATHY GROVER, ALEX KELLERMAN, MARK PITZER, AND KARL STRESSMAN IN NOMINATION FOR APPOINTMENT TO THE PLANNING/ZONING COMMISSION FOR TWO (2) THREE-YEAR TERMS EXPIRING DECEMBER 31, 2013. AYES-ALL. MOTION CARRIED.

ROLL CALL VOTE:

TRAPP		KELLERMAN	PITZER	
MAIKE			PITZER	STRESSMAN
NIEBOER		KELLERMAN	PITZER	
GENO	GROVER		PITZER	
SCHOLTENS		KELLERMAN	PITZER	
GARDNER	GROVER		PITZER	
WRIGHT		KELLERMAN	PITZER	

Alex Kellerman and Mark Pitzer are duly appointed to the Planning/Zoning Commission for two (2) three-year terms expiring December 31, 2013.

APPOINTMENT/ROAD COMMISSION
10-562

MOTION BY GARDNER, SECONDED BY MAIKE, TO PLACE THE NAMES OF STEVEN BLOSSOM AND DALE TWING IN NOMINATION FOR APPOINTMENT TO THE ROAD COMMISSION FOR ONE (1) SIX-YEAR TERM EXPIRING DECEMBER 31, 2016. AYES-ALL. MOTION CARRIED.

ROLL CALL VOTE:

GENO		TWING
MAIKE		TWING
NIEBOER		TWING
SCHOLTENS		TWING
TRAPP		TWING
GARDNER		TWING
WRIGHT	BLOSSOM	

Dale Twing is duly appointed to the Road Commission for one (1) six-year term expiring December 31, 2016.

COMMITTEE REPORT/PUBLIC SAFETY/JUDICIAL/NIEBOER - None.

COMMITTEE REPORT/HEALTH EDUCATION & HUMAN SERVICES/SCHOLTENS - None.

COMMITTEE REPORT/FINANCE/GARDNER

10-528-1

MOTION BY GARDNER, SECONDED BY MAIKE, TO APPROVE THE 2011 FISCAL YEAR HAZARDOUS MATERIALS EMERGENCY PREPAREDNESS GRANT APPLICATION, AND AUTHORIZE THE EMERGENCY SERVICES DIRECTOR TO SIGN ANY AND ALL OF THE NECESSARY DOCUMENTS. AYES-ALL. MOTION CARRIED.

10-529-1

MOTION BY GARDNER, SECONDED BY TRAPP, TO APPROVE THE NEWAYGO COUNTY 78TH DISTRICT COURT PUBLIC DEFENDER AGREEMENTS BETWEEN THE 78TH DISTRICT COURT AND THE LAW FIRMS OF MARK R. SCHROPP, GREER AND DYKMAN, AND DAVID C. JAUNESE FOR THE TERM OF JANUARY 1, 2011 THROUGH DECEMBER 31, 2012, IN THE AMOUNT OF \$31,395.00 PER FIRM ANNUALLY, AND AUTHORIZE THE BOARD CHAIRMAN TO SIGN ANY AND ALL OF THE NECESSARY DOCUMENTS. AYES-ALL. MOTION CARRIED.

10-530-1

MOTION BY GARDNER, SECONDED BY TRAPP, TO APPROVE THE PURCHASE OF A 2011 FORD EXPLORER FOR THE SHERIFF'S OFFICE, AND AUTHORIZE THE COUNTY ADMINISTRATOR TO SIGN ANY AND ALL OF THE NECESSARY DOCUMENTS. AYES-ALL. MOTION CARRIED.

10-531-1

MOTION BY GARDNER, SECONDED BY GENO, TO SUBMIT THE REVISED JOB DESCRIPTIONS FOR THE LEGAL SECRETARY II AND LEGAL SECRETARY III WITHIN THE PROSECUTING ATTORNEY'S OFFICE TO MICHIGAN MUNICIPAL LEAGUE FOR PAY GRADE RE-SCORING; MONEY TO COME FROM 101-267-802 (GENERAL FUND - PROSECUTING ATTORNEY - SERVICE FEES). AYES-ALL. MOTION CARRIED.

10-535-1

MOTION BY GARDNER, SECONDED BY SCHOLTENS, TO APPROVE THE NEWAYGO COUNTY FAMILY AND MEDICAL LEAVE POLICY AS PRESENTED (see attached). AYES-ALL. MOTION CARRIED.

10-536-1

MOTION BY GARDNER, SECONDED BY GENO, TO APPROVE THE EMPLOYEE RECOGNITION PROGRAM AS PRESENTED (see attached). AYES-ALL. MOTION CARRIED.

10-537-1

MOTION BY GARDNER, SECONDED BY TRAPP, TO APPROVE CHANGING THE COUNTY'S BLUE CROSS BLUE SHIELD SPECIFIC STOP LOSS COVERAGE FROM \$75,000.00 TO

\$135,000.00, AND AUTHORIZE THE COUNTY ADMINISTRATOR TO SIGN ANY AND ALL NECESSARY DOCUMENTS FOR THE 2011 CONTRACT RENEWAL. AYES-ALL. MOTION CARRIED.

10-541

MOTION BY GARDNER, SECONDED BY NIEBOER, TO APPROVE THE SEMI-MONTHLY DETAIL ANALYSIS DATED DECEMBER 15, 2010, CHECK #67425 THROUGH CHECK #67591, FOR A TOTAL AMOUNT OF \$205,816.47. AYES-ALL. MOTION CARRIED.

10-542

MOTION BY GARDNER, SECONDED BY TRAPP, TO RATIFY THE NOVEMBER 2010 MONTHLY CHECK REGISTER IN THE AMOUNT OF \$2,727,571.83. AYES-ALL. MOTION CARRIED.

10-543

MOTION BY GARDNER, SECONDED BY MAIKE, TO APPROVE THE NEWAYGO COUNTY BUDGET REPORT FOR THE MONTH OF NOVEMBER 2010, WITH BUDGET AMENDMENTS AND TRANSFERS AS PRESENTED. AYES-ALL. MOTION CARRIED.

10-544

MOTION BY GARDNER, SECONDED BY NIEBOER, TO APPROVE THE FISCAL YEAR 2010-2011 APPROPRIATION OF \$15,000.00 FOR THE DEPARTMENT OF HUMAN SERVICES VOLUNTEER DRIVERS SUPPLEMENT; MONEY TO BE TRANSFERRED FROM 695-967-999.290 (RESERVE FOR OPERATIONAL CONTINGENCIES - TRANSFERS OUT - SOCIAL SERVICES). AYES-ALL. MOTION CARRIED.

10-545

MOTION BY GARDNER, SECONDED BY MAIKE, TO SUBMIT THE APPLICATION FOR A SURVEY AND REMONUMENTATION GRANT FOR GRANT YEAR 2011, AND AUTHORIZE THE COUNTY ADMINISTRATOR TO SIGN ANY AND ALL OF THE NECESSARY DOCUMENTS. AYES-ALL. MOTION CARRIED.

COMMITTEE REPORT/PHYSICAL & ECONOMIC DEVELOPMENT/TRAPP - None.

MISCELLANEOUS COMMITTEE REPORT/GARDNER - Reported on attendance at the Jail Expansion Construction Committee meeting last week. It is anticipated the project was finished at approximately \$149,000.00 under budget.

MISCELLANEOUS COMMITTEE REPORT/SCHOLTENS - Reported on attendance at the District Health Department #10 Board meeting. Also reported on attendance at the MAC (Michigan Association of Counties) Agriculture and Tourism Committee meeting in Lansing.

MISCELLANEOUS COMMITTEE REPORT/TRAPP - Provided an update on the Animal Shelter project.

MISCELLANEOUS COMMITTEE REPORT/WRIGHT - Reported on attendance at the NCEDO (Newaygo County Economic Development Office) meeting yesterday.

ADMINISTRATOR'S REPORT/LAKE - Information items reported by the Administrator included the following:

- Plans have been finalized to initiate the transportation study.
- Remarked on the Jail Expansion project.
- The land sale has been completed necessary to commence construction of the bus garage at the Commission on Aging.
- Reported on charging stations within Newaygo County through the Right Place Program.

PUBLIC COMMENT: Family Health Care Outreach Worker, Kris Wood, reported on the Santa Claus event sponsored by the White Cloud Chamber. State Representative elect, Jon Bumstead, informed the Board he will be officially occupying his office in Lansing on January 3rd and offered any assistance.

MISCELLANEOUS/GENO/GARDNER - Thanked all the individuals who submitted applications for appointment to the various boards and commissions.

MISCELLANEOUS/GARDNER - Reported that Bridgeton Township will receive approximately \$335,000.00 total by way of grants and funding for the Community Boat Launch & Park Development Project.

MISCELLANEOUS/WRIGHT - Reported on attendance at a recent meeting in Baldwin for the GEO facility.

MISCELLANEOUS/RECOGNIZING ELIZABETH CHERIN
10-563

MOTION BY GARDNER, SECONDED BY MAIKE, TO APPROVE RESOLUTION #12-020-10 RECOGNIZING ELIZABETH "LIBBY" CHERIN'S RETIREMENT. AYES-ALL. MOTION CARRIED.

Chairman Wright presented Elizabeth "Libby" Cherin with the resolution of recognition.

MISCELLANEOUS/RECOGNIZING FREMONT AREA COMMUNITY FOUNDATION
10-564

MOTION BY NIEBOER, SECONDED BY TRAPP, TO APPROVE RESOLUTION #12-021-10 RECOGNIZING THE FREMONT AREA COMMUNITY FOUNDATION FOR ITS SUPPORT OF NEWAYGO COUNTY PROGRAMS AND SERVICES. AYES-ALL. MOTION CARRIED.

Chairman Wright presented Fremont Area Community Foundation Board members with the resolution of recognition.

MISCELLANEOUS/CONSTRUCTION BOARD OF APPEALS APPOINTMENTS
10-565

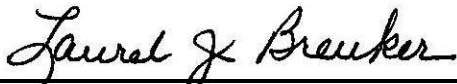
MOTION BY GENO, SECONDED BY TRAPP, TO AFFIRM AND APPROVE THE APPOINTMENTS RECOMMENDED BY THE DEPARTMENT OF BUILDING SAFETY AND PERMITS TO THE CONSTRUCTION BOARD OF APPEALS FOR TERMS EXPIRING DECEMBER 31, 2012, AS FOLLOWS:

MEMBERS: WAYNE KAUFMAN BUILDING CONTRACTOR
ROBIN DAWE ELECTRICAL CONTRACTOR
ALTERNATES: RUSS WERT ELECTRICAL CONTRACTOR
ROBERT SCHOLTENS MECHANICAL CONTRACTOR

AYES-ALL. MOTION CARRIED.

10-566

MOTION BY SCHOLTENS, SECONDED BY GENO, TO ADJOURN THE MEETING AT
10:28 A.M. AYES-ALL. MOTION CARRIED.



LAUREL J. BREUKER
NEWAYGO COUNTY CLERK

ADAM WRIGHT, CHAIRMAN
NEWAYGO COUNTY BOARD OF COMMISSIONERS

DECEMBER 28, 2010

Newaygo County
Family and Medical Leave Act Policy

1. PURPOSE:

It is the intent of Newaygo County that this Policy fully complies with the requirements of the Family and Medical Leave Act of 1993 as amended.

2. APPLICATION:

This policy applies to all eligible County Employees including employees covered under union contracts, Department Heads, and non-union employees. For purposes of this Policy, the calculation of the 12 week FMLA entitlement will be computed on a "rolling" 12 month period measured backward from the date of any FMLA leave usage.

3. AUTHORITY:

The interpretation and administration of this policy shall be the responsibility of the Administration Office and overseen by the County Administrator.

4. ELIGIBILITY:

A. An employee who has completed twelve (12) months of employment and worked at least one thousand two hundred fifty (1250) hours for the Employer in the past twelve (12) months may request an unpaid leave of absence for a period not to exceed twelve (12) work weeks during any twelve (12) month period for one or more of the following reasons:

- I. For the birth and care of an employee's newborn child or upon placement of a child with the employee for adoption or foster care.
- II. In order to care for the employee's spouse, son, daughter, or parent with a serious health condition
- III. To take medical leave when the employee is unable to work because of a serious health condition
- IV. For any qualifying exigencies arising out of the fact that the employee's spouse, son, daughter, or parent is on active duty or call to active duty or call to active duty status as a member of the National Guard or Reserves in support of a contingency operation

B. An employee who has completed twelve (12) months of employment and worked at least one thousand two hundred fifty (1250) hours for the Employer in the past twelve (12) months may request an unpaid leave of absence for a period not to exceed twenty-six (26) work weeks in a single twelve (12) month period to care for a service member as follows:

- I. An eligible employee who is the spouse, son, daughter, parent, or next of kin of a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness.

C. When a husband and wife are both entitled to leave and are employed by Newaygo County, the aggregate number of work weeks of leave to which both may be entitled may be limited to twelve (12)

work weeks during any twelve (12) month period if the leave is taken due to the birth or placement of a child.

5. QUALIFYING CONDITIONS FOR FAMILY OR MEDICAL LEAVE

- For leave taken due to the birth of a child or the placement of the child with the employee, and where the leave is foreseeable based on the expected birth or placement, the employee shall provide the Administration Office with not less than thirty (30) days notice before the date the leave is to begin, except that if the date of the birth or placement requires leave to begin in less than thirty (30) days, the employee shall provide such notice as soon as practicable.

- When the employee's leave is due to care of a spouse, child or parents or to the employee's serious health condition and the leave is foreseeable based on planned medical treatment, the employee shall make a reasonable effort to schedule the treatment so as not to unduly disrupt the operations of the employer, subject to the approval of the health care provider and shall provide the Employer with not less than thirty (30) days notice before the date leave is to begin, except that if the date of treatment requires leave to begin in less than thirty (30) days the employee shall provide such notice as is practicable.

For leaves taken to care for a sick spouse, child or parents or due to a serious health condition of the employee, the Employer may require certification issued by a health care provider of the eligible employee or of the child, spouse, or parent or the employee, as appropriate. This certification shall be sufficient if it states:

- A. The date on which the serious health condition commenced;
- B. The probable duration of the condition;
- C. The appropriate medical facts within the knowledge of the health care provider regarding the condition;
- D. When applicable, a statement that the eligible employee is needed to care for child, spouse or parent and an estimate of the amount of time that the employee is needed to provide such care;
- E. When applicable, a statement that the employee is unable to perform the functions of the position of the employee;
- F. In cases of certification of intermittent leave or leave on a reduced leave schedule for planned medical treatment, the dates on which the treatment is expected to be given and the duration of the treatment;
- G. In cases of intermittent leave or leave on a reduced schedule due to an employee's serious health condition, a statement of the medical necessity for the intermittent leave or leave on a reduced schedule and the expected duration of the intermittent leave from the leave schedule; and
- H. When intermittent leave or leave on a reduced leave schedule is requested for the purpose of caring for a child, spouse, or parents, a statement that the Employee's intermittent leave or leave on a reduced leave schedule is necessary for the care of the child, parent, or spouse who has a serious health condition, or will assist in their recovery, and the expected duration and schedule of the intermittent leave or reduced leave schedule.

- If leave is taken due to a qualifying exigency arising out of the covered active duty or call to covered active duty status of a covered military member, the eligible employee is required to furnish a completed certification of qualifying exigency for military family leave. The employee will be required to provide written documentation confirming a covered military member's covered active duty or call to covered active duty status. If the qualifying exigency involves meeting with a third party, the Administration Office may contact the individual or entity with whom the employee is meeting for the purpose of verifying a meeting or appointment schedule and the nature of the meeting. The Administration Office may also contact an appropriate unit of the Department of Defense to request verification that a covered military member is on covered active duty or call to covered active duty status.
- If FMLA leave is taken to care for a covered service member with a serious injury or illness, the eligible employee must furnish a certification for serious injury or illness of covered service member, completed by an authorized health care provider of the covered service member.
- Newaygo County reserves the right to request recertification. At the Employer's request, the employee must provide recertification at the employee's expense within 15 calendar days of the County's request.
- Spouses who are both employed by the County are entitled to a total of 12 weeks combined for the birth or adoption of a child.
- A key employee will so be advised at the time an FMLA leave requested. Upon determination that substantial and grievous economic injury to the County will occur, reinstatement of a key employee may be denied.

6. RESPONSIBILITIES

EMPLOYEE IS RESPONSIBLE FOR:

- a. Advance Notice: For foreseeable situations, an employee must notify their Department Head and Human Resources Director within thirty (30) days before the commencement date. Employees will be allowed at least 15 calendar days to submit certification from the health care provider. If sufficient information is not provided in a timely manner, your leave may be denied. If thirty (30) days advance notice is not possible, FMLA leave request notice and certification from the health care provider must be given as soon as possible.
- b. Medical Certification: When the leave is due to a family member's serious health condition, the employee must provide certification issued by a health care provider. Form(s) may be obtained from the Administration Office.
- c. Use of Paid Time: Employees will be required to use available paid sick, vacation, compensatory, and/or other leave during the FMLA absence. This means the employee will receive paid leave and the leave will also be considered protected FMLA leave and counted against FMLA leave entitlement. If the employee does not meet the requirements for taking paid leave, the employee remains entitled to take unpaid FMLA leave.
- d. Return to Work: If circumstances of the leave change and the employee is able to return to work earlier than the date originally indicated, the employee will be required to notify their department head and Human Resources Director at least two workdays prior to the date intended to report for work.
- e. Recertifications: Recertification of the serious health condition may be required during the leave.

- f. Medical Premiums: Employees will be responsible to make arrangements to continue to make their share of the health insurance premium to maintain health benefits while on leave.
- g. Update While on Leave: While on leave, employees may be required to contact their Department Head or the Human Resources Director periodically to advise the County of any change or improvement in condition.
- h. Treatment: When the leave is for planned medical treatment, the employee must attempt to schedule the treatment so as to not disrupt the County's operations.
- i. Intermittent or Reduced Leave Schedule: In general, any employee utilizing the Family Medical Leave Act must do so on a continuous basis. An Intermittent or Reduced Leave Schedule must have prior approval of the Department Head and Human Resources Director, and be deemed medically necessary for a serious health condition of the employee, his or her spouse, child or parent.
- j. Fit for Duty: In most instances, upon returning to work, employees may be required to submit a return to work document signed by their physician that certifies their ability to resume work and perform the essential functions of the job. A blank return to work form may be obtained from the Administration Office.

HUMAN RESOURCES IS RESPONSIBLE TO:

- a. Determine whether an event qualifies for FMLA leave
- b. Advise the employee within five business days of the request for FMLA leave, generally in writing, of eligibility for FMLA leave
- c. Provide a copy of the U.S. Department of Labor document; "Employee Rights and Responsibilities"
- d. Assist department heads and employees with answering questions regarding FMLA rights, duties and obligations of the employee and the County
- e. Provide assistance with completion of applicable forms and notices
- f. Maintain all forms and documents associated with this policy
- g. Review all forms, certifications, and other documentation relative to an eligible employee's FMLA leave for adherence to this policy and maintains files of such
- h. Maintain open communication with the department head

DEPARTMENT HEAD IS RESPONSIBLE TO:

- a. Receive notifications of FMLA leave from their employees and provide information of such to the Human Resources Director
- b. Maintain open communications with the Human Resources Director and/or staff

7. SECOND OPINION

In any case where the Employer has reason to doubt the validity of the certification as outlined above, the Employer may require the eligible employee, at the employer's expense, to obtain the opinion of a second health care provider designated or approved by the Employer concerning any information certified by the original certification. The provider of the second opinion shall not be employed on a regular basis by the Employer or provide services to the Employer under contractual circumstances.

8. RESOLUTION OF CONFLICTING OPINIONS

When the second opinion described above differs from the opinion in the original certification, the Employer may require, again at the employer's expense, that the employee obtain the opinion of a third health care provider designated or approved jointly by the Employer and the employee concerning the information certified above. The opinion of the third health care provider shall be final and binding on both Employer and employee.

9. CONTINUATION OF BENEFITS

The Employer shall continue to pay regular and customary health insurance premiums for eligible employees for up to twelve (12) weeks while the eligible employee is on approved FMLA leave of absence. The employee has the responsibility to make arrangements to continue to make their share of the health insurance premium payments to maintain health benefits while they are on leave. The employee has a minimum 30 day grace period in which to make premium payments. If payments are not made timely, the employee's group health insurance may be cancelled, provided the employer notifies the employee in writing at least 15 days before the date that health coverage will lapse, or at the County's option, the County may pay the employee's share of the premiums during FMLA leave, and recover these payments upon the employee's return to work.

10. COORDINATION OF FMLA LEAVE WITH OTHER LEAVES

A. Worker's Compensation/short and long term disability

If an eligible employee takes worker's compensation leave or short/long term disability for an FMLA-qualifying reason, the employee's FMLA leave will run concurrently with the worker's compensation leave and disability leave.

B. Paid Time Off/Vacation Time/Compensatory Time

If an eligible employee is off work due to an FMLA-qualifying reason, the employee must use their paid time off (PTO), vacation time, and/or compensatory time during the FMLA leave. The employee's FMLA leave and designated paid leave will run concurrently.

11. EXTENSION OF LEAVE

If an eligible employee must take more FMLA leave than originally anticipated, he or she must notify their Department Head as soon as practicable (normally within two business days of learning of the circumstances necessitating the extension). The employee will be asked to provide documentation from his or her health care provider to support the extension. Nothing in this section shall grant a longer leave entitlement than otherwise stated within this Policy.

12. REINSTATEMENT AFTER FMLA

When a leave of absence is granted for more than twelve (12) weeks, the Employer does not guarantee that the employee will be reinstated in his/her former position or to the same pay grade and pay step level when he/she is ready to return to work. That decision is at the discretion of the Department Head.

DEFINITIONS:

For purposes of personal leave under FMLA, the following definitions will serve:

Son or Daughter

A biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis, who is under eighteen (18) years of age or eighteen (18) years of age or older and incapable of self-care because of a mental or physical disability

Son or Daughter – For qualifying exigency

A biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis

Parent

The biological parent of an employee or an individual who stood in loco parentis to an employee when the employee was a son or daughter

Spouse

A husband or wife as defined or recognized under state law for purposes of marriage

Health Care Provider

Doctors of medicine or osteopathy authorized to practice medicine or surgery by the state in which the doctors practice, or a nurse practitioner or clinical psychologist, authorized to practice and perform within the scope of their practice, under state law, or any health care provider recognized by the employer or the employer's health plan

Serious Health Condition

An illness, injury, impairment, or physical or mental condition that involves inpatient care in a hospital, hospice, or residential medical care facility or continuing treatment by a health care provider for a period of three or more days

Serious Injury or Illness

In the case of a covered service member, an injury or illness incurred by the covered service member in the line of duty on covered active duty (or that existed before the beginning of the member's covered active duty and was aggravated by service in the line of duty on covered active duty in the Armed Forces) that may render the covered service member medically unfit to perform the duties of his or her office, grade, rank or rating

In the case of a veteran covered service member, injury or illness that was incurred by the member in the line of duty on covered active duty in the Armed Forces (or existed before the beginning of the member's covered active duty and was aggravated by service in the line of duty on covered active duty) and that manifested itself before or after the member became a veteran.

Covered Service Member

A member of the Armed Forces (including a member of the National Guard or Reserves) who is undergoing medical treatment, recuperation or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness or a veteran who is undergoing medical treatment, recuperation or therapy, for a serious injury or illness and who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during the period of 5 years preceding the date on which the veteran undergoes that medical treatment, recuperation, or therapy

Key Employee

A key employee is a salaried FMLA-eligible employee who is among the highest paid 10 percent of all the employees employed by the employer within 75 miles of the employee's worksite.

Next of Kin

The term "next of kin", used with respect to an individual, means the nearest blood relative of that individual.

Outpatient Status

The term "outpatient status", with respect to a covered service member, means the status of a member of the Armed Forces assigned to a military medical treatment facility as an outpatient or a unit established for

the purpose of providing command and control of members of the Armed Forces receiving medical care as outpatients.

Qualifying Exigency

The following eight situations constitute a qualifying exigency:

- A. Short-notice deployment
- B. Military events and related activities;
- C. Childcare and school activities
- D. financial and legal arrangements
- E. Counseling
- F. Rest and recuperation
- G. Post-deployment activities
- H. Additional activities to address other events that arise out of the covered military member's covered active duty or call to active duty status, provided the County and eligible employee agree that such leave is a qualifying exigency and agree to both the timing and duration of such leave.

Created: 10/13/10
Approval Date:
Revision Dates:

Distribution Date:
Motion #:
Updated: N/A

Distribution List: Department Heads, Elected Officials & Employees

EMPLOYEE RECOGNITION PROGRAM

I. MISSION

The mission of Newaygo County Government is to serve all citizens of Newaygo County through public advocacy, planning, programs and other actions that meet the public's needs, balancing the interests of all and pursuing excellence through quality service.

II. GOAL

The Newaygo County Employee Recognition Program is designed to provide the means to recognize and reward individuals for excellence in support of Newaygo County's mission and for performing above, beyond, and even outside of the normal expectations of their position and day-to-day job duties.

III. NOMINATION PROCESS

Employee nominations may be submitted to the Human Resources Director by anyone, including members of the general public, a fellow employee/co-worker, Elected Official and/or Department Head.

If it is felt that a Newaygo County employee has provided outstanding service to the public, has demonstrated an excellence for leadership within that employee's office, has proven dynamic skills over and above the normal expectations of that employee's position, or has strengthened inter-office relations and/or relationships between their office and another within the County, please share your experience with the Employee Representation Committee by filling out the Nomination Form. The employee nominated must possess a favorable work record.

IV. SELECTION PROCESS

Each quarter, the Human Resources Director shall submit the nominations to the Employee Representation Committee for review and selection of the "Employee of the Quarter." The "Employee of the Quarter" shall receive:

- a. A Letter of Recognition and/or Board Resolution with presentation and recognition at a Board of Commissioners' Meeting;*
- b. An Employee Recognition Press Release;*
- c. Wall Plaque on the Employee Recognition "Wall" in the Administration Building;*
- d. Newaygo County Logo Apparel*

V. ELIGIBILITY

All Newaygo County employees are eligible to be nominated, excluding Elected Officials and appointed individuals/Department Heads.

VI. FUNDING

All expenses associated with this program are paid for with employee funds.

EMPLOYEE RECOGNITION PROGRAM
NOMINATION FORM

Name of Nominee: _____

Department: _____

**Name of
Nominating Person:** _____

Address/Phone/Email: _____

Please provide a detailed explanation of why you are selecting this employee for recognition:

Do not write below this line – for Employee Representation Committee Notes & Use: