



**HUMAN RESOURCES COMMITTEE MEETING Via WEBEX
LANSING BOARD OF WATER AND LIGHT BOARD OF COMMISSIONERS**

AGENDA

May 18, 2021

5:30 P.M. - 1201 S. Washington Ave., Lansing, MI 48910

BWL full meeting packets and public notices/agendas are located on the official web site at <https://www.lbwl.com/about-bwl/governance>.

Due to public safety concerns resulting from the COVID-19 Pandemic, this meeting will be conducted via WebEx Conferencing and all Board Members will participate virtually. Instructional options to be in attendance are as follows:

1. Event Address for Attendees:

<https://lbwlevents.webex.com/lbwlevents/onstage/g.php?MTID=ecbb071b695d2ff0afd75dc61559be7e4>

Event Number for Attendees: 132 881 6463 Event password: DfSAw7rNS22

2. Audio conference: United States Toll +1-408-418-9388 Access code: 132 881 6463


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Call to Order

Roll Call

Public Comments on Agenda Items

Options for Public Comment (PC) participation include:

- Raising your hand by clicking on the hand  icon button in the Participants panel
- Submitting written comments by email to mdenise.griffin@lbwl.com (By the End of PC)
- Submitting written comments to 1201 S. Washington Ave., Lansing, MI 48910

1. Human Resources (HR) Committee Meeting Minutes of March 16, 2021 **TAB 1**
2. Retirement Plan Committee (RPC) Administrative Updates: Nationwide Transition **INFO ONLY**
3. Human Resources Department – “A Year In Review” **INFO ONLY**
4. Appointed Employee Development Process **TAB 2**
 - a. Employee Handbook **TAB 2a**

Other

Adjourn

In compliance with the order from the Director of the Michigan Department of Health and Human Services and the order from the Ingham County Health Department, in an effort to protect the health and safety of the public, to mitigate the spread of COVID-19 and to provide essential protections to vulnerable Michiganders and this State’s health care system and other critical infrastructure, it is crucial that all Michiganders take steps to limit in person contact, particularly in the context of large groups. Therefore, the above meeting will be conducted via audio/video conference in accordance with the Open Meetings Act, as amended by Public Act 228 of 2020 effective on October 16, 2020. Members of the public wishing to participate in the meeting may do so by logging into or calling into the meeting using the website or phone number and the meeting ID provided above.

Persons with disabilities who need an accommodation to fully participate in this meeting should contact the Office of the BWL Corporate Secretary at (517) 702-6033 or mdenise.griffin@lbwl.com, or utilize TTY by dialing 7-1-1. A 24-hour notice may be needed for certain accommodations. An attempt will be made to grant all reasonable accommodation requests.

**A quorum of the Board of Commissioners may be in attendance.*

HUMAN RESOURCES COMMITTEE

Meeting Minutes

March 16, 2021

The Human Resources Committee of the Lansing Board of Water and Light (BWL) met via WebEx (BWL Headquarters-REO Town Depot located at 1201 S. Washington Ave., Lansing, MI) at 5:30 p.m. on Tuesday, March 16, 2021.

Event Address for Attendees:

<https://lbwlevents.webex.com/lbwlevents/onstage/g.php?MTID=ed6ca7a6c0cfaf6f7323609f75a027689>

Event Number for Attendees: 132 601 2112 Event Password: C3m2MMYB4js

Audio Conference: United States Toll +1-408-418-9388 Access Code: 132 601 2112

Human Resources (HR) Committee Chairperson Tony Mullen called the meeting to order at 5:30 p.m. and asked the Corporate Secretary to call the roll.

The following Commissioners were present via audio/video:

Tony Mullen remotely, Lansing, MI	Deshon Leek remotely, Lansing, MI
Tracy Thomas remotely, Lansing, MI	Sandra Zerkle remotely, Lansing, MI
Stuart Goodrich remotely, Delhi Township, MI	Beth Graham remotely, Lansing, MI (arrived @6:26 pm)
Douglas Jester remotely, East Lansing, MI	David Lenz remotely, Lansing, MI (arrived @6:28pm)
Larry Merrill remotely, Delta Township, MI	David Price remotely, Lansing, MI
Ken Ross remotely, Port Charlotte, FL	

Absent: None

The Corporate Secretary declared a quorum.

Public Comments

Ms. Rosemary Sullivan, Lansing, BWL retiree spoke regarding transition from IRMC to Nationwide – asking for more time to review options – has not received enough of a response to provide information to retirees - two or three weeks is not enough time to make an informed decision on benefits – requesting an additional 30 days to make an informed decision on retirement benefits

GM Peffley responded that funds will automatically roll over from ICMA to Nationwide and if an employee or retiree does not like the Nationwide investments they have another 30 days to select another investment provider.

Commissioner Price commented that in the letter from Ms. Sullivan it was understood that retirees had until April 15, 2021 to make a decision to remain with Nationwide.

Commissioner Thomas asked if there was a test drive to determine how many retirees received the letter. GM Peffley responded that postal mail and email were sent out, there will be continued correspondence sent out, and that a poll was conducted to determine to what extent notification was received.

Approval of Minutes

Motion by Commissioner Thomas, **Seconded** by Commissioner Leek, to approve the Human Resources Committee meeting minutes of February 16, 2021.

Roll Call Vote:

Yeas: Commissioners Tony Mullen, Deshon Leek, Tracy Thomas, and Sandra Zerkle.

Nays: None.

Action: Motion Carried.

Retirement Plan Committee (RPC) Plan Governance Presentation

Chair Mullen stated that at the last Human Resources Committee Meeting discussion occurred regarding the General Manager’s deferred compensation into the retirement fund and introduced BWL General Counsel, Mr. Mark Matus, to speak about the Retirement Plan Committee Plan Governance.

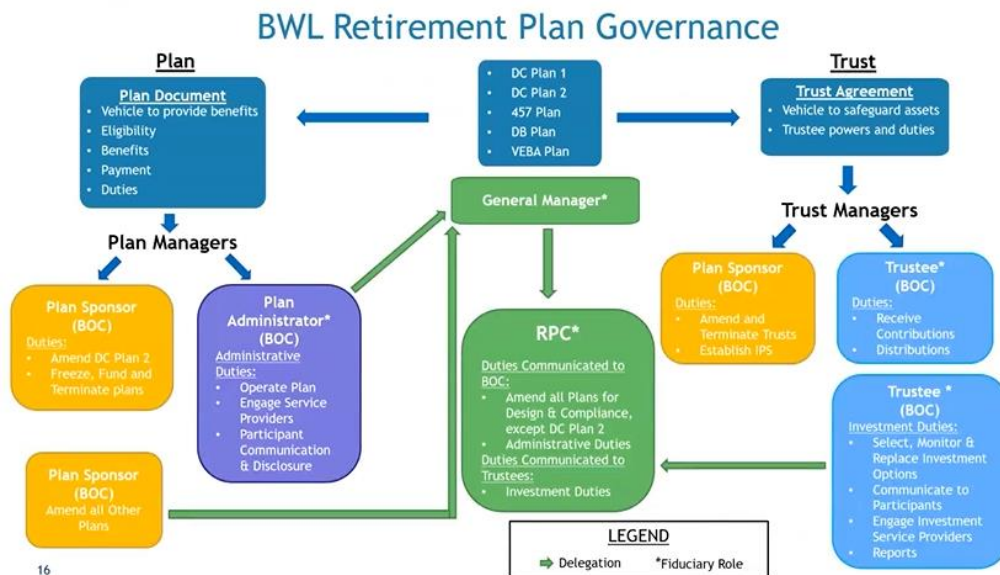
Mr. Matus stated that all employees are part of DC Plan 1 and that the DC Plan 2 is for the three appointed employees. Currently only the Corporate Secretary is part of the DC Plan 2. GM Peffley’s contributions to DC Plan 1 exceeded the cap on the plan causing a loss in his investment. So, basically, due to an administrative error during 2018 and 2019 there was a shortfall in the BWL’s employer contribution to the General Manager’s Plan 1 account, but it has since been corrected. Placing the General Manager in the DC Plan 2 is an option for the Board’s future consideration. Placing the GM in the DC Plan 2 will accommodate his investment choices so that he won’t incur a loss in his investment.

Commissioner Thomas asked what was the total amount that needed to be paid for the ICMA plan error including interest. Mr. Matus responded that the total amount of the error was \$2, 775 for both years of 2018 and 2019 but he didn’t have the interest amount.

Commissioner Leek asked if it was a mistake that GM Peffley was not in the DC Plan 2. Mr. Matus responded that GM Peffley had declined participation in DC Plan 2 when it was made available to him.

GM Peffley gave the floor to CFO Heather Shawa who introduced BWL Associate Attorney Ms. Marie Mireles and Ms. Mindi Johnson from Foster Swift who presented the RPC/Plan Governance Overview presentation.

Ms. Mireles provided information on the fiduciary responsibilities of the Plan Administrator, Trustee, General Manager and RPC.



Commissioner Ross asked if all the functions that are being currently performed were also being performed prior to 2016 but are just not documented in the same way. He also asked if someone that has fiduciary responsibilities is able to delegate the fiduciary responsibilities and would the original fiduciary still have responsibility. He also asked if BWL's internal control environment had ever been evaluated to determine whether there were any gaps to be identified. Ms. Mireles replied that the fiduciary responsibility stays with the original fiduciary and they remain responsible for the oversight of the delegate. CFO Shawa replied that the RPC was formed to evaluate the internal control environment. Commissioner Ross stated that periodically the reviews need to be completed so that the Board has proper oversight and that the Board is fiduciarily responsible as a Board and not individually.

Commissioner Thomas asked if it was possible for a Commissioner to be a representative on the Retirement Plan Committee. Ms. Mindi Johnson responded that it is common for a board to govern and to serve as fiduciaries.

Commissioner Zerkle commented that the Board has operated as fiduciaries and been responsible as long as she has been on the Board and the Finance Department is to provide the Board of Commissioners with information. She stated that she has not received information regarding the transition of the benefits from ICMA to Nationwide, and being fiduciarily responsible, is concerned about not receiving information before signing the agreement.

Lansing Board of Water and Light Defined Contribution Plan and Trust

GM Peffley gave the floor to CFO Shawa to present the Plan Document and Addendum, plus the Adoption Agreement for the transition of retirement benefits plans from ICMA to Nationwide. The delegation of the duties requires new trust agreements and the transition of the plans to be approved and adopted by the Board and Trustees.

Trust Agreements and Executive Summary BWL Retirement Plans

Mr. Scott Taylor, Finance Manager, presented an executive summary of the plan documents, adoption agreements and trust agreements for the Lansing Board of Water and Light Defined Contribution Plan and Trust 1; Lansing Board of Water and Light Defined Contribution Plan and Trust 2; Lansing Board of Water and Light 457 Deferred Compensation Plan and Trust. The Plan and Trust documents are before the Board and Trustees as the Board has amendment authority over Plan 2 for the appointed employees, and amendment authority over the three Trust agreements. The Plan and Trust documents remain the same but are being transitioned from ICMA to Nationwide. Mr. Taylor requested forwarding of the resolution for the Adoption of the DC Plan 2, DC Trust 1, DC Trust 2, and 457 Trust to the full Board for consideration.

Motion by Commissioner Zerkle, **Seconded** by Commissioner Leek, to forward the Resolution for the Adoption of the DC Plan 2, DC Trust 1, DC Trust 2, and 457 Trust to the full Board for consideration.

Roll Call Vote:

Yeas: Commissioners Tony Mullen, Deshon Leek, Tracy Thomas, and Sandra Zerkle.

Nays: None.

Action: Motion Carried.

Motion by Chair Mullen, **Seconded** by Commissioner Zerkle, to recess to allow a Special Board Meeting to consider the Resolution for the Adoption of the DC Plan 2, DC Trust 1, DC Trust 2 and 457 Trust.

Roll Call Vote:

Yeas: Commissioners Tony Mullen, Deshon Leek, Tracy Thomas, and Sandra Zerkle.

Nays: None.

Action: Motion Carried.

THE HUMAN RESOURCES MEETING RECESSED AT 6:37 P.M. FOR THE ALLOWANCE OF A SPECIAL BOARD MEETING AND A SPECIAL PENSION FUND TRUSTEES MEETING.

THE HUMAN RESOURCES MEETING RECONVENED AT 6:53 P.M.

Mid-Year Personnel Evaluation – Charter Appointed Employee

HR Committee Chair Mullen opened the floor for the charter appointed employee's mid-year personnel evaluation.

General Manager

General Manager Richard Peffley requested a MS Teams closed session for the purpose of receiving his contractual mid-year personnel evaluation as permitted by the Open Meetings Act exemption MCL 15.268(a).

Motion by Commissioner Thomas, **Seconded** by Commissioner Zerkle, to enter into a MS Teams closed session to discuss the contractual mid-year personnel evaluation of General Manager, Richard Peffley.

Roll Call Vote:

Yeas: Commissioners Tony Mullen, Deshon Leek, Tracy Thomas, and Sandra Zerkle.

Nays: None.

Action: Motion Carried.

The Human Resources Committee went into a MS Teams closed session at 6:55 p.m.

Motion by Commissioner Leek, **Seconded** by Commissioner Graham, to reconvene into WebEx open session.

Roll Call Vote:

Yeas: Commissioners Tony Mullen, Deshon Leek, Tracy Thomas, and Sandra Zerkle.

Nays: None.

Action: Motion Carried.

The Human Resources Committee reconvened to WebEx open session at 7:24 p.m.

Other

None.

Adjourn

Chair Mullen adjourned the meeting at 7:26 p.m.

Respectfully Submitted,
Tony Mullen, Chair
Human Resources Committee

Board of Water and Light Board Appointed Employee Development

1. All Board Appointed Employees (BAE) are expected to be subject to, uphold and enforce all rules, policies, and procedures applicable to non-bargaining employees including the BWL Employee Handbook as amended from time to time.
 - a. The most recent (2019) version of the Employee Handbook is attached. The handbook provides reference and overview of many BWL employment policies, benefits, and rules on conduct. The Handbook may be further supplemented by the Board of Commissioners with additional performance expectations.
 - b. In addition to the highlight in the handbook, there are several additional BWL policies with which the BAE's are expected to maintain compliance.
2. Employees and others have multiple methods of raising concerns.
 - a. The Ethical Advocate anonymous website portal (and phone #) was rolled out in Fall of 2020. Anyone can use this service, including BAE's.
 - b. A complaint against a BAE would be routed to the HR Committee Chairperson or the Board Chairperson and could be discussed with the HR Director for legal review and follow up. The HR Chairperson and the HR Director would exercise proper discretion on handling.
 - i. The HR Chairperson or Board Chairperson will then be responsible for following through with the complaint.
 1. **Example:** A complaint against the General Manager would likely be raised to the Board Chairperson and proper investigation/follow-up would occur.
3. The BAE's are high ranking BWL Management and are therefore expected to strictly comply with the Handbook, policies, and rules on conduct. As such, the consequences for non-compliance are viewed as non-progressive and typically more severe.
 - a. When there are allegations of misconduct or poor performance the responsible Commissioner along with the HR Director will review the total performance case and documentation, then recommend next steps.
 - b. In the case of a formal Performance Improvement Plan (PIP), the HR Director will work with the Board to collect information, draft the PIP, then review with the General Counsel to ensure there are no concerns before moving forward.
 - i. PIPs can be 30/60/90 days depending on the level of prior communication of issues/expectations, prior performance history and longevity of the employee. Most are 90 days and can be extended.
 - c. It is noted that a BAE may be terminated at any time during or after the PIP if found to not be making adequate progress or meeting expectations.
 - d. Each case is evaluated based on the individual circumstances.
4. Consequences
 - a. HR Director will meet with the designated responsible Board member and discuss HR findings.
 - **It is of utmost importance to realize that the Board member responsible (see 2.b.i. above) will make and follow through with all decisions. The HR director is involved only to provide expertise and logistical aid.**
 - b. These results will then be brought to the attention of the HR Committee. A presentation of findings and recommendations by the responsible Commissioner will be made.
 - c. The HR Committee will determine recommended consequences and forward to the full Board for approval. Consequences may include disciplinary action up to and including termination.



Employee Policies and Benefits Reference Handbook



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ACKNOWLEDGMENT AND DISCLAIMER

The information presented in this employee handbook applies to all Lansing Board of Water & Light employees.

This handbook does not create any kind of written or implied contract between the BWL and its employees. This handbook supersedes any and all prior or subsequent oral or written statements by any person in or not in management concerning its employment policies, guidelines, and benefits except to the extent that a provision of this employee handbook is directly contradicted by the collective bargaining agreement. In such a situation the collective bargaining agreement will prevail.

Employees should understand that:

1. Employment is governed by the policies described in this handbook and it is each employee's responsibility to familiarize themselves with and understand all information it contains, including future handbook and policy updates;
2. For all non-bargaining unit employees, employment is "at-will," meaning it is not for a specified period of time and that it may be terminated at any time and for any reason, with or without cause or advance notice, by either the employee or the BWL;
3. At-will employment status cannot be modified or changed in any manner except by a writing signed by the General Manager of the BWL that specifically states an intention to make such modification or change;
4. Except for the provisions relating to the at-will nature of employment, the BWL has the right to change employee job duties, title and compensation, and revise, supplement or rescind the policies described in the handbook or to modify or deviate from them at any time with or without prior notice, at the BWL's sole discretion. The BWL intends to make such revisions in writing and provide them to its employees within a reasonable time;
5. Immediately upon the termination of employment with the BWL, an employee must return all BWL-owned property, including, but not limited to, confidential or proprietary business information of the BWL, computer files, electronic storage devices, documents, computer databases, manuals, computer equipment, computer software, paper files, money, securities, keys, credit cards, handbooks, financial and other reports, notes and all other information or property obtained or used in the course of employment.

WELCOME TO THE BOARD OF WATER & LIGHT

We would like to take this opportunity to welcome our new employees and thank our current employees for their continuing contributions to the BWL's success. We trust that you will enjoy a successful and fulfilling career with us.

This handbook is intended to acquaint you with the BWL and its policies and practices, and to be a helpful reference during your employment. By reviewing this handbook carefully, you will realize that we have set very high standards for the BWL and you. These standards are necessary if we are to sustain our growth and achievement in a highly competitive and rapidly evolving industry. At the same time, we are committed to providing you a challenging and rewarding career with competitive pay and benefits, and recognition for a job well done. By working together in this way, we are confident that the future will be both productive and prosperous for all of us. Please contact your supervisor, manager, or Human Resources should you have questions or comments about any of the information contained herein.

History of the BWL

The BWL is a municipally-owned public utility, rather than a private, investor-owned utility. Our roots go back to 1885, when Lansing citizens approved a \$100,000 bond issue to build a water system to provide for drinking water and fire protection. Electricity was added to our list of utility services in 1892, steam heat in 1919, and in 2001, the BWL added a chilled water utility to provide air conditioning for commercial customers in downtown Lansing.

Unlike investor-owned utilities, our rates are not set or regulated by the Michigan Public Service Commission. They are established by our governing body, our Board of Commissioners. The BWL Board of Commissioners is made up of eight Lansing residents, each appointed for a four-year term on the board by the Mayor and confirmed by City Council, who work alongside three Non-Voting Advisory Members (Commissioners) representing BWL service territories outside the city of Lansing. Commissioners serve without pay. The BWL therefore has no stockholders, pays no dividends, and reinvests its profits in its own facilities.

Owned and operated by hometown people, the BWL has grown to become the third largest utility in the state, the largest municipally-owned utility in Michigan and a major employer in the Lansing area. By owning the BWL, our customers enjoy electric rates that are among the lowest in the state.

PURPOSE AND CORE VALUES

Purpose and Handbook Interpretation

This handbook has been prepared to assist all BWL employees in understanding the policies, practices and responsibilities of the BWL. It is intended to familiarize you with the BWL's employment terms and guidelines. This handbook is not intended to be an exhaustive compilation of the BWL's employee relations' policies. The BWL is an at-will employer and nothing in this handbook is intended to create a contract of employment with the BWL (express or implied); to modify or add to any contract of employment with the BWL; or to create any expectation of continued employment for any specified term with the BWL.

The BWL is an at-will employer and nothing contained in this handbook should be construed to alter or abridge the at-will relationship between the employee and the BWL. Except where stipulated by contract, the employment relationship may be terminated by the employee or the BWL at any time, with or without cause and with or without notice.

This handbook is for the use of BWL employees in understanding BWL policies. It is not intended to create, and it is not to be interpreted as creating, any third-party beneficiary rights.

The BWL reserves full discretion to add, modify or delete provisions of this handbook, or the policies and procedures on which it is based, at any time without any advance notice. For this reason, we urge you to check with Human Resources or the [Corporate Secretary intranet web page](#) to obtain current information regarding the status of any particular policy, procedure, or practice.

No management personnel or representative of the BWL, other than the Board of Commissioners, has any authority to enter into any agreement for employment for any specified period of time or to make any agreement contrary to or modifying the provisions in this employee handbook. Any such agreements that are made and entered into by the Board of Commissioners must be in writing and signed by the General Manager, who acts on the Board of Commissioners' behalf. This handbook is the property of the BWL and it is intended for your personal use and reference as an employee of the BWL.

This handbook supersedes and replaces all previous employee handbooks of the BWL. To the extent that a provision of this handbook is directly contradicted by the collective bargaining agreement, the collective bargaining agreement will prevail.

Employees are responsible for complying with the BWL's policies, rules, procedures, practices and guidelines.

Our Vision & Core Values

The BWL will secure the loyalty of our customer-owners by providing reliable service and low rates, and by demonstrating leadership within our community. Our vision also includes a commitment to all BWL employees to provide a safe work environment that attracts and rewards employees who are innovative and self-motivated.

The BWL's values are integral to how we approach our work and each other and serve as a roadmap to our continued growth, development, achievements and success both individually and as an organization. All employees are evaluated on their results and on how their behavior and actions towards customers, the community and each other further the BWL's progress by aligning with the BWL's values.

Value Statements:

- **Exceptional Service:** The BWL is dedicated to providing exemplary and reliable utility products and services.
- **Competitive Rates:** As a publicly owned utility, providing competitive and affordable rates is integral to the economic well-being of the Lansing region.
- **Safety:** The safety of employees and customers is a priority.
- **Community Commitment:** The BWL is committed to active corporate citizenship that advances the community's economic and cultural well-being.
- **Integrity:** The BWL will instill community trust by conducting business in a manner that is open, honest, and fair.
- **Inclusion and Equity:** The BWL values and respects the individuality and diversity of our customers and employees, considers these an asset of the BWL and the community, and will strive to reflect that diversity in our workforce.
- **Environmental Stewardship:** BWL practices and policies will demonstrate our commitment to a healthy and sustainable environment.

SAFETY AND SECURITY

THE SAFETY OF OUR EMPLOYEES IS PARAMOUNT. No aspect of the BWL operations is of greater importance than accident prevention. The degree of safety and the results accomplished are directly proportional to the efforts expended to control the conditions, practices, and human actions that are responsible for accidents.

To achieve our goal of maintaining a safe workplace, all employees must develop proper attitudes toward injury and illness prevention and be safety conscious at all times.

It is the responsibility of each employee to work safely for their benefit and their co-workers'. This responsibility includes following applicable BWL Safety Manual rules; complying with emergency procedures; reporting workplace hazards, near misses, injuries and illnesses to BWL management; and approaching each work activity utilizing risk assessment, good judgment, skills, and a sincere dedication to safe work practices.

The BWL is committed to providing a safe and healthy workplace and to ensuring that safety is never secondary to any other business priority. Each employee in a leadership position is responsible to actively support the BWL's Safety and Health program. Included with this responsibility are proper planning, monitoring, and enforcing the use of safe working practices and safety rules.

Employees should consult their supervisor, manager, Human Resources, or the BWL Safety Manual with any questions related to Safety. The BWL Safety Manual is available in print as well as electronically on the Safety intranet web page.



Workers' Compensation

Workers' Compensation provides wage replacement, medical, and rehabilitation benefits to employees who sustain a work-related injury and/or illness. Any work-related injury or illness must be reported to the employee-in-charge immediately.

The injured employee may be directed to a medical facility or trained physician selected by the BWL for evaluation and treatment.

All work-related injuries and illnesses will be investigated. The BWL Safety Manual contains provisions regarding the injury reporting and investigation process.

Employees should contact Human Resources with any questions regarding their rights and responsibilities under Workers' Compensation Act.

Review the [Workers' Compensation Policy](#) available on the [Corporate Secretary intranet web page](#).

Violence in the Workplace

The BWL is committed to providing a safe and secure workplace for all employees.

Employees have the right and responsibility to communicate their concerns about issues related to workplace violence to the employee in charge and, if necessary, higher levels of BWL management.

The BWL does not tolerate actual or threatened violence in the workplace and all such incidents will be promptly reported, investigated and resolved.

It is the responsibility of each employee to report any occurrence of violence or threatening behavior that they may witness in the workplace, while on official business or while engaged in work-related activities. Threatening behavior may or may not include an act of physical violence; however, it will presume that any threat made by an employee will constitute a statement of the employee's intent to do harm.

Review the [Prevention of Workplace Violence Policy](#) available on the [Corporate Secretary intranet web page](#).

Weapons in the Workplace

All weapons are prohibited on BWL property.

Authorized work tools such as skinny knives, hook knives, and other tools used by the employee in daily assignments and carried by that employee for their intended purpose are prohibited from being utilized as weapons.

Review the [Weapons in the Workplace Policy](#) available on the [Corporate Secretary intranet web page](#).

The Security of the BWL's facilities as well as the welfare of our employees requires that every individual be constantly aware of potential security risks. You should immediately notify your supervisor, manager, or BWL Security at 702-7077 when any person(s) are acting in a suspicious manner, in or around BWL facilities, or when keys, security passes or identification badges are lost or stolen. Visitors to any BWL facility must be accompanied by an employee at all times.

DIVERSITY, INCLUSION AND EQUITY

- Diversity is the range of human differences, including but not limited to race, ethnicity, gender, gender identity, sexual orientation, age, social class, physical ability or attributes, religious or ethical values system, national origin, and political beliefs.
- Inclusion is about the involvement and empowerment of all employees. An inclusive environment promotes and sustains a sense of belonging; and values and practices respect for differences.¹
- Equity is an approach that ensures everyone access to the same opportunities, while at the same time striving to identify and eliminate barriers that have prevented the full participation of some groups.²

The BWL generates its revenues from a broad cross section of ratepayers, representing a diverse community of people. In recognition of that fact, and in recognition of the importance of diversity to the BWL and its ratepayers, the BWL will support the growth and development of a diverse pool of suppliers, applicants, and employees, with the intent of making opportunities available to all genders, ethnic groups, races, sexual orientations, socio-economic statuses, ages, physical abilities, religions and localities.

The BWL's goal is to create and maintain an environment which values inclusion, equity, and diversity as enhancements to employee job satisfaction, corporate success, and to the products and services we offer our customer/owners. To this end, supervisors, managers and directors will be mindful of this goal as they hire, promote, mentor, and develop employees.

EQUAL EMPLOYMENT OPPORTUNITY AND DISCRIMINATION

It is the policy of the BWL to recruit, employ, train, develop and promote employees on the basis of individual qualifications and merit without regard to sex, disability, age, marital status, race, color, national origin, religion, genetic information, height, weight, veteran status, citizenship, or in any other manner prohibited by law.

Any employee who is aware of a discriminatory incident, act or conduct must report it to their supervisor, manager or director, or a Human Resources representative. The report should be made as soon as possible, and within 48 hours of the incident if possible, to ensure a prompt response and to facilitate investigation of the claim. Any employee who fails to report discrimination may be subject to disciplinary action up to and including termination of employment, even if he or she did not participate in the violation.

¹ <https://www.ferris.edu/htmls/administration/president/diversityoffice/definitions.htm>

² <https://independentsector.org/resource/why-diversity-equity-and-inclusion-matter/>

Reports of discrimination will be promptly and impartially investigated by Human Resources. Human Resources will report its findings to the person making the complaint and to the person or persons alleged to be involved. If the investigation establishes that discrimination has occurred, the BWL will take immediate, appropriate corrective action, which may include termination of employment.

The BWL does not tolerate any form of reprisal or retaliation against an employee who files a report in good faith, or against any employee or other person who participates in any investigation as a witness or otherwise. Any acts of retaliation must be reported to a supervisor, manager or director, or a Human Resources representative.

Review the [Equal Employment Opportunity and Anti-Discrimination Policy](#) available on the [Corporate Secretary intranet web page](#) and [Employee Rules of Conduct](#) in this handbook.

HARASSMENT

The BWL does not tolerate harassment, discrimination, retaliation, or any other form of abusive behavior toward employees, visitors, vendors, applicants, or any other persons affiliated with the BWL. Harassment presents a barrier to individual achievement and overall productivity.

Prohibited harassment includes any inappropriate verbal or physical conduct which is based upon a person's race, color, religion, sex, national origin, disability, genetic information, age, height weight, pregnancy, marital status, veteran status, citizenship, or any other protected characteristic.

Sexual Harassment

The BWL also strictly prohibits actions which sexually harass others by:

- a) Making unwelcome sexual advances or requests for sexual favors or other verbal or physical conduct of a sexual nature to another employee; or
- b) Making submission to or rejection of such conduct the basis for employment decisions affecting an employee; or
- c) Creating a hostile working environment by such conduct that interferes with an employee's ability to perform his or her job.

Any employee who is aware of prohibited harassment must report it to their supervisor, manager or director, or a Human Resources representative. The report should be made as soon as possible, and within 48 hours of the incident if possible,

to ensure a prompt response and to facilitate investigation of the claim. Any supervisor or manager who fails to report prohibited harassment may be subject to disciplinary action up to and including termination of employment, even if he or she did not participate in the harassment.

Reports of prohibited harassment will be promptly and impartially investigated by Human Resources. Human Resources will report its findings to the person making the complaint and to the person or persons alleged to be involved. If the investigation establishes that harassment has occurred, the BWL will take immediate, appropriate corrective action, which may include termination of employment.

The BWL does not tolerate any form of reprisal or retaliation against an employee who files a report in good faith, or against any employee or other person who participates in any investigation as a witness or otherwise. Any acts of retaliation must be reported to a supervisor, manager or director, or a Human Resources representative.

Review the [Anti-Harassment Policy](#) available on the [Corporate Secretary intranet web](#) page and [Employee Rules of Conduct](#) in this handbook.

BULLYING

The BWL does not tolerate any instance of bullying behavior. Bullying may be intentional or unintentional. The BWL considers the following types of behavior examples of bullying:

- Verbal bullying: Slandering or ridiculing a person or his or her family; persistent name calling that is hurtful, insulting or humiliating; using a person as the butt of jokes; abusive, embarrassing and offensive remarks.
- Physical bullying: Pushing, shoving, kicking, poking, tripping, threat of physical assault, damage to a person's work area or property.
- Cyberbullying: Slandering or ridiculing a person or his or her family; persistent name calling that is hurtful, insulting or humiliating; abusive, embarrassing and offensive remarks, rumors, pictures, or videos sent through electronic technology.

REPRESENTING THE BWL

To those customers, vendors and contractors whom you deal with directly or indirectly, you are the BWL. Their impression of the BWL stems largely from contact with you.

A courteous attitude toward customers, vendors, contractors and co-workers, both in-person and over the telephone is of the utmost importance. This is one of the most significant details that make our customers and community feel they are dealing with a personal utility. A positive, pleasant attitude creates a good impression on those you interact with and can help you in your career. It is this spirit of exceptional service practiced consistently and sincerely that attracts new customers and vendors, and in doing so, creates more opportunity for advancement and makes our utility a positive place to work. For additional information, see the [City of Lansing Ethics Manual](#) available on the intranet in the Employee Resources section.

ACCEPTANCE OF GIFTS

Every customer is entitled to efficient and courteous service. Since such service is given impartially to all, gratuities are not expected. A gift is anything of value given without the expectation of receiving something in return. Non-monetary gifts of negligible value (e.g., a box of candy, snacks, soft drinks, plaques, certificates, trophies) may be accepted, but extreme care should be taken to balance the acceptance of such a gift and the possibility of a presumption of a conflict of interest even under such “minor” circumstances. Improper gifts may include: anything of value solicited by you, if there was an agreement that any decision you might make as a representative of the BWL will be influenced, or if the gift is over \$50 in value (no vendor or customer should offer gifts totaling over \$50 in value in any one year). If you give the impression that your acceptance of a gift would influence your decision making, then the behavior is improper. If you have questions regarding the propriety of accepting a gift, see the [City of Lansing Ethics Manual](#) (available on the intranet in the Employee Resources section), your supervisor, manager, or Human Resources for clarification.

HEALTH AND WELLNESS

The health and wellness of all employees is of overarching concern to the BWL, and for this reason we make available a variety of health-related resources. Health and wellness-themed classes, seminars, incentives and other educational opportunities and resources are available at various times, and our Haco Drive and REO Town office buildings each contain fitness centers which are accessible 24 hours a day to employees and certain dependents. Contact Human Resources for information on fitness center access and available resources.

INFORMATION TECHNOLOGY

Communications Technologies

BWL communications technologies are to be used primarily for conducting BWL business. Employees should have no expectation of privacy when using BWL communications technologies. All BWL communications technologies, including but not limited to telephones, email, internet, smartphones and laptops are the sole property of the BWL. All use of BWL communications technologies must comply with BWL policies, procedures, and the [Employee Rules of Conduct](#). Personal use should be minimal, of insignificant or negligible cost to the BWL, and should not negatively impact the productivity of any employee.

Employees should always consider safety and security when using BWL communications technologies.

Because the BWL is a public body subject to the Freedom of Information Act (FOIA), these communications technologies are subject to public disclosure, absent any applicable exemptions per FOIA. As such, all BWL business communications and data are subject to FOIA regardless of whether they are stored or transmitted on or by a personal device or BWL-issued devices or software.

Review the Information Technology policies including the [Information Content Management Policy](#), [Communications Technologies Policy](#), [Employee VPN Access & Security Policy](#) and [Bring Your Own Device Policy](#) available on the [Corporate Secretary intranet web page](#).

Social Media

Social media are powerful communication tools that have a significant impact on organizational and professional reputations. Under no circumstances may an employee post to or otherwise make available on the Internet, directly or indirectly, BWL information of a confidential or otherwise proprietary nature. Use of BWL's logos or images is prohibited on personal social media sites for endorsements. Please review the [Social Media Policy](#) available on the [Corporate Secretary intranet web page](#).

EMPLOYEE ID CARDS

Employee ID cards are issued by Human Resources to all new BWL employees at the time of hire. The ID card should be carried by all BWL employees at all times while on duty. A BWL employee should be ready to produce the ID card at any time while on BWL business, especially when going into the private property of a BWL customer. In addition, during emergency situations, producing BWL identification might become necessary to cross a police line. If the ID card becomes lost, stolen, or damaged, contact Human Resources and a new card will be issued.

ALCOHOL AND DRUGS IN THE WORKPLACE

The BWL intends to provide an environment that safeguards the health and safety of all employees as well as the health and safety of the general public. To this end, the BWL strictly prohibits alcohol, illegal drugs, controlled substances, including marijuana (even if prescribed), and unauthorized or contraband prescription medication in the workplace or on BWL premises. This prohibition includes:

- Being impaired or under the influence of alcohol, legal or illegal drugs, controlled substances, including marijuana (even if prescribed), or unauthorized or contraband prescription during the workday;
- Driving a BWL vehicle while impaired or under the influence of any of the above;
- Distribution, dispensation, sale or purchase of any of the above on BWL property; and
- Unlawful manufacture, possession or use of any of the above.

Legally-prescribed medications other than marijuana are excluded from this policy and permitted only to the extent that the use of such medications does not adversely affect the employee's work ability, job performance, or the safety of that individual or others.

While on company time, all employees must be fit for duty, which means in a physical, mental and emotional state which enables the employee to perform the essential tasks of his or her work assignment in a manner which does not threaten their own health or safety, nor that of co-workers, property or the public.

Any suspicious behavior that reasonably questions the employee's physical, mental and emotional state may result in fitness for duty testing. A positive test result may subject the employee to disciplinary action up to and including discharge.

There are times in which alcohol is available at BWL events. Employees that choose to consume alcohol are required to drink responsibly. Such responsibility involves but is not limited to securing safe transportation and being mindful of one's alcohol tolerance. Employees will be held to the same standard of conduct regardless of whether they consumed alcohol.

Review the [Pre-Employment and Fitness for Duty Screening Policy](#) available on the [Corporate Secretary intranet web page](#).

ATTENDANCE AND PUNCTUALITY

The BWL plans its business activities with the expectation that employees will report to work as scheduled. An employee's repeated pattern of absence, tardiness or early departure places an unfair burden on others, impedes the employee's performance, and detracts from the quality of service provided by the BWL. Regular, prompt attendance is an essential requirement of all positions with the BWL.

If an emergency keeps you from work, you must follow the appropriate call-in procedure so arrangements can be made to cover your workload. Failure to notify the BWL in accordance with this procedure may be grounds for disciplinary action. Bargaining unit employees should see the current contract for details.

It is the policy of the BWL to encourage good attendance habits on the part of its employees. Management recognizes that circumstances beyond an employee's control may cause them to be absent from work for all or part of the day. However, unauthorized absenteeism or tardiness may result in disciplinary action.

While off work, employees must keep their supervisor or manager informed about the expected length of the absence on a daily basis. While there are many legitimate reasons an employee may miss work, high absenteeism creates hardships on co-workers and on the BWL and cannot be permitted. If you are frequently absent, even though it may be justified and excused, you may be subject to disciplinary action.

USE OF BWL PROPERTY

BWL tools, equipment, and property may not be used for personal purposes. Moreover, BWL directors, managers or supervisors do not have the authority to approve personal use of BWL property. They may only authorize use of tools, equipment and services that accomplish a BWL business purpose. Any other use is unauthorized. BWL tools, equipment, services and property are paid for by ratepayer funds. Just as employees cannot borrow or make personal use of ratepayer funds, they cannot make personal use of items paid for by our ratepayers.

EMPLOYEE PERSONAL PROPERTY

An employee's personal property, including, but not limited to, packages, purses and backpacks, may be inspected upon reasonable suspicion of unauthorized possession of BWL property or violation of BWL rules and regulations.

The BWL is not responsible for the personal property of employees. For security reasons, employees should not leave personal belongings of value in the workplace.

DRESS CODE

Employees are expected to maintain a clean and professional appearance at all times.

Except as otherwise specified, the BWL maintains a business casual dress code. Employees are expected to dress according to generally acceptable office standards. Specific questions about appropriate dress should be directed to your manager. Review the [Dress Code Policy](#) available on the [Corporate Secretary intranet web page](#).

CONFLICT OF INTEREST

Generally, the BWL will not permit an employee to engage in any other employment, consulting or other business activity that directly competes with the BWL's business or products or that conflict with their employment obligations to the BWL. For example, employees may not engage in competing activities in areas that:

- Are in the BWL's present or future business;
- Use any BWL or authorized third-party confidential, proprietary or trade secret information; or
- Relate to the services the employee performs on behalf of the BWL.

Before engaging in any non-BWL business activity, you should provide your manager with a written description of the proposed activity; your manager should help you avoid any situation that constitutes a “conflict of interest.”

The BWL recognizes the right of its employees to engage in activities outside of their employment which are of a private nature and unrelated to the BWL’s business practices. However, a policy of full disclosure must be followed to assess and prevent potential conflicts of interest from arising. Contact your manager or Human Resources if you have questions regarding a possible conflict of interest with outside work. Review the [City of Lansing Ethics Manual](#) available on the intranet in the Employee Resources section.

PERSONAL RELATIONSHIPS IN THE WORKPLACE

BWL employees must not have a direct reporting relationship with any member of their immediate family, or any other relative or any person with whom they have a significant personal relationship. Significant personal relationships include, but are not limited to, spouses, domestic partners, children, siblings, parents, in-laws, step-relatives, dating relationships and business partnerships outside the BWL.

Further, BWL employees will not be placed in positions where there could potentially be a conflict of interest or the appearance of a conflict of interest. Review the [Nepotism Policy](#) and [Workplace Dating Policy](#) available on the [Corporate Secretary intranet web page](#).

PRIVACY AND CONFIDENTIALITY

To protect corporate and customer data from security breaches, the BWL has developed several policies that identify and protect confidential information.

Regarding confidentiality in general:

BWL employees may gain access to confidential and proprietary information regarding the BWL, its personnel, and its operations. Confidential information includes, but is not limited to, BWL financial and strategic planning information, marketing strategies, staffing information, research and development information, product plans, products, services, customer lists, customers, markets, software, developments, inventions, processes, formulas, technology, designs, drawings, engineering, hardware configuration information, personnel information and similar business information relating to the BWL’s operations that is not generally available to the public.

Such information must be kept confidential and may not be disclosed, used, copied or removed from BWL premises, except as necessary to perform the duties of the job or as specifically directed by BWL management. Such confidential information

may be disclosed to other employees only on a need-to-know basis. This obligation to maintain the confidentiality of the BWL's information applies both during and after employment with the BWL. If an employee is unsure whether certain information is confidential, it is their responsibility to err on the side of caution and check with management or Human Resources. Failure to maintain confidentiality may subject an employee to disciplinary action, up to and including termination. Upon termination of employment, all BWL property, including (but not limited to) confidential information, must be returned to the BWL.

You should be aware that certain personnel information is subject to public disclosure as required by the Freedom of Information Act during and after employment. To the extent permitted by law, the BWL will not disclose private information. Examples of such information include, but are not limited to, medical information, social security numbers, home addresses, and beneficiary information. You can also refer to the HIPAA section within this handbook regarding the privacy of your protected health information.

NEWS MEDIA RELATIONS

Any requests for interviews, conversation, or information from the media in any form regarding BWL-related issues should be referred to your supervisor. No BWL employee may speak to the media on behalf of the BWL unless he or she has received express permission in advance from the General Manager or from the Executive Director of Customer Operations & Communications. Nothing in this section may infringe upon any employee's right to engage in activities that are protected by law.

INTELLECTUAL PROPERTY

As a condition of employment, each employee assigns to the BWL all work products conceived, developed, created or produced (and all underlying intellectual property in such, including for example, patents, copyrights, trademarks and applications forgoing know how and otherwise) by the employee within the scope of their employment by the BWL, while on BWL time and/or using BWL resources. This includes, but is not limited to, all inventions, discoveries, data, documentation, creative works, software, source codes, object codes, information, trademarks, copyrights, techniques and procedures.

BWL employees are not prohibited or discouraged from inventing products, creating designs, authoring books or chapters of books, etc. within their area of expertise on their personal time with their personal resources. In the event this occurs, a "Letter of Intention for Books and Book Chapters" must be completed and submitted to Legal Services when the material includes or references information derived from employment at the BWL or generally relates to the BWL.

EMPLOYEE INFORMATION

The BWL maintains a personnel file on each employee that contains documents pertaining to employment qualifications, promotion, compensation, and disciplinary action.

Such documents include employment applications, offer letters, performance evaluations, corrective action memos (and employee responses thereto), salary actions and other such documents. Personnel files are the property of the BWL.

The BWL also maintains a separate file containing benefits-related information. Each employee is required to keep his or her benefits records up-to-date. These records enable the BWL to reach you or your family in an emergency, forward your mail and properly maintain your insurance and other benefits. If you change your name, address or phone number, or if the number of your dependents (e.g., by marriage, divorce, birth or adoption) increases or decreases, you should notify the Human Resources Department within thirty (30) days.

Information recorded in an employee's personnel and benefits files is confidential and is made available to authorized BWL employees only or to those who have a legitimate need to review such files. Upon submission of a written request with reasonable advance notice, an employee may obtain copies of his or her personnel file or any documents therein.

EMPLOYEE BENEFITS

Employer Sponsored Benefits

The BWL's benefits have been designed to provide a wide variety of health, welfare, and retirement benefits for eligible employees and their dependents. This handbook provides only a brief description of the health and retirement benefit plans and programs that are in effect at the time of publication. Cost to employees may be revised at the discretion of management. The terms of the specific plan documents control eligibility, benefits determination and other conditions. Benefits and Payroll provides you with detailed health and retirement benefits information during new hire onboarding. These benefits are also summarized in the "*Benefit Summary*" which can be found on the Benefits & Payroll intranet web page.

Eligibility for most of these insurance benefits occurs on the first day of the month following employment. As an example, if you were employed on June 10, you would be eligible to participate in the insurance plan on July 1. Contact Benefits and Payroll for more information regarding this issue. The following is a list of current employer sponsored benefits:

- **Medical Benefits** are payable according to the schedule in available medical insurance documentation. The BWL shares the cost of premiums with participating employees. Premiums are deducted bi-weekly pre-tax.
- **Prescription Drug Benefits** are payable according to the schedule in available prescription drug program descriptions. The BWL shares the cost of premiums with participating employees. Premiums are deducted bi-weekly, pre-tax.
- **Dental Benefits** are payable according to the schedule outlined in available program descriptions. Dental premiums are paid in full by the BWL.
- **Long Term Disability** is payable at 60% of salary, up to \$6,000 per month after a 90-day waiting period.
- **Term Life Insurance and Accidental Death & Dismemberment** has a schedule of benefits as noted in available insurance program descriptions. Non-bargaining unit employees' life insurance is paid in full by the BWL at 1.5 times their annual salary. Bargaining unit employees receive \$10,000 base coverage paid by the BWL and can buy additional life insurance at 1.5 times their annual salary with bi-weekly pre-tax premium sharing.

Benefits Paid in Full by Employee

- **Vision:** The BWL offers vision benefits to employees. The premiums are deducted pre-tax.
- **Additional Term Life Insurance:** Employees may purchase additional age banded term life insurance coverage for themselves, their spouse, and their dependent children. The premiums are deducted post-tax. Employee and spouse coverage may be purchased up to 5 times the employee's annual salary or up to \$500,000 and children up to \$10,000.
- **AFLAC Supplemental Plans:** Employees may purchase AFLAC's Cancer Expense Insurance, Hospital Confinement, or other scheduled benefits like radiation and chemotherapy. The premiums are deducted pre-tax.
- **Short-Term Disability:** Employees may purchase short-term disability coverage. The premiums are deducted post-tax.
- **Long-Term Care:** Employees may purchase a long-term care plan for themselves and their spouse. The premiums are deducted post-tax.
- **Identity Theft Protection:** Employees may purchase identity theft protection for themselves or their family (with dependent children up to age 26). The premiums are deducted post-tax.

To obtain copies of plan documentation and additional information on health and retirement benefits, contact Benefits and Payroll.

COBRA

BWL employees and covered dependents may participate in the BWL benefits coverage plan as long as they meet eligibility requirements and as long as the plan continues. A COBRA notice is automatically sent under the BWL benefits plan when coverage for you or your dependents ends. Basic reasons for end of coverage include:

- Termination of employment;
- Dependent attains the age of 26; or
- Divorce.

COBRA benefits typically run for 18-36 months after the qualifying event and the employee bears the cost.

HIPAA

When it comes to your health information, you have certain rights and choices about how that information is handled. BWL is required by law to maintain the privacy and security of your protected health information.

BWL provides notice to health plan participants describing your rights and BWL's responsibilities. This notice describes how medical and health information may be used and disclosed and how you can access this information. This document is called the [Lansing Board of Water & Light Notice of Privacy Practices \("Privacy Notice"\)](#) and can be found on the [Benefits & Payroll intranet web page](#).

BWL's Privacy Notice includes information about what is required under the Health Insurance Portability and Accountability Act (HIPAA); which provides that an employee can obtain from an employer or insurer certification of an employee's prior health coverage. The group health plan will provide verification of coverage to both employees and dependents that are insured under the group health plan.

PENSION AND RETIREMENT SAVINGS PLANS

Defined Benefit Plan (DB) Pension Plan

Employees hired prior to 1/1/97 may participate in the DB Pension plan. The Plan pays a monthly payment to the employee at retirement for the rest of his or her life. As a sample, an employee with 30 years of service would receive approximately 50% of their salary as a pension benefit. Optional modification of the benefit is available to provide for monies to continue to the spouse upon death of the retiree. Cash disbursement or roll-over is also available at retirement.

Defined Contribution (DC) 401(a) Pension Plan

Effective 1/1/97, regular, full-time employees meeting the eligibility requirements may be covered under the DC Pension plan. The BWL contributes a percentage of their base salary to the pension plan with no employee contribution. Employees control their investment within the funds offered by the plan. This plan allows participants with vested monies to take out a loan. Contact Benefits and Payroll for additional information.

New hires are eligible to receive contributions after six (6) months of employment:

- All employees - 9.5% of base salary
 - Vesting: 3 years – 25%; 6 years – 100%
- All Non-Bargaining Employees – Additional 3% of base salary
- Up to two (2) loans available from vested monies. See Benefits and Payroll for details.

ICMA 457 Deferred Compensation Plan

Employees are eligible to start contributions to this plan upon hire. Employees contribute 100% of the monies into this plan on any combination of pre and/or post-tax basis with no employer contribution other than the match program noted below. Employees may annually contribute up to 100% of their earnings up to a specified maximum, as allowed by the federal government. This amount is indexed to an inflation factor and is increased periodically.

The 457 Match Program: The BWL match program will start for new hires on the first pay of the calendar year following their date of hire. The BWL will contribute one thousand dollars (\$1,000) to each full-time regular employee's 457 plan on the first pay of the calendar year. The BWL will also match employee contributions at one dollar for every dollar up to one thousand five hundred dollars (\$1,500) in a calendar year.

Employees over age 50 will be allowed an additional \$6,000 of annual contributions over the annual normal maximum. The maximum contributions include the BWL contribution and match.

Employees manage the contributions within the funds provided by the plan. There is a catch-up provision in the three (3) years prior to the employee's normal retirement age that will allow for contributions up to \$36,000 annually for each of those three (3) years.

Please refer to the [Benefits Summary](#) found on the [Benefits & Payroll intranet web page](#) which provides more details and what options for pension and retirement savings plans are available to you, or contact Benefits and Payroll for more information.

OTHER SAVINGS PLANS

Individual Roth IRA

Employees may contribute post-tax monies subject to the annual maximum set by the IRA. Roth IRAs allow for penalty-free withdrawal for certain IRS approved reasons such as educational, first home purchase, etc.

Michigan Education Savings Program (MESP)

Employees may contribute post-tax income to an educational savings plan for their child's higher education. MESP provides families with a smart, flexible way to save for their children's higher education expenses. The program offers tax advantages, a choice of investment options, and the flexibility to use the savings at thousands of educational institutions. Review www.misaves.com for more information.

OTHER EMPLOYEE BENEFITS

- **Cash Option Payment:** Employees who do not need medical and prescription drug coverage through the BWL, may, with proof of other insurance, drop BWL's coverage and receive cash in lieu.
- **Employee Assistance Program (EAP):** The EAP provider offers free confidential assessments, counseling, referral, and training for a broad array of issues ranging from: employee relations, personal issues, financial health, wellness, and elder care. This service is available for employees and family members.
- **Flexible Spending Account (FSA):** A pre-tax plan that allows employees to redirect designated amounts of their salary to any or all of the following categories: 1) Dependent Care; 2) Out of Pocket Medical Expenses. The FSA plan year is on a calendar year basis.

- **HOPE Loan (Home Ownership Program for Employees):** This program encourages all full-time, regular employees of the BWL to purchase their home within the boundaries of the City of Lansing. Under the program rules, qualified employees receive \$5,000 at closing, which will be forgiven on an annual basis. See Human Resources for the program booklet, application or for more information on this program.
- **Mileage Reimbursement:** Employees are eligible for mileage reimbursement for qualified travel using their personal vehicle. See your supervisor or manager.
- **BWL Health and Wellness Program:** The program includes activities and programs for a healthy lifestyle including an on-site fitness center.
- **Organization Committees, Community Involvement, and Employee Activities:** The BWL supports employee participation in various activities to promote employee interaction and community involvement.
- **Parking:** Free parking is provided at all facilities for BWL employees. Please see Security for vehicle stickers.
- **Prescription Safety Glasses Program:** The BWL provides qualified employees with options for obtaining, free of charge, prescription safety glasses according to their job.
- **Safety Boot Allowance Program:** The BWL provides qualified employees with an allowance toward the purchase of safety shoes according to their job.
- **Service Awards:** The BWL recognizes regular, full-time employees for length of service by rewarding them with various gifts at specified periods of time.
- **Tuition Reimbursement Program:** The BWL offers 100% reimbursement for qualified education expenses, up to the maximum amount allowed by law. Review the [Tuition Reimbursement Policy](#).
- **Work from Home:** Non-bargaining unit employees in full time, regular positions may be eligible to work from home if this work arrangement meets the best interests of the Department and does not negatively impact productivity or costs. Review the [Work at Home Program Non-Bargaining Unit Policy](#) available on the [Corporate Secretary intranet web page](#). See Human Resources for the program document, agreement or for more information on this program.
- **Work Reduction Programs:** Allows employees to work a reduced schedule at a reduced salary while still receiving their benefits in partial or full, depending on the level of their work reduction. Work reduction allows for up to 50% of a full-time employee. Review the [Work Reduction Program – Bargaining and Non-Bargaining](#).

VACATION, FREE CHOICE, PAID TIME OFF CREDIT (SICK LEAVE)

Vacation and Free Choice Time

The BWL realizes the importance of vacation time as a period of rest and relaxation away from the job. Use of vacation time requires 24 hours' notice to the employee's direct supervisor and free choice time requires 72 hours' notice and will be approved provided the employee can be spared. Emergency free choice time does not require 72 hours' notice. Each employee must also check with their supervisor, manager, or if applicable, refer to the union contract for specific rules regarding scheduling of vacation and free choice time.

Eligibility: All full-time BWL employees are eligible to receive vacation and free choice time.

The BWL credits vacation and free choice time on January 1 of each year. New employees who have worked less than one full calendar year, who are eligible, will receive a proration of vacation and free choice time where applicable.

Thereafter, all eligible employees will receive six (6) free choice days each January 1, and vacation time based on the following schedule:

Non-bargaining & Bargaining:

On January 1, following hire: two (2) weeks or ten (10) vacation days.

Thereafter, both non-bargaining and bargaining employees receive vacation time as follows:

Length of Service	Vacation Term
1 year	10 days
9 years	15 days
15 years	20 days
20 years	25 days
30 years	26 days
31 years	27 days

Each employee is expected to properly plan their benefit time usage. The BWL appreciates employee dedication when a crisis or emergency keeps an employee from taking scheduled time off, however, managers should try to monitor and encourage usage for the overall mental health of their employees.

Employees are expected to use all their paid time off vacation and free choice by 12/31 of each year, but will be allowed to carry over to the next calendar year up to 10 days of vacation and 2 days of free choice. Vacation carryover time in excess of 5 days must be used by 5/31 or it is forfeit. Free choice carryover time must be used by 5/31 or it is forfeit.

Vacation and free choice time that cannot be used by 12/31 and cannot be carried over may be paid out to bargaining unit employees according to terms spelled out in Article IX of the contract. Non-bargaining unit employees whose managers have been unable to approve their use of vacation and/or free choice time subject to forfeiture on 12/31 due to exigent departmental demands, may be eligible to receive payout. Employees in this situation should consult with their manager or Human Resources.

If the employee leaves the BWL, unused vacation and free choice time will be paid out. Employees who retire will also be paid out the following year's prorated vacation time.

Paid Time Off Credit (Sick Leave)

Paid time off credit (PTOC) can be used for:

1. Personal or family (spouse, child, parent, father-in-law, mother-in-law, step-parent, step-child, sibling, grandparent, grandchild) health needs (mental or physical illness, injury, or health condition);
2. Personal or family (spouse, child, parent, sibling, grandparent, grandchild) purposes related to domestic violence and sexual assault, including medical care, psychological care or counseling, victim services, relocation purposes, to obtain legal services, or to participate in civil or criminal proceedings; or
3. Closure of employee's place of business or child's school or place of care by order of a public official due to a public health emergency; or being ordered not to appear at work for contagion/exposure concerns.

PTOC is accrued at the rate of one (1) day per month. Bargaining unit employees may accrue up to 175 days of PTOC; non-bargaining unit employees may accrue up to 186 days. Use of PTOC for personal and family illness is described in the collective bargaining agreement. Non-bargaining unit employees should contact their supervisor, manager, or Human Resources for questions regarding PTOC usage.

All new hires receive six (6) days PTOC upon hire and will start receiving PTOC at the rate of one (1) day per month which is credited on the day of the month of their hire date, after they have completed thirteen (13) months of employment.

The BWL may require documentation for PTOC absences. The employee has 3 days to provide the BWL with the requested documentation. Bargaining unit employees should refer to the collective bargaining agreement for specific information.

If the employee retires from the BWL, accrued sick leave will be paid out as follows: Employees who retire will be eligible to be paid a minimum of 50% or up to 100% of their accumulated sick leave as indicated below.

A qualified retirement will include a regular or disability retirement per age and service rules or a death retirement per service rules. For details on retirement qualifications, contact Benefits and Payroll.

Bargaining Employee Retirement Allowance Policy

A bargaining employee who retires from active service with the BWL under the BWL's Employee's Pension Plan, having attained their normal retirement age, and who becomes a pensioner thereunder, will be paid for remaining Paid Time Off Credit as a retirement allowance per the schedule below, but not to exceed one hundred seventy-five (175) days:

Service Plus Age	Percent Paid	Service Plus Age	Percent Paid
80	50%	93	76%
81	52%	94	78%
82	54%	95	80%
83	56%	96	82%
84	58%	97	84%
85	60%	98	86%
86	62%	99	88%
87	64%	100	90%
88	66%	101	92%
89	68%	102	94%
90	70%	103	96%
91	72%	104	98%
92	74%	105	100%

The above retirement allowance of an employee who retires prior to their normal retirement age, with approval of the BWL, will be reduced as follows:

A reduction of three (3) days per year or 25/100 of one (1) percent multiplier by the number of full months in the period from the retirement date and the employee's normal retirement date.

Non-Bargaining Employee Retirement Allowance Policy

A non-bargaining employee who retires from active service with the BWL under the Employee's Pension Plan, having attained their normal retirement age, and who becomes a pensioner there-under, will be paid for remaining Paid Time Off Credit as a retirement allowance per the schedule below, but not to exceed one hundred eighty-six (186) days:

Service Plus Age	Percent Paid	Service Plus Age	Percent Paid
80	60%	93	86%
81	62%	94	88%
82	64%	95	90%
83	66%	96	92%
84	68%	97	94%
85	70%	98	96%
86	72%	99	98%
87	74%	100	100%
88	76%		
89	78%		
90	80%		
91	82%		
92	84%		

The above retirement allowance of an employee who retires prior to their normal retirement age, with approval of the BWL, will be reduced as follows:

A reduction of three (3) days per year or 25/100 of one (1) percent multiplier by the number of full months contained within the period from the retirement date and the employee's normal retirement date.

Non-Bargaining Employees Sick Leave Incentive Policy

Non-bargaining employees who do not use sick time during a calendar year will receive one (1) extra day's pay, as a bonus. Non-bargaining employees using less than three (3) days of sick time during a calendar year will receive an extra one-half (1/2) day's pay. Payment will be made by the third payday after the first of the year.

LEAVES AND OTHER TIME OFF

Note: Compensation during leaves of absence will depend upon the circumstance. Some types of leaves will be paid, and others will be unpaid.

Paid Leaves

Bereavement Time Off: A paid absence for a death in the family.

At the time of the death of a member of an employee's immediate family, as defined below, the employee will be granted paid time off for the purpose of making funeral arrangements, attending the funeral, etc., for a period of time which is of duration appropriate to the circumstances presented (such as the out-of-town travel involved), and will be paid for not to exceed three (3) of the employee's scheduled work-days in that period. However, an exception will be made to include one (1) additional work-day if the burial requires travel in excess of five hundred (500) miles one way and to the extent that the affected employee cannot return in time to secure eight (8) hours of rest before the beginning of the scheduled work period. The employee will be allowed up to two (2) additional scheduled consecutive working days that will be deducted from their sick time, vacation or free choice. The time so taken includes attending the funeral. "Immediate family" means parent, step-parent, spouse, child, step-child, or related dependent wherever they may have resided, ward of the court or any other family member whose residence is the same household as the employee at the time of death.

The employee will be paid for not to exceed one (1) day for attendance at the funeral of a brother-in-law, sister-in-law, grandparent, grandparent of current spouse, grandchild, brother, sister, parent-in-law, son-in-law, daughter-in-law, guardian, uncle, or aunt; including spouse's uncle or aunt. However, an exception will be made to include one (1) additional work-day if the burial requires travel in excess of five hundred (500) miles one way and to the extent that the affected employee cannot return in time to secure eight (8) hours of rest before the beginning of the scheduled work period. The employee will be allowed up to two (2) additional scheduled consecutive working days that will be deducted from their sick time, vacation, or free choice.

The BWL may require verification of the death and the relationship of the employee to the deceased, at its discretion, following the leave and before making payment for the bereavement time. The BWL requires that the employee make a prompt request for leave prior to taking the time off so that the employee's work could be covered during the absence.

An employee who serves as a pallbearer at the funeral of a fellow BWL employee or of a BWL pensioner will be paid straight-time pay for work-hours lost for this purpose, provided the employee gives the immediate supervisor reasonable advance notice of the need to be off work.

Accommodation for Nursing Mothers: Nursing mothers who wish to express breast milk while at work may request accommodations in the form of a private area and additional break time, if necessary. The BWL will accommodate eligible employees by providing them a private area for expressing breast milk. Employees can use their regular rest breaks for this purpose. Employees who need a different time or additional time should make arrangements with their supervisor. Regular rest break time used for expressing breast milk will be paid.

Jury and Witness Pay Supplement: The BWL will compensate employees for jury duty or those subpoenaed as a witness as long as the employee does not have a personal interest. When employees are called to jury duty or subpoenaed as a witness, they must give immediate notice to their supervisor or manager. While the BWL recognizes the civic responsibility of employees called upon to perform jury duty, scheduling conflicts may require that the employee request a postponement. The BWL will not pay an employee for witness time if the employee is either the plaintiff or defendant in the case or if the employee has a personal stake in the outcome of the case.

Military Reserve Leave: An employee who is required to participate in annual active duty training with the reserve components of the Armed Forces of the United States will be granted leave of absence for this purpose, as provided under state and federal statutes. An employee will be paid during such leave not to exceed two (2) weeks, or ten (10) working days, in any one (1) fiscal year. Notice of leave shall be made to the Manager of Human Resources.

Unpaid Leave

Any time an employee is absent from work in an unpaid status for eighty (80) hours or more, the BWL requires a formal, unpaid leave of absence. Examples of unpaid leaves are as follows:

- Injury and Illness
- Personal Business leave
- Military Service Leave
- Maternity/Paternity Leave
- Family and Medical Leave Act (FMLA). [Review the *Family & Medical Leave Policy* available on the *Corporate Secretary intranet web page*.](#)

INCLEMENT WEATHER

Employees should always assume the BWL is open for business during inclement weather. If an employee is unsure whether the BWL will be open or whether they should report, they should contact their supervisor or manager to determine closure status. Employees are also encouraged to check their email as the BWL may contact its employees via email regarding orders by the General Manager due to inclement weather.

HOLIDAYS

The BWL grants eleven (11) paid holidays to all its employees. The BWL will be closed on the following designated holidays unless an announcement is otherwise made:

- New Year's Day
- Martin Luther King Jr.'s Birthday (observed)
- Memorial Day
- Independence Day
- Labor Day
- Veteran's Day
- Thanksgiving Day
- Friday after Thanksgiving Day
- Christmas Eve
- Christmas Day
- New Year's Eve

To be eligible for holiday pay, you must either work or be on approved paid or unpaid time off the day immediately preceding and following the holiday.

The following applies to employees whose normal workweek is Monday through Friday:

When a recognized holiday falls on a Saturday, it will be observed on the Friday before the holiday. Recognized holidays that fall on a Sunday will be observed on the following Monday.

The following applies to all employees who work on shifts:

Shift employees will observe a general holiday on the day for which the general holiday falls, regardless of whether that holiday falls on a Saturday or Sunday. If an employee is scheduled to work on the general holiday, the employee will receive holiday pay in addition to pay at the overtime rate for hours worked on the holiday.

If a general holiday falls on the employee's off day in the employee's regularly scheduled workweek, the employee's next regularly scheduled workday will be observed as the holiday.

If Christmas Eve, Christmas, New Year's Eve, or New Year's falls on the employee's regularly scheduled day off, Christmas Eve and New Year's Eve will be observed on the employee's last regularly scheduled work day, and Christmas and New Year's Day will be observed on the employee's next regularly scheduled workday.

TIMEKEEPING FOR HOURLY EMPLOYEES

The BWL has established a *Timekeeping Policy* to ensure that all hourly employees are paid appropriately for work performed.

Federal and state laws require the BWL to keep an accurate record of time worked to calculate employees' pay and benefits. Time worked is the time an employee is performing assigned duties for the BWL. Accurately recording time worked is the responsibility of every hourly employee.

Review the [Timekeeping Policy](#) available on the [Corporate Secretary intranet web page](#).

COMPENSATION

Paychecks and Paydays

Employee paychecks include both direct and indirect compensation in terms of contributions made by the BWL on their behalf in the following areas:

- group health insurance
- life insurance
- dental insurance
- long term disability insurance
- pension contributions
- benefit time for vacation, free choice, holidays, and illness (PTOC)

All employees are paid on a bi-weekly basis. The usual payday is Thursday. Check stub information is distributed to employees by email the Tuesday before payday, and paychecks are directly deposited in the employee's financial institution of choice.

At the end of the calendar year, a "Withholding Statement" (U.S. Treasury Department Form W-2) will be prepared and forwarded to each employee for use

in connection with the preparation of income tax returns. The W-2 Form shows Social Security information, taxes withheld, taxable wages as well as other required information.

Payroll Deductions

The following deductions will be deducted from the Employees gross pay as specified by the employee or by law:

- **Federal Income Tax Withholding:** The amount varies with the number of exemptions you claim and, of course, the amount of your gross taxable pay.
- **State Income Tax Withholding:** The same factors apply to state as federal withholding.
- **City Income Tax Withholding:** The same factors apply to city as federal withholding.
- **Social Security:** The Federal Insurance Contribution Act (“FICA”) requires that a certain percentage of your earnings be deducted and forwarded to the federal government, together with an equal amount contributed by the BWL. There is a maximum amount.
- **Medicare Taxes:** Withheld every month and, as with all other taxes, the cumulative amount paid will be listed on your check stub. There is no maximum amount.
- **Premiums:** Premiums for any insurance coverage(s), which require a contribution, will be deducted from your pay either bi-weekly or monthly as appropriate. Contact Benefits and Payroll for additional information.

Other employee-authorized deductions may include defined contribution, deferred compensation, ROTH IRAs, safety equipment, union dues, flexible spending account (FSA), deferred compensation loans, or any court ordered deductions.

TERMINATION

Voluntary Termination

An employee, who voluntarily resigns from his or her employment, or fails to report to work for three (3) consecutive workdays without notice to, or approval by, his or her manager, will be considered to have voluntarily terminated employment with the BWL. All BWL-owned property (e.g., vehicles, keys, identification badges, credit cards, etc.) must be returned immediately upon termination of employment. The employee’s final paycheck will be processed and issued with the first payroll cycle after their termination date. Their final paycheck will consist of compensation earned through their last day of work and any earned but unused vacation.

Involuntary Termination

If the BWL decides to terminate employment, the employee will be notified by Human Resources. All BWL-owned property (vehicles, keys, identification badges, credit cards, etc.) must be returned immediately upon termination of employment. Their final paycheck will be processed and issued with the first payroll cycle after their termination date and will consist of compensation earned through their last day of work and any earned but unused vacation.

Resignation

If an employee decides to terminate their employment, the BWL requests that it be given written notice at least two (2) weeks before departure in a non-management role and three (3) weeks before departure in a management role, if possible. This gives the BWL the opportunity to hire a replacement and/or to adjust the schedules of other employees as necessary. Written notice should be presented to the employee's manager as well as Human Resources.

Please note that depending on the circumstances of the resignation and the employee's position, the BWL in its sole discretion will determine whether the resigning employee will be expected to work for the notice period or will be separated from the BWL immediately. In all cases, the employee is expected to return all BWL-owned property to their manager or to Human Resources on their last day of work.

EMPLOYEE RULES OF CONDUCT

The BWL has an established code of conduct to ensure a well-run, respectful and dignified working environment for its employees. Violation of this code may result in disciplinary action ranging from verbal or written warnings, suspension without pay, or termination of employment. Since it is impossible to enumerate every act or omission, the list of possible infractions provided is not intended to be all-inclusive. The infractions listed below are examples of prohibited employee conduct which may result in discipline up to and including termination.

A bargaining unit employee may request a union steward to assist them in a disciplinary hearing. The employee may also waive representation. A non-bargaining unit employee has the right to ask a fellow employee to serve as an advocate to help them in the hearing process. Note: advocates and union representatives must be current employees. For additional details, contact Human Resources.

General Rules

1. All BWL property, such as tools, keys, electronic devices, ID badges, etc., charged to an employee must be accounted for when the employee leaves the BWL's employ. The employee will be charged for missing articles.
2. Employees released from payroll will not be allowed on BWL non-public premises without authorization.
3. Employees are expected to familiarize themselves with the BWL policies and procedures, this Handbook, this Employee Rules of Conduct, the BWL Safety Manual, general department safety rules, and the specific safety rules issued from time to time for their particular occupations.
4. Employees are expected to familiarize themselves with and observe any departmental rules.
5. Employees on disciplinary layoff will not be allowed on BWL non-public premises without authorization.
6. Employees entering BWL non-public premises on their off hours must obtain prior authorization. Family and friends of employees and the general public must receive authorization from supervision before entering BWL non-public premises.

Types of Discipline

The employment relationship between the employees and the BWL is at-will, unless otherwise stipulated by contract. The BWL's use of progressive discipline should not be construed to alter or abridge the at-will employment relationship. Although the BWL has chosen to use progressive discipline in certain situations, this should not be interpreted as modifying or rescinding the BWL's discretion to make all employment decisions for any or no reason, as long as it is not an unlawful reason.

The BWL has two categories of discipline:

Progressive: Used for violations where progressive steps are taken to correct the employee's behavior.

Progressive discipline is divided into two (2) separate progressive paths. One path is for violations related to attendance and the second path pertains to work-related violations. The formal system for each path will be:

Written reprimand
One working day off without pay
Five working days off without pay
Thirty Calendar days off without pay
Termination of employment

(Note: The Progressive discipline steps may be shortened when progressive and non-progressive violations occur and may also be shortened for non-bargaining employees as deemed appropriate by Human Resources.)

Bargaining unit employees' work record during the preceding two (2) years may be taken into consideration when progressive discipline is in order. For non-bargaining unit employees, their preceding four (4) years may be considered. As an incentive to change the employee's behavior, an employee who has had a clear record for six (6) months will, on the next violation, not progress to the next disciplinary step, but would instead repeat the previous step. If an employee maintains a clear record for one (1) year, the progressive discipline issued would be one step less than the previous action, and future discipline would progress from that point.

Non-Progressive: Used when the violation is serious and warrants immediate disciplinary action based entirely on the merits of the offense, up to and including termination.

The following grid is a guide to help clarify which type of disciplinary action (progressive, non-progressive, or both) may be taken for non-compliance with the BWL Employee Rules of Conduct. The grid is only a guide. Misconduct or gross negligence may be deemed non-progressive where normally the action would be progressive. The BWL retains the right to determine whether progressive discipline is appropriate given the nature of the violation.

Violation Categories: **P = Progressive, NP = Non-progressive, B = Both**

Cat.	Violation No.	Violation Description
NP	1.	Refusal to obey orders of supervisors, managers or other leadership.
NP	2.	Striking, physically or verbally abusing a manager, supervisor, employee, customer or any other person at any time.
NP	3.	Being disrespectful or insubordinate to any member of management or supervision at any time.
NP	4.	Falsification of personnel or other records.
NP	5.	Theft or misappropriation of BWL property or that of its employees or customers.
NP	6.	Unauthorized possession of weapons on BWL premises at any time.
NP	7.	Sabotage.
NP	8.	Fighting on BWL premises or BWL time.

NP	9.	Possession of or use of any alcoholic beverage, habit forming and/or non-medical drugs on BWL premises or BWL time or during a break or meal period after which the employee is going to return to work or report for work assignments.
NP	10.	Reporting for work under the influence of alcohol, narcotics or drugs, or suffering from the after-effects of such, so as to be in an unsafe condition to perform duties.
NP	11.	Use, possession, distribution, sale, or offering for sale of narcotics or other drugs on BWL premises or on BWL time.
NP	12.	Immoral conduct or indecency.
NP	13.	Violation of the BWL Anti-Harassment policy.
NP	14.	Abusive or offensive language to any manager, supervisor, employee, customer, or the general public, including the use of racial, ethnic, or sexual remarks and jokes.
NP	15.	Threatening, intimidating, coercing, or interfering with employees, supervision or management at any time.
NP	16.	The making or publishing of false, vicious, or malicious statements concerning any BWL employee, the BWL itself, or its services.
NP	17.	Failure to record working time or falsifying one's own or another employee's time records.
NP	18.	Misuse or removal from the premises without authorization of BWL records or confidential information of any nature.
B	19.	Unauthorized use of BWL equipment for personal use.
B	20.	Participation in gambling, lottery, or any game of chance on BWL premises or BWL time.
B	21.	Leaving assigned work location during working hours without permission.
B	22.	Unauthorized operation of machines, tools, or equipment.
B	23.	Failure to satisfactorily complete job assignments.
P	24.	Absence without reasonable cause.
P	25.	Failure to secure prior permission for absence from work.
B	26.	Horseplay, scuffling, running, or throwing things.
B	27.	Abuse, misuse, or deliberate destruction of BWL property, tools, or equipment, or the property of its employees.
P	28.	Reporting late for work.
B	29.	Wasting time or loitering during working hours.
NP	30.	Disregard of safety rules or common safety practices.
B	31.	Stopping work or making preparations to leave work (such as washing up or changing clothes) before the specified time.
B	32.	Misuse of radio equipment as pertains to F.C.C. regulations.
B	33.	Posting or removal of notices, signs, or writing in any form on bulletin boards or BWL property at any time without specific authorization from management.

B	34.	Unauthorized distribution of literature, written or printed matter of any description in working areas on BWL premises during working hours.
B	35.	Unauthorized soliciting or collecting contributions for any purpose whatsoever during working hours.
B	36.	Littering, or contributing to poor housekeeping, unsanitary, or unsafe conditions on BWL premises or in working areas.
NP	37.	Violation of the BWL Non-Smoking Policy.
NP	38.	Absence from work for three consecutive days without prior approval.
NP	39.	Inappropriate dress, unprofessional appearance, or other violation of the BWL Dress Code Policy.
NP	40.	Violations of BWL Employment Agreements or BWL Organizational Policies.
NP	41.	Violations of the BWL Pre-Employment and Fitness for Duty Screening Policy.
NP	42.	Violations of any Information Technology policy.
NP	43.	Violation of the Prevention of Workplace Violence Policy.

