

PERSONNEL RULES AND REGULATIONS

EMPLOYEE HANDBOOK

**City of Mount Pleasant
2025**

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**INSTITUTE OF PUBLIC SERVICE
THE UNIVERSITY OF TENNESSEE**

CITY OF MOUNT PLEASANT

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CITY OF MOUNT PLEASANT EMPLOYEE CODE OF ETHICS

The City of Mount Pleasant has adopted a Code of Ethics to foster public trust and public confidence. Our Code of Ethics policy will also promote and maintain the highest standards of conduct from our employees. City management and city staff are expected to follow this Code of Ethics and to practice its core values. Employees are held to high standards and accountable to citizenry.

Employees comply with the laws of the nation, the State of Tennessee, and the City of Mount Pleasant in the performance of their public duties. These laws include but are not limited to the United States and Tennessee Constitutions; the Mount Pleasant Municipal Code; laws pertaining to conflicts of interest, election campaigns, financial disclosures, employer responsibilities, and open processes of government.

Employees of Mount Pleasant shall base their actions on behalf of the city on the best available information. Also, to build trust and carefully consider the impact of their actions on public confidence. The employees shall maintain integrity always and consistently do what is in the best interest of this community.

Employees should treat everyone with respect and dignity. Practice patience, courtesy, and civility even when we disagree. Actively listen, engage in effective two-way communications, and demonstrate responsive public service. Treat everyone equitably, value individual's right to know, encourage public input, listen to all sides, and honor due process. Therefore, the employee should make impartial decisions, using relevant and consistent criteria, caring for special needs, and giving priority to merit.

Employees shall refrain from taking any special advantage of services, opportunities, or public resources for personal gain, by virtue of the public position, which would not otherwise be available to the public in general. Therefore, refrain from accepting gifts, favors, or promises of future benefits, which might compromise or tend to impair independence of judgment or action.

Employees shall foster, protect, and conserve the community's financial, environmental, and cultural resources. They shall practice fiscal responsibility, preserve natural resources, respect individual rights, and uphold the public trust. This commits to the long-term stability and growth of the community.

CITY OF MOUNT PLEASANT

SECTION I - PERSONNEL POLICIES

A. PURPOSE AND OBJECTIVES

The main purpose of these policies is to establish a high degree of understanding, cooperation, efficiency, and unity among employees of the City of Mount Pleasant, fostered by a systematic application of good procedures in personnel administration. Another purpose is to provide uniform policies for all employees with all the benefits such a program ensures, without regard to race, color, religion, gender, age, national origin, creed, disability, or political affiliation.

The fundamental objectives of these personnel administration policies are to:

1. Promote and increase efficiency and economy among employees of the City of Mount Pleasant.
2. Provide fair and equal opportunity to all employees and qualified applicants based on demonstrated merit and fitness as ascertained through fair and practical methods of selection.
3. Develop a program of recruitment and advancement that will make employment with the city attractive as a career and encourage each employee to render the best service; and,
4. Establish and promote high morale among the employees by providing good working relationships, a uniform personnel policy, opportunity for advancement, and consideration for employee needs and desires.

B. PERSONNEL POLICY STATEMENT

It is the policy of the City of Mount Pleasant to apply and foster a sound program of personnel management. Specifically, it is the declared intent of the city to:

1. **Employment and Placement**
 - a. Fill all positions in accordance with job qualifications and requirements without discrimination as to race, color, age, religion, gender, creed, national origin, disability, or political affiliation.
 - b. Establish programs for the promotion, transfer, demotion, dismissal, and reassignment of personnel.

2. Position Classification and Pay Administration

- a. Establish and maintain job descriptions for every position with the descriptions maintained on file with human resources and department heads.
- b. Review position descriptions periodically and systematically with the employee to ensure currency and accuracy.
- c. Establish appropriate position standards and to group positions in classes with similar standards.
- d. Conduct area wage and salary surveys periodically to provide competitive wage and salary scales.

3. Employee Relations and Services

- a. Develop a system of job performance standards and evaluation and inform each employee periodically and systematically of the status of his/her job performance.
- b. Establish rules and standards governing employee conduct.
- c. Administer a uniform leave program.
- d. Provide employee grievance procedures.
- e. Inform employees of their responsibilities, rights, and privileges.
- f. Provide and maintain a safe and healthful work environment.

4. Employee Development and Training

- a. Establish training standards and requirements for all positions.
- b. Motivate and stimulate employees to achieve their highest potential usefulness.

5. Records

- a. Establish and maintain comprehensive and uniform personnel records.

C. COVERAGE

These policies and procedures apply to all employees of the city, except as otherwise specified by this document, the City Charter, and/or the ordinances of the city. The policies and procedures apply without regard to race, color, religion, gender or gender identity, age, national origin, disability, military status, communication with elected public officials, free speech, refusing to participate in or remain silent about illegal activities exercising a statutory constitutional right or any right under clear public policy, political affiliation, genetic information, or any other basis protected by law.

These policies shall not apply to the following positions, unless where specifically denoted:

1. Elected officials;
2. City manager;
3. Members of appointed boards and commissions;
4. Consultants, advisers, and legal counsel rendering temporary professional service.
5. City attorney;
6. Independent contractors; and
7. City judge.

D. ADMINISTRATION

These personnel policies and procedures shall be administered by the city manager, or his/her designee, under the direction of the board of commissioners and in conformity with the charter and municipal code provisions establishing the city's personnel system. The city manager may adopt administrative policies and procedures not in conflict with these provision that supplement or augment the established policies. As part of this administration, the city manager shall establish the personnel function and may delegate to the head of this function responsibility for administering various procedural and technical phases of the personnel program.

Amendments to these personnel policies and procedures shall be made in accordance with the procedure herein. This is not an employment contract. This document is a statement of current policies, practices, and procedures. No provision of these personnel policies and procedures shall be deemed to give employees any more property rights in their jobs than may already be given by the charter. The city reserves the right to alter or change any or all these personnel policies and procedures without prior notice to employees.

E. EQUAL EMPLOYMENT OPPORTUNITY

It is the policy of the city to not discriminate on the basis of race, color, religion, gender or gender identity, age, national origin, disability, military status, communication with elected public officials, free speech, refusing to participate in or remain silent about illegal activities exercising a statutory constitutional right or any right under clear public policy, political affiliation, genetic information or any other basis protected by law in its hiring and employment practices, or in admission to, or operation of its programs, services, and activities.

F. AMERICAN'S WITH DISABILITIES POLICY (ADA/ADAAA)

The city is committed to the fair and equal employment of individuals with disabilities under the American with Disabilities Act (ADA). It is the policy of the city to provide reasonable accommodation to individuals with disabilities who are qualified for the job in question unless the accommodation would impose an undue hardship on the organization. The city prohibits any harassment of, or discriminatory treatment of, employees based on a disability or because an employee has requested a reasonable accommodation.

In accordance with the ADA as amended, reasonable accommodations will be provided to qualified individuals with disabilities to enable them to perform the essential functions of their jobs or to enjoy the equal benefits and privileges of employment. This policy applies to all applicants for employment and all employees.

Disability

“Disability” refers to a physical or mental impairment that substantially limits one or more of the major life activities of an individual. A “qualified person with a disability” means an individual with a disability who has the requisite skills, experience, and education for the job in question and who can perform the essential functions of the job with or without reasonable accommodation.

Reasonable Accommodation

The city will seek to provide reasonable accommodation for a known disability or at the request of an individual with a disability in writing. Many individuals with disabilities can apply for jobs and perform the essential functions of their jobs without any reasonable accommodations. However, there are situations in which a workplace barrier may interfere. A “reasonable accommodation” is any change or adjustment to the job application process, work environment, or work processes that would make it possible for the individual with a disability to perform the essential functions of the job.

There are three types of reasonable accommodation that may be considered:

- Changes to the job application process so that a qualified applicant with a disability will receive equal consideration for the job opportunity.
- Modifications to the work environment so that the qualified individual with a disability can perform the essential functions of the job.

- Adjustments that will allow a qualified individual with a disability to enjoy the same benefits and privileges of employment as other similarly situated employees without disabilities.

Essential Job Functions

For each position, the job description typically will identify essential job functions. Human resources generally will review job descriptions on a periodic basis to evaluate job functions designated as essential. An employee's questions about a job's requirements should be directed to the employee's supervisor or manager, or human resources.

Requesting a Reasonable Accommodation

An employee with a disability is responsible for requesting an accommodation from the human resource director, or his or her supervisor, and engaging in an informal process to clarify what the employee needs and to identify possible accommodations. The city will provide notice of the employee's rights under the ADA and document the interactive process discussions. If requested, the employee is responsible for providing medical documentation regarding the disability.

The employee should describe the problem created by a workplace barrier so that an appropriate accommodation may be considered. Typically, human resources will work with the employee to identify possible reasonable accommodations and to assess the effectiveness of each in allowing the employee to perform the essential functions of the job.

Based on this interactive process, a reasonable accommodation will be selected that is appropriate for both the city and the individual employee. While an individual's preference will be considered, the city is free to choose between equally effective accommodations with consideration toward expense and impact on the organization.

A request for a reasonable accommodation may be denied if it would create an undue hardship for the city. The city will provide notification in writing of the denial based on undue hardship. Factors to be considered when determining whether an undue hardship exists include the cost of the accommodation, the organization's overall financial resources, the financial resources of the facility at which the accommodation is to be made, the number of employees at the facility, the total number of employees of the organization, and the type of operation.

Safety

All employees are expected to comply with all safety procedures. The city will not place qualified individuals with disabilities in positions in which they will pose a direct threat to the health or safety of others or themselves. A "direct threat" means a significant risk to the health or safety of oneself or others that cannot be eliminated by reasonable accommodation. The determination that an individual with a disability poses a direct threat typically will be made by human resources and will be based on factual, objective evidence. A written copy of the determination will be given to the employee so that he or she may submit additional information and/or challenge the determination that he or she poses a direct threat.

Confidentiality

All information obtained concerning the medical condition or history of an applicant or employee will be treated as confidential information, maintained in separate medical files, and disclosed only as permitted by law.

Complaint Procedure

It is the policy of the city to prohibit any harassment of, or discriminatory treatment of, employees based on a disability or because an employee has requested a reasonable accommodation. If an employee feels he or she has been subject to such treatment or has witnessed such treatment, the situation should be reported using the harassment complaint procedure. City policy prohibits retaliation against an employee for exercising his or her rights under the ADA or applicable state fair employment laws. Any employee found to have engaged in retaliation against an employee for exercising his or her rights or for making a request for reasonable accommodation under this policy will be subject to disciplinary action up to and including discharge. If an employee feels he or she has been retaliated against, the situation should be reported using the harassment complaint procedure.

SECTION II - DEFINITIONS

As used in these personnel policies and procedures, the following words and phrases shall have the meanings respectively ascribed to them by this section:

Active Employee – A current employee, either regular, probationary or temporary/seasonal, who reports for duty as assigned or is on any of the following types of leave: leave with pay, family and medical leave, maternity leave, military leave with pay, work-related injury leave and/or suspension with pay.

Absence with Pay - A known absence from duty which has been approved by the supervisor and/or department head, and for which compensation is received

Absence without Pay - An absence which may or may not have been known and may or may not have been approved. This could have resulted from suspension, abandonment of position or leave without pay.

Alcohol – The intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohols, including methyl and isopropyl alcohol.

Alcohol Use - The consumption of any beverage, mixture, or preparation, including any medication containing alcohol.

Americans with Disabilities Act (ADA) - Federal law protecting the civil rights of those who have physical or mental disabilities by guaranteeing equal opportunity for individuals with disabilities in public accommodations, employment, transportation, state and local government services, and telecommunications.

Appeal - An application for review of a disciplinary action, submitted or instituted by an employee to a higher authority.

Applicant - An individual who has completed an application for employment with the city; any person who has, on file, an application for employment or any person who is otherwise being considered for employment with the city, including any current employee who has completed an application for promotion or transfer.

Application - A form or forms which are prescribed by the city manager in applying for positions with the city.

Appointment - The offer to and acceptance by a person of a position of employment, either on a regular, part-time, or temporary basis.

Bereavement Leave –Leave with pay that is granted, if authorized, to an eligible full-time employee following the death of any member of the employee’s immediate family. (In the event of the death of any member of the employee’s extended family, see funeral leave). Bereavement leave is 3 working days or shifts of leave with pay that may be utilized only between the date of death and the date of burial or memorial (inclusive).

Break-in-service - Any separation from the service of the City, whether by resignation, layoff, dismissal, unsatisfactory service, disability, retirement, or unauthorized absences of three days or more without leave. Authorized leaves and authorized leaves of absence without pay shall not be considered as constituting a "break-in-service."

Breath Alcohol Technician (BAT) - An individual who instructs and assists individuals in the alcohol testing process and operates an evidential breath testing device (EBT).

Certification - Endorsement as meeting the required minimum standards for a vacant position.

Chain-of-custody - Refers to proving that the blood or urine specimen or sample that tested positive for drugs or alcohol is the specimen or sample from the employee said to have produced it. The method of tracking each blood or urine specimen or sample to maintain control from initial collection to final disposition with accountability at each stage of handling, testing, storing, and reporting.

Charter – The legislative act enacted by the general assembly of the State of Tennessee incorporating, establishing, and organizing the City of Mount Pleasant, Tennessee, as a municipal body politic and corporate in perpetuity.

City – The municipal government of the City of Mount Pleasant, Tennessee, itself a municipal corporation established and operated pursuant to its charter as amended.

City Commission – The governing legislative body of the city, composed of the mayor and four commissioners elected as provided for in the charter, and any incumbent thereof until the expiration of his or her current term of office.

City Manager – The chief administrative officer of the city, appointed by the City Commission.

Class - A group of positions that are sufficiently alike in general duties and responsibilities to warrant the use of the same title, specifications, and pay range.

Classification - The act of grouping positions into classes regarding: (1) duties and responsibilities; (2) educational and training requirements, experience, knowledge, skill, and ability; (3) test of fitness; and (4) pay ranges. Classification allows an arrangement of positions whereby equal pay is given for substantially equal responsibility and authority.

Classification Plan - The official or approved system of grouping positions into appropriate classes consisting of: (1) an index to the classification; (2) the classification itself.

Classified Service - The classified service shall include all positions in the City service except those listed under non-classified service.

CMV - Commercial Motor Vehicle; any vehicle or combination of vehicles meeting the following criteria: weighing more than 26,000 pounds; designed to transport more than 15 passengers; transporting hazardous materials required by law to be placarded, regardless of weight; and/or classified as a school bus.

COBRA - The Consolidated Omnibus Budget Reconciliation Act that requires employers to offer extended health care benefits in the event of a qualifying event.

Code – The codification of certain adopted municipal ordinances of the city that are of a general and permanent nature.

Collection Site - A place where applicants or employees present themselves to provide a specimen or sample that will be analyzed for the presence of drugs and/or alcohol; may also include a place for the administration of a breath analysis test.

Collection Site Personnel - A person who instructs donors at the collection site.

Commercial Driver's License (CDL) - Required of anyone (not including, among others, firefighters who meet approved training standards and while operating authorized emergency vehicles) who drives a vehicle, of a GVWR greater than 26,000 pounds or who carries 16 or more passengers, or any size vehicle used in the transportation of hazardous materials.

Compensation - The standard wage and salary pay rates that have been established for the prospective classes of work as set forth in the pay plan.

Compensation Plan - The official schedule of pay approved by the governing body, assigning one or more pay rates to each class title.

Compensatory Leave - Leave with pay in lieu of monetary payment for overtime worked by employees, a non-exempt status, from the overtime provisions of the FLSA. Compensatory leave shall be provided at the rate of one and one-half (1-1/2) times the actual time worked.

Computer Resources – Refers to the city's computers, electronic equipment, and its entire computer network.

Confirmation Tests - For alcohol testing, a confirmation test means a second test following a screen test with a result of 0.02 or greater that provides quantitative data of alcohol concentration. For controlled substances, a confirmation test means a second analytical procedure that is independent of the screen test and that uses a different technique and chemical principle from that of the screen test to ensure reliability and accuracy with identifying the presence of a specific drug or metabolite. For these purposes, gas chromatography/mass spectrometry (GC/MS) is the only authorized confirmation method for cocaine, marijuana, opiates, amphetamines, and phencyclidine.

Confirmed Positive Result - The presence of an illicit substance in the pure form or its metabolites at or above the cutoff level specified by the National Institute of Drug Abuse identified in two consecutive tests that utilize the same sample but different test methods and that was not determined by the appropriate medical, scientific, professional testing, or forensic authority to have been caused by an alternate medical explanation or technically insufficient data. An EBT result equal to or greater than 0.02 is considered a positive result.

Continuous Service - Employment without interruption except for absences on approved leaves or absences to serve in the United States armed forces.

Demotion - Assigning an employee from one position to another that has a lower maximum pay rate and a lower rank and/or level of responsibility.

Department - The primary organizational unit under the immediate charge of a department head who reports directly to the city manager.

Department Head - The director or chief of a department who is appointed by the city manager.

DHHS - The Department of Health and Human Services.

Disciplinary Action - A method of reprimanding employees for violations of the rules, policies, or procedures and/or for unsatisfactory performance.

Dismissal - A type of disciplinary action resulting in the separation from employment from the city for cause.

DOT - The Department of Transportation.

Driver - Refers to any person who operates a commercial motor vehicle. This includes, but is not limited to full-time, regularly employed drivers; casual, intermittent, or occasional drivers; leased drivers and independent, owner-operator contractors who are either directly employed by or under lease to an employer or who operate a commercial motor vehicle at the direction of or with the consent of an employer. For pre-employment/pre-duty testing only, the term "driver" includes a person applying to an employer to drive a commercial motor vehicle.

EAP - Employee Assistance Program.

Earned- Leave time that an employee has been awarded by time of service (vacation, bonus sick and birthday)

Eligible Applicant - A person who has successfully met requirements for a particular employment class.

Emergency Appointment - An appointment made when an emergency arises, and time will not permit compliance with the personnel appointment procedures.

Employee – An individual, belonging to any of the following categories, who is selected to perform the work of a position. An individual who is currently and legally employed by the city and is compensated through the city payroll for services rendered. Individuals or groups compensated on a fee basis are not employees.

Employee Development - Providing the training programs and opportunities for employees to meet the skills and knowledge requirements needed to carry out their responsibilities.

Employee Evaluation - The system of assessing the quality and quantity of an employee's performance.

Evidential Breath Testing (EBT) - Evidential Breath Testing used to detect alcohol usage; an instrument approved by the National Highway Traffic Safety Administration (NHTSA) for the evidential testing of breath and placed on NHTSA's "Conforming Products List of Evidential Breath Measurement Devices."

Examination - The process of testing, evaluating, or investigating the fitness and qualifications of applicants and employees.

Exempt Employee – An employee who is exempt from the overtime provisions of the Federal Fair Labor Standards Act, including salaried executive, administrative, professional, and certain other employees.

Extended Family – For purposes of funeral leave, refers to any current or former natural, step or adoptive relative of the employee or the employee's current or former spouse not defined herein as immediate family for bereavement leave purposes.

Exit Interview – A final formal meeting between management and an employee leaving the city. It is used as a learning opportunity for the executive concerned who seeks candid views on work related problems. Any information that may improve future working conditions in the city is always welcome.

Fair Labor Standards Act (FLSA) - Federal legislation which sets minimum wage, overtime pay, equal pay, record keeping, and child labor standards for employees who are covered by the act and are not exempt from specific provisions thereof.

Family and Medical Leave - Leave that is granted to an eligible employee that runs while and after using any previously accrued sick leave, vacation leave and compensatory leave, for a period of time not to exceed twelve (12) weeks for family and/or medical leave, pursuant to the Federal Family and Medical Leave Act.

Family and Medical Leave Act (FMLA) - Federal legislation which provides for the excused absence with or without pay, while or after using sick and vacation leave, for a period not to exceed twelve (12) weeks for family and/or medical leave.

Family and Medical Leave Eligible Employee – For purposes of Family and Medical Leave, eligible employees are those who have been employed for at least 12 months, who have provided at least 1,250 hours of service during the 12 months before Family and Medical Leave is requested, and who work at a work site where at least 50 employees are on the payroll (either at that site or within a 75-mile radius).

FHWA - The Federal Highway Administration.

Fixed Holiday Leave – Leave that is granted to each active employee upon the observation of fourteen (14) city recognized holidays. In the case of active employees who are both full-time and either regular or probationary, fixed-holiday leave is leave with pay; otherwise, fixed-holiday leave is approved leave without pay.

Full-Time Employee – An employee, either regular, probationary, or temporary/seasonal, who is normally and regularly scheduled to work 40 or more hours per workweek or, (and only) in the case of shift personnel of the Fire Department, 212 or more hours per 28-day tour of duty. In the case of shift personnel of the Police Department, 86 hours per two-week pay period.

Funeral Leave – Leave with pay that is granted, if authorized, to an eligible full-time employee following the death of any member of the employee's extended family. (In the event of the death of any member of the employee's immediate family, see bereavement leave.) Funeral leave is 1 working day or shift of leave with pay that may be utilized only on the date of burial or memorial service.

Governing Body - The City Commission of the City of Mount Pleasant.

Grievance - An employee's feeling of dissatisfaction, and any differences, disagreements, or disputes arising between an employee and his/her supervisor and/or other employees regarding some aspect of employment, application or interpretation of regulations and policies, or some management decision affecting the employee. A grievance can be something real, alleged, or a misunderstanding concerning the policies and procedures or administrative order involving the employee's health, safety, physical facilities, equipment, or material used, employee evaluation, promotion, transfer, layoff, recall, and any other related item.

Harassment - Persistent or egregious mistreatment of another individual, especially those actions and behaviors that affect employment decisions, create a hostile work environment, cause distractions, or unreasonably interfere with work performance.

- **Physical Harassment** – Any physical assault, such as hitting, pushing, kicking, holding, impeding or blocking the movement of another person, all of which is prohibited.
- **Sexual Harassment** – Actions and behaviors identified in these policies and procedures which are unlawful employment practices and are absolutely prohibited by the City when they affect employment decisions, create a hostile work environment, cause distractions, or unreasonably interfere with work performance...
- **Verbal Harassment** – Verbal threats toward persons or property; the use of vulgar or

profane language directed towards others; disparaging or derogatory comments or slur; offensive flirtations or propositions; verbal intimidation, exaggerated criticism, or name-calling; spreading untrue and malicious gossip about others; all of which is prohibited.

- **Visual Harassment** – Derogatory or offensive posters, cartoons, publications, or drawings, all of which is prohibited.

Health Care Provider –

- Doctor of Medicine or osteopathy authorized to practice medicine or surgery by the state in which the doctors practice.
- Podiatrists, dentists, clinical psychologists, optometrists, and chiropractors (limited to manual manipulation of the spine to correct a subluxation as demonstrated by X-ray to exist) authorized to practice, and performing within the scope of their practice, under state law.
- Nurse practitioners, nurse-midwives and clinical social workers authorized to practice, and performing within the scope of their practice, as defined under state law.
- Christian Science Practitioners listed with the First Church of Christ, Scientist in Boston, Massachusetts.
- Any health care provider recognized by the City or the City’s group health insurance plan.

Human Resource Department - The department of the city responsible for employee personnel management, under the direction of human resources.

Human Resource Director – The director of the human resource department who, under the direction of the city manager, oversees the personnel management function for the city.

Immediate Family -

- For purposes of bereavement leave, refers to any one or more of the following: the employee’s current spouse; and the following natural, adoptive and current step relatives of the employee or the employee’s current spouse: children, children’s spouses (children-in-law), grandchildren, great-grandchildren, siblings, siblings’ spouses (siblings-in-law), parents, grandparents, great-grandparents, and other adults who had day-to-day responsibility for caring for the employee for a substantial portion of his or her childhood in place of his or her natural parents.
- For purposes of interpreting the city’s nepotism policy, immediate family refers to any one or more of the following: the employee’s current spouse; and the following natural, adoptive and current step relatives of the employee: children, siblings and parents.
- For purposes of the Family Medical Leave Act (FMLA), immediate family includes spouse, son, daughter, parent, or next of kin.

Inactive Employee – An employee whose employment has not been terminated and yet is not currently rendering any services to the employer.

Inclement Weather Leave – Leave without pay that is granted, if authorized and approved by the employee’s department head, to each active employee for inclement weather.

Initial Test - In drug testing, an immunoassay test to eliminate negative urine specimens from further analysis. In alcohol testing, an analytic procedure to determine whether an employee may have a prohibited concentration of alcohol in a breath specimen.

Job Description - A written explanation of one position or several very similar positions that includes a title, a definition of responsibilities and essential functions, examples of duties, and the minimum required qualifications.

Jury Duty Leave – Leave with pay that is granted, upon advance receipt by the employee's department head of a copy of that employee's official jury duty summons, to an eligible full-time employee for jury duty service.

Layoff - The involuntary, non-disciplinary separation of an employee from a position due to a shortage of funds or work, abolishing a position, other material changes in the duties or organization, or for related reasons that are outside the employee's control and that do not discredit the service of the employee.

Leave - An authorized absence from City duty during regularly scheduled work time that has been approved by the employee's supervisor or department head. Leave may be authorized with or without pay as provided for by these personnel policies and procedures.

Maternity Leave – Leave that is granted to an eligible employee while and after using any previously accrued sick leave, vacation leave and compensatory leave, for a period not to exceed four (4) months for the purpose of pregnancy, childbirth, and nursing the infant, pursuant to the Tennessee Maternity Leave Act. The employee shall be required to exhaust all accumulated leave with pay prior to taking any leave without pay during maternity leave. Any maternity leave (whether with or without pay) shall simultaneously be considered and treated as family and medical leave to the extent such leave is and remains available to that employee.

Medical Review Officer (MRO) - A licensed health care provider with knowledge of substance abuse disorders whom the city selects and who evaluates and interprets for the city the results of substance abuse tests.

Military Leave - Leave with or without pay that is granted employees who are members of any reserve component of the armed forces of the United States, including members of the Tennessee Army and Air National Guard, without loss of time, rate of pay, previously accumulated vacation leave, or any other rights or benefits to which otherwise entitled, for all periods of military service during which they are engaged in the performance of duty or training in the service of this state, or of the United States, under competent orders.

Negative Result - The absence of an illicit substance in the pure form or its metabolites in sufficient quantities to be identified by either an initial test or confirmation test.

Nepotism - Favoritism shown to relatives by reason of familial relationship rather than merit.

NHTSA - National Highway and Traffic Safety Administration.

Non-Classified Service - The non-classified service shall include the elected officials of the city, and those individuals who serve at the pleasure of the elected officials who appointed them to their positions, including: members of appointed boards and commissions; the city manager, the city attorney; the city judge; people employed as consultants, advisers or legal counsel rendering professional services; and independent contractors.

Non-Exempt Employee – An employee who is covered under the overtime provisions of the Federal Fair Labor Standards Act, including hourly employees.

Occupational Disability or Injury Leave - An excused absence from duty because of an injury or illness sustained in the course of employment and determined to be compensable under the provisions of the Workers' Compensation Law.

On Call - Being available to report for work during off hours for a designated period.

Overtime -Time worked or earned by an employee exceeding regular working hours or work period. Generally, overtime is paid for all hours worked over 40 during the work week. Public Safety employees may be required to work schedules greater than 40 hours before overtime pay is paid.

Overtime Pay - Compensation paid to an employee for overtime work performed as outlined in the handbook

Part-Time Employee – An employee, either regular, probationary, or temporary/seasonal, who is normally and regularly scheduled to work no more than 29 hours per workweek.

Pay Period –The regular and recurring period scheduled to begin and end at 11:59pm on designated Sundays. Pay periods are two (2) weeks in duration subject to shift schedule.

Pay Plan – The official schedule of pay approved by the city commission, assigning one or more pay rates to each class title. A written plan that places every job description in a pay grade according to the knowledge, skills, and abilities required to perform that job.

Pay Range – One or more specific pay rates having a percentage relationship to one another assigned to a class of positions as the compensation for that class.

Pay Rate - A specific dollar amount, expressed as either an annual rate, monthly rate, or hourly rate.

Pension - The monthly compensation received due to retirement from a city position based on service, age or disability.

Performance Appraisal/Evaluation – Is a constructive process to acknowledge the performance

of a non-probationary career employee. Shall be sufficiently specific to inform and guide the employee in the performance of his/her duties.

Personnel – Employees of the City of Mount Pleasant.

Position - A group of duties and responsibilities assigned to one employee. A position can be vacant or occupied.

Probationary Employee – An employee, either full-time or part-time but not temporary/seasonal, who has not yet successfully completed a one (1) year probationary period of employment with the city for the position to which he or she has been originally appointed.

Promotion - Assigning an employee from one position to another that has a higher maximum pay rate, a higher rank and/or level of responsibility.

Qualifications - The minimum educational, experience, and personal requirements that must be fulfilled by a person prior to an appointment or promotion.

Random Drug Testing – A method of selection of employees for testing, performed by an outside third party. The selection will result in an equal probability that any employee from a group of employees will be tested.

Reclassification - The process of reviewing the duties and responsibilities of an existing position(s) in order to revise the job description to which the position(s) is assigned or moving a job description from one pay grade to another pay grade.

Records – All documents maintained on each employee, in the human resources department and the employee's department of employment, such as the human resources files, attendance records, records of disciplinary actions, counseling records, pay records, training accomplishments, etc.

Refusal to Submit - (to an alcohol or controlled substances test) means that an employee subject to an alcohol or controlled substance test (1) failed to provide adequate breath for testing without a valid medical explanation; (2) failed to provide an adequate urine specimen or sample for controlled substance testing without a valid medical explanation; or (3) engages in conduct that clearly obstructs the testing process.

Regular Employee - An employee, either full-time or part-time but not temporary/seasonal, who has successfully completed a one-year trial employment period of employment with the city for the position to which he or she has been appointed.

Regular Service - The regular service shall include all positions in the city service except those listed under exempt service.

Reprimand - A type of oral or written disciplinary action denoting a violation of personnel policies and procedures or departmental regulations, written documentation of which becomes part of the employee's personnel record.

Reserve Police Officer – A volunteer recommended by the Chief of Police and appointed by the City Manager. Reserve police officers receive no compensation and no other benefits or remuneration of any kind except coverage under the Special Reserve Police Insurance Coverage Policy, uniforms, and workers' compensation insurance.

Resignation – The voluntary separation of employment from the city initiated by the employee.

Retirement- Voluntary withdrawal from city employment by an employee eligible to receive retirement benefits under Social Security or retirement plan.

Retirement Benefits- Benefits that are paid based upon the regulations of the retirement plan in which the employee is enrolled and any other applicable provisions that may be in effect at the time of that employee's retirement.

Retirement Inactive – Any retiring employee using accrued sick, vacation, and compensatory leave prior to official retirement date.

Safety-Sensitive Position – Any position that includes one or more functions the performance, whether proper or improper, whether negligent or not, of which could cause bodily harm or injury to any individual.

Seniority - The continuous length of service with the city as a regular employee in the regular service.

Separation - The removal of an individual from a position through either resignation, dismissal, layoff, or disability.

Separation Date - The last date an employee reports for and is engaged in work for the city.

Separation Pay - The compensation paid to a separating employee following the last workday, including wages and salaries earned during the final pay period plus all accrued and unused vacation leave and compensatory leave.

Serious Health Condition - An illness, injury, impairment, or physical or mental condition that involves either:

1. Any period of incapacity or treatment connected with inpatient care (i.e., an overnight stay) in a hospital, hospice, or residential medical care facility; or
2. A period of incapacity requiring absence of more than three calendar days from work, school, or other regular daily activities that also involves continuing treatment by (or under the supervision of) a health care provider; or
3. Any period of incapacity due to pregnancy, or for prenatal care; or
4. Any period of incapacity (or treatment therefore) due to a chronic serious health condition (e.g., asthma, diabetes, epilepsy, etc.); or
5. A period of incapacity that is permanent or long-term due to a condition for which treatment may not be effective (e.g., Alzheimer's, stroke, terminal diseases, etc.); or

6. Any absences to receive multiple treatments (including any period of recovery therefrom) by, or on referral by, a health care provider for a condition that likely would result in capacity of more than three consecutive days if left untreated (e.g., chemotherapy, physical therapy, dialysis, etc.).

Shift Personnel of the Fire Department - All personnel of the fire department who are assigned to and regularly work one of the three fire suppression shifts of the department, specifically including personnel assigned to the positions of captain, fire engineer/driver and firefighter, except those who are assigned to non-shift, administrative duties.

Shift Personnel of the Police Department - All personnel of the police department who are assigned to and regularly work one of the police patrol shifts of the department, specifically including personnel assigned to the positions of lieutenant, sergeant, or police officer, except those who are assigned to non-shift, administrative duties.

Sick Leave - Leave with pay that is accrued, and is granted, if authorized and approved by the employee's department head, to an eligible full-time employee and/or dependent for non-City-job-related sickness, illness or injury or other approved uses.

Skill Levels - A grouping of positions based on similar skills, knowledge, and ability requirements.

Split Specimen - A drug test urine specimen or sample will be divided into two parts. One part will be tested initially, the other will remain sealed, in case a retest is required or requested.

Substance Abuse Professional - A health care provider such as a licensed physician (medical doctor or doctor of osteopathy), or a licensed or certified psychologist, social worker, employee assistance professional, or addiction counselor (certified by the National Association of Alcoholism and Drug Abuse Counselors Certification Commission) with knowledge of and clinical experience in the diagnosis and treatment of alcohol and controlled substances-related disorders who is selected by the City.

Supervisor - An individual charged with the responsibility for directing the operation of a particular function or functions of the city, subject to the direction of his or her department head and, indirectly, the city manager.

Suppression Personnel of the Fire Department - All fire department personnel other than administrative, prevention and training division personnel.

Suspension - An enforced leave of absence for disciplinary purposes or pending an investigation of charges made against an employee. A suspension may be issued either with or without pay, as decided by the city manager or her/his designee.

Sworn Personnel of the Fire Department - All fire department personnel who either have been or are scheduled to be administered an oath of office for their respective position.

Sworn Personnel of the Police Department - All police department personnel who either have

been or are scheduled to be administered an oath of office for their respective position.

Temporary/Seasonal Employee - An employee, either full-time or part-time, who is appointed to a position of a temporary, seasonal, or irregular nature for a period of time neither greater than six (6) consecutive months in duration nor more than six (6) months total in any single calendar year. A temporary/seasonal employee is neither a regular nor a probationary employee.

Termination - (See “Separation”).

Time Worked - For purposes of determining overtime pay, refers to time on the job including any guaranteed minimum time for call-back and callouts, authorized vacation time taken, time out on worker’s compensation, leave with pay other than sick leave and compensatory leave during the same work period.

Transfer - Assigning an employee from one position to another position. Transfers can take place within a department, between departments, between positions of the same pay range, between positions of the same class, or between positions of different classes of equal rank and pay.

Trial Employment Period - The one (1) year period after an applicant is appointed or an employee is promoted in which the employee is required to demonstrate fitness for the position by actual performance.

Vacancy - An unfilled position of employment.

Vacation Leave - Leave with pay that is allotted upon successful completion of an employee’s probationary period and thereafter is accrued, and is granted, subject to advance scheduling approved by the employee’s department head, to an eligible full-time and regular employee for purposes of vacation or other personal uses.

Volunteer Employee – An individual who works for the city for no compensation or remuneration of any kind.

Work Period - The regular and recurring period during which compensated time is counted for purposes of determining overtime eligibility. Except for shift personnel of the fire and police departments, the work period for employees of the city is a workweek. For shift personnel of the fire department, a work period is 212 hours in duration, consisting of a 28-day tour of duty, and beginning and ending according to the fire department’s official schedule for each shift employee. For shift personnel of the police department, a work period is 86 hours per 14-day work period, beginning and ending according to the police department’s official schedule for each shift employee.

Work-Related Injury Leave – Leave resulting from an injury or illness sustained in the course of employment with the city.

Workday - The scheduled number of hours an employee is required to work per day.

Workweek - Pursuant to the FLSA, a workweek is a regular and recurring period of 168 hours consisting of seven (7) consecutive 24-hour periods. As designated by the city, a standard workweek is scheduled to begin at 12:00 am on Friday and extend to 12:00 am the following Friday.

SECTION III - CLASSIFICATION PLAN

A. PURPOSE

The classification plan, as approved by the city commission, provides a complete inventory of all positions in the City's service and an accurate description for each employment class. The plan standardizes titles, each of which is indicative of a definite range of duties and responsibilities and has the same meaning throughout the city service.

B. COMPOSITION OF THE CLASSIFICATION PLAN

The classification plan shall consist of:

1. A grouping of classes of positions that are approximately equal in difficulty and responsibility that call for the same general qualification, and that can be equitably compensated within the same range of pay under similar working conditions.
2. Class titles descriptive of the work of the class that identifies the class.
3. Written job descriptions for each class of positions.
4. Physical standards for performance of the essential duties of the position.

C. USE OF CLASS TITLES

Class titles are to be used in all personnel, accounting, budget appropriation, and financial records of the city. No person will be appointed or employed in a city position under a title not included in the classification plan. This in no way precludes the city from using a working title different from the class title.

D. USE OF CLASS JOB DESCRIPTIONS

Job Descriptions are descriptive and explanatory of the kind of work performed and not necessarily inclusive of all duties performed. Phrases or examples are not to be isolated and treated as a full definition of the class. Job descriptions are to be interpreted in their entirety and in relation to others in the classification plan.

E. USE OF THE CLASSIFICATION PLAN

The classification plan is to be used:

1. As a guide in recruiting and examining candidates for employment.

2. In determining lines of promotion and developing employee training programs.
3. In determining wages or salaries to be paid for various types of work.
4. In providing uniform job terminology understandable by all city officers and employees and by the public.

F. ADMINISTRATION OF THE CLASSIFICATION PLAN

The city manager is charged with maintaining the classification plan of the city so that it will reflect the duties performed by each employee in the service of the city and the class to which each position is allocated. It is the duty of the city manager to examine the nature of the position classes, make such changes in the classification plan as are deemed necessary by changes in the duties and responsibilities of existing positions, and periodically review the entire classification plan and recommend to the city commission appropriate changes in allocations or in the classification plan itself. The city manager may delegate any or all these duties and responsibilities to human resources.

G. ALLOCATION OF POSITIONS

Whenever a new position is established or duties of an old position change, the respective department head shall submit in writing a comprehensive job description listing in detail the duties of such a position. The city manager shall investigate, or shall cause human resource to investigate, the actual or suggested duties and shall recommend to the city commission the appropriate class allocations or the establishment of a new class. The city commission shall then consider approving such recommendations.

H. REQUEST FOR RECLASSIFICATION

Any employee who considers his/her position improperly classified shall submit his/her request to the immediate supervisor in writing who shall review the justification for the request. If the department head or supervisor, in consultation with the human resources director, finds that there is merit in the request, he/she shall transmit his/her recommendation to the city manager. If the department head/supervisor, in consultation with human resources, finds the request is not justified he/she shall advise the employee of the decision and of the employee's right to forward the request to the city manager. The city manager's decision regarding a request for reclassification shall be final and binding and may not be grieved.

SECTION IV - COMPENSATION

A. PURPOSE

The pay rates established by the city are intended to provide fair compensation for all classes in the classification plan in consideration of pay rates for other classes, general pay rates for similar employment in private establishments and other public jurisdictions in the area, cost of living data, the financial condition of the city, and other factors.

B. MAINTENANCE OF THE PAY RATES

The city manager shall from time to time make or shall cause human resources from time to time to make, comparative studies of all factors affecting the level of pay ranges and will recommend to the city commission such changes in the pay ranges as appear to be in order. Such adjustments will be made by increasing or decreasing the pay ranges. The pay rate for each employee will be adjusted in conformity with the pay range for that class as approved by the city commission.

C. USE OF PAY RANGES

Pay ranges are intended to furnish administrative flexibility in recognizing individual differences among positions allocated to the same class and to provide employee incentives.

The minimum rate established for a class is the normal hiring rate except in those cases where unusual circumstances (such as inability to fill the position at the hiring rate or exceptional qualifications of an applicant) warrant employing an individual at a higher rate in the pay range. Any department head desiring to appoint an applicant to start at a rate of pay above the minimum must submit a written justification to the city manager for approval. Written authorization from the city manager must be obtained by the human resource department before any applicant may be appointed at a starting rate of pay above the minimum for the corresponding position's pay range.

D. RATES OF PAY

The city manager shall establish, within the classification and pay plans approved by the city commission, all rates of pay paid by the city. Due consideration shall be given to duties performed, responsibilities, technical knowledge and skills required to perform the work satisfactorily, the labor market, and availability of people having the desired qualifications.

E. MINIMUM WAGES

In accordance with the FLSA, no employee, shall be paid less than the federal minimum wage unless they are expressly exempt from the minimum wage requirement by FLSA regulations.

F. ON-CALL TIME

On-call service is necessary for the proper maintenance and functioning of city services. It is the duty and responsibility of each on-call employee to be always available by electronic communication. Employees must physically be able to respond at work site within 30 minutes after receiving notice. An employee on-call who fails to respond to an emergency call within 30 minutes will be subject to disciplinary action up to and including discharge. The supervisor or lead person shall be responsible for determining which employees are on-call.

G. CALL-BACK PAY

When an on-call employee is called out, he/she shall receive two (2) hour minimum pay, or the actual time worked, whichever is greater. Subsequent callouts will be paid only for actual time worked.

H. OVERTIME

Overtime will not be worked unless essentially in the public interest or to preserve public health and safety. Overtime work must be authorized by the department head, except in case of an emergency. Department heads may adjust work schedules during the work period to minimize the number of overtime hours earned at the end of a work period.

Overtime hours earned at the end of a work period will be compensated according to the FLSA provisions at a rate of one and one-half (1½) times the employee's regular rate. At the city's discretion, overtime hours earned may be paid with compensatory time at a rate of 1½ times the hours worked in accordance with the FLSA. After a maximum of 40 hours compensatory time accumulated, the employee will be paid overtime pay, for non-police and fire employees. The work period for employee types follows:

- Non-public safety employees – A non-public safety employee, who is not exempt from the overtime provisions of the FLSA, shall earn overtime for all authorized time worked or earned more than 40 hours during the established seven-day workweek.
- Fire shift personnel – Shift personnel of the fire department, who are not exempt from the overtime provisions of the FLSA, shall earn overtime for all authorized time worked or earned more than 212 hours per 28-day work period.
- Certified police personnel – Certified police personnel, who are not exempt from the overtime provisions of the FLSA, shall earn overtime for all authorized time worked or earned more than 86 hours per 14-day work period.

Department heads, assistant department heads and other employees who are exempt from the overtime provisions of the FLSA are administratively exempt, and overtime compensation is not paid.

I. OUT-OF-RANK PAY

Out-of-rank pay is not paid except under the following circumstance and even then, must be authorized in advance by the city manager and is to discontinue upon resumption of the duties to which the employee was previously appointed and assigned:

If the city manager chooses to promote an employee on a temporary basis but for at least twenty (20) complete and consecutive workdays or shifts, or and only in the case of shift personnel of the fire department for nine (9) or more complete and consecutive shifts, to a position with higher rank and status than the position to which he/she is appointed and normally assigned, then the employee will be compensated, beginning with the first day of such temporary promotion, at a rate of pay commensurate with the duties performed and equal to the minimum rate of pay for the pay range to which the higher position is classified or his/her current rate of pay multiplied by 107%, whichever is greater, but not to exceed the maximum rate of pay for the higher position.

J. PAY PERIODS AND PAYCHECKS

All employees of the city shall be paid on a biweekly basis or on a frequency as otherwise established by the city. Questions about work time, salary, or paycheck, should be brought to the attention of the department head or to human resources, within the pay period in question or immediately thereafter. All employees are required to have their payroll checks deposited via direct deposit into the financial institution of their choice.

The city shall issue to a separating employee his or her final paycheck including separation pay by the next regular payday, or no later than 21 days following the date of dismissal or separation. In the event of the death of an active employee, the final paycheck including separation pay and the employee death benefit if applicable shall be paid to his or her designated beneficiary or the estate of the employee.

K. PAYROLL DEDUCTIONS

By law, the city is required to deduct, where applicable, from an employee's pay Federal Income Tax, Social Security Taxes, Medicare, and duly authorized garnishments. The following deductions will be made:

- 1. Federal Income Tax-** Federal taxes are withheld from employees' paychecks based on the number of dependents claimed by the employee. Employees are required to keep on file with the city a copy of the W-4 form. In the event of changes in the employee exemption status, a revised W-4 must be filed before payroll deduction adjustments will be made.
- 2. Social Security -** Social Security payroll tax withholdings will be deducted from the employees' paychecks according to the Social Security Act. The city will keep such records and make such reports as may be required by applicable state

and federal laws or regulations.

3. **Others** - Other city-authorized deductions may be made from an employee's pay only with the employee's signed consent:
 - Group health, dental and vision insurance premiums.
 - Individual life and medical insurance premiums.
 - Pension plan contributions.

L. LONGEVITY PAY

The city has a longevity pay plan that provides annual payments to active employees who are full-time and regular as a reward for this service to the city. Qualifying employees begin participating in the program after three years of full-time service. Longevity pay is paid annually and is calculated at the rate of \$100.00 for each year of eligible service, retroactive to the first year of such service. The cap for longevity pay is \$2,000.00.

Longevity payments are made by a separate payroll check and are distributed by the end of November each year. The dollar value of longevity pay is considered wage or salary compensation for purposes of calculating income taxes and retirement.

SECTION V - EMPLOYMENT

A. APPLICATIONS

The city will make every effort to attract qualified applicants for various types of positions. In so doing, the city manager, or his/her designee, shall prepare and publicize vacancies when they occur. Notice of vacancies may be posted in city hall, published in the newspaper, or distributed to other media as the city manager may determine is appropriate to provide notice of the vacancy to as many qualified persons as possible. Notices of promotional opportunities will be posted in locations where eligible employees will likely see the notice. The city manager shall also provide notice of vacancies in alternate media, including taped messages, radio announcements, or other methods as appropriate to ensure effective communication to someone with disabilities.

All employment applications are received at city hall by the human resource department and given thorough consideration by the appropriate department head. Applications are only accepted when vacancies exist. The city exercises a policy of fairness to every person who applies for work and, in cooperation with the supervisor involved, is responsible for properly selecting and placing people in various city departments. The city manager will make reasonable accommodations in the application process to applicants with disabilities making a request for such accommodations.

An applicant may be removed from consideration if he/she:

- Declines an appointment when offered.
- Cannot be located by the postal authorities (it shall be deemed impossible to so locate an applicant when a communication mailed at the last known address is returned unclaimed).
- Fails to undergo a post-offer/pre-employment drug test that produces a verified negative drug screen result.
- Is currently using narcotics, or his/her excessive use of intoxicating liquors will pose a direct threat to the health and safety of others.
- Has made a false statement of material fact or had omitted material information from, his or her employment application.
- Does not file the application within the period specified in the application/examination announcement or does not use the prescribed form or uses a different format than allowed as a reasonable accommodation.
- Does not possess the minimum qualifications as indicated by the job description.
- Was previously employed by the city and was terminated for cause or resigned not in good standing.

B. RECRUITMENT BY EXAMINATION

All appointments shall be made according to merit and fitness and may be subject to competitive examination. All such examinations shall fairly and impartially test those matters relevant to the capacity and fitness of the applicant to efficiently discharge the duties of the position to be filled.

C. TYPES OF EXAMINATIONS

The pre-employment examinations held to establish eligibility and fitness for any position may consist of one or more of the following parts as determined by the city manager. The city manager will make reasonable accommodations in the examination process to disabled applicants requesting such accommodations.

- 1. Written Test** - This part, when required, shall include a written demonstration designed to show the applicant's knowledge, skill, and ability for the position to which he/she is seeking appointment.
- 2. Oral Test** - This part, when required, shall include a personal interview where the ability to deal with others, to meet the public, and/or other personal qualifications are to be evaluated. An oral test may also be used in examinations where a written test is unnecessary or impractical or as a reasonable accommodation to someone unable to take a written test due to a disability.
- 3. Performance Test** - This test, when required, shall involve performance tests to aid in determining the ability and manual skills of applicants to perform the work involved. The performance test may be given a weight in the examination process or may be used to exclude from further consideration applicants who:
 - a. Cannot perform the essential functions of a specific position due to a disability that cannot reasonably be accommodated.
 - b. Pose a direct threat to themselves or others.
 - c. Are unable to perform the essential functions of a specific position due to a temporary condition or disability not protected by the ADA.
- 4. Physical Agility/Ability Test** - When required, this consists of job-related tests of bodily conditioning, muscular strength, agility, and physical fitness of job applicants for a specific position. This test may be given a weight in the examination process or may be used to exclude from further consideration applicants who do not meet the minimum required standards.
- 5. Psychological Test** - When required, this shall include any test to determine mental alertness, general capacity of the applicant to adjust his/her thinking to

new problems, or to ascertain special character traits and attitudes.

6. **Pre-employment/Post-Offer Drug Test** - Pre-employment/post-offer drug testing shall be required of all applicants to whom a conditional offer of employment is made, and such testing must produce a verified negative drug screen result before such applicants shall be permitted to commence employment with the city. Job applicants will be denied employment with the city and any conditional offer of employment will be rescinded if their pre-employment drug test results have been verified by the city's medical review officer (MRO) as positive or if they refuse to submit to a pre-employment test for drug abuse.
7. **Medical Examinations** – See “Medical Examinations” below.

D. RESIDENCY

Individuals shall be recruited from a geographic area as wide as necessary to assure obtaining well-qualified applicants for the various types of employment positions. Recruitment, therefore, shall not be limited to residents of the city. There is no residency requirement for the city's employee workforce (as a whole).

All applicants for positions that require the potential for call-back to respond to emergency situations (police, fire, and certain public works and utilities positions), shall be required to live within an area that allows them to report to city hall or their work location within 30 minutes of call-back. If such applicants live outside this area, they must, as a condition of employment, agree in writing to relocate within the area before completing the trial employment period. Failure to comply with a relocation agreement shall be cause for termination, without any right of appeal, at the end of the employee's trial employment period. Cases involving extreme hardship or other good and sufficient reasons making relocation impracticable for an applicant may be referred to the city manager for appeal of the residency requirement. In response to such an appeal, the city manager may grant a waiver of the residency requirement if he/she determines that such a waiver is in the best interest of the city.

E. MEDICAL EXAMINATIONS AND GENERAL PHYSICALS

1. **Pre-employment** - Following a conditional offer of employment, every prospective employee may be required to undergo a medical examination conducted by a licensed health care provider designated by the city. Human Resources will assist all prospective employees in scheduling these medical examinations and related test. This exam will focus on whether prospective employees can perform the essential functions of the position offered and will serve as a general physical overview. The cost of this medical examination shall be borne by the city. Prospective employees who are unable to successfully perform the essential functions tested for in the medical examination shall have their offer of employment by the city withdrawn only if they:

- a. Cannot perform the essential functions due to a disability that cannot reasonably be accommodated.
- b. Pose a direct threat to themselves and/or others.
- c. Are unable to perform the essential functions due to a temporary condition or disability not protected by the ADA.

2. Post-employment - All employees of the city may, during their employment, be required by their department head, with the approval of the city manager, to undergo periodic medical examinations conducted by a health care provider selected by the city to determine their physical and mental fitness to continue to perform the essential functions of their positions. This periodic examination shall be at no expense to the employee. The determination of physical or mental fitness will be made by a physician designated by the city.

When a city employee is reported by the examining physician to be physically or mentally unfit to perform work in the position for which he/she is employed, the employee may, within ten (10) days from the date of his/her notification of such determination, indicate in writing to human resources, his/her intention to submit the question of his/her physical or mental unfitness to a physician of his/her own choice at his or her own expense.

In the event there is a difference of opinion between the examining health care provider designated by the city and the health care provider chosen by the employee, then the opinion of the healthcare provider selected by the city shall prevail.

Employees determined to be physically or mentally unfit to continue in their positions may make a request to the city manager for leave without pay, after exhausting all other leave that is available to them, to achieve fitness to return to duty. The decision of the city manager to grant or deny leave without pay, and the period granted, if any, are not grounds for grievance.

An employee may be demoted or dismissed from the city service after it has been determined that they:

- a. Cannot perform the essential functions due to a disability that cannot reasonably be accommodated.
- b. Pose a direct threat to themselves and/or others.
- c. Are unable to perform the essential functions due to a temporary condition or disability not protected by the ADA.

F. MINIMUM AGE

The FLSA requires that employees of state and local governments be at least 16 years old for most non-farm jobs and at least 18 years old for non-farm jobs declared hazardous by the Secretary of Labor. No person shall be appointed to serve in the police department as sworn personnel who is less than twenty-one (21) years of age. No person shall be appointed to the suppression personnel of the fire department who is less than eighteen (18) years of age.

G. TYPES OF EMPLOYEES

- 1. Regular Full-time Employee** - A regular full-time employee is an employee who is scheduled to work a minimum of 40 hours per week, is paid either an hourly rate or annual salary, is subject to all conditions of employment, and receives all benefits offered by the city unless specifically excluded by the city charter, code, or ordinance. Regular full-time employees serve a one (1) year trial employment period, during which time they may be dismissed without recourse. Nothing in this policy is to be interpreted as giving employees any more property rights in their jobs than may already be given by the City Charter.
- 2. Regular Part-time Employee** - A regular part-time employee is an employee who works on a regular basis and whose hours do not exceed 29 hours per week, on average, unless approved by the city manager. Regular part-time employees are not eligible for city benefits.
- 3. Seasonal Employee** - A seasonal employee is a compensated employee not designated as regular full-time or regular part-time. Seasonal employees are not eligible for city benefits.
- 4. Volunteer Employee** - A volunteer is an individual who works for the city and is neither compensated nor eligible for city benefits. The city may provide a stipend or other de minimis form of consideration in its discretion.
- 5. Volunteer Police Reserve** - Reserve officers are volunteers recommended for appointment by the police chief and appointed by the city manager. Reserve officers are neither compensated nor eligible for city benefits, except insurance coverage under the Special Reserve Police Insurance Coverage Policy. The city may provide a stipend or other de minimis form of consideration in its discretion.
- 6. Temporary Employee** - Department employee who is **FLSA** exempt and works less than 1000 hours in a calendar year; receives the same hourly rate of pay for all hours worked in a workweek, regardless of the total hours worked; and does not accrue benefits.

H. APPOINTMENTS, PROMOTIONS, DEMOTIONS, AND TRANSFERS

Pursuant to the City Charter, the city manager has the authority to appoint, promote, demote,

transfer, suspend, and remove all employees. All vacancies in the city shall be filled by original appointment, re-employment, promotional appointment, provisional appointment, transfer, or demotion. Whenever a department head wishes to fill a vacancy, a personnel requisition must be completed and submitted to human resources. Testing may be required by the department as part of the process of filling vacancies, including for voluntary demotions and transfers.

1. **Appointments**

Appointments to positions with the city are as follows:

- a. **Original Appointments** - When a non-employee passes all the tests of employability and is offered conditional employment. Immediately after an applicant is first appointed to any position of employment of the city, there follows a one (1) year trial employment period during which the employee is required to demonstrate fitness for the position by actual performance, and during which the employee may be dismissed without recourse. The city manager may authorize an extension of the trial employment period.
- b. **Student Appointments** - Students majoring in a field of value to the city from a qualified cooperating educational institution may be employed on an "internship" basis for a period not to exceed 12 months. The appointment must be approved by the city manager.

2. **Promotions**

A promotion is assigning an employee from one position to another that has a higher maximum pay rate, higher rank, and level of responsibility. Vacancies in positions above the lowest rank in any category in the regular service shall be filled as far as practical by promoting employees. Promotions in every case must involve a definite increase in duties and responsibilities and shall not be made merely for the purpose of effecting an increase in compensation.

Only regular employees who have completed a minimum of twelve (12) months of service in their current position are eligible to seek a promotion to another position in any department other than the one in which they currently work. When an employee in one classification is promoted to a position in another classification and the employee's current pay rate is less than the minimum rate for the new position, the employee's salary shall be raised to that minimum rate. When the employee's salary falls above the new minimum rate, a percentage increase as determined by the city manager may be given.

3. **Transfers**

When an employee who has completed his/her trial employment period desires to transfer from one department to another, it must be agreeable to both department heads involved and approved by the city manager. Transferring an employee from

one position to another without significant change in the responsibility level may be effective:

- a. When the employee meets the qualification requirements for the new position.
- b. If it is in the best interest of the city.
- c. If it meets the personal needs of the employee as consistent with the other requirements of this rule.
- d. As a reasonable accommodation when an employee is unable, due to a disability, to continue to perform the essential functions of the job.

An employee who transfers from one city department to another will retain and carry forward all benefits earned, accrued, or both as of the date of transfer. Generally, lateral transfers require no increase in compensation.

4. Demotions

A demotion is assigning an employee from one position to another that has a lower maximum pay rate, rank, and responsibility. An employee may be demoted for any of the following reasons:

- a. Because his/her position is being abolished and he/she would otherwise be laid off.
- b. Because his/her position is being reclassified to a higher grade, and the employee lacks the necessary skills to successfully perform the job.
- c. Because there is a lack of work.
- d. Because there is a lack of funds.
- e. Because another employee, returning from authorized leave granted in accordance with the rules on leave, will occupy the position to which the employee is currently assigned.
- f. Because the employee does not possess the necessary qualifications to render satisfactory service to the position, he/she holds.
- g. Because the employee voluntarily requests such a demotion, and it is available.
- h. As a reasonable accommodation when an employee, due to a disability, becomes unable to perform the essential functions of the job.

- i. As a form of disciplinary action.

When an employee in one classification is demoted to a position in a lower classification and the employee pay rate is higher than the minimum rate for the new position, the employee's salary shall be reduced to the classification rate. The employee remains employed at-will and nothing herein shall be construed to grant a property right to the employee.

I. CITIZENSHIP AND IMMIGRATION STATUS VERIFICATION

The city will not discriminate based on a person's national origin or citizenship status regarding recruitment, hiring, or dismissal. However, the city will not knowingly employ any person who is or becomes an illegal immigrant. In compliance with the Immigration Reform and Control Act, all employees hired after November 6, 1986, regardless of national origin, or citizenship, must provide suitable documentation to verify identity and employability. The documentation must be provided within three days of employment or else the individual's offer of employment may be withdrawn.

J. TRIAL EMPLOYMENT PERIOD

The trial employment period, or working test period, is an integral part of the examination process and shall be used for:

1. Closely observing the employee's work.
2. Securing the most effective adjustment of a new or promoted employee to his/her position.
3. Rejecting any employee whose performance does not meet work standards.

The trial employment period for all regular appointments shall be for a period of one (1) year. Department heads may request an extension of any employee's trial employment period for up to ninety (90) additional days with approval of the city manager. During the trial employment period, the employee may be removed at any time without cause or right of appeal.

During the trial employment period, the city manager will require the department head to report the observations of the employee's work and his/her judgment of the employee's willingness and ability to perform the duties assigned. During this period, the supervisor will inform the employee when his/her performance is unsatisfactory and not meeting city requirements.

A performance evaluation/appraisal will be completed at least 10 days prior to the expiration of an employee's trial employment period. At this time, the department head shall notify the city manager if the employee's service has been satisfactory and whether he/she will continue to employ the individual on an at-will basis, or whether the trial employment period should be extended. Nothing in the personnel policies and procedures document shall be deemed to give

employees any more property rights in their jobs than may already be given by the City Charter.

K. PERFORMANCE APPRAISAL/EVALUATION

The performance of all city employees will be reviewed on a regular basis using written performance evaluations. Each employee should be given a performance evaluation at the completion of his or her trial employment period by the immediate supervisor. Annually, each employee's performance should be formally reviewed by his/her immediate supervisor once the employee has served in his/her position for a minimum of one (1) year at time of evaluation at a minimum. The written evaluation will be discussed with the employee. By this means, it is intended that each employee will have adequate opportunity to correct any weaknesses that may hinder satisfactory job performance. Each written evaluation once signed by the employee will be forwarded to human resources for review by the city manager and inclusion in the employee's personnel file.

It is the responsibility of the employee's department head to ensure that employee evaluations are conducted timely and, in a manner, prescribed by human resources.

The city reserves the right to alter the terms and conditions of employment including the way performance is or is not appraised.

The city does not solely rely on the performance review process to gauge employee performance and "fit for the city". The city does recognize the value of providing employees with regular feedback. As important as these written performance appraisals are, they are not meant as substitutes for ongoing discussion between employees and their supervisors about their performance.

The department head will formally meet with each employee within the review period. During this meeting, the performance elements and associated performance standards will be discussed, established and recorded for the prior year. Goals, objectives, development plans, etc. should be established during this time for the upcoming rating period. Department heads should conduct quarterly update meeting with subordinates to track and discuss progress toward goals and objectives.

L. FIRST DAY OF EMPLOYMENT

After an applicant has been chosen to fill a job vacancy by the department head and has been approved by the city manager, the new employee shall be required to complete or provide the following documents and forms before beginning work:

1. Employee's Withholding Allowance Certificate (IRS form W-4).
2. Signed acknowledgment form from the employee handbook/personnel manual.
3. Immigration Control and Reform Act form (I-9) and photocopies of documents produced by the employee in support thereof.

4. A copy of educational certification, professional license, or certificate, if any, required per the job description.
5. Emergency telephone numbers.
6. A copy of driver's license (if the position requires driving a city vehicle).
7. List of dependents as required by Consolidated Omnibus Budget Reconstruction Act (COBRA).
8. A signed written statement acknowledging that, at the time of separation of employment, and prior to receiving final moneys due, the employee shall return to his or her department any and all assets, books, keys, manuals, records, uniforms, tools and other items of city property in the employee's care and custody, certification to this effect shall be made by the employee's supervisor or department head, and all moneys due the city because of any shortages shall be collected.

M. MOONLIGHTING/OUTSIDE EMPLOYMENT

With the approval of the city manager, employment outside of the city service is permissible, provided that there is no conflict of interest or impairment of work performance for the city and that said outside employment is not likely to reflect discredit upon or create embarrassment for the city. Before outside employment begins, employees must present a written request describing the work to be performed, and written confirmation of worker's compensation and any other appropriate insurance coverage from the other employer may be required.

Employees missing work because of sickness or injury that can be attributed to a second job will not receive pay or other normal benefits for time lost from their city job. Approval of a second job may be withdrawn at any time.

N. HOURS OF WORK/WORKWEEK

The city manager shall establish hours of work per week for each position in the regular service which shall be determined in accordance with the needs of service, and which shall take into account the reasonable needs of the public who may be required to do business with various city departments. Normally, except for the uniformed personnel of the fire and police departments, employees shall work five (5), eight (8) hour days during a workweek, for a total of forty (40) hours per week.

O. ATTENDANCE

Punctual and regular attendance is necessary for the city to operate efficiently. All departments shall keep daily attendance records of their employees, which shall be reported to the city manager as he/she may require.

Employees unavoidably late or absent from work due to illness or other causes must notify their supervisor within the guidelines established by each department, unless unusual circumstances prevent the employee from making proper notification. Employees must explain the reason for the absence and, if possible, the anticipated time and date they will return to work. Failure to notify the supervisor of an absence from duty may result in disciplinary action. An unauthorized absence for a period of three (3) consecutive working days may be considered by the department head as a resignation by the employee. Employees found to be intentionally cheating on recording time will be subject to disciplinary action up to and including immediate dismissal. Excessive tardiness is regarded as sufficient reason for dismissal.

P. NEPOTISM

No applicants for employment shall be hired and no employees shall work or be placed in positions under the direct or indirect supervision or accountability of any member of their immediate family. Spouses shall not be permitted to work within the same department.

No immediate family members of elected municipal officials shall be employed by the city.

If any two employees should be or become in violation of this nepotism policy without the specific approval of the city manager, and upon the favorable recommendation of the respective department head, then those employees shall be asked to determine which of them will transfer, if such transfer opportunity is available, within ninety (90) days to any vacant position for which the employee is qualified and which would resolve the violation. An employee who is allowed to transfer under these circumstances must meet the minimum qualifications of a vacant, budgeted position and must have had an overall satisfactory rating on the last performance evaluation. If such a transfer cannot be arranged within ninety (90) days for either of the employees, then the employees shall be asked to determine which of them will leave city employment. In the event the employees cannot decide between them who will leave, and if a transfer cannot be arranged, then the employee with the higher relative level of job-related performance for the city, as compared and determined by the city manager, shall be retained and the other shall be separated or, if the two employees had equal relative levels of job-related performance, then the employee with greater seniority shall be retained and the other shall be separated.

Q. REST BREAKS AND MEAL BREAKS

The city does not provide designated rest breaks other than meal breaks. Meal breaks are scheduled by the employee's supervisor. Meal breaks are paid for all employees. Employees should check with their department head or supervisor for more information about and to schedule their meal break.

SECTION VI - BENEFITS

A. HOLIDAYS

All offices and shops of the city, except emergency and necessary operations, will be closed and employees excused on the following legal holidays:

New Year's Day	January 1
Martin Luther King Day	Third Monday in January
President's Day	Third Monday in February
Good Friday	Friday before Easter
Memorial Day	Last Monday in May
Juneteenth	June 19
Independence Day	July 4
Labor Day	First Monday in September
Veteran's Day	November 11
Thanksgiving Day	Fourth Thursday in November
Friday after Thanksgiving	Fourth Friday in November
Christmas Eve	December 24
Christmas Day	December 25
New Year's Eve	December 31
Employee's Birthday	(Eligible after completion of 90 days of continuous service - to be used within 60 days after Birthday.)

When a legal holiday falls on Saturday it shall be observed by the city on the preceding Friday. Whenever a holiday recognized by the city falls on a Sunday, it shall be observed by the city on the following Monday. The city manager will have discretion to change days observed when a holiday falls on the weekend.

To receive compensation for a holiday, employees eligible for holiday benefits must be in a pay status (not away on leave without pay, retirement inactive, or on workers' compensation) on their last regular shift scheduled before a holiday and their first regularly scheduled shift after a holiday. It shall be the department head's responsibility to report to payroll the names, hours, and dates of employees who work holidays. This reporting shall be done as soon as possible, but in no case later than three workdays after the holiday.

B. HOLIDAY PAY

All full-time employees excused in observance of an official holiday as outlined above shall be compensated on an eight-hour basis at their regular straight-time pay rate in effect as of that date.

When an employee, except for the police and fire departments, must work on the day the city observes a holiday, he/she shall receive eight (8) hours holiday pay plus straight or overtime pay (depending on the total number of hours worked or earned for the workweek) for actual time

worked. Any police or fire employee whose shift falls on a holiday shall receive straight time for his/her regular shift, plus an additional eight (8) hours of holiday pay. When a holiday falls during a police or fire officer's day off, he/she shall receive eight (8) hours of holiday pay at straight-time.

Except for those employees already scheduled to work on a designated holiday, no employee shall work during a holiday without prior approval of the department head, except in the case of emergency or on-call personnel.

C. VACATION LEAVE

Vacation leave will be granted to regular full-time employees after completion of one (1) year of continuous service as a regular full-time employee.

Vacation time will be earned according to the following schedule:

Completed Years of Service	Number of Vacation Days per Year
0-1	5 working days
2-9	10 working days
10-15	15 working days
16-20	15 working days + 1 additional day for each year of service up to a maximum of 20 working days
20+	20 working days

For vacation leave purposes, the service an individual has to his/her credit includes all time spent as a full-time employee of the city during the employee's current period of continuous service. Re-instated employees and temporary or part-time employees reclassified as permanent full time shall earn vacation time from the date of their new appointment to regular full-time status. Appointed department director's vacation benefits may differ from a regular full-time employee at the discretion of the city manager.

Vacation leave may not be taken before it is earned and credited. Vacation leave may be taken in whole, in part, or on a piecemeal basis throughout the year, however, all vacations will be scheduled in advance for the mutual convenience of the employee and the city so proper adjustments can be made in the work schedules. Any vacation leave of four (4) consecutive workdays or less may be scheduled on a first-come, first-served basis. However, departmental seniority shall be given consideration when scheduling any vacation leave of five (5) consecutive working days or more. Vacation leave must be taken in a minimum of one (1) hour increments.

Vacation scheduling shall be done on a seniority basis within departments. A rotating basis will be used for choosing vacations one (1) week at a time until everyone has scheduled. Forty (40) hours or five (5) days maximum of vacation may be carried over to the next calendar year.

Finance department employees or any employees who handle cash are required to take a minimum of five consecutive vacation days annually. Recognized holidays and closed days are not included in the five vacation days.

An employee who is separated from city employment shall be paid for his/her unused vacation leave in accordance with the procedures for final paycheck issuance. In no event will an employee who has not completed at least one year of satisfactory service receive terminal vacation pay.

D. SICK LEAVE

Each regular full-time employee will accrue sick leave at the rate of one (1) day/shift for each full month of service. Sick leave benefits will commence on the first day of such absence and shall continue for as long as sick leave credit remains. Regular full-time employees may carry sick leave hours over from year to year, but may not accumulate more than 720 hours, determined on the employee's anniversary (employment) date. Sick leave does not accrue for each full month that an employee is on leave without pay or retirement inactive.

Sick leave accruals are based upon full calendar months worked.

Sick leave shall be considered a benefit provided to employees, and not a right for the employee to use at his/her discretion. Generally, employees become eligible to use sick leave in the situations outlined below.

1. Serious health condition or illness or injury to self; to care for the employee's spouse, son, daughter, parent who has an illness or injury.
2. Employees may jeopardize the health of others because they have been exposed to a contagious disease requiring notice from a qualified doctor.
3. Medical appointment for self and dependent (as defined by the IRS).

An employee utilizing earned sick leave shall notify his/her immediate supervisor or department head within one (1) hour prior to the beginning of the first work day, or within lesser time limits if established by the department head. This notification should include an expected date of return. At the department head's discretion, any use of sick leave may require a doctor's statement certifying that the employee can return to work.

Employees who abuse sick leave or deliberately make or cause to make false or misleading statements or claims, shall be subject to the denial of such benefits, dismissal or such other disciplinary action as the city manager deems necessary. All supervisors confirming an absence as sick leave, knowing the cause cannot be justified, or failing to report the absence as required, shall be liable to the same disciplinary action as the employee.

Each day deducted from an employee's sick leave accumulation shall be for a regular workday and shall not include holidays and scheduled days off. Employees claiming sick leave while on annual leave must support their claim by a doctor's statement.

After an employee exhausts their accrued sick leave, leave without pay may be granted at the discretion of the city manager as a reasonable accommodation to disabled people; or they may be terminated if unable to perform their job or another job with or without a reasonable accommodation. Should employees later be able to return to work, upon presentation of certification by a doctor, they shall be given preference for employment in a position for which they are qualified.

Employees shall not be compensated for unused sick leave upon separation from city employment.

An employee using 3 days/shift or less of sick leave in a calendar year shall be granted two (2) bonus personal leave days that must be used during the following calendar year, or the bonus days shall be forfeited.

E. SICK LEAVE TRANSFER

Participation in the sick leave donor program is open to all employees who accrue sick leave. The purpose of the program is to assist those employees who have a long-term, terminal, mental, and/or non-city, non-job-related accident or illness that results in the exhaustion of all of their accrued leave with pay by providing them with additional sick leave that has been voluntarily donated to them by other employees. Any donation of sick leave must be made specific to an employee on a form prescribed by human resources.

Under this program, employees who accrue sick leave may receive voluntary donations of sick leave from other employees within the limits and under the provisions provided in this section. To be eligible to receive and utilize donated sick leave, an employee must be unable to perform the essential functions of his or her job due to a non-City, non-job-related accident or illness which is expected to cause the employee to be absent from work for at least 40 hours more than the employee has accrued in leave with pay (e.g., vacation leave, sick leave, and compensatory leave). Medical certification of the employee's expected need for time off from work may be required:

Donated sick leave may be used only:

- For the incapacity due to the serious illness or injury of the employee.
- If the employee is required to be absent from work due to pregnancy, childbirth, or any related medical condition.
- Because the employee may jeopardize the health of others due to exposure to a contagious disease.
- If the employee has exhausted all their own sick time and any/all "banked" compensatory time.

Donated sick leave may not be used:

- For any other allowed use of one's own sick leave.

- For elective surgery.
- During any period when an individual is receiving disability benefits from Social Security, the city's retirement plan, long-term disability, or workers' compensation benefits.
- If the employee has not exhausted all but 40 hours of his/her vacation time.

Donated sick leave will be paid at 100% of the receiving employee's current rate of pay regardless of the donating employee's rate of pay.

Employees qualifying to receive donated sick leave may receive only that amount of donated sick leave which, when combined with the employee's various forms of leave with pay and unpaid, available at the start of the absence, totals 480 hours.

Employees donating sick leave must do so in writing and may donate a maximum of 80 hours of sick leave during any calendar year. At the time of authorizing the donation, donating employees must retain a minimum of sick leave balance for themselves of 80 hours. Employees' "Bonus Personal Days" will not be affected by the time of sick leave donated.

Any unused donated leave will be returned to the donating employee(s). If multiple employees volunteer to donate sick leave to the same employee and that employee does not ultimately use all the donated leave, then the unused leave will be returned proportionately to the donating employees.

Donated sick leave that is used by an employee may not be restored to the donating employee regardless of any subsequent determination as to other leave benefits that may have been due the recipient of the donated sick leave.

Employees receiving donated sick leave will not accrue vacation or sick leave while using the donated leave.

F. LEAVE WITHOUT PAY

A regular employee who is in good standing and rendering satisfactory service may be granted a leave of absence without pay for sickness, disability, educational advancement, or for other good and sufficient reasons that are considered controllable or in the best interest of the city. Such leave shall be requested in writing and must have prior approval of the immediate supervisor, department head and city manager.

An employee on leave without pay may remain under the City's pension and/or insurance plans subject to the provisions and limitations of said plans, provided the employee must pay both the employee share and City share of all premiums, unless otherwise required by FMLA or other federal regulations. In addition, employees on leave without pay shall not accrue sick leave or vacation credit after 30 continuous days. Such leave shall not be approved unless the employee has exhausted all vacation leave, sick leave, comp time, and bonus days.

Notification to human resources, in writing, is required to reactivate on payroll an employee returning from extended leave without pay. Employees failing to return three (3) days after the end of an approved leave period shall be considered to have resigned. The employee shall be restored to their previous or similar positions with the same status, pay, length of service credit and seniority

Leave without pay may be revoked by the city manager at any time, and the employee shall be required to return to work, without right of appeal or hearing as provided herein.

G. MATERNITY/PATERNITY LEAVE

Under the Tennessee Maternity Leave Act, any employee who has been employed full-time for at least one year with the City of Mt. Pleasant and who gives at least three months advance notice of their anticipated date of departure, length of maternity/paternity leave, and intentions to return to full-time employment, may be granted maternity/paternity leave for a period not to exceed four (4) calendar months for pregnancy, childbirth, adoption, and nursing an infant. Use of paid leave (compensatory, sick, and vacation – in that order) shall be used until exhausted for maternity/paternity purposes; if no paid leave exists, leave will be without pay.

An employee desiring maternity/paternity leave shall notify her/his department head so a temporary replacement may be secured. Maternity/paternity leave will run concurrently with FMLA leave, if FMLA has not exhausted otherwise, and shall be approved depending upon the medical needs and doctor's instructions. Return to duty must be accompanied by a release statement from the employee's attending physician under maternity leave.

H. BEREAVEMENT LEAVE

An employee may, with the prior approval of his or her department head, be granted reasonable time off with pay up to three (3) working days or shifts, in case of death within the employee's immediate family as defined herein. The time granted an employee under this section shall not be charged against the employee's accrued vacation or sick leave.

Immediate Family is defined as:

Spouse	Mother	Great/Grandparent	Sister
Child/Stepchild	Father	Parent-In-Laws	Brother
Step Parents	Grandchildren	Son-In-Law	Sister-In-Law
Step Siblings	Daughter-In-Law	Legal Guardian/Foster Child or Parent	
Brother-In-Law			

Bereavement leave is be utilized only between the date of death and the date of burial or memorial service.

In the event that the death in the employee's immediate family requires additional time for out-of-town travel, or for other good and sufficient reasons, the city manager may authorize such additional days leave, not to exceed three (3) working days or shifts, which shall be counted against the employee's accrued sick leave, or if sick leave has been exhausted, then the employees' accrued vacation leave.

I. FUNERAL LEAVE

Active full-time employees are allowed one (1) working day or shift of funeral leave (which is defined as leave with pay) in the event of the death of any member of the employee's extended family. If additional leave is requested, then it may be charged to the employee's accrued and unused sick leave, vacation, or compensatory leave. Funeral leave and any other leave used in conjunction therewith must be requested by the employee and approved by the employee's supervisor or department head in advance of the leave being taken. Funeral leave may be utilized only on the date of burial or memorial service.

J. FAMILY AND MEDICAL LEAVE

1. Purpose

The purpose of this policy is to provide a family and medical leave policy in compliance with Public Law 103-3, titled Family and Medical Leave Act (FMLA) of 1993.

2. Guidelines

The Family and Medical Leave Act (FMLA) provides eligible employees with up to twelve (12) weeks per year of job protected leave for certain family and medical reasons. It also requires that group health benefits be maintained during that leave. The twelve (12) week period runs concurrently with any paid or unpaid leave available to the employee including leave for a work-related injury.

Employees who have worked at least twelve (12) months for the city and who have worked at least 1,250 hours during the preceding twelve (12) month period prior to a leave request are "eligible employees" under FMLA. An eligible employee may take up to twelve (12) weeks per year of job-protected paid or unpaid leave, depending upon the availability of accrued vacation and sick leave, in a twelve (12) month period for the birth of a child or the placement of an adopted or foster care child. Leave may also be taken for a serious health condition of the employee, to care for a child, spouse, or parent who has a serious health condition, to care for an immediate family members injured while on active duty and to handle qualifying exigency activities related to an employee's spouse or child being called to active duty. The right to take leave applies equally to male and female employees who are eligible.

FMLA leave for the purpose of caring for a newborn child or a newly placed adopted or foster care child must be taken before the end of the first twelve (12) months following the date of birth or placement.

Upon the birth or prior to the birth, an expectant mother may take leave for necessary medical care and if her condition renders her unable to work. Similarly, adoption or foster care leave may be taken upon the placement of the child. Leave may begin prior to the placement if absence from work is required for the placement to proceed.

An employee may take FMLA leave to care for a parent or spouse of any age who, because of a serious mental or physical condition, is in the hospital or other health care facility. An employee may also take leave to care for a spouse or parent of any age who is unable to care for his/her own basic hygiene, nutritional needs, or safety. Examples include a parent or spouse whose daily living activities are impaired by such conditions as Alzheimer's disease, stroke, recovery from major surgery, or the final stages of terminal illness.

An eligible employee who is unable to perform the functions of his/her position because of a serious health condition may request up to twelve (12) weeks FMLA leave. The term "serious health condition" is intended to cover conditions or illnesses that affect an employee's health to the extent that he/she must be absent from work for treatment or recovery on a recurring basis or for more than a few days.

Employees requesting FMLA leave shall use any balance of sick leave, vacation leave, compensatory leave, personal days, or employee's birthday holiday prior to beginning unpaid leave. The combination of sick leave, vacation leave, compensatory leave, employee's birthday holiday, and unpaid leave may not exceed twelve (12) weeks.

During periods of unpaid leave exceeding 30 continuous days, an employee will not accrue any additional seniority or similar employment benefits during the unpaid leave period.

If spouses are employed by the same employer and wish to take leave for the care of a new child or a sick parent, their aggregate leave is limited to twelve (12) weeks. For example, if the father takes eight (8) weeks leave to care for a child, the mother would be entitled to four (4) weeks leave, for a total of twelve (12) weeks.

3. Right to Return to Work

On return from FMLA leave, an employee is entitled to be returned to the same position the employee held when leave commence, or to an equivalent position with equivalent benefits, pay, and other terms and conditions of employment. An employee is entitled to such reinstatement even if the employee has been replaced

or his/her position has been restructured to accommodate the employee's absence.

If the employee is unable to perform the essential functions of the position because of a physical or mental condition, including the continuation of a serious health condition, the employee has no right to restoration to another position under the FMLA. However, the employer's obligations may be governed by the American with Disabilities Act.

4. Notification and Scheduling

An eligible employee must provide the employer at least 30 days advance notice of the need for leave for birth, adoption, or planned medical treatment when it is foreseeable. This 30-day advance notice is not required in cases of medical emergency or other unforeseen events, such as premature birth or sudden changes in a patient's condition that require altering scheduled medical treatment.

Parents who are awaiting the adoption of a child and are given little notice of the availability of the child may also be exempt from this 30-day notice.

It is the city's responsibility to designate leave in writing as FMLA leave and to notify the employee. Employees may not retroactively claim that paid or unpaid leave was for FMLA.

5. Certification

The city reserves the right to verify an employee's request for FMLA leave. If an employee requests leave because of a serious health condition or to care for a family member with a serious health condition, the city requires that the request be supported by certification from the health care provider of either the eligible employee or the family member, as appropriate. If the city has reason to question the original certification, it may, at the city's expense, require a second opinion from a different health care provider chosen by the city. That health care provider may not be employed by the city on a regular basis. If a resolution of the conflict cannot be obtained by a second opinion, a third opinion may be obtained from another provider and that opinion will be final and binding. The cost of third opinion shall be paid by the city.

This certification must contain the date on which the serious health condition began, its probable duration, and appropriate medical facts within the knowledge of the health care provider regarding the condition. The certification must also state the employee's need to care for the son, daughter, spouse, or parent and must include an estimate of the amount of time the employee is needed to care for the family member. Medical certifications will be treated as confidential and privileged information.

An employee will be required to report periodically to the city the status and the

intention of the employee to return to work. Before return is granted, employees who have taken FMLA leave under this policy must furnish the city with a medical certification from the employee's health care provider that the employee is able to resume work.

6. Maintenance of Health and COBRA Benefits during Unpaid Leave

The city will maintain health insurance benefits, paid by the city for the employee, during periods of FMLA leave without interruption. Any employee portion or payment for family coverage premiums or other payroll deductible insurance policies must be paid by the employee or the benefits may not be continued.

The city has the right to recover from the employee all health insurance premiums paid during the unpaid leave period if the employee fails to return to work after leave. Employees who fail to return to work because they are unable to perform the functions of their job because of their own serious health condition or because of the continued necessity of caring for a seriously ill family member may be exempt from this recapture provision.

Leave under this policy does not constitute a qualifying event that entitles an employee to Consolidated Omnibus Budget Reconstruction Act (COBRA) insurance coverage. However, the qualifying event triggering COBRA coverage may occur when it becomes clearly known that an employee will not be returning to work. Therefore, the employee ceases to be entitled to leave under this policy.

7. Reduced and Intermittent Leave

According to this policy, leave can be taken intermittently or on a reduced schedule when medically necessary as certified by the health care provider. Intermittent or reduced leave schedules for routine care of a new child can be taken only with the city manager's approval. The schedule must be mutually agreed upon by the employee, the department head and the city manager.

Employees on intermittent or reduced leave schedules may be temporarily transferred to an equivalent alternate position that may better accommodate the intermittent or reduced leave schedule.

Intermittent or reduced leave may be spread over a period longer than twelve (12) weeks, but it will not exceed the equivalent of twelve (12) work weeks total leave in a twelve (12) month period.

8. Restoration

Employees who are granted leave under this policy will be reinstated to an equivalent or the same position held prior to the commencement of their leave. Certain highly compensated key employees, who are salaried and among the ten

percent (10%) highest paid workers, may be denied restoration.

Employees voluntarily accepting a light duty assignment in lieu of continuing FMLA leave maintain their right to restoration to the original or an equivalent job until the twelve (12) weeks of FMLA leave has passed.

9. The 12-Month FMLA Period

The twelve (12) month period during which an employee is entitled to twelve (12) work weeks of Family and Medical Leave Act (FMLA) leave is measured forward from the date the employee's first FMLA leave begins. An employee is entitled to twelve (12) weeks of leave during the twelve (12) month period after the leave begins. The next twelve (12) month period will begin the first time the employee requests FMLA leave after the completion of the previous twelve (12) month period.

10. Denial of FMLA Leave

If an employee fails to give timely advance notice when the need for FMLA leave is foreseeable, the employer may delay the taking of FMLA leave until 30 days after the date the employee provides notice to the employer of the need for FMLA leave.

If an employee fails to provide in a timely manner a requested medical certification to substantiate the need for FMLA leave due to a serious health condition, the city may delay continuation of FMLA leave until an employee submits the certificate. If the employee never produces the certification, the leave is not FMLA leave.

If an employee fails to provide a requested fitness-for-duty certification to return to work, the city may delay restoration until the employee submits the certificates.

K. MILITARY LEAVE

Any regular employee who has successfully completed his/her trial employment period and who enters the United States Armed Forces will be placed on military leave. The city manager shall approve military leave without pay when the employee presents his/her official orders. The employee must apply for reinstatement after release from active military duty as follows:

- Less than 31 days service: by the beginning of the first regularly scheduled work period after the end of the calendar day of duty, plus time required to return home safely and an eight (8) hour rest period. If this is impossible or unreasonable, then as soon as possible.
- 31 to 180 days: the employee must apply for re-employment no later than fourteen (14) days after completion of military service. If this is impossible or unreasonable, through no fault of the employee, then as soon as possible.

- 181 days or more: the employee must apply for re-employment no later than 90 days after completion of military service.
- Service-connected injury or illness: Up to two (2) years for persons who are hospitalized or convalescing.

The employee will be immediately reinstated to a position in the current classification plan at least equivalent to his/her former position. His/her salary will be the salary provided under the position classification and compensation plan prevailing at the time of reinstatement or re-employment.

Any regular full-time employee who is a member of the United States Army Reserve, Navy Reserve, Air Force Reserve, Marine Reserve, or any of the armed forces shall be entitled to leave of absence from their respective duties, without loss of time, pay, regular leave or vacation, impairment of efficiency rating, or any other rights or benefits to which otherwise entitled, for all periods of military service during which they are engaged in the performance of duty or training in the service of this state, or of the United States, under competent orders; provided, that an officer or employee while on such leave shall be paid salary or compensation for a period, or periods, not exceeding twenty (20) working days (160 hours) in any one (1) calendar year, plus such additional days as may result from all call to active state duty pursuant to T.C.A. 58-1-106. Compensation for such leave will be paid pursuant to T.C.A. 8-33-109. After the twenty (20) working days of full compensation, members of any reserve component of the armed forces of the United States, including members of the Tennessee Army and Air National Guard, may use up to five (5) days of sick leave in lieu of annual leave for the purposes of not having to take leave without pay.

It will be the employee's responsibility to arrange with the department supervisor to attend monthly meetings on regular off time, if possible. However, if monthly training meetings occur during an employee's regular work schedule, he or she shall be paid for such training time with such pay applied to the fifteen (15) day annual maximum. Employees entering extended active duty will be given fifteen (15) days of pay when placed on military leave.

L. JURY SERVICE LEAVE

Employees selected for jury service shall be excused for the actual duration of the jury duty. Upon release from jury duty during the employee's normal working hours, he/she shall be expected to return to duty. Employees will receive full pay during jury service and may retain any jury pay.

M. INCLEMENT WEATHER

City offices and/or operations will not shut down unless unusually serious or dangerous conditions exist. It is the city manager's decision whether a city office or operation will open late, close early, or be closed for the entire business day due to inclement weather. The city manager has the responsibility of coordinating the communication of the status of city operations to all departments during inclement weather periods.

Employees should make a personal judgement pertaining to his or her safety in traveling to and from work. Absence from work requires the approval of the employee's department head. If

approved, lost work time will be charged against the employee's accrued vacation time. If there is no leave available, then the employee's pay will be docked as an approved absence without pay. If the city manager directs that an office opens late, close early, or closed the whole day, this group of employees will not be charged leave during the period of the closure.

N. CAREER DEVELOPMENT AND TRAINING

Employees are encouraged to take advantage of job-related training benefits to improve their job skills and qualify for promotions. These benefits are limited to training and education relevant to the employee's current position or "reasonable" transfer and/or promotional opportunities. "Reasonable" is defined as attaining the minimum qualifications for promotion or transfer with no more than two (2) years of additional training or education.

These benefits will be available to all employees on a first come, first served basis, subject to the availability of budgeted funds.

Requests for education and training may be initiated by either the employee or department head. References to training requests and training received should be made on performance evaluation forms. Final decisions on requests for education and training will be made by the city manager.

Department heads may authorize or require employee attendance at conferences, seminars, workshops, or other functions of a similar nature that are intended to improve or upgrade the employee's job skills.

Employees traveling out of town for training and educational purposes shall comply with the city's travel approval and expense reimbursement policies and procedures.

O. DEATH OF AN EMPLOYEE

Upon the death of employee, his/her beneficiary shall receive his/her next due payroll check. The balance of any remaining vacation and sick time will be paid out. Further, his/her beneficiary shall be given complete assistance by human resources in settling pension, life, and hospital insurance benefits. Pursuant to T.C.A. 7-51-206-208, the estate of any firefighter, volunteer rescue squad worker, or law enforcement officer killed in the line of duty shall be entitled to receive a death benefit from the state. Currently the death benefit is \$250,000, paid in five annual installments of \$50,000. To be eligible, the emergency responder must have been current in any required training and physical exams at the time of death for the estate to receive the payment.

P. MEDICAL/DENTAL/VISION INSURANCE

Employees of the city may be offered primary health insurance coverage through a group major medical insurance plan approved by the city commissioners. This plan may include health, dental, vision and long-term disability insurance benefits, or any combination thereof. The rules for coverage under this plan are established by the insurance provider. The city may require the employee to pay a portion of the elected coverage under this plan and the percentage required to

be paid by the employee may be altered at any time by the city commission.

The terms and conditions of this plan, including the continued availability of such plan, are subject to change with or without prior notice to employees.

COBRA

Pursuant to federal law (the Consolidated Omnibus Budget Reconciliation Act or COBRA), the city offers eligible participants (including dependents) in the city's group health insurance program the opportunity to extend, at their own expense, their health insurance coverage temporarily in certain instances, called "qualifying events," in which coverage under the group health plan would otherwise terminate.

Qualifying events include employment separation for reasons other than gross misconduct; death of the employee; the employee and spouse become divorced or legally separated; the employee becomes eligible for Medicare benefits; or the child ceases to be a "dependent child" under the terms of the plan.

Employees and family members have the responsibility to inform the plan administrator about any change in status. Failure to do so may terminate rights to elect continued coverage. Those eligible for continuation coverage have 60 days from the date they would normally lose coverage to elect to continue under the plan.

Q. LIFE INSURANCE

The city may provide term life insurance for all regular full-time employees at no cost to the employee. The city may also make available the option to purchase additional life insurance with the total cost being the employee responsibility.

Provided, however, the terms and conditions of any plan, including the continued availability of such a plan, is subject to change with or without prior notice to employees.

R. LONG-TERM DISABILITY

The city may provide long-term disability benefits to regular full-time employees. The gross monthly benefit is a percentage of base pay after a 180-day elimination period and after sick leave is exhausted. The benefits are offset with other continuation benefits. Any overpayments made in error by the city or agents of the city shall be refunded to the city in full within 30 days.

Provided, however, the terms and conditions of any plan, including the continued availability of such a plan, is subject to change with or without prior notice to employees.

S. RETIREMENT

The city may provide a retirement program for any regular full-time employee. Plan participants currently contribute by payroll deduction a percentage of their income earned from and paid by the city toward the cost of funding the plan. The city commission determines this percentage. Plan

participants are vested after a set time, with employment being consecutive served. Any overpayments made in error by the city or agents of the city shall be refunded to the city in full within 30 days.

Provided, however, the terms and conditions of any plan, including the continued availability of such a plan, is subject to change with or without prior notice to employees.

Whenever an employee meets the conditions set forth in the retirement/pension plan regulations, he or she may elect to retire and receive all benefits under the plan. Official notice of such intended action must be submitted by the employee in writing, to human resources within the prescribed time limits as set out in the plan. Should the retiring employee have unused vacation time accumulated he or she shall be paid for that time, in accordance with the final paycheck policy. If the retiring employee has unused sick time accumulated up to 720 hours, the balance may be used leading up to their retirement date. The first day employee begins using the balance of remaining/accrued sick leave, said employee's employment status will be changed to "retirement inactive." At which time employee will not accrue any additional sick or vacation time. Retiring employee will not receive the pay for any holiday that may fall within retirement inactive status.

T. EMPLOYEE ASSISTANCE PROGRAM

The city may provide an employee assistance program (EAP) that has as its purpose to assist employees and their eligible dependents with personal or job-related concerns including emotional well-being, family and relationships, legal and financial matters, health lifestyles, and work and life transitions. Under such a program, an employee's needs will be assessed and handled by trained professional in a confidential, respectful manner. EAP benefits may include unlimited telephone access 24 hours a day, seven (7) days a week; telephone assistance and referral; service for employees and eligible dependents; robust network of licensed mental health professionals and face-to-face sessions with a counselor.

U. OTHER OPTIONAL EMPLOYEE BENEFITS

The city may provide other employee benefits that are optional to the employee. Through the city's flexible benefits program, employees may purchase from private vendors additional insurance coverages, such as additional life insurance coverage for the employee, additional life insurance coverage for the employee's spouse and/or dependent children, short-term disability insurance and cancer insurance. Premiums for these optional coverages shall be deducted from the respective employees' paychecks. Employees should contact human resources for more information about these benefits, plans and programs.

V. WORK-RELATED INJURIES

Employees are to report immediately any treatable injury sustained while acting within the scope and in the course of their employment for the city, however minor, to their supervisor or department head, and are to take such first aid or medical treatment as may be necessary. Any employee determined to have been able, but who fails, to report in a timely manner such a work-

related injury may not be eligible for health care provider's fees, disability benefits, or any other benefits to which he or she is otherwise entitled under the provisions of the Tennessee Workers' Compensation Law. If a work-related accident causes serious bodily injury or death to an employee, the supervisor or department head shall immediately notify the personnel department and the city manager.

Medical treatment for work related injuries, when necessary, shall be sought from a health care provider on the current panel of health care providers approved by the city's workers' compensation insurance carrier. The panel of approved health care providers is posted in each department and at the human resources' office. In an emergency, the most convenient medical service or hospital emergency room may be used by the injured employee.

As soon as possible following a work-related injury; but by no later than the end of the first city business day following the date of the accident/incident, the supervisor of the injured employee shall complete and file with human resources a "First Report of Injury" form.

In order to qualify for work related injury leave, whether compensated or not, an employee who is injured while acting within the scope and in the course of his/her employment with the city is required to have completed, at the city's expense by the health care provider selected by the employee from the city's current panel of approved health care providers, and submitted to human resources, a city-provided form documenting the employee's medical inability to perform, with or without reasonable accommodations, one or more of the essential function of his or her job.

In cases where an employee has been reported as occupationally disabled because of work related injury for a period of thirty (30) calendar days, the department head and human resources shall review the case's progress with the city manager. The city manager shall take reasonable steps to return the individual to duty, temporarily restricted, if necessary, in a comparable position for which he or she is qualified and able to perform the essential functions with or without reasonable accommodations. However, restricted duty, unless required by the ADA, may or may not be available at any given time, depending solely upon the needs of the city at the time, and it may be utilized only for an employee who is recovering from an injury suffered while acting within the scope and in the course of his/her employment with the city. Further, any authorized restricted duty must be reauthorized, at least monthly, and prior to any reauthorization, measurable progress in the employee's medical condition must be identified by either the employee's health care provider or the city's health care provider. In the case of conflicting opinion, then the opinion of the city's health care provider shall prevail.

Work related injury leave shall not be extended beyond three (3) months unless authorized by the city manager, unless otherwise required by FMLA or ADA. Extension shall not be made for any period in excess of three (3) months at any one time.

Before an employee on work related injury leave is permitted to return to unrestricted duty, the employee must be found to be, in the opinion of a health care provider selected from the city's current panel of approved health care providers, medically fit to perform, with or without reasonable accommodations, the essential functions of his/her job, and may be required to demonstrate his/her fitness for duty by passing, with or without reasonable accommodations, a

performance test administered by the employee's department. Such an exam shall only test the employee's ability to perform routine task using those skills required for the position.

Should it become apparent to the city manager that an employee on work related injury leave will be unable to return to unrestricted duty, and no comparable position for which the employee is qualified is available, the employee may be subject to separation but only under either of the following conditions:

1. If he or she cannot perform the essential functions due to a disability that cannot reasonably be accommodated.
2. If he or she poses a direct threat to himself/herself and/or others.

W. WORKERS' COMPENSATION/OCCUPATIONAL DISABILITY

All injuries arising out of and during one's employment shall be governed by the Tennessee Workers' Compensation Law. Any employee required to be absent from duty because of an injury sustained in the course of their employment which is determined to be compensable under the Tennessee Workers' Compensation Law shall be granted occupational disability leave for such time as the employee is unable to return to work. However, such leave shall only be granted in periods of three (3) months or less and shall not be extended unless authorized by the city manager, unless otherwise required by FMLA or ADA. Extensions shall not be extended for any period more than three (3) months at any one time and shall not exceed a total of twelve (12) months from the day following the injury.

Employees on occupational disability leave due to an on-the-job injury will not be charged sick or vacation leave during the period of convalescence. Employees shall continue to accrue sick leave and vacation leave at their regular rate while on occupational disability or injury leave.

Employees shall immediately report any injury incurred in the course of their employment, however minor, to their supervisor or department head, and take such first aid or medical treatment as may be necessary. Any employee determined to have been able, but who fails, to make such a report shall not be eligible for physicians' fees or any compensation that may have accrued under the provisions of the Workers' Compensation Law.

When an employee is injured on the job, the supervisor or department head shall immediately complete an accident report and submit a copy to human resources and retain a copy in the departmental file. Where an accident causes serious bodily injury or death to an employee, the supervisor shall immediately notify the department head and city manager.

In cases where occupational disability to an employee occurs and the employee has been reported as occupationally disabled for a period of thirty (30) calendar days, the department head shall review the case's progress and make recommendations to the city manager as he/she thinks advisable

In all cases of occupational disability, the responsibility of determining the character, degree, and

potential duration of an injury shall rest with the licensed practicing medical doctor(s) designated by the city. The medical doctor(s) may make periodic examinations, progress reports, and recommendations as deemed necessary by the city manager. The employee shall be required to return to work upon the approval of the medical doctor(s).

Before an employee is returned to full duty, the employee must be certified by the attending physician as capable of performing the essential functions of the job. The physician will be furnished a copy of the job description, including a list of the essential job functions, and required capabilities. The attending physician must certify the employee's ability to perform the essential job functions. The city reserves the right to obtain a second medical opinion from the physician of the city's choosing before a final decision is made on a return to duty.

If an employee is unable to return to the position held at the time of the injury, the city manager may place the employee on restricted duty, or otherwise take reasonable steps to place the individual in a comparable position, if one is available, for which he/she is qualified and able to perform the essential functions of that job, with or without reasonable accommodations. Nothing herein is construed to require the city manager to place the employee on restricted duty, or to place the individual in a comparable position.

Should an employee be unable to return to full duty within three (3) months after the date of injury, or within twelve (12) months, if the city manager has approved the extended time, and no comparable position for which the employee is qualified is available, the employee may be subject to separation only if:

1. He/she cannot perform the essential functions due to a disability that cannot reasonably be accommodated.
2. The employee poses a direct threat to himself/herself and/or other.

X. EDUCATION PAY INCENTIVE PROGRAM

As a reward for any employee who has or obtains either an undergraduate or a graduate degree that is not currently required by the job description for the job to which he or she is currently assigned, the city offers an education pay incentive program. Only regular, full-time, and active employees may qualify to participate in this program. The purpose of the education pay incentive program is to reward qualifying employees who are assigned to positions for which advanced education is not required for enhancing their value to the city by developing their knowledge, skills and abilities, and by providing greater flexibility of service to the city from such employees.

The education pay incentive program operates pursuant to the following stipulations:

1. Any employee who has or obtains either an undergraduate or a graduate degree that is not currently required by the job description for the job to which he or she is currently assigned qualifies for an increase in wage or salary, pursuant to the table

below. Education pay incentives are paid and combined with a qualifying employee's base pay following achievement of the advanced education and requesting participation in the program.

2. Education pay incentives are paid according to the following table:

Educational Degree Earned	Education Pay Incentive
Technical degree or Certificate	4% of base pay
Associate's (2-year) degree	4% of base pay
Bachelor's (4-year) degree	Additional 4% of base pay or, if 2-year degree not previously awarded, 8% of base pay.
Post-bachelor's graduate degree	Additional 4% of base pay

3. To become eligible for educational pay incentives, qualified employees must:
 - a. Earn or have earned the education from a college or university accredited by an agency recognized by the United States Secretary of Education; and
 - b. Must cause an official transcript from that college or university to be submitted to the personnel department.
4. Education pay incentives are paid only to eligible and qualifying employees who maintain adequate, acceptable, and satisfactory job performance.
5. Undergraduate education pay incentives shall be awarded regardless of college curriculum. Undergraduate coursework need not be job related.
6. Post bachelor's degree graduate education pay incentives shall be awarded only if the corresponding graduate degree coursework is job related, as determined by the city manager.
7. No more than one same level advanced education degree per employee will be recognized by the city at any time.
8. It is the employee's responsibility to pursue participation in the city's education pay incentive program. Participation will not be approved retroactively prior to the date the personnel department receives both the official transcript and the employee's request to participate in the program.

SECTION VII – DRUG AND ALCOHOL TESTING POLICY

A. GENERAL

For purposes of this section, the word “abuse” means the use of illegal drugs, the use of prescription drugs without a legal prescription, the use of prescription drugs other than in accordance with a legal prescription, the use of non-prescription drugs other than for the manufacturer’s indicated symptoms and in accordance with the manufacturer’s recommended dosages unless otherwise directed by a licensed health care provider, the use of alcohol while acting within the scope and in the course of their employment for the city, and/or being under the influence of alcohol while acting within the scope and in the course of their employment for the city.

The city recognizes that the abuse of drugs and alcohol is a serious problem that may involve the workplace. It is the intent of the city to provide all employees with a safe and secure workplace in which each person can perform his or her duties in an environment that promotes individual health and workplace safety and efficiency. Employees of the city are public employees and must foster the public trust by earning and preserving a reputation for integrity, honesty, and responsibility.

The city is committed to providing a safe, healthy, productive, and drug-free working environment for its employees to properly conduct the public business. The city has adopted a drug and alcohol testing policy. This policy is intended to comply with the: 1) Drug-Free Workplace Act of 1988, which ensures employees the right to work in an alcohol and drug free environment and to work with persons free from the effects of alcohol and drugs; 2) Federal Highway Administration (FHWA) rules, which require drug and alcohol testing for persons required to have a commercial driver's license (CDL); 3) Division of Transportation (DOT) rules, which include procedures for urine drug testing and breath alcohol testing; and the Omnibus Transportation Employee Testing Act of 1991, which requires alcohol and drug testing of safety-sensitive employees in the aviation, motor carrier, railroad, pipeline, commercial marine, and mass transit industries. This policy also includes testing of other employees under limited circumstances as allowed by law. The types of tests required are pre-employment, transfer, reasonable suspicion, post-accident (post-incident), random, return-to-duty, and follow-up. In accordance with current law, not all classes of employees are subject to all types of tests.

It is the policy of the city that the use of drugs by its employees and impairment in the workplace due to drugs and/or alcohol are prohibited and will not be tolerated. Engaging in prohibited and/or illegal conduct may lead to termination of employment. Prohibited and/or illegal conduct includes but is not limited to:

1. Being on duty or performing work in or on city property while under the influence of drugs and/or alcohol.
2. Engaging in the manufacture, sale, distribution, use, or unauthorized possession of drugs at any time and of alcohol while on duty or while in or on city property.

3. Refusing or failing a drug and/or alcohol test administered under the city's policy.
4. Providing an adulterated, altered, or substituted specimen for testing.
5. Use of alcohol within four hours prior to reporting for duty on schedule or use of alcohol while on-call for duty.
6. Use of alcohol or drugs or prescription drugs without a valid prescription within eight hours following an accident/incident if the employee's involvement has not been discounted as a contributing factor in the accident/incident or until the employee has successfully completed drug and/or alcohol testing procedures.

Compliance with this drug and alcohol testing policy is a condition of employment. The failure or refusal by an applicant or a current employee to cooperate fully by signing necessary consent forms or other required documents, or the failure or refusal to submit to any test or any procedure under this policy in a timely manner, is cause for the city to rescind a conditional offer to hire an applicant for employment or for the city to dismiss a current employee. The submission by either such person of a urine specimen or sample that is not his/her own or is adulterated is also a justified cause to rescind a conditional offer to hire or for dismissal.

Any employee convicted of violating a criminal drug statute shall inform the head of his or her department of such conviction (including pleas of guilty and *nolo contendere*) within five days of the conviction occurring. Failure to so inform the city subjects the employee to disciplinary action up to and including dismissal for the first offense.

Employees who are not in an official on-call status and who are called in to work outside their normal duty hours to perform emergency or otherwise unscheduled work are required to report any recent consumption of alcohol to the supervisor/department head making the work request. If any alcohol has been recently consumed, the employee is to decline the request to report to work. The employee in this instance shall not be disciplined for failure to report to work.

All property belonging to the city may be subject to inspection at any time without notice as there may be no expectation of privacy in such property. Property includes, but is not limited to vehicles, storage lockers, desks, containers, and files. Employees assigned lockers that are locked by the employee are also subject to inspection by the employee's supervisor/department head after reasonable advance notice (unless such notice is waived by the city manager) and in the presence of the employee.

B. DRUG/ALCOHOL TESTING

An applicant or employee must carry and present a current and recent photo ID to appropriate personnel during drug testing. Failure to present a photo ID is equivalent to refusing to take the drug test. Employees and applicants may be required to submit to drug testing under the following separate conditions:

1. Post-Offer/Pre-Employment Testing

All applicants who have received a conditional offer of employment with the city must undergo a drug test that produces a verified negative drug screen result before commencing employment with the city.

2. Post-Accident/Post-Incident Testing

Immediately following any workplace accident/incident determined by department supervision:

- 1) To involve behavior indicating impairment that could be the result of drug use or intoxication.
- 2) Which resulted in significant property damage.
- 3) Which results in personal injury requiring treatment at a medical facility.
- 4) Receives a traffic citation whether involved in a vehicle accident or not.
- 5) Involves a member(s) of the public including vehicle accidents, the employee is required to undergo post-accident/post-incident drug and alcohol testing. In cases where impairment is suspected, the employee will remain off the job pending a negative test result.

Post-accident/post-incident drug and alcohol testing shall be carried out as soon as possible following the accident/incident. Urine collection for post-accident/post-incident drug and alcohol testing shall be monitored or observed by same-gender collection personnel at the established collection site(s).

a. Post-Accident/Post-Incident Testing for Ambulatory Employees

Following all workplace accidents/incidents where drug and alcohol testing is to be performed, unless otherwise specified by the department head, affected employees who are ambulatory will be taken by supervisor or designated personnel of the city to the designated urine specimen collection site as soon as possible. No employee whose involvement has not been ruled out as a contributing factor in the accident/incident shall consume alcohol, illegal drugs, or prescription drugs without a valid prescription prior to completing the post-accident/post-incident drug and alcohol testing procedures.

b. Post-Accident/Post-Incident Testing for Non-Ambulatory Employees

An affected employee who is seriously injured, non-ambulatory, and/or under professional medical care following a significant accident/incident shall consent to the obtaining of specimens for drug and alcohol testing by qualified, licensed attending medical personnel and consent to specimen testing. Consent shall also be given for the attending medical personnel and/or medical facility (including

hospitals) to release to human resources of the city appropriate and necessary information or records that would indicate only whether specified prohibited drugs (and what amounts) or alcohol (and what amounts) were found in the employee's body. Consent shall be granted by each employee at the implementation date of the drug and alcohol testing policy of the city or upon hiring following the implementation date.

Post-accident/post-incident urinary consent and testing may be impossible for unconscious, seriously injured, or hospitalized employees. If this is the case, certified or licensed attending medical personnel shall take and have analyzed appropriate specimens to determine if drugs or alcohol were present in the employee's body. Only an accepted method for collecting specimens will be used.

3. Testing Based on Reasonable Suspicion

Drug and alcohol testing is required for each employee whenever there is reasonable suspicion to believe the employee is using or is under the influence of drugs or alcohol. That employee must submit to a drug and alcohol test that produces a verified negative result prior to continuing to work for the city.

The decision to test for reasonable suspicion must be based on a reasonable and articulate belief that the employee is under the influence of drugs or alcohol. This belief should be based on recent, physical, behavioral, or performance indicators of possible drug or alcohol use. A supervisor who has received drug and alcohol detection training that complies with DOT regulations must make the decision to test following observation of the employee's suspicious behavior and shall take or may designate someone else to take the employee to the testing site.

Department heads deciding to subject any employee to drug or alcohol testing based on reasonable suspicion shall document their specific reasons and observations in writing to human resources within 24 hours of the decision to test and before the results of the drug or alcohol tests are received by the department. Urine collection for reasonable suspicion testing shall be monitored or observed by same-gender collection personnel.

4. Random Testing

The following safety sensitive positions are subject to random drug testing:

- Police officers.
- Firefighters.
- Positions requiring a commercial driver's license.
- Public works positions involving the operations of heavy construction equipment.
- Water/wastewater plant operators.

- All positions involving the construction and maintenance of electrical lines; and
- Other positions having responsibility for the safety and care of children.

Random drug abuse testing dates will be unannounced with unpredictable frequency. Some employees may be tested more than once each year while others may not be tested at all, depending upon the random selection.

If an employee is unavailable (e.g., on vacation leave, sick leave, out of town, work-related causes, etc.) to produce a specimen on the date random drug and alcohol testing occurs, the city may omit that employee from that random testing or await the employee's return to work.

C. CONSEQUENCES OF A VERIFIED POSITIVE DRUG OR ALCOHOL TEST RESULT, AND/OR REFUSAL TO TEST

Job applicants will be denied employment with the city and any conditional offer of employment will be rescinded if their pre-employment drug test results have been verified by the city's medical review officer (MRO) as positive or if they refuse to submit to a pre-employment test for drug or alcohol.

If a current employee tests positive for alcohol as confirmed by the city's substance abuse profession, or if a current employee tests positive for drugs other than alcohol as confirmed by the city's medical review officer (MRO), or if a current employee refuses to test for drugs and/or alcohol, then that employee is subject to immediate removal from any safety-sensitive function and may be subject to disciplinary action up to and including termination. Factors to be considered in determining the appropriate disciplinary response include: the employee's work history, length of employment, current work assignment, current job performance, and existence of past disciplinary actions.

D. VOLUNTARY DISCLOSURE OF DRUG AND/OR ALCOHOL USE

In the event an employee is either dependent upon or an abuser of drugs and/or alcohol and sincerely wishes to seek professional medical care, then that employee should voluntarily discuss his or her problem with the respective department head in private. Such voluntary desire for help with a substance abuse problem will be honored by the city. If substance abuse treatment is required, the employee will be removed from duty and put on leave pending completion of the treatment. Voluntary disclosure must occur before an employee is notified of or otherwise becomes subject to a pending drug and/or alcohol test.

Affected employees who seek in-patient substance abuse treatment, must use all vacation leave, sick leave, and compensatory leave. In the event accumulated vacation leave, sick leave and compensatory leave is insufficient to provide the medically prescribed and needed treatment for up to a maximum of 30 consecutive calendar days, the employee will be provided leave without pay for the difference between the amount of accumulated leave and the number of days prescribed

and needed for treatment up to the maximum 30-day treatment period. Any leave used for this purpose shall be considered family and medical leave pursuant to the Family and Medical Leave Act.

No disciplinary action may be taken pursuant to this drug and alcohol testing policy against employees who voluntarily identify themselves as drug or alcohol abusers and obtain counseling and treatment, and thereafter refrain from violating the city's policy on drug and alcohol. However, voluntary identification will not prohibit disciplinary action for the violation of other aspects of the city's personnel policies and procedures.

Prior to any return-to-duty consideration of an employee following voluntary substance abuse treatment, the employee shall provide human resources with a written statement from the substance abuse professional that indicates satisfactory compliance, or satisfactory progress toward compliance, with the recommendations of the SAP. The SAP may suggest conditions of reinstatement of the employee that may include after care and return-to-duty and/or random drug and alcohol follow-up testing requirements. The respective department head, human resources, and city manager will consider each case individually and set forth final conditions of reinstatement to active duty. These conditions of reinstatement must be met by the employee. Failure of the employee to complete treatment or follow after-care conditions, or subsequent failure of any drug or alcohol test under this policy will result in disciplinary action up to and including dismissal.

These provisions apply to voluntary disclosure of a substance abuse problem by a current employee. Voluntary disclosure provisions do not apply to applicants.

E. MODIFICATION OF POLICY

This statement of policy may be revised by the city at any time to comply with applicable federal and state regulations that may be implemented, to comply with judicial rulings, or to meet any changes in the work environment or changes in the drug and alcohol testing policy of the city.

SECTION VIII – HARASSMENT AND VIOLENCE POLICIES

A. SEXUAL HARASSMENT

PURPOSE

The city may be held liable for the actions of all employees regarding sexual harassment and will not tolerate sexual harassment of its employees. The city will take immediate, positive steps to stop such harassment when it occurs. The city is responsible for acts of sexual harassment in the workplace when the city (or its agents or supervisory employees) knows or should have known of the conduct, unless it can be shown that the city took immediate and appropriate corrective action. The city may also be responsible for the acts of non-employees, with respect to sexual harassment of employees in the workplace, where the city (or its agents or supervisory employees) knows or should have known of the conduct and failed to take immediate and appropriate corrective action.

This policy applies to all officers and employees of the city, including but not limited to full and part time employees, elected officials, permanent and temporary employees, employees covered or exempt from the personnel rules or regulations of the city, and employees working under contract for the city. The following rules shall be strictly enforced.

B. DEFINITIONS

The following actions constitute an unlawful employment practice and are absolutely prohibited by the city when they affect employment decisions, create a hostile job environment, cause distractions, or unreasonably interfere with work performance. They are:

1. Sexual harassment or unwelcome sexual advances.
2. Requests for sexual favors.
3. Verbal or physical conduct of a sexual nature in the form of pinching, grabbing, patting, or propositioning.
4. Explicit or implied job threats or promises in return for submission to sexual favors.
5. Sex oriented comments on appearance.
6. Sex oriented stories, jokes or other communication, whether spoken or written, verbal or non-verbal.
7. Displaying sexually explicit or pornographic material, no matter how the material is displayed.
8. Sexual assault on the job by supervisors, fellow employees, or, on occasion, non-employees.

Sexual harassment includes conduct directed by men toward women, conduct directed by men toward men, conduct directed by women toward men, and conduct directed by women toward women.

C. MAKING SEXUAL HARASSMENT COMPLAINTS

An employee who believes he or she is or has been subjected to sexual harassment should immediately contact a city official (listed below) with whom the employee feels the most comfortable. Complaints may be spoken or made in writing to the employee's immediate supervisor, the employee's department head, human resources, the city manager, the city attorney, the mayor, and/or the city commission. A harassment complaint form is included as Appendix B to these personnel rules and regulations.

Employees have the right to circumvent the employee chain-of-command when selecting the person to whom to make the complaint about sexual harassment.

At the time of making a complaint, the employee should be prepared to provide the following information in writing, with the assistance, if necessary, of the person to whom the complaint is being made:

1. His or her name, department, and position title.
2. The name of the person or people allegedly committing the sexual harassment, including their title(s), if known.
3. The specific nature of the alleged sexual harassment, when and where it took place, and how long it has gone on.
4. Any employment action (demotion, failure to promote, dismissal, refusal to hire, transfer, etc.) taken against the employee that may be related to the alleged harassment, or any other threats made against the employee that may be related to the alleged harassment.
5. Any witnesses to the alleged harassment.
6. Whether the employee has previously reported the alleged harassment and, if so, when and to whom.

D. REPORTING & INVESTIGATING SEXUAL HARASSMENT COMPLAINTS

The human resource department is designated as the investigator of sexual harassment complaints against employees. In the event the sexual harassment complaint is against human resources, the investigator shall be the city manager.

Throughout the sexual harassment procedure, whenever a specific number of city business days are allowed to respond to a complaint of sexual harassment or to an investigation report on a

complaint of sexual harassment, then the “city business days” in question shall be those normal to the person responsible for the next action. For these purposes “city business days” do not include days on which that person is either on authorized leave or out of town on city business.

When an allegation of sexual harassment is made by any employee, the person to whom the complaint is made shall immediately prepare a written report of the complaint according to the preceding section and submit it to the investigator.

In conducting an investigation of a sexual harassment complaint, human resources or the city manager, if the complaint is against a human resource employee, shall:

1. Conduct a thorough investigation of the complaint, including at a minimum interviewing the person complaining of sexual harassment, the person against whom the complaint of sexual harassment was made, any witnesses to the alleged harassment, and any other persons who may have information pertinent to the allegation of sexual harassment.
2. Make and keep a written record of the investigation, including notes on:
 - a. Responses made to the investigator by the person complaining of sexual harassment.
 - b. Responses made to the investigator by the person against whom the complaint of sexual harassment was made.
 - c. Responses made to the investigator by witnesses interviewed during the investigation.
 - d. Responses made to the investigator by any other person contacted by the investigator in connection with the investigation.
3. Within five (5) city business days of receiving the complaint, prepare and present the findings of the investigation to the city manager (or, if the complaint is against the city manager, then to the city attorney) in a report, which will include:
 - a. The original complaint and any additional written statement of the person complaining of sexual harassment.
 - b. Any written statement(s) of the person against whom the complaint of sexual harassment was made.
 - c. Any written statement(s) of witnesses.
 - d. Any written statements of any other person contacted by the investigator in connection with the investigation.

- e. All of the investigator's notes connected to the investigation.

E. ACTION ON COMPLAINTS OF SEXUAL HARASSMENT

Upon receiving an investigation report of a sexual harassment complaint, human resources and city manager shall immediately review the report. If human resources or city manager determines that the report is not complete in some respect, he or she may question the person complaining of sexual harassment, the person against whom the complaint has been made, witnesses to the conduct in question, or any other person who may have knowledge about the alleged harassment.

Based upon the results of the investigation, human resources shall, within a reasonable time, determine whether the conduct in question constitutes sexual harassment. In making that determination, human resources shall look at the record as a whole and at the totality of circumstances, including the nature of the conduct, the context in which the alleged actions occurred, and the behavior of the person complaining. Whether sexual harassment took place will be determined on a case-by-case basis.

If human resources determines that the harassment complaint is founded, he or she shall take immediate and appropriate disciplinary action against the offending employee(s), consistent with his or her authority under the city charter, ordinances, resolutions, and these rules and regulations governing his or her authority to discipline employees. The disciplinary action shall be consistent with the nature and severity of the offense, the employee's rank, and any other factors the city manager believes relate to fair and efficient administration of the city. This includes, but is not limited to, the effect of the offense on employee morale, public perception of the offense, and the light in which it casts the city. The disciplinary action may include demotion, warning, reprimand, suspension, or dismissal. Determining the level of disciplinary action shall also be made on a case-by-case basis. A written record shall be kept of imposed disciplinary actions, including verbal reprimands.

In all events, an employee found guilty of sexual harassment shall be warned not to retaliate in any way against the person making the complaint, witnesses, or any other person connected with the investigation.

In cases where sexual harassment is committed by a non-employee against a city employee in the workplace, the city manager shall take whatever lawful action is necessary against the non-employee to bring the sexual harassment to an immediate end.

F. OBLIGATION OF EMPLOYEES

Employees are not only encouraged to report instances of sexual harassment, but they are also obligated to report them.

Employees are also obligated to cooperate in every harassment investigation. The obligation includes, but is not necessarily limited to, coming forward with evidence (both favorable and unfavorable) about a person accused of such conduct, fully and truthfully making written reports, or verbally answering questions when required to do so by an investigator.

Employees are also obligated to refrain from making bad faith accusations of sexual harassment.

Disciplinary action may be taken against employees who fail to report instances of sexual harassment, fail or refuse to cooperate in the sexual harassment investigation, or file a complaint of sexual harassment in bad faith.

G. WORKPLACE VIOLENCE

The city is committed to preventing workplace violence and to maintaining a safe work environment. It is the policy of the city to promote a productive, safe, and healthy work environment for all employees, customers, vendors, contractors, and members of the general public and to provide for the efficient and effective operation of the local government's activities. Employees and customers are to be always treated with courtesy and respect.

Employees are expected to maintain a productive work environment free from harassing or disruptive activity including threats of physical violence. No form of bullying or harassment will be tolerated, including sexual harassment and harassment based on race, color, religion, gender or gender identity, age, national origin, disability, military status, communication with elected public officials, free speech, refusing to participate in or remain silent about illegal activities exercising a statutory constitutional right or any right under clear public policy, political affiliation, genetic information or any other basis protected by law. This policy applies to all city employees, elected officials, appointed officials, regular part time/temporary employees, and contractors.

The city will not tolerate bullying, or verbal or physical conduct by an employee which harasses, disrupts, or interferes with another's work performance or which creates an intimidating, offensive or hostile environment.

1. No employee or non-employee shall be allowed to harass any other employee or non-employee by exhibiting behavior including, but not limited to, the following:
 - a. Verbal harassment – Verbal threats toward persons or property; the use of vulgar or profane language directed towards others; disparaging or derogatory comments or slurs; offensive flirtations or propositions; verbal intimidation; exaggerated criticism or name-calling; spreading untrue or malicious gossip about others.
 - b. Physical Harassment – Any physical assault, such as hitting, pushing, kicking, holding, impeding, or blocking the movement of another person.
 - c. Visual Harassment – Displaying derogatory or offensive posters, cartoons, publications, or drawings.
 - d. Bullying – Workplace bullying refers to unwanted aggressive behavior that involves a real or perceived power imbalance. The behavior is repeated, or has the potential to be repeated, over time. The imbalance of power involves the use of physical strength, access to embarrassing information, or popularity to control or

harm others. This behavior may be performed by individuals (or a group) directed towards an individual (or a group of individuals).

2. All employees, except those authorized to carry weapons for official job-related purposes, are prohibited from carrying weapons at meetings conducted by or on property owned, operated, and managed by the municipality while performing work for the city. Employees not engaged in performance of their duties who are legal handgun carry permit holders are allowed to possess or carry a handgun in public parks and other similar public areas owned or operated by the city, except when in the immediate vicinity of a school related activity on an athletic field.

Handgun carry permit holders are allowed to transport and store firearms and firearms ammunition in their vehicles pursuant to the parameters in Tennessee Code Annotated, Section 39-17-1313(a). The firearm may be carried if the firearm(s) or ammunition is kept from ordinary observation and locked within the truck, glove box, or interior of the person's motor vehicle or a container securely affixed to such motor vehicle if the permit holder is not in the motor vehicle.

Under no circumstances are the following items permitted on local government property, including local government owned parking areas, except when issued or sanctioned by the local government for use in the performance of the employee's job:

- a. Dangerous chemicals.
 - b. Explosives or blasting caps.
 - c. Knuckles.
 - d. Other objects carried for the purposes of injury or intimidation.
1. Charges of violence and harassment may be reported to any supervisory employee of the local government, including the city manager. The city will promptly investigate reports of workplace violence including suspicious individuals or activities. The human resource department is charged with investigating all cases of workplace violence and harassment. Depending on the severity of the charges or whether a crime is committed, the city manager may request that the police chief aid human resources or assume responsibility for the investigation. Employees are obligated to report instances of harassment. Employees are also obligated to cooperate in every investigation of harassment. The obligation includes, but is not limited to, coming forward with evidence, both favorable and unfavorable, for a person accused of such conduct; fully and truthfully make written reports or verbally answer questions when required to do so by an investigator. All employees are required to assist during the investigation by providing testimony, statements, and evidence, as required. Failure to cooperate may result in disciplinary action.
 2. Copies of the investigative report with recommendations for appropriate action will be turned over to the city manager, unless the city manager is the accused, then the city attorney, or Board of Commissioners, as appropriate for further action.
 3. Anyone determined to be responsible for threats of, or actual violence, or other conduct that is in violation of this policy will be subject to prompt disciplinary action up to and

including termination.

4. Employees are encouraged to bring their disputes or differences with other employees to the attention of their supervisors or the department head before the situation escalates into potential violence. The city is eager to assist in the resolution of employee disputes and will not discipline employees for raising such concerns. Employees have the right to file a police report at their own discretion.
5. Employees are prohibited from interfering or attempting to interfere with any departmental investigation.
6. False allegations will be dealt with on a case-by-case basis, and depending on the outcome, may include disciplinary action.

SECTION IX – POLICY FOR THE USE AND MONITORING OF E-MAIL

A. PURPOSE AND SCOPE

The city has adopted an electronic mail (e-mail) policy for its employees for their use in performing their duties for the city. These materials explain the city's rules and expectations for the proper use of electronic mail. This document also sets for the city's policy with respect to when e-mail messages may be monitored by other people within the city, as well as the circumstances under which e-mail messages may be disclosed to persons outside the city administration. For example, access to e-mail may be granted to external users, such as other cities' employees, special task-force members, or pursuant to a lawful subpoena. All the provisions of this policy are applicable to both internal and Internet e-mail communications.

All electronic mail is a local government record and may be considered a "public record" for the purposes of the Tennessee Public Records Act. Under the Public Records Act, certain e-mail communications may be open to public access and inspection. In addition, such communications may be subject to discovery under the Tennessee or Federal Rules of Civil Procedure.

B. BACKGROUND

The city finds that e-mail can provide many benefits to the city and its employees. E-mail often improves communication between different departments, eliminates unnecessary paperwork, allows communication with many other governmental offices almost instantaneously, and generally facilitates the smooth operation of city services.

C. OWNERSHIP

All electronic systems, computers, and other hardware, software, temporary or permanent files, and any related systems or devices used or to be used in the transmission, receipt, or storage of e-mail are the property of the city. E-mail messages are city property. Also, they may be retrieved from storage even after they have been deleted by the sender and the recipient.

D. RESPONSIBILITIES

1. Records Manager

The city recorder is designated as a coordinator for public records generated by e-mail. It is the responsibility of this individual to accommodate members of the public who request access to e-mail. The records manager will also keep a log on the use of public access to the system and develop an efficient procedure to be used for public access to e-mail communications. The records manager may also provide and/or coordinate user training.

2. Individuals Requesting Access to E-Mail

Depending on the circumstances and resources, searches requested pursuant to the Public Records Act will be made either by the requestor or a city representative. Any requestor claiming a qualified disability will be accommodated by the city in accordance with the Americans with Disabilities Act.

E. STATEMENT OF POLICY AND OVERVIEW OF USAGE

1. Policy

It is city policy that any e-mail system of the city, like other city assets, is to be used only for the benefit of the city. Use of e-mail that violates city policies or state and/or federal law is prohibited and may lead to disciplinary action up to and including termination. All employees who use e-mail certify that they have read and fully understand the content of this policy. All statements and opinions made by individuals using e-mail, whether implied or expressed, are those of the individual and not necessarily the opinions of the city or its management.

2. Privacy

Employees should be aware that e-mail messages may be read by others for a variety of valid reasons. Although this statement applies to many other types of city correspondence, the informal nature of e-mail may lead one to forget or ignore the fact that e-mail is considered to be the private property of the sender or the recipient, even if passwords or encryption codes are used for security reasons.

3. Monitoring

The city reserves the right to monitor e-mail messages for all lawful purposes including, but not limited to, those circumstances as enumerated in this document. Supervisors have the authority to inspect the contents of any equipment, files, calendars, or electronic mail of their subordinates in the normal course of their supervisory responsibilities and without the express permission from the user(s). An individual qualified in data management shall extract stored e-mail messages when requested to do so by authorized supervisory personnel.

Reasons for monitoring or retrieving e-mail messages include, but are not limited to, the following:

- a. During an investigation that has been triggered by indications of impropriety.
- b. Random, regular, or continuous supervision and/or inspection of employee use.

- c. When it is necessary to locate substantive information relevant to a breach of security of the e-mail system.
- d. At any time, there may be system hardware or software problems.
- e. For regular system maintenance.
- f. Any messages relevant to a lawsuit or other legal action involving the city.
- g. A suspicion of a crime or a violation of this policy.

The city will disclose any e-mail message to law enforcement officials if legally required to do so. In addition, e-mail messages may be retrieved if there is a need to perform work or provide a service when the user-employee is unavailable.

4. Personal Use

Should employees make incidental use of e-mail to transmit personal messages, those messages will be treated no differently than other messages and may be accessed, reviewed, copied, deleted, or disclosed to others.

5. Authorized Uses

Supervisors or department heads may authorize the use of e-mail to send and receive messages and to subscribe to list-servers from recognized professional organizations and entities relating to the official duties of the city. All employees are authorized to use e-mail as they would any other official city communication tool. Communication by e-mail is encouraged when it results in the most efficient or effective means of communication.

6. Uses Subject to Approval

The following uses require the written approval of the employees' supervisor or department head:

- a. Using hardware, related computer equipment, and software not owned or purchased by the city for e-mail related to city business.
- b. Reading electronic mail of another employee without prior written approval. However, an employee's supervisor may inspect the content of e-mail pursuant to the sections entitled "Ownership" and "Monitoring" in this policy.
- c. Encrypting any e-mail message unless specifically authorized to do so and without depositing the encryption key with the computer administrator or your immediate supervisor prior to encrypting any messages. If an

employee is allowed to encrypt e-mail, this does not mean that e-mail is intended for personal communication, nor does it suggest that encrypted e-mail messages are the private property of the employee.

7. Prohibited Uses.

The following actions are prohibited:

- a. Intercepting, eavesdropping, recording, or altering another person's e-mail message(s).
- b. Forwarding a message sent to you without the sender's permission, including chain letters.
- c. Adopting the identity of another person on any e-mail message, attempting to send electronic mail anonymously, or using another person's password.
- d. Misrepresenting yourself or your affiliation with the city in any e-mail message.
- e. Composing, sending, or receiving e-mail that contains racial, religious, discriminatory, or sexual slurs or jokes, or harassing, intimidating, pornographic, slanderous, abusive, or offensive material to or about others.
- f. Using e-mail for any personal commercial or promotional purpose, including personal messages offering to buy or sell goods and/or services.
- g. Using e-mail to conduct employee organization, association, or union business.
- h. Sending or receiving any software in violation of copyright law.

F. CONFIDENTIAL INFORMATION

Employees must exercise a greater degree of caution in transmitting confidential information via e-mail than with other forms of communications. Confidential information should never be transmitted or forwarded to other employees inside or outside the city who do not have a "need to know." To reduce the chance that confidential information inadvertently may be sent to the wrong person, avoid misuse of distribution lists, and make sure that any lists used are current.

Examples of information that either are or may be considered confidential include but are not limited to:

1. Certain personal information from a person's personnel file, including medical records about employees and personal, identifying information of undercover detectives, such as home addresses, telephone numbers, identities of family members, and social security numbers.
2. Information relating to an administrative hearing and litigation of a civil or criminal nature.
3. Information that, if released, would give a competitive advantage to one prospective bidder over another for city contracts.
4. Private correspondence of elected officials.
5. Trade secrets or commercial or financial information of outside businesses.
6. Information related to the regulation of financial institutions or securities.
7. Information regarding an ongoing criminal investigation.
8. Taxpayer information.

E-mail messages that contain confidential information should have a confidentiality declaration printed at the top of the message in a form like the following:

“THIS MESSAGE CONTAINS CONFIDENTIAL INFORMATION OF THE CITY OF
MOUNT PLEASANT. UNAUTHORIZED USE OR DISCLOSURE IS PROHIBITED.”

Since copies of e-mail may be backed up or sent to other systems, they can easily be retrieved later by information system personnel who should not know the content of the message. Therefore, employees should keep in mind that e-mail may not be the best form of communication with respect to certain types of confidential information.

G. MESSAGES TO LEGAL COUNSEL

All messages to and from legal counsel seeking or giving legal advice should be marked with the following legend in all capital letters at the top of the page:

“CONFIDENTIAL ATTORNEY/CLIENT PRIVILEGED INFORMATION.”

To preserve the attorney/client privilege, messages to and from legal counsel should never be sent to distribution lists or forwarded to anyone else. It is best if such messages are not retained on a network e-mail system. If a copy of an attorney/client privileged communication needs to be retained, it should be printed and filed in an appropriate place.

H. COPYRIGHT INFRINGEMENT

The ability to attach a document to an e-mail message for distribution may increase the risk of copyright infringement as prohibited by federal law. A user can be liable for the unauthorized copying and distribution of copyrighted material through e-mail systems. Accordingly, an employee should not copy and distribute by e-mail any copyrighted material of a third party, such as software, database files, documentation, articles, graphics files, and downloaded information, unless confirmed in advance from appropriate sources that the city has the right to copy or distribute such material. Any questions concerning these rights should be directed to appropriate legal counsel.

I. RETENTION OF E-MAIL

The city strongly discourages the local storage of large numbers of e-mail messages. Retention of messages takes up large amounts of storage space on the network server. In addition, because e-mail messages can contain confidential information, it is desirable to limit the number, distribution, and availability of such messages. Of course, if the message contains information that must be preserved as a permanent record, it must be saved and archived.

J. POLICY VIOLATIONS

Violations of this policy will be reviewed on a case-by-case basis and can result in disciplinary action up to and including termination. All e-mail messages are subject to all state and federal laws that may apply to the use of e-mail. In addition, violations of this policy or misuse of the e-mail system could result in civil or criminal prosecution.

K. REPORTING VIOLATIONS OF THE POLICY

Any suspected or known violations of this policy shall be immediately reported to the reporting person's immediate supervisor. If said supervisor is the person suspected of the violation, the reporting person shall report such violation to the city manager or person designated as the records manager. The report shall include as many details of the violation as is reasonably attainable, including, but not limited to, the date, location, nature, and person(s) involved in the violation.

SECTION X – SEPARATIONS & DISCIPLINE

A. TYPES OF SEPARATIONS

All separations of employees from positions with the city shall be designated as one of the following types and shall be accomplished in the manner indicated: resignation, layoff, disability, retirement, death, dismissal, and termination. At the time of separation and prior to final payment, all records, assets, and other city property in the employee's custody must be transferred to the department head. Any amount due because of shortages shall be withheld from the employee's final compensation. The date of separation shall be the last date an employee is on active-employee status. The employee remains an employee at-will and nothing herein shall be construed to grant a property right to the employee.

Any regular full-time or regular part-time employee voluntarily separating from employment will have scheduled an exit interview with human resources or his/her designee. The main purpose of this interview is to ascertain whether the reason for an employee's separation is founded upon a misunderstanding that might be corrected by either the city or the employee, or upon any dissatisfaction with city working conditions.

1. RESIGNATION

In the event an employee decides to leave employment, a minimum two (2) week written notice shall be given to his or her supervisor so that arrangements for a replacement can be made. More than two (2) weeks' notice is preferred, and in the case of supervisory employees, a minimum of one (1) month notice is required. Failure to meet this notice requirement may be cause for denying future recommendations and/or re-employment with the city. An unauthorized absence from work for a period of three (3) consecutive working days may be considered by the department head as a resignation.

If a former employee returns to city employment, his or her status of seniority, pay, leave, etc., will be the same as any new employee beginning work for the first time.

2. LAYOFF

The city manager, or his/her designee, may lay off an employee when deemed necessary by reason of a shortage of funds, abolishing a position, other material changes in the duties or organization of the employee's position, or related reasons that are outside the employer's control and that do not reflect discredit upon the employee's service.

The duties performed by a laid off employee may be assigned to other city employees who hold positions in the appropriate class. Temporary employees shall be laid off before regular employees or employees in the trial employment period. The order of layoffs, after temporary employees, will be determined by the city manager and department head based upon the best interests of the city and department. Nothing therein shall be deemed to give

employees any more property rights in their jobs than may already be given by the city charter.

3. DISABILITY

An employee may be separated for disability when he or she cannot perform the essential functions of the job because of a physical or mental impairment that cannot be accommodated without undue hardship or that poses a direct threat to the health and safety of others. Reasonable accommodations will include transfer to a comparable position for which the individual is qualified. Action may be initiated by the employee or the city, but in all cases, it must be supported by medical evidence acceptable to the city manager, and the disability must prevent the employee from performing the essential functions of the job. The city may require an examination at its expense to be performed by a licensed physician of its choice.

4. RETIREMENT

Whenever an employee meets the conditions set forth in the retirement system's regulations, he or she may elect to retire and receive all benefits earned under the city's retirement plan. Official notice of such intended action shall be submitted to human resources within the prescribed time limits set out in the retirement plan. Any overpayment relating to retirement made in error by the city or agents of the city shall be refunded to the city within 30 days.

5. DEATH

Separation shall be effective as of the date of death of an employee. All compensation due in accordance with these rules shall be paid to the estate or the designated beneficiary of the employee, except for such sums as by law must be paid to the surviving spouse.

6. DISMISSAL FOR CAUSE

An employee may be dismissed for cause at any time from employment by the city manager as long as the dismissal with cause is not in violation of any federal, state, or local law.

7. TERMINATION

An employee may be terminated at any time from employment by the city manager as long as the termination is not in violation of any federal, state or local law.

B. DISCIPLINARY ACTION

Whenever an employee's performance, attitude, work habits, or personal conduct fall below a desirable level, supervisors shall inform employees promptly and specifically of such lapses and shall give them counsel and assistance. If appropriate and justified, a reasonable period for improvement may be allowed before initiating disciplinary action. In some instances, a specific

incident in and of itself may justify severe initial disciplinary action; however, the action to be taken depends on the seriousness of the incident and patterns of past performance and conduct. The types of disciplinary action are oral reprimand, written reprimand, suspension, demotion, and dismissal. The employee remains an employee at-will and nothing herein shall be construed to grant a property right to the employee. While the employee is on PIP (Performance Improvement Plan) he/she will not be eligible to received Birthday, Bonus Days or accrue any Sick Days.

1. Oral Reprimand

The supervisor shall issue a memorandum stating the date of the oral reprimand, what was said to the employee, and the employee's response. The memorandum is to be signed by the issuing supervisor. The subject employee shall be asked to sign the memorandum to indicate that he or she has seen the document and to acknowledge receipt of the employee's copy. Should the employee refuse to sign the memorandum, the supervisor will obtain a witness to sign and date the form and so indicate the employee's refusal to sign. Such a memorandum documenting an oral reprimand is to be placed in the supervisor's and/or the department head's personnel file for that employee and is not to be placed in the human resources department's personnel file for that employee unless the matter is subsequently addressed by additional discipline.

2. Written Reprimand

In situations where an oral reprimand has not resulted in the expected improvement or when more severe initial action is warranted, a written reprimand may be sent to the employee. The supervisor administering the written reprimand shall confer with and advise the employee that the action is a written reprimand and emphasize the seriousness of the problem; previous corrective actions and/or informal discussions relating to the offense; identify the problem and/or explain the offense; inform the employee of the consequences of continued undesirable behavior; and detail corrective actions and identify dates by which the corrective actions shall be taken. The employee shall be asked to sign the written reprimand to indicate that he or she has seen the document and to acknowledge receipt of the employee's copy. Should the employee refuse to sign the written reprimand, the supervisor will obtain a witness to sign and date the form and so indicate the employee's refusal to sign. A copy of the written reprimand shall be placed in the human resource department's personnel file for that employee, along with a copy of any memorandum documenting any oral reprimand issued previously to that employee on the same or any directly related subject.

3. Suspension

The city manager may suspend an employee with or without pay.

A written notice of a suspension shall be provided to the employee. The written notice shall be specific as to times, places and other pertinent facts concerning the charges and shall be provided to the employee as soon as possible by the department head. The notice shall also provide for the employee to be allowed to choose to have a pre-determination

hearing regarding the charges prior to a final decision being rendered by the city manager. The purpose of the pre-determination hearing is to allow the employee to present information to the city manager regarding the disciplinary action under consideration.

Upon an employee's request for a pre-determination hearing received human resources within three (3) city business days of the employee receiving the notice of proposed suspension, the employee shall be granted such a hearing, to be held within five (5) city business days of the personnel department's receipt of the employee's request for same.

The pre-determination hearing shall include the employee, the employee's department head, human resources, and the city manager. In the unavoidable absence of the employee's department head, human resources or the city manager, within the permitted timeframe, the absent party may appoint a representative for themselves. The pre-determination hearing provides an informal opportunity for the employee to challenge the proposed suspension before the final decision is made as to whether to suspend.

At the pre-determination hearing the employee will be allowed to present written statements of witnesses or any other information to the city manager regarding the charges under consideration. Attendance and participation by persons other than the city manager, the department head, human resources and the employee is at the discretion of the city manager. The city manager shall render the final decision as to whether to suspend within five (5) city business days of the conclusion of the pre-determination hearing.

If the final decision following the pre-determination hearing is not to suspend, then the employee, if already on leave resulting from the suspension, shall be returned to regular duty and, if the suspension was to have been without pay, then the employee shall be paid in full for the length of that leave. If an employee fails to present themselves at a scheduled pre-determination hearing or fails to request a pre-determination hearing within three (3) city business days of receiving the notice of proposed suspension, then the proposed suspension and its pay status shall become final. All records associated with either an unchallenged or a challenged but affirmed suspensions shall become a permanent part of the personnel department's personnel file for that employee.

4. Demotion

A written notice of a demotion shall be provided to the employee. The written notice shall be specific as to times, places and other pertinent facts concerning the charges and shall be provided to the employee as soon as possible by the department head. The notice shall also provide for the employee to be allowed to choose to have a pre-determination hearing regarding the charges prior to a final decision being rendered by the city manager. The purpose of the pre-determination hearing is to allow the employee to present information to the city manager regarding the disciplinary action under consideration.

Upon an employee's request for a pre-determination hearing received by human resources within three (3) city business days of the employee receiving the notice of proposed demotion, the employee shall be granted such a hearing, to be held within five (5) city

business days of the personnel department's receipt of the employee's request for same.

The pre-determination hearing shall include the employee, the employee's department head, human resources, and the city manager. In the unavoidable absence of the employee's department head, human resources, or the city manager within the permitted time frame, the absent party may appoint a representative for themselves. The pre-determination hearing provides an informal opportunity for the employee to challenge the proposed demotion before the final decision is made as to whether to demote.

At the pre-determination hearing the employee will be allowed to present written statements of witnesses or any other information to the city manager regarding the charges under consideration. Attendance and participation by persons other than the city manager, the department head, human resources, and the employee is at the discretion of the city manager. The city manager shall render the final decision as to whether to demote within five (5) city business days of the conclusion of the pre-determination hearing.

If the final decision following the pre-determination hearing is not to demote, then the employee's pay shall not change. If the demotion stands, the pay reduction will commence. If an employee fails to present themselves at a scheduled pre-determination hearing or fails to request a pre-determination hearing within three (3) city business days of receiving the notice of proposed demotion, then the proposed demotion and its pay status shall become final. All records associated with either an unchallenged or a challenged but affirmed demotion shall become a permanent part of the personnel department's personnel file for that employee.

5. Dismissal for Cause

The city manager may dismiss an employee for cause for the good of the city. Reasons for dismissal may include, but shall not be limited to misconduct, negligence, incompetence, insubordination, unauthorized absences, falsifying records, or violating any charter provisions, ordinances, or policy. The employee remains an employee at-will and nothing herein shall be construed to grant a property right to the employee.

- a. Incompetence or inefficiency in performing duties.
- b. Conviction of a criminal offense or of a malfeasance involving moral turpitude.
- c. Violating any lawful and reasonable regulation, order, or direction made or given by a superior, or insubordination that constitutes a serious breach of discipline.
- d. While acting within the scope and in the course of employment for the city, using or being under the influence of any alcoholic beverage.
- e. While acting within the scope and in course of employment for the city, using or being under the influence of any illegal drug, prescription drug without a legal prescription, prescription drug other than in accordance with a legal prescription,

or non-prescription drug other than for the manufacturer's indicated symptoms and in accordance with the manufacturer's recommended dosages unless otherwise directed by a licensed health care provider.

- f. Theft, destruction, carelessness, or negligence of city property.
- g. Disgraceful personal conduct or language toward the public, the city commissioners, other officials of the city or fellow employees.
- h. Verbal or physical conduct that harasses, disrupts, or interferes with an employee's work performance or which creates an intimidating, offensive or hostile work environment, including violence of any kind, verbal harassment, physical harassment, and visual harassment, or the threat thereof, whether in the workplace or during work time or both.
- i. Unauthorized absences or abuse of leave privileges.
- j. Incapacity to perform the essential functions of a job because of a permanent or chronic physical or mental disability that cannot be reasonable accommodated.
- k. Accepting any valuable consideration that was given with the expectation of influencing the employee in performing his or her duties.
- l. Falsifying records and/or documents.
- m. Materially falsifying a statement of fact on, or omitting material information from, their employment application.
- n. Using official position for personal advantage.
- o. Loss of an employee's driver's license and driving privileges by due process of law in the case of an employee appointed to any position for which a driver's license is required to perform functions of the job.
- p. Willful, egregious, or persistent violation of any provisions of the charter, the code, or these personnel policies and procedures.

A written notice of the proposed dismissal shall be provided to the employee. The written notice shall be specific as to times, places and other pertinent facts concerning the charges and shall be provided to the employee as soon as possible by the department head. The notice shall also provide for the employee to be allowed to choose to have a pre-determination hearing regarding the charges prior to a final decision being rendered by the city manager. The purpose of the pre-determination hearing is to allow the employee to present information to the city manager regarding the disciplinary action under consideration.

Upon an employee's request for a pre-determination hearing received by human resources within three (3) city business days of the employee receiving the notice of proposed dismissal, the employee shall be granted such a hearing, to be held within five (5) city business days of the personnel department's receipt of the employee's request for same.

The pre-determination hearing shall include the employee, the employee's department head, human resources, and the city manager. In the unavoidable absence of the employee's department head, human resources or the city manager, within the permitted timeframe, the absent party may appoint another to represent themselves. The pre-determination hearing provides an informal opportunity for the employee to challenge the proposed dismissal before the final decision is made as to whether to dismiss.

At the pre-determination hearing the employee will be allowed to present written statements of witnesses or any other information to the city manager regarding the charges under consideration. Attendance and participation by persons other than the city manager and the employee are at the discretion of the city manager. The city manager shall render the final decision as to whether to dismiss within five (5) city business days of the conclusion of the pre-determination hearing.

If the final decision following the pre-determination hearing is not to dismiss, then the employee, if already on leave pending the outcome of the pre-determination hearing, shall be returned to regular duty with full pay for the length of that leave. If an employee fails to present themselves at a scheduled pre-determination hearing or fails to request a pre-determination hearing within three (3) city business days of receiving the notice of proposed dismissal, then the proposed dismissal shall become final. All records associated with either an unchallenged or a challenged but affirmed dismissal shall become a permanent part of the human resources department's personnel file for that employee.

SECTION XI - MISCELLANEOUS POLICIES

A. POLITICAL ACTIVITY

Political activity of employees is regulated by T.C.A. 7-51-1501, all of which is hereby incorporated by reference.

B. TRAVEL POLICY

All employees, including elected and appointed officials, are required to comply with the municipality's travel policy as required by T.C.A. 6-54-901.

GENERAL RULES

The city manager or his/her designee shall be responsible for the enforcement of the following travel regulations.

1. In the interpretation and application of this policy, the term "traveler" or "authorized traveler" means any elected or appointed municipal officer or employee, including members of municipal boards and committees appointed by the mayor or the municipal governing body, and the employees of such boards and committees who are traveling on official municipal business and whose travel was authorized in accordance with this policy. "Authorized traveler" shall not include the spouse, children, other relatives, friends, or companions accompanying the authorized traveler on city business, unless the person(s) otherwise qualifies as an authorized traveler under this policy.
2. Authorized travelers are entitled to reimbursement of certain expenditures incurred while traveling on official business for the city. Reimbursable expenses shall include expenses for transportation; lodging; meals; registration fees for conferences, conventions, and seminars; and other actual and necessary expenses related to official business as determined by the city manager. Under certain conditions, entertainment expenses may be eligible for reimbursement.
3. Authorized travelers can request either a travel advance for the projected cost of authorized travel, and/or advance billing directly to the city for registration fees, air fares, meals, lodging, conference, and similar expenses. Travel advance requests are not considered documentation of travel expenses. If travel advances exceed documented expenses, the traveler must immediately reimburse the city. It will be the responsibility of the city manager to initiate action to recover any undocumented travel advances.
4. Travel advances are available only for special travel and only after completion and approval of the travel authorization form.
5. The travel expense form will be used to document all expense claims.
6. To qualify for reimbursement, travel expenses must be:

- Directly related to the conduct of the city business for which travel was authorized, and
 - Actual, reasonable, and necessary under the circumstances. The city manager may make exceptions for unusual circumstances. Expenses considered excessive will not be allowed.
7. Claims of \$5 or more for travel expense reimbursement must be supported by the *original* paid receipt for lodging, vehicle rental, phone call, public carrier travel, conference fee, and other reimbursable costs.
 8. Any person attempting to defraud the city or misuse city travel funds is subject to legal action for recovery of fraudulent travel claims and/or advances, as well as disciplinary action up to and including termination.
 9. Mileage and motel expenses incurred within the city are not ordinarily considered eligible expenses for reimbursement.

TRAVEL REIMBURSEMENT RATE SCHEDULE

Refer to Travel Policy ordinance 2021-1080

TRAVEL VIOLATIONS

Violation of the travel rules can result in disciplinary action for employees. Travel fraud can result in criminal prosecution of officials and/or employees.

C. USE OF CITY VEHICLES AND EQUIPMENT

1. All city vehicles, machinery and equipment are for official use only, except as delineated below.
2. No person other than an employee authorized by his or her department head may operate a city vehicle or piece of machinery or equipment. Drivers of vehicles must have a valid and current Tennessee driver's license.
3. Persons who are neither current officials nor current employees of the city are prohibited from riding in any city vehicle unless so authorized by the city manager or the department head.
4. No city vehicles, machinery or equipment may be operated outside of Mount Pleasant utility boundary by any employee unless so authorized by the city manager.
5. Employees are expected to use city vehicles, machinery, and equipment in a safe manner, in accordance with manufacturers' specifications, and as directed by each employee's supervisor. Employees are to wear seatbelts whenever operating any vehicle or machinery so equipped. Under no circumstances shall the vehicle, machinery or equipment be

operated while the operating employee is under the influence of alcohol or any drugs that could adversely affect the employee's ability to operate the same both safely and efficiently.

6. Any damage to any city vehicle, machinery, or equipment, including that from normal wear and tear, shall be reported to the employee's supervisor as soon as practicable. Failure to do so on the part of the employee responsible for any such damage may result in disciplinary action up to and including dismissal.
7. All employees who handle city equipment are responsible for its care and security while under their control. The loss, damage or waste of city property or equipment through negligence, carelessness, or improper care or use may be grounds for disciplinary action up to and including dismissal. The employee responsible for such loss, damage or waste may be charged for the property in question or any repair, recovery, or replacement costs.
8. At the time of separation of employment, and prior to receiving final moneys due, the employee shall return to his or her department any and all assets, books, keys, manuals, records, uniforms, tools and other items of city property in the employee's care and custody, certification to this effect shall be made by the employee's supervisor or department head, and all moneys due the city because of any shortages shall be deducted from the employee's separation pay or otherwise collected.
9. No employee is permitted to use city equipment for private gain or advantage to himself or herself or another private person or group, except as delineated below.
10. The city manager may authorize certain employees to drive their assigned city vehicles to their place of residence after normal working hours, but the vehicle may be utilized only for commuting and not for personal purposes, except as delineated below.
11. Global Positioning System (GPS) devices are installed on City of Mount Pleasant vehicles and provide information on trip routes, vehicle location, fuel consumption, idle time, and safe operation. GPS enhances employee safety and security; lowers maintenance costs through better preventative and predictive maintenance schedules; improves fuel economy and idle compliance; and optimizes customer service and vehicle utilization. The GPS system data is monitored and regularly reviewed. GPS system data may be used during disciplinary action including verbal and/or written warnings, notifications, employee/supervisor conferences, or disciplinary actions as covered by city policy.

D. DRIVING RECORDS

Any employee who is required as an employment condition to drive a city vehicle and possess and maintain a valid Tennessee driver's or commercial driver's license must **immediately**, before reporting for duty the next workday, inform his or her supervisor should his/her license become denied, expired, restricted, suspended, or revoked any time during employment with the city. Periodic review of employees' driving records will be conducted by the city manager or his/her

designee to assure adherence to this policy.

E. SOLICITATION

Unauthorized solicitation of employees on the premises is strictly prohibited. This prohibition applies both to employees and outsiders. Solicitation of gifts (for such occasions as resignations, retirements, weddings, and births) is considered authorized.

Contributions may be solicited on city property only with the permission of the city manager. Miscellaneous solicitation of contributions within a single department may be made with the permission of the department head.

No pressure is to be placed on any employee to contribute.

F. PERSONAL TELEPHONE CALLS

Using the office telephone during regular work hours for local and/or long-distant calls of a personal nature, except in emergency cases, is discouraged. Personal calls that must be made or received during business hours are permitted if they are held to a minimum and do not interfere with the employee's work. Employees should make such calls during breaks or lunch time when possible.

Emergency phone calls may be made or received any time. Examples of emergencies are illness or severe injury to a member of the employee's family, changed plans regarding an employee's transportation home from work, or extreme weather conditions. Long-distance emergency calls must be billed to the caller's home or cellular phone number. Long, "chatty" phone conversations on non-emergency matters may result in disciplinary action.

G. EMPLOYEE CELL PHONE POLICY

Employees should keep use of personal cell phones or other personal handheld communication devices to a minimum so that the use does not interfere with the employee's work or the city's operations. Cell phones shall be turned off or set to silent or vibrate mode during meetings, conferences and in other locations where incoming calls may disrupt normal workflow. If employee use of a personal cell phone causes disruptions or loss in productivity, the employee may be subject to disciplinary action.

H. DRESS CODE

Although the city has no formal dress code for non-uniformed employees, such employees are to wear clothing suitable to the type of work done and to the environment in which the employee works. Clothing should be neat, clean, and in good taste, and should not constitute a safety hazard. Employees are to consult with their supervisor or department head for guidance on and interpretation of this policy. Items of casual clothing that, in the opinion of the department head, are inappropriate for a work environment or disruptive to other employees will not be permitted. Employees arriving at work dressed inappropriately will be sent home to change, with no pay for

time so spent unless vacation leave is used. Repeated violations of the dress code may result in disciplinary action.

I. ACCEPTING GRATUITIES

No employee shall accept any money, other considerations, or favors from anyone other than the city for performing an act that he/she would be required or expected to perform in the regular course of his/her duties. No employee shall accept, directly or indirectly, any gift, gratuity, or favor of any kind that might reasonably be interpreted as an attempt to influence his/her actions with respect to the city business.

J. USE OF CITY TIME AND FACILITIES

No official or employee shall use or authorize the use of city time, facilities, equipment or supplies for private gain or advantage to himself/herself or any other private person or group. Such resources may be utilized only as provided by express authorization by the city commission, and provided that the city is paid for such utilization at such rates as are normally paid by private sources for comparable services.

K. BUSINESS INTEREST

No employee or official shall have any financial interest in the profits of any contract, service, or other work performed by the city. No employee or official shall personally profit directly or indirectly from any contract, purchase, sale, or service between the city and any person or company. No department head or supervisor shall personally, or as an agent, provide any surety, bail, or bond required by law or subject to approval by the city manager.

No city employee shall enter into a contract with the city or perform any work or function under any contract with the city if he/she has a direct or indirect financial interest in the contract, unless:

1. The contract is awarded through a process that complies with the city's purchasing requirements; or
2. The city commission waives this section's requirements after making a formal finding that it is in the best financial interest of the city to do so after full disclosure on the part of the city employee of his/her direct or indirect financial interest in the contract, and the commission's finding and waiver and the employee's full financial disclosure are recorded on the minutes of a board meeting in open session.

L. USE OF POSITION

No city official or employee shall make or attempt to make private purchases, for cash or otherwise, in the name of the city, nor shall he or she otherwise use or attempt to use his or her position to secure unwarranted privileges or exemptions for himself or herself or others. No person shall use or promise to use, directly or indirectly, any official authority or influence, whether possessed or anticipated, to secure or to attempt to secure for any person an appointment to a

position of employment with the city or any increase in wages or other advantage of employment for the purpose of influencing the vote or political action of any other person, or for any other consideration.

M. STRIKES

No city officer or employee shall be a party to, participate in, or instigate any strike against the city.

N. USING TOBACCO PRODUCTS

To comply with the Tennessee Non-Smokers Protection Act of 2007, the smoking of tobacco products inside city owned building is prohibited. No-Smoking signs and decals are posted at the entrance to all city buildings and in all city vehicles. Department heads shall designate smoking areas outside of and near city buildings and spaces where employees typically work; however, no employee shall be permitted to smoke directly in front of any city owned building or space including walkways and parking lots typically used by the public. This policy also applies to city vehicles in that smoking in any city owned vehicle is prohibited. This policy does not apply to open-air facilities unless smoking therein is prohibited by other polices. Employees who violate this policy will be subject to disciplinary action and possible civil penalties. Visitors and other non-employees who violate this policy shall be advised by employees of the policy and requested to extinguish smoking materials or to move to a designated smoking area. They are likewise subject to possible civil penalties.

In order to provide a clean environment for all employees and visitors and to promote a positive impression of the city operations with the general public, the use of smokeless tobacco, e-cigs, or vapors products by employees while acting within the scope and in the course of their employment for the city shall be prohibited except at the discretion of the employee's department head.

O. PERSONNEL RECORDS

Personnel records for each employee are kept on file and maintained by human resources. Any change of address, telephone number, marital status, draft status, beneficiaries, number of dependents, or completed education/training should be turned in to the supervisor for transmittal to the individual.

The city manager, or his/her designee, shall also maintain the life insurance, vacation, pension and retirement, health insurance, and sick leave records for each employee. The city manager will advise employees through their supervisor of their eligibility so that they may take full advantage of all the benefits available. All medical records shall be kept in a separate confidential file for each employee.

It is the responsibility of each employee to update personnel information in his/her personnel file by notifying the city manager of any information changes. The city shall not be held liable when incorrect withholding, wrong beneficiaries, or loss of employee benefits result from the failure of any employee to keep personnel records current.

1. Collection, Retention, and Use of Personal Information

- a. The human resource department shall serve as the official and central depository of all personnel records of the city and shall maintain a separate personnel file of each employee's employment records. Medical information about each employee shall be kept confidentially and separate from the personnel files.
- b. Each department head shall maintain a separate personnel file on each employee in his or her charge, including copies of performance evaluations (performance evaluation originals are to be placed in the human resource department's personnel file for that employee) plus attendance records, notes, memos, letters, or other information related to an employee's job performance. A department head's personnel file for a particular employee shall be transferred to the human resource department's personnel file for that same employee when that employee separates from the city.
- c. Payroll data, including time sheets and records on the accrual and use of leave with pay, shall be kept by the human resource department. Both the human resource personnel file and the departmental file may include information about an employee's wage or salary history and attendance records.
- d. Supervisors may keep separate personnel files on their subordinates, but only with the knowledge and consent of the department head. Only information regarding these employees' job performance may be kept in these files. A supervisor's personnel file for a particular employee shall be transferred to the human resource department's personnel file for that same employee when that employee separates from the city.
- e. Employment related information will be collected from employees or applicants whenever possible, but the city may use outside sources for other information.

2. Access to Employee Records

- a. Human resources will control, pursuant to law, access to the human resource department's personnel files. Department heads and supervisors may not divulge the contents of their respective personnel except to their superiors, on request, or to those whom the department head finds have a legitimate need to know the information, and then only pursuant to official procedure.
- b. An employee may review the human resource department's personnel file for himself or herself at any time during normal business hours of the city, but only in the presence of an authorized representative of the human resource department.
- c. Employees may take notes or may request the human resource department representative to copy any of the file's contents on duplicating equipment. No cost shall be charged to the employee for copies or his/her personnel file contents.

- d. Any questions about the information's accuracy must be referred to the employee's department head or to human resources. If the employee disagrees with any information found therein, the employee may place a written disagreement, which will be attached to the specific document, in the files.
- e. Any external request for information from any personnel files maintained by the city must be referred to the human resource department. Only human resources, the employee's department head, and the city manager are authorized to disclose information about employees to outside inquirers, and then only in compliance with the redacting provisions of T.C.A. 10-7-504. Subject to the city's open records request policy.
- f. The city will disclose personnel information to prospective employers of current or former employees as necessary. In most cases, such disclosures will be limited to confirming the dates of employment, title or position, job location, and wage and salary.

P. WORKPLACE SAFETY

- 1. It is the policy of the city to provide a safe and comfortable work environment for all employees. The city has established workplace safety procedures and regulations that comply with regulatory requirements, and which are intended to increase safety consciousness among all employees. It is the city's policy to maintain a constant vigilance of all workplace safety programs, and where workplace safety standards are found to be deficient, the city shall take immediate action to correct the situation. The city adheres to the philosophy that the safety of the employees and the public is a high priority. The city manager retains overall responsibility for oversight of the city's workplace safety program.
- 2. The city manager shall appoint a workplace safety director who is responsible for the development and effective implementation of the city's workplace safety program. The workplace safety director is charged with the responsibility for the preparation and promulgation of the city's workplace safety manual, with amendments as necessary, for advance approval by the city manager, to meet compliance with federal and state workplace safety standards and laws. The plans and programs contained therein shall be at least as stringent as the federal and state standards on the same issues and shall include the following:
 - a. The workplace safety committee members and/or the workplace safety coordinator shall have the right to enter, at any reasonable time, any work area under the control of the city, and to inspect and investigate any such place of employment and all pertinent conditions, processes, machines, devices, equipment, and materials therein, and to question privately any supervisor or employee.
 - b. The workplace safety coordinator or the workplace safety committee chairman may require the attendance of employees and may interview employees and require the presentation of evidence, under oath, for the purpose of confirming or supplementing

findings.

- c. The city emphasizes the necessity for all employees to recognize and report workplace safety and health problems, to avoid unsafe working conditions, and to learn and practice acceptable workplace safety techniques.
- d. All employees shall be informed of applicable procedures and standards set forth by the Tennessee Occupational Safety and health Act.
- e. The city manager shall appoint a workplace safety coordinator who, under the direction of the workplace safety director, is responsible for the administration of the city's workplace safety program and serves as the primary liaison within the city organization for workplace safety purposes.
- f. A workplace safety committee shall be created, to be comprised of seven representatives from the city organization. The workplace safety coordinator shall coordinate and direct the operations of the workplace safety committee. The duties of the workplace safety committee shall be prescribed in the workplace safety manual. The workplace safety director shall attempt to diversify membership on the workplace safety committee to encompass representation from different departments and employee groups' expertise in workplace safety matters, plus to any other criteria determined beneficial to the workplace safety committee.

Q. UNIFORM USE AND RESPONSIBILITY

The city provides uniforms for various job classifications. The city desires to have uniforms that are well maintained to emphasize the professionalism of the workforce and to promote the pride in the city. Uniforms issued by the city are city property, are the responsibility of the employee, and are not to be worn other than while on the job for the city and, optionally, while commuting to and from work for the city. At the time of separation of employment, and prior to receiving final moneys due, the employee shall return to his or her department any uniforms in the employee's care and custody, certification to this effect shall be made by the employee's supervisor or department head. All moneys due the city because of any shortages shall be deducted from the employee's separation pay or otherwise collected.

R. INFECTIOUS DISEASE CONTROL POLICY

In providing municipal services, employees may encounter life-threatening infectious diseases that can be transmitted through job-related activities. It is important that both citizens and employees are protected from the transmission of diseases just as it is equally important that neither is discriminated against because of basic misconceptions about various diseases and illnesses. Employees in high-risk occupations, which includes police and fire personnel, paramedics and emergency medical technicians, and sanitation and landfill workers, should always have access to proper protective equipment, and should exercise great caution in situations where the exposure to blood or other potentially infectious materials is possible. Such situations may include arrests, hand-to-hand combat, delivery of CPR, handling of crimes scenes

including deceased or injured persons, handling of needles or sharp objects, handling of emergency medical situations, handling of solid waste, and other situations.

S. UNION ACTIVITY

The city recognizes the individual right of employees to join employee associations, unions, or labor organizations. The city also has an obligation to provide employees a safe workplace, one that promotes an atmosphere of teamwork and is free of any other type of activities that may promote otherwise.

No employee association, union or labor organization activities may be done during working hours. In addition, no such activities will be allowed on city premises, and the use of any type of city material or equipment is prohibited. Employees shall not be part of, participate in, or incite any strike and/or work slow-down against the city.

T. SOCIAL MEDIA POLICY

The city respects the rights of its employees to use blogs and other social media tools not only as a form of self expression, but also to further the city's business. It is important that all employees are aware of the implications of engaging in forms of social media and online conversations that reference the city and/or the employee's relationship with the city and its reputation in the community, and that employees recognize with the city might be held responsible for their behavior.

The best advice is to approach online worlds in the same way we do the physical one – by using sound judgment and common sense, by adhering to the city's values and all applicable policies. In general, what an employee does on their own time is their affair. However, activities in or outside of work that affect an employee's job performance, the performance of others, or the city's business interests are a proper focus for city policy.

The following activities are specifically prohibited per city policy. An employee may not record, film or take pictures while inside city facilities or outside on city property without prior approval from the city manager. In addition, managers or supervisors may not use social media to provide references or recommendations or make comments regarding current or former employees.

SOCIAL COMPUTING GUIDELINES

The following guidelines have been developed for social media participation, and apply to all city employees who participate in, create, or contribute to blogs, wikis, social networks, virtual worlds, or any other kind of social media. It is essential that employees understand and follow these simple but important guidelines. Whether logging into any social media page, or comment on online media stories – these guidelines are for all employees. The absence of, or lack of explicit reference to a specific site does not limit the extent of the application of this policy. Where no policy or guidelines exists, employees should use their professional judgment and take the most prudent action possible. An employee should consult with their manager or supervisor if they are uncertain.

1. The employee should be transparent and state they work for the city. Honesty will be noted in the social media environment. If writing about the city, an employee should use his/her real name, identify they work for the city, and be clear about their role. If an employee has a vested interest in what they are discussing, be the first to say so. Also, write in the first person. The employee must make it clear that they are speaking for themselves and not on behalf of the city. For example, use a disclaimer such as: “The postings on this site are my own and don’t necessarily represent the city or the city’s positions, strategies or opinions.”
2. An employee must never represent themselves or the city in a false or misleading way. All statements must be true and not misleading; all claims must be substantiated.
3. Post meaningful, respectful comments. In other words, do not post online “disparaging, discriminatory or defamatory comments when discussing the city, an employee’s superiors, co-workers, and/or other municipalities. Please, no spam and no remarks that are off-topic or offensive such as ethnic slurs, personal insults, obscenity, or engage in any conduct that would not be acceptable in city workplaces. Show proper consideration for others’ privacy and for topics that may be considered objectionable or inflammatory – such as politics and religion.
4. Use common sense and common courtesy. For example, it’s best to ask permission to publish or report on conversations that are meant to be private or internal to city. Make sure any effort to be transparent doesn’t violate the city’s privacy, confidentiality, and legal guidelines for external commercial speech. If unclear as to the propriety of a post, it is best to refrain and seek the advice of management.
5. An employee should stick to their area of expertise and feel free to provide unique, individual perspectives on non-confidential activities of the city.
6. When disagreeing with others’ opinions, keep it appropriate and polite. If in a situation online that looks as if it’s becoming antagonistic, do not get overly defensive and do not disengage from the conversation abruptly. An employee should feel free to ask their supervisor for advice and/or to disengage from the dialogue in a polite manner that reflects well on the city; if a mistake is made, be the first to correct it, and don’t alter previous posts without indicating that this has been done.
7. If writing about other cities, make sure to behave diplomatically, have the facts straight and the appropriate permissions.
8. Never comment on anything related to legal matters, litigation, or any parties the city may be in litigation with.
9. Never participate in social media when the topic being discussed may be considered a crisis. Even anonymous comments may be traced back to the employee or the city’s IP address. Refer all social media activity around crisis topics to the city manager.

10. An employee should be smart about protecting themselves, their individual privacy, the city, and any confidential information. An employee's online presence reflects upon the city. Be aware that actions captured via images, posts, or comments can reflect that of the city. What is published is widely accessible and will be around for a long time, so consider the content carefully.

Remember that there are always consequences to what an employee publishes. An employee publishing something that is related to the city's business, they should feel free to discuss it with their department head. Ultimately, however, the employee has sole responsibility for what is posted to their blog or published in any form of online social media.

Failure to follow this policy may result in disciplinary action, up to and including termination.

SECTION XII – MISCELLANEOUS PROVISIONS

A. POLICIES DO NOT CONSTITUTE A CONTRACT

These personnel regulations are for information only. This is not an employment contract. This document is a statement of current policies, practices, and procedures. Nothing in this document is to be interpreted as giving employees any more property rights in their jobs than may already be given by the city charter. The city reserves the right to change any or all such policies, practices, and procedures in whole or in part at any time, with or without notice to employees.

B. ATTORNEY FEES

In the event that a litigation arises as a result of violation or interpretation of the personnel regulations, employees or former employees shall be responsible for all litigation costs including but not limited to attorney's fees if they are unsuccessful.

APPENDICES

APPENDIX A

RECEIPT OF PERSONNEL RULES AND REGULATIONS

ACKNOWLEDGMENT

City of Mount Pleasant

I acknowledge that I have received a copy of the City of Mount Pleasant Personnel Rules and Regulations.

I understand that it is my responsibility to read and familiarize myself with the policies and procedures contained therein. If I have any questions, I understand that it is my responsibility to ask my supervisor or the Department of Human Resources.

I understand that these rules and regulations may be changed at any time by the city commission. My continued employment indicates my agreement to work under those changes.

I understand that I am an at-will employee, and no property rights are granted to me by these policies.

Employee _____

Supervisor/Employer _____

Date _____

APPENDIX B – HARASSMENT COMPLAINT FORM

City of Mount Pleasant

Name of Complainant: _____ Date: _____

Job Title: _____ Department: _____

Name of Immediate Supervisor: _____

Statement of Complaint

Please read the sexual harassment policy statement or the workplace violence and Harassment policy statement before completing this section.

Date of Incident: _____

Name(s) of Person(s) Accused of Wrongdoing: _____

Name(s) of Witness(es) _____

Description of Incident (Describe actions of all person(s) involved, including yourself, be specific)

Has any adverse employment action been taken against you in regard to this incident? _____

Have you reported this incident previously? YES NO (Circle One)

If yes, when and to whom? _____

Recommendation or Request _____

Employee's Signature _____ Date: _____ Time: _____

Complaint submitted to (check one)

____City Manager ____City Attorney ____ Human Resources ____Mayor/Commissioner____
Supervisor _____

(Name, Title, and Department)

Signature of City official who received complaint _____

Date & time received _____

**APPENDIX C – SUBSTANCE ABUSE POLICY EMPLOYEE
ACKNOWLEDGMENT FORM**

City of Mount Pleasant

If I am an applicant for employment by the City, then I understand that the City’s offer of employment is conditional upon my passing a post-offer/pre-employment drug test.

If I am an employee, I have received a copy of the City drug and alcohol testing policy and agree without reservation to follow its stipulations, including the consequences of a verified positive drug or alcohol test result, or refusal to test. In particular:

- If I am an employee who is currently assigned to a position (1) that is within the suppression personnel of the fire department, (2) that is within the sworn personnel of the police department, (3) for which a commercial driver’s license (CDL) is required in order to perform any functions of my City job, then I understand that I will be required to participate in random drug and alcohol testing programs for the City.
- If I am an employee who is not currently subject to random drug testing and who seeks to change jobs to any position that is subject to random drug testing, then I understand that I shall be required first to undergo drug abuse testing that produces a verified negative drug screen result before commencing work in the new position.
- I understand that I will be required to undergo drug and/or alcohol testing for cause.
- I understand that I may be subject to dismissal either if I refuse to take required drug and/or alcohol testing or if I do not pass required drug and/or alcohol testing.

Name of Applicant or Employee

Social Security Number

Department

Supervisor

Signature of Applicant or Employee

Date

Signature of Witness

Date

APPENDIX D – EMPLOYEES CODE OF ETHICS

The City of Mount Pleasant has adopted a Code of Ethics to foster public trust and public confidence. Our Code of Ethics policy will also promote and maintain the highest standards of conduct from our employees. City management and city staff are expected to follow this Code of Ethics and to practice its core values. Employees are held to high standards and accountable to citizenry.

Employees comply with the laws of the nation, the State of Tennessee, and the City of Mount Pleasant in the performance of their public duties. These laws include but are not limited to the United States and Tennessee Constitutions; the Mount Pleasant Municipal Code; laws pertaining to conflicts of interest, election campaigns, financial disclosures, employer responsibilities, and open processes of government.

Employees of Mount Pleasant shall base their actions on behalf of the city on the best available information. Also, to build trust and carefully consider the impact of their actions on public confidence. The employees shall maintain integrity always and consistently do what is in the best interest of this community.

Employees should treat everyone with respect and dignity. Practice patience, courtesy, and civility even when we disagree. Actively listen, engage in effective two-way communications, and demonstrate responsive public service. Treat everyone equitably, value individual's right to know, encourage public input, listen to all sides, and honor due process. Therefore, the employee should make impartial decisions, using relevant and consistent criteria, caring for special needs, and giving priority to merit.

Employees shall refrain from taking any special advantage of services, opportunities, or public resources for personal gain, by virtue of the public position, which would not otherwise be available to the public in general. Therefore, refrain from accepting gifts, favors, or promises of future benefits, which might compromise or tend to impair independence of judgment or action.

Employees shall foster, protect, and conserve the community's financial, environmental, and cultural resources. They shall practice fiscal responsibility, preserve natural resources, respect individual rights, and uphold the public trust. This commits to the long-term stability and growth of the community.

Employee _____

Date _____

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