

**CITY OF SHELBYVILLE
PERSONNEL POLICIES AND
PROCEDURES**

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City of Shelbyville

PERSONNEL POLICIES AND PROCEDURES

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Welcome to City of Shelbyville, Tennessee

Personnel Policies and Procedures

Welcome to the City of Shelbyville as an employee! We hope that you will find your employment with the City to be an interesting, challenging and enjoyable experience.

The City of Shelbyville was incorporated in 1819 and is organized under the Mayor-Council/City Manager form of government. We strive to provide the highest quality municipal services. Quality services, though, depend on each of us committing to do our best, all the time. We hope you will join our effort to build and improve upon our long and proud history.

The City attempts to promote a feeling of understanding and respect among our employees. A key to our success lies in the quality and dedication of our employees. Each employee of the City of Shelbyville plays a critical role in providing the community with the best possible service.

Because of our belief in the importance of our employees, the City of Shelbyville strives to promote a work environment where employees are treated with dignity and respect. If you have any ideas for improving the way the work is performed, or if you have any other suggestions or problems, you should feel free to discuss these matters with your supervisor, Department Director, the Human Resources Generalist, or the City Manager. By working together as a team, the City hopes to continue our tradition of providing excellent service to the community.

This policy shall be in effect from and after its adoption by the Mayor and City Council; it is not retroactive.

Introduction

This is your copy of the City of Shelbyville Personnel Policies and Procedures Manual. No personnel manual can anticipate every possible situation, but the City has provided you these general guidelines in order to give you a better understanding of what the City expects of you and what you can expect of the City.

Please refer to this manual for guidance when you have a question about the City's policies. Of course, if you still have questions, your supervisor, Department Director, Human Resources Generalist, or the City Manager continue to stand ready to assist you as best they can.

While the City of Shelbyville fully intends to abide by these provisions for as long as they are in effect, you should understand that this manual does not constitute a contract between the City and any of its employees. Further, the Personnel Policies and Procedures Manual can and may be changed, in accordance with the City's Municipal Code and State and Federal laws, at the City Council's sole discretion at any time. No employee or other person enjoys any vested right to the continuation of any position, rules, regulations, policies, procedures, provisions or employee benefits contained within this Personnel Policies and Procedures Manual.

CHAPTER 1

GENERAL PROVISIONS

1.1 PERSONNEL POLICIES

The City of Shelbyville Personnel Policies and Procedures manual, adopted by Resolution, is applicable to all employees of the City of Shelbyville whose activities and functions are subject to the control and direction of the City Manager. This manual and all other City manuals do not bestow any additional rights to employees regarding employment or employment benefits. This manual is not part of a contract and no employee has any contractual right to the matters set forth herein. This will serve notice to all employees that the employment relationship may be terminated by either the City or the employee at any time for any reason. All employees are “at will” and the city is an “at will” employer under Tennessee law. The City reserves the right to change any and all such policies, practices, and procedures in whole or in part at any time, with or without notice to employees.

These Personnel Policies and Procedures shall be made available to all employees. Full-time and part-time employees will receive a copy of the policies and procedures manual upon employment. Any employee, who desires to review the policies during work hours, may review the departmental copy upon approval of their supervisor or Department Director.

1.2 PURPOSE

The purpose of these Personnel Policies and Procedures is to implement a system of personnel administration, which provides consistent, impartial and effective policies and procedures for employees of the City of Shelbyville, Tennessee. These Personnel Policies and Procedures shall apply to all employees of the City of Shelbyville without regard to race, color, religion, gender, age, national origin, disability, military status, political affiliation or any other protected class under Federal or State law.

It is hereby declared in the personnel policy of the City of Shelbyville that:

The City shall neither cause nor permit discrimination because of race, color, religion, national origin, gender, disability, veteran’s status or age. The City shall make every effort to employ those individuals who are best qualified and capable of filling authorized vacant positions. The City staff shall not practice prejudice, favoritism, discrimination or political considerations concerning fellow employees, citizens, vendors or visitors.

Continued employment with the City shall be based on merit, performance, and individual ability and be free of favoritism, discrimination or political considerations concerning fellow employees, citizens, vendors or visitors.

Just and equitable incentives and conditions of employment shall be established and maintained to promote efficiency and effectiveness in the operations of the City.

Positions having similar duties and responsibilities shall be classified and compensated on a uniform basis.

Appointments, promotions and other personnel actions requiring the application of the merit principle shall be based on a comprehensive employee evaluation and examination where applicable.

Every effort shall be made to stimulate high morale by fair administration of this policy and by every consideration of the rights and interests of employees, consistent with the best interests of the public and the City. Employees who believe these policies and procedures have been violated, either in the administration thereof or in the adherence thereto, should report such belief to their supervisor, Department Director, or City Manager.

1.3 AUTHORITY FOR PERSONNEL FUNCTION

The authority and responsibility for administering the personnel function within the City of Shelbyville are governed by the City Charter.

1.4 POSITIONS COVERED

Applicability

The Personnel Policies and Procedures will apply to all employees. Temporary, seasonal and part-time employees are subject to all policies and procedures, but do not have access to insurance benefits, leave accrual, holiday pay, or retirement benefits.

Officer Positions Under City Charter

The Personnel Policies and Procedures related to recruitment, appointment, and promotions will not apply to Elected Officials, City Manager, City Recorder, City Treasurer, City Judge, and City Attorney.

1.5 RESPONSIBILITIES

City Council

The City Council is responsible for the appointment of the City Manager, City Treasurer, City Recorder, City Attorney, and City Judge. City Council roles and responsibilities are established in the City Charter.

City Manager

The City Manager is the Chief Administrative Officer for the City of Shelbyville. The City Manager is hired by appointment and serves at the pleasure of the City Council. He (or she) is responsible to the City Council for the proper operations of all City functions. The responsibilities of the City Manager include appointment and termination of all City employees, enforcement and application of all laws, provisions of the City Charter and Municipal Code, and acts of the City Council including but not limited to the Personnel Policies and Procedures. Additional responsibilities are established in the City Charter.

Department Heads and Supervisors

Department Heads and supervisors are subject to and are responsible for the administration and enforcement of the Personnel Policies and Procedures for employees in their respective department areas.

1.6 PERSONNEL RECORDS

Personnel File

The Personnel File is the official record of employment for employee(s) and is the property of the City of Shelbyville. The Personnel File will be maintained in a secure manner by the Human Resources

Generalist. The Personnel File for each employee may contain, but not be limited to the following information: 1) employment documentation including application and resume, employee data sheet, and income tax deduction forms ; 2)personnel action forms noting position and wage information; 3) performance evaluation forms and other documentation related to an employee's job performance; 4) outside employment forms 5) official commendations, training and education records including certificates and diplomas; 6) complete documentation pertaining to all disciplinary matters and corrective actions; and 7) information relative to grievance proceedings, and complaints of discrimination and harassment filed by the employee.

Medical/Confidential Records

Medical information obtained from City-provided medical examinations are the property of the City of Shelbyville. Inquiries will be maintained in a secured file system separate from an employee's official personnel record. Information may include, but not be limited to the following: benefit documentation such as health insurance and retirement forms, fitness for duty examinations, drug testing results, medical information related to leaves of absence, inoculation records, etc. These documents will be maintained in a secured file system that is not open for public inspection. Worker's Compensation documents will be maintained in the same medical file system under separate cover. These procedures are in accordance with the confidentiality requirements of the Health Insurance Portability and Protection Act (HIPPA), Americans with Disabilities Act (ADA), Family Medical Leave Act (FMLA), and rules and regulations of the Equal Employment Opportunity Commission (EEOC).

Public Access

Inquiries for detailed employment information or public inspection of employee records shall be made in writing and should be directed to the City Recorder, Open Records Custodian. This includes inspection and requests by Department Directors or employees. This documentation request will be exempt for the positions of Payroll, HR Generalist, Finance, and the City Manager for daily operation purposes. Employee records are open for public inspection in accordance with Tennessee Law. Police Department Records and Reports may be exempt by reason of certain regulations, and all requests will be reviewed by the Chief of Police on a case by case basis and will comply with Tennessee Law. All public records requested shall be promptly provided unless it is not practicable, and then the City shall: make the record available in 7 business days; deny the request in writing or furnish the requestor a completed records request response form stating the time reasonably necessary to produce the record or information.

Confidential information will be redacted out of any personnel files that are requested for inspection, as per Tennessee Law. Adequate time will be allotted to allow for redaction of such information as allowed by law. All requests will be completed promptly, and in a responsive and timely manner.

In all such matters, the employee will be notified within seventy-two (72) hours of the records request. Exceptions may be made to release limited general information, such as employment dates and position held.

CHAPTER 2

DEFINITIONS

Absence with Pay- Absence approved by the Supervisor and/or Department Director and for which compensation is received.

Absence Without Pay- An absence from duty which is without pay due to no accrued vacation leave, sick leave or compensatory time, or an approved leave of absence without pay.

Absence Without Leave - Any absence for which a leave request was either not made or denied.

ADA- Federal Americans with Disabilities Act providing certain employment protections for individuals with qualifying disabilities.

Appeal - Request for review of a decision on an alleged grievance submitted in writing by an employee to a higher authority or for review of a disciplinary action other than an oral or written reprimand.

Applicant- An individual who has applied in writing and/or submitted a resume in response to an opening or has completed an application form for employment.

Application - A form used to apply for positions with the City of Shelbyville.

Appointing Authority - The Department Head or City Manager.

Appointment - The offer to, and acceptance by, a person of a position with the City upon approval of the City Manager.

Appointment Date or Employment Date- The original date of appointment to, or employment in, a permanent position.

Assembled Examination- An examination for which applicants are required to appear at a specific place at a specific time.

At-Will Employer – The authority of the employer under Tennessee State law which means that an employer may legally hire, fire, suspend or discipline any employee at any time and for any reason, good or bad, with or without cause or for no reason at all, as long as the motivation for the action is not violative of any law.

Authorized Representative - A person or persons possessing authority, authorized and delegated by the immediate superior, who has the authority and power to delegate such authority.

Base Salary- The actual salary amount in a given pay range exclusive of all pay differentials and allowances.

Call Back- An employee who is called back to work on an emergency basis

Calendar Year- Any twelve (12) consecutive months from a start date; also, January 1 to December 31 of a given year.

Certification - Endorsement as meeting required minimum standards.

City- Shall mean the municipal government of the City of Shelbyville, Tennessee.

City Business Days- Shall mean any Monday, Tuesday, Wednesday, Thursday or Friday, except holidays observed by the City, of any week.

City Council- The mayor and other members of the City Council who collectively serve as the governing body of the City and are vested with the power to enact ordinances and resolutions for the City.

City Manager- The highest ranking appointed officer of the City, appointed by the City Council.

Classification - The act of grouping positions into classes with regard to: (1) duties and responsibilities; (2) requirements as to education, knowledge, experience and ability; and (3) physical and sensory requirements. Classification allows an arrangement of positions whereby equal pay is given for substantially equal responsibility and authority.

Classification Plan - The resultant system of positions that have been grouped into appropriate classes according to (1) and (3) under Classification above, reflecting the hierarchical structure of the organization and consisting of: (1) an index to the class specifications; (2) the class specifications; and (3) rules for administering the classification plan.

Closing Date- The last date established for which applications can be received for a particular position.

Compensation - The rate of pay which has been established for the respective position.

Compensation Plan - The official schedule of pay approved by the City Council assigning a range of pay to pay grade.

Compensatory Time - Time off from work in lieu of monetary payment for overtime worked.

Continuous Service - The most recent period of employment with the City without a break in service as evidenced by separation from the City payroll and Personnel records.

Counseling/Coaching - These are opportunities to address employee performance, contributions, goals and or plans in a one-on-one situation. Employees who are experiencing performance related challenges are provided sessions in a non-disciplinary mode to alter or change their behavior. However, if the behavior does not improve these can be a pre-cursor to more formal disciplinary actions. Employees who are at or above expected performance levels are given feedback to encourage greater contributions, additional possibilities, and new or more focused initiatives

Critical Response Positions- Positions requiring response to service or call to duty because of a potential threat to life or property or another emergency.

Emotion – Involuntary or Voluntary assignment of an employee from one position to another which has a lower rate of pay. Results in reduction in pay when a result of disciplinary action.

Department - The primary organizational unit which is under the immediate charge of a Department Head and designated in budget documents.

Department Director- The Supervisor immediately in charge of a department, the primary organizational unit.

Departmental Rules- Any written policies, operational plans, procedures or orders established by the Department Director and approved by the City Manager which dictate certain expectations, actions, rules or regulations. All departmental rules shall be consistent with these rules.

Disciplinary Action - An action which may be taken by the employee's Department Head or City Manager for any legal reason which may include, but is not limited to, when an employee fails to follow or violates the policies, procedures and rules of conduct of departmental rules, these Personnel Rules and Regulations or the Municipal Code. Disciplinary action includes, oral counseling, written reprimand, suspension, demotion and/or dismissal.

Dismissal - A type of disciplinary action which separates an employee from the City of Shelbyville payroll.

Disability- A physical or mental impairment that substantially limits one or more major life activities; has a record of such impairment or is regarded as having such impairment.

Division – A group, unit or shift within a department.

Eligible - A person who has successfully met required qualifications for a particular position.

Employee - An individual who is legally employed by the City and is compensated through the City payroll for his/her services. Individuals or groups compensated on a fee basis are not included.

Employee Development – Internal and external professional and academic programs for the purpose of improving the quality of service of the employee and developing an employee for advancement opportunities.

Employment Date - The original date of employment. If employed by the City more than once the employment date is reflective of the last hire date.

Evaluation - The system which has been established for evaluating an employee's performance in accordance with performance standards set forth on job descriptions. An overall process consisting of periodic counseling/coaching sessions compiled with an annual written performance report of employee contributions, strengths, weaknesses and goals. A two-way dialogue between the employee and their supervisor is designed to inform the employee with feedback regarding his/her performance and is an effort to challenge the employee to have greater contributions to the City. Evaluations will be made before the end of the first sixth (6) months of employment and may be before the end of the twelfth (12) month and on an annual basis thereafter.

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

Exempt Employee - Employees that are compensated on the "whole job" basis and are exempt from overtime in accordance with Title 29, Part 541, of the Code of Federal Regulations. Exempt Employees are also exempt from compensatory time.

Extended Family – Family defined as aunts, uncles, nieces and nephews. The same shall apply to bereavement leave. Proof of relationship may be required.

Full-time Employee - An employee working full-time who was hired under the rules of a full-time position.

Grievance - A grievance can be a misunderstanding, complaint, point of view or opinion pertaining to some aspect of employment, employment conditions, relationship between an employee and his/her supervisor and/or employer, relationship with other employees, application or interpretation of regulations and policies, management or administrative decisions. Such instances will be considered a grievance in all cases except where they relate to personnel action arising out of performance evaluations, certain disciplinary actions, any interpretation or alleged violation of the Municipal Code and these rules, and demotions, transfers and layoffs because of the abolishment of positions.

Insubordination – Disobedience to authority.

Immediate Family - Includes present spouse, parents, step-parents, grandparents, current parents-in-law, current grandparents-in-law, foster parents, children, step-children, brother, sister, brother-in-law and sister-in-law of the employee, grandchildren, legally adopted children, children taken in the home to raise under a properly executed court order and those blood relatives of the employee that are verifiably living in the home and dependent upon the employee for care whose relationship may be determined by the City Manager. Proof of these relationships may be required.

Job Description - A written document describing the essential functions of a job, additional functions, minimum qualifications, ADA requirements and performance indicators.

Layoff - A reduction in force or a dismissal of employee(s) from his/her job(s) because of tightened budgetary constraints or work shortage (not due to poor performance or misconduct).

Leader – One who is responsible for managing, overseeing and/or supervising employees and/or projects within the City.

Leave with Pay - Approved absence by the Supervisor and/or Department Director and for which compensation is received.

Leave Without Pay – Approved absence by the Department Director and City Manager for which no compensation has been received.

Management - A person appointed to a position that either directs, manages and/or supervises a department and/or the employees within that department.

Maternity Leave - Excused absence due to pregnancy, childbirth or related medical condition, and nursing the infant, with confirmation and prior approval of the Department Head

Military Training Leave - In accordance with TCA 8-33-109, the period of twenty (20) working days, with pay, per calendar year, granted to employees who are members of a Military Reserve Component or National Guard. Military Training Leave is not charged to vacation leave.

Nepotism - Employment of a family member defined as a parent, sister, brother, spouse, child, parent-in-law, son-in-law, daughter-in-law, foster parent, foster child, adopted child, grandparent, grandchild, and step-parent or other. Family members also include aunt, uncle, brother-in-law, sister-in-law, step-child and their spouses.

Occupational Disability or Injury Leave- A medically excused absence from duty because of an injury or illness sustained in the course of employment and determined to be compensable (1) by the City's workers' compensation insurance carrier and (2) under provision of the Workers' Compensation law.

On Call - Being available at a designated place for a designated period of time. Whether or not the employee is on call shall be judged in accordance with the FSLA Regulations as set out in 29 CFR, Part 553.221.

Overtime - Authorized time worked by an employee in excess of their regular scheduled shifts per week or per work cycle.

Overtime Pay - Compensation paid to an employee for overtime work at the rate of one and one-half times the number of overtime hours worked.

Part-time Employee - A person employed on a continuous basis to fill a position who regularly works less than the established hours of employment for a day, week or month.

Pay Class - Specific pay rates having a relationship to one another to which all full-time positions are assigned.

Pay Rate - A specific dollar amount, expressed as an annual rate, monthly rate, weekly rate or hourly rate, as shown in the pay plan.

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

Performance - The way in which an employee executes his/her assigned duties and responsibilities. Performance is evaluated under the Performance Evaluation System by the immediate supervisor and reviewed by supervisors in the chain of command and provided to the City Manager.

Personal Relationships – A relationship between individuals who have or have had a continuing relationship of romantic or intimate nature.

Personnel File - An official file which is maintained in the Personnel Coordinator's office for each employee and generally consists of such items as application or resume for employment; records of transfers, promotions, demotions, reinstatements, reclassification, changes in pay, performance evaluations, and disciplinary actions.

Position- Any office or employment, whether occupied or vacant, full-time or part-time, consisting of a group of essential functions, additional functions and responsibilities legally assigned or delegated to one individual by competent, appropriate authority.

Probationary Employee- An individual who has not yet completed a probationary period.

Probationary Period/Status- A new employee appointed to a regular classified position, or an employee promoted who is required to successfully serve a specific work status review/trial period as provided in these rules for a period to be determined by the performance of the employee. These positions as all positions are subject to the At-Will Status. A trial period served after the initial selection process by all new employees before attaining regular status or after an employee is promoted, in which the employee is required to demonstrate his/her fitness for the position by the actual performance of the duty. The initial probationary period shall be twelve (6) months for all departments. During this period, the City may terminate employment for any reason.

Promotion - Assignment of an employee from one position to another which has a greater level of responsibility and a higher maximum rate of pay.

Qualifications- The requirements of education, experience and other skills prescribed by the job description.

Rank - The order in which an applicant's name appears on an eligible list based on the individual's composite score in the evaluation process.

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

Reasonable Accommodations- Accommodations required pursuant to State and Federal Law.

Re-Classification - A classification action of a position by classifying it upward, downward or to a different type of position on the basis of sufficient changes in the kind, difficulty or responsibility of work assigned to the position.

Records - All records maintained on each employee shall be on file in the Human Resources Generalist Office. Only training documents shall be kept on file at the department level.

Removal – Disciplinary action taken where an employee is listed in an unpaid status for a period of time as deemed necessary and recommended by the Department Director to the City Manager.

Reprimand - Oral or written reprimands are issued to address situations where an employee's performance or conduct does not meet expectations or requirements. Both oral and written reprimands are documented and are filed in the employee's permanent personnel file.

Resignation - Separation from the employment of the City of Shelbyville at the request of the employee.

Seniority - The status of an employee acquired by continuous service with time-in-grade/position which may be considered in the granting of benefits, promotions and making reductions in the work force by lay-off.

Separation - Any type of action whereby an employee is removed from the municipal payroll.

Sick Leave - An approved absence due to non-occupational illness, injury or health maintenance. Sick leave shall be considered a benefit and not a right for employees to use at his/her discretion.

Standard Operating Procedures - Administrative policies and procedures established by the Department Director and approved by the City Manager; specific to the operation of the individual department; shall be consistent with, but not be synonymous with, these rules and regulations.

Suspension - An enforced leave of absence of disciplinary purposes or pending investigation of charges made against an employee. Depending on the misconduct, an employee may be given a minor or major suspension which has different levels of disciplinary action.

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 Employee - An employee holding a position other than full-time which is of a temporary, seasonal, casual or emergency nature or for such limited time as is specified by the City Manager. This employee is not eligible for paid vacation, sick leave or holiday pay. Time spent as a temporary, seasonal, casual or emergency employee does not count in the years of service computation.

Termination - Separation of an employee's service by resignation, layoff, disability, death, retirement or dismissal.

Transfer - Assignment of an employee from one position to another. 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 a different class and may result in a reduction or a freeze of pay. Transfers may be considered at the employee's request or made at the discretion of management.

Uniformed Fire Personnel- An employee of the Municipal Government who has an inherent duty imposed to uphold and enforce the State and Municipal Codes and Regulations and other law in Fire Suppression and Prevention and is identifiable by wearing of the uniform and insignia of the Fire Department of the City of Shelbyville.

Uniformed Police Personnel-An employee of the Municipal Government who has inherent duty imposed to uphold and enforce State and Municipal Codes and Regulations and is identifiable by wearing of the uniform and insignia of the Police Department of the City of Shelbyville.

Vacancy - The unoccupied budgeted position within the City of Shelbyville.

Vacation Leave - The leave granted for vacation purposes within each calendar year.

Work Cycle- The number of hours regularly scheduled to be worked during a twenty-eight (28) day period on which overtime and/or compensatory time is based; applies only to Uniformed Fire Personnel on shift.

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

Work Week - The number of hours regularly scheduled to be worked during any seven (7) consecutive days; usually for 40 hours, with special provisions made in those departments requiring additional work shifts or work hours. The City Manager shall have the authority to establish other work periods where permitted under the FLSA regulations.

CHAPTER 3

RECRUITMENT AND EMPLOYMENT

3.1 EQUAL EMPLOYMENT OPPORTUNITY

It is the obligation and policy of the City of Shelbyville to provide equal opportunity employment to all employees and applicants for employment. No person will be discriminated against in employment because of race, color, religion, sex, 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. The City of Shelbyville will provide reasonable accommodation to qualified disabled individuals unless the accommodation would pose an “undue hardship” on the City.

This policy applies to all terms, conditions, and privileges of employment and all policies of the City, including hiring, placement, training, employee development, promotion, transfer, compensation, benefits, grievances, educational assistance, layoffs, termination and retirement.

3.2 JOB ANNOUNCEMENTS

Department Director(s) who need to fill a job opening should contact the Human Resources Generalist in order to begin the recruitment process. The Human Resource Generalist Office will prepare and publicize job announcements in order to bring notice of vacancies to as many qualified persons as possible.

Notification

The Human Resources Generalist shall prepare recruiting notices to publicize vacancies and to secure applicants for vacant positions. As an accommodation to persons with disabilities, notices shall be provided in alternate formats if requested.

Minimum Qualifications

The Human Resources Generalist, in consultation with the Department Director concerned, shall review the minimum qualifications as specified in the current job description. Upon approval by the City Manager, such requirements shall be announced in all vacancy and/or promotional announcements.

Public Advertisement

Applicants shall be recruited from a geographic area as wide as necessary and for a period of time sufficient to ensure that qualified applicants are obtained. The Human Resource Generalist and the Department Director will determine what forms of media to extend the advertisement. The advertisement may also include the City website along with the city social media outlets. The determination for this type of advertisement will be based on, but not be limited to position, skill requirement, and the level of response from other means of recruitment.

3.3 APPLICATION PROCESS

Application Acceptance

Any candidate for employment must fill out and sign a City application form in order to be considered for hiring along with a signed job description by the posted deadline. Applications for employment will only be accepted for announced vacancies. A candidate must complete a new application for each position of interest. However, resumes, transcripts, training certifications and other certifications may be attached and, in some cases, may be required in order to judge the applicant's merit and fitness.

Application Retention

Applications will remain active for six (6) months once a position has been filled. Applications deemed inactive will remain in storage according to the time frame as allowed under the records retention law.

3.4 ELIGIBILITY

Recruitment

Individuals will be recruited from a geographic area as wide as necessary to assure obtaining well-qualified applicants for various types of employment positions. Recruitment, therefore, will not be limited to residents of the City of Shelbyville. In cases where residents and non-residents are equally qualified for positions presently vacant, residents of the City of Shelbyville will receive first consideration in filling such vacancies.

Emergency Personnel

All emergency vehicles may only be utilized as a take home vehicle if the employee lives within Bedford County. Any employee outside Bedford County assigned an emergency vehicle will be required to receive pre-approval by the City Manager. All emergency personnel are required to respond to call-back situations as needed for necessary emergency staffing purposes.

Nepotism

Family members of a city employee will be considered for employment by the City if the applicant possesses all the qualifications for employment and is seeking employment in a separate department. Current employees that fall under the definition of a relative will remain in status quo regarding his/her position, however, any change of position or assignment must be in conformity with this section or must be approved by the City Manager when it is deemed in the best interest of the City or in an emergency situation. No direct and immediate supervision of family members shall be allowed as there shall be a level of supervision between immediate family members or a separate chain of command in place. When a conflict or a potential for conflict arises because of the relationship affecting employment, the City Manager will make a determination at that time in accordance with the provisions set forth above.

Family members for the purpose of this section are defined as a parent, sister, brother, spouse, child, parent-in-law, son-in-law, daughter-in-law, foster parent, foster child, adopted child, grandparent, grandchild, and step-parent, aunt, uncle, brother-in-law, sister-in-law, step-child and their spouses.

Personal Relationship

An employee who is involved in a personal relationship with another employee will not: participate in the decision to assign, promote or transfer the other employee, (b) immediately supervise or oversee the employment activities of the other employee, a separate chain of command will be necessary(c) be in a position to influence the employment activities of the employee. If a personal relationship is established after employment, it is the responsibility and obligation of the employees involved to

disclose the existence of the relationship to the Human Resources Generalist. Any personal relationship cannot interfere with the employee's assigned job duties. When a conflict or a potential for conflict arises because of the relationship affecting employment, the City Manager will make a determination at that time in accordance with the provisions set forth above.

Re-Employment

Former full-time employees of the City of Shelbyville, who are offered re-employment with Department Director recommendation and City Manager approval, the following provision(s) shall apply: 1) Vacation accrual rate shall be calculated on total years of service provided that there is no longer than twelve (12) months lapse of employment. 2) Reinstatement of Retirement benefits are determined and subject to Retirement plan documents.

3.5 REJECTION OF APPLICANTS

An applicant may be removed from consideration for reasons that may include, but are not limited to the following:

1. The application was not submitted within the advertised deadline or was not submitted on the standard application.
2. The applicant does not possess the established qualifications.
3. The applicant has established an unsatisfactory employment or personnel record as evidenced by reference check of such nature as to demonstrate unsuitability for employment.
4. The applicant has made false statements of any material fact or has practiced deception in his/her application.
5. The applicant is addicted to the habitual use of drugs or intoxicants or has a conviction record of a misdemeanor involving moral turpitude or of a felony.
6. The applicant does not reply to a email inquiry within three business (3) days or does not return a telephone inquiry within two business (2) days, or fails to accept appointment within the time prescribed in the offer.
7. The applicant was previously in the City's service and was removed or resigned while not in good standing.

All finalists that are disqualified or not chosen will be notified by the Human Resources Generalist.

3.6 TESTING AND EXAMINATIONS

Recruitment by Examination

All appointments in the City's service 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 post to be filled.

Types of Examinations

The examinations held to establish eligibility and fitness for any class may consist of one or more of the following parts as determined by the Human Resources Generalist in conjunction with the Department Director. Any combination of the following selection techniques, or others which may be appropriate, may be utilized:

1. **Written Test** - This test, when required, shall include a written demonstration designed to show the applicant's familiarity with the knowledge involved in the class of positions to which he/she is seeking appointment.
2. **Oral Test** - This test, 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 interview may also be used in examinations where a written test is unnecessary or impractical.
3. **Performance Test** - This test, when required, shall involve performance tests that would aid in determining the ability, physical agility and manual skills of applicants to perform the essential functions of the job.
4. **Psychological Test** - This test, when required, shall include any test to determine if the applicant is free from any disorder, as set forth in the current edition of the Diagnostics and Statistical Manual of Mental Disorders, which would, in the professional judgment of the examiner, impair the subject's ability to perform any essential function of the job.
5. **Training and Experience** - This part, when required, shall be obtained and evaluated from statements of education and experience contained in the application form or from such supplementary data as may be required.

Fitness for Duty/Medical Examinations

Following a conditional offer of employment, every prospective full-time and part-time and seasonal employee will be given a pre-employment physical examination and a drug screening by a licensed physician designated by the City of Shelbyville. The purpose of these examinations is to determine if the employee meets the necessary physical fitness standards of the position for which he/she was selected for. The cost of these medical examinations will be paid for by the City.

Employees not covered by the Family Medical Leave Act ("FMLA") may also be required to have a medical examination on other occasions when the examination is job-related and consistent with business necessity. For example, a medical examination may be required when an employee is exposed to toxic or unhealthful conditions, requests an accommodation for a disability or has a questionable ability to perform current job duties or the duties of the job for which the employee is being considered. Fitness for Duty or Medical Examinations for employees covered by the FMLA are covered in Section 10.10

Background Checks

The City shall conduct appropriate pre-employment background checks on all final candidates for employment. The costs of background checks will be paid for by the city.

Conditional Offer of Employment

All offers of employment upon review and approval by City Manager shall be submitted to Finance and Human Resources Generalist for pre-employment payroll status change activation.

CHAPTER 4

APPOINTMENT, PROMOTION, TRANSFER, DEMOTION AND PROBATION

4.1 GENERAL PROVISIONS

Selection and appointment of personnel are to be made by the Department Director in consultation with the Human Resources Generalist and/or City Manager. Human Resources Generalist and the Department Heads will thoroughly vet any applicants that are being considered for a preliminary offer of employment that include background checks, reference checks, along with the pre-employment physical and drug screening. In general, the Department Director will make the selections, but the final appointment approval is at the discretion of the City Manager.

The Fair Labor Standards Act requires that employees of state and local government be at least 16 years of age for most non-farm jobs and 18 years of age to work in non-farm jobs declared hazardous by the Secretary of Labor. Minors 14 and 15 years of age may work outside school hours under certain conditions. Positions for Firefighter, Communications Officer, or in the Uniformed Police Service require that the candidate is 21 years of age by date of appointment.

4.2 REGULAR APPOINTMENT

An employee who has been appointed to a regular budgeted City position and who has successfully completed the specified testing requirements may be appointed as a regular City employee. The appointment must be based upon the recommendation of the Department Director and approved by the City Manager. Employment is considered "At Will" and employment may be terminated at any time WITH or WITHOUT cause, as allowed by law.

4.3 TEMPORARY AND PART-TIME APPOINTMENT

Temporary and part-time appointments are made for seasonal or occasional work that typically require less than continuous year-round service.

Part-time employees are generally persons employed on a continual basis to fill a position who regularly works in the established hours of employment. (i.e. 30 hours per week or less) Temporary employees are generally persons employed to fill a position for a limited time period. Seasonal employees are generally persons employed for a specific assignment and specific duration. Seasonal employees may be either full or part time. (Parks & Rec Pool lifeguards are an example) Individuals on temporary appointments, are not eligible for benefits such as vacation leave, sick leave, holiday pay, health insurance, retirement benefits and the grievance process. Health insurance is regulated by ACA requirements and will be tracked for each employee to ensure compliance and eligibility. Appointment to a temporary or part-time position does not guarantee placement in a full-time position. Employees in this appointment category may be terminated at any time. These positions may include student employment (internships), which may provide academic credit only in lieu of pay.

These appointments are limited to hours per calendar year maximum as allowed by Affordable Care Act (ACA) Regulations, or less as limited by budget authorization.

4.4 VOLUNTEER FIREFIGHTERS

Volunteer firefighters are appointed by the Fire Chief and approved by the City Manager upon completion of a physical, drug screen, and background check. Volunteers are compensated monthly with no other benefits except under City's worker's compensation coverage. Training requirements must be satisfied as required in order to receive monthly compensation.

4.5 EMERGENCY APPOINTMENT

In an emergency, the City Manager may authorize the appointment of any qualified person in a position to prevent loss of services to the community, or serious inconvenience to the public.

4.6 PROMOTION

Policy

The City of Shelbyville offers qualified employees promotions to higher level positions when in the best interest of the public service. A promotion is assigning an employee from one position to another that has a higher maximum pay rate, rank, and responsibility. Management may consider current employees with the necessary qualifications and skills to fill vacancies above the entry level, unless outside recruitment is considered to be in the City's best interest as determined by the City Manager. As posting positions are primarily advertised publicly, Department Directors who wish to post internally must receive pre-approval from the City Manager. Promotions in every case must involve a defined increase in duties and responsibilities and shall not be made for the sole purpose of effecting an increase in compensation only.

Eligibility

An employee's eligibility will be determined by the requirements of the posted position. Consideration may be given to those employees who have a demonstrated record of achievements, contributions and the skills and capabilities for greater responsibilities. Employees must have at least one year of consecutive satisfactory service to be considered eligible for promotions.

4.7 TRANSFER

A transfer is a lateral movement of an employee from one position to another at relatively the same pay range between positions of the same class or different class. Transfers may be made within a department or between departments. If a position is available and the employee is qualified for the available position, and the Department Director(s) agree, any employee who has a satisfactory performance record is eligible for a transfer. A Department Director requesting to transfer an employee or a regular employee requesting to be transferred should notify the City Manager in writing. A job description for the new position shall be furnished to the employee. Final approval of transfers must be approved by the City Manager.

4.8 DEMOTION

A Department Director, with City Manager approval, may demote an employee to a position of a lower class for which they are qualified for any of the following reasons:

1. The employee's position is being abolished and the employee would otherwise be laid off;
2. The employee's position is being reclassified to a higher grade, and the employee is not qualified for the reclassified position;
3. There is lack of work and/or lack of funds;
4. There is a change of hours;
5. The employee voluntarily requests such demotion;
6. Another employee is returning from authorized leave in accordance with rules on leave and will occupy the position to which the employee is temporarily assigned; and
7. The employee does not possess the necessary qualifications to render satisfactory service in the position the employee holds with proper documentation in the personnel file

4.9 PROBATION

It is the policy of the City that all new employees in regular full-time, regular part-time and temporary positions be simultaneously placed in a probationary status. The probationary period may also be referred to as a trial period. The probationary period is an integral part of the City's evaluation process and shall be utilized by the Department Director and supervisor as an opportunity to observe the probationary employee's work, to train, to aid the probationary employee in adjusting to the position, and to dismiss any probationary employee whose performance or attendance fails to meet acceptable standards.

Duration - All new employees in regular full-time and regular part-time positions shall be in a probationary status for six (6) months from the date of hire.

Evaluation and Completion of Probation - The supervisor shall evaluate the performance of the probationary employee at six (6) months and annually thereafter. Additional evaluations may be completed prior to these intervals if necessary to address performance problems. The evaluations shall be documented on a designated form. Upon satisfactory completion of the probationary period, as indicated by a performance evaluation score of "meets expectations" or above, the employee shall be classified as a regular full-time or part-time employee. If the performance evaluation does not "meet expectations", the probation may extend for up to six (6) additional months, or the employee may be dismissed.

Dismissal of Probationary Employee - At the time during or upon the conclusion of the probationary period, an employee may be dismissed by the employee's respective Department Director with City Manager approval, with or without cause, and with no right to appeal as provided for regular employees herein.

Transferred or Promoted Regular Employees - An employee that has received a transfer or promotion to a new position within a department or to a new department shall be defined as a full time probationary employee and will be subject to the initial six (6) month probationary period. Successful probationary periods will result in status change to full time regular employee. Transferred or Promoted employees are subject to extended probationary period if needed.

CHAPTER 5

SEPARATION

5.1 TYPES OF SEPARATION

Employees of the City of Shelbyville are employed on an at-will basis. The City retains the right to terminate an employee at any time. All separations of employees from positions with the City shall be designated as one of the following types: resignation, layoff, retirement, dismissal and death.

At the time of separation, all records, equipment, issued clothing and other City property in the employee's possession must be returned to his/her supervisor in good condition. The employee and the supervisor will certify that the employee has returned all necessary items. An employee who is laid off, terminated or has resigned must be paid his/her wages in full at the next regular payday, not to exceed twenty-one (21) days from the date of his/her discharge or termination in accordance with T.C.A.50-2-103(g). Release of final pay shall be withheld pending compliance with this section. The City determines the cost of all unreturned items.

5.2 RESIGNATION

An employee may resign by submitting written notification stating the reason and the effective date to the Department Director as far in advance as possible, two-week (14) days is desired. Department Directors shall complete the necessary Payroll Status Change Form to the Finance Department.

Department Directors and supervisory employees must give a minimum of thirty (30) calendar days' notice prior to the effective date of resignation in order to be eligible for re-hire status. Resignations shall be submitted in writing to the City Manager.

After notice has been given, an employee should not use any accrued leave such as sick, vacation, compensation time or personal days unless authorized by the City Manager. Failure to comply with any of these requirements may be considered reasonable grounds for classifying the resignation as "not" in good standing and, therefore may be cause for denying future employment with the City.

5.3 REDUCTION IN FORCE

Authority and Purpose

To establish an effective and equitable process in the event that a reduction-in-force is necessary. A reduction-in-force may be determined by the City Council or the City Manager. The City Manager may promulgate additional policy, rules and procedures necessary for the implementation of a reduction-in-force.

In the event that a reduction-in-force becomes necessary, consideration shall be given to organizational needs, the quality of each employee's service, and seniority in determining retention.

For the purpose of this policy, it is understood that upon determination that a reduction-in-force becomes necessary, a RIF plan may be implemented based on the circumstances.

Reduction in Force Non-Grievable

Discharge, demotion or layoff because of lack of work, reduction-in-force, or job elimination is non-grievable under the City's Grievance Policy and Procedure.

The City retains the right, at any time, to abolish positions and terminate the employment of employees because of economic necessity, reorganization to improve efficiency, and other operational reasons.

5.4 RETIREMENT

Retirement is defined as voluntary withdrawal from City employment by an employee eligible to receive retirement benefits under Social Security, or the City's Pension plan(s). Retirement benefits are based upon the regulations of the retirement plan(s) in which the employee is enrolled and any other applicable provisions that may be in effect at the time of that employee's retirement. When a retiree is eligible for Medicare, it shall become his/her primary coverage.

Employees who are eligible for retirement and who wish to retire should advise his/her Department Director and the Benefits Coordinator with as much advanced notice as possible, prior to the anticipated date of retirement in order to allow sufficient time for completion of the appropriate paperwork and processing. Advance notice of retirement also enables the recruitment process to fill the anticipated vacancy.

5.5 DISMISSAL

Dismissal is the removal from a position or City service.

5.6 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 of the employee, except for such sums as by law must be paid to the surviving spouse.

CHAPTER 6

CLASSIFICATION PLAN

6.1 ADMINISTRATION

The City will maintain a Job Classification Plan that provides a listing of employment positions in the City. The Human Resources Generalist will be responsible for maintaining accurate job descriptions in the Job Classification Plan in conjunction with Department Directors and incumbent employees. The Human Resources Generalist will maintain a copy of all City job descriptions. Employees and his/her supervisor will maintain open communications and dialogue to ensure that job descriptions are periodically reviewed and updated as appropriate. Any employee, who desires to review the Job Classification Plan, may review the department copy upon approval of his/her supervisor or Department Director.

6.2 USE OF JOB DESCRIPTIONS

Job descriptions are a mechanism of communicating goals, objectives, values and expectations between all echelons of the City's hierarchy. The job descriptions will contain a general description of the position, essential functions, and additional duties of the job. It should be noted that these elements listed are not entirely inclusive or descriptive of all duties.

The job description will also contain minimum training and qualifications and Americans with Disabilities Act (ADA) elements and standards required to perform essential job functions. The minimum qualification standards on job descriptions should serve as norms for applicants coming into the job setting and should also serve as a basis for performance indicators in meeting the expectations of the City for each employment position.

6.3 USE OF JOB TITLES

Job titles are to be used in all personnel, accounting and financial records. No person will be appointed or employed in a position in the City under a job title not included in the Job Classification Plan and not approved by the City Manager.

6.4 USE OF JOB CLASSIFICATION PLAN

The Job Classification Plan is one of several elements used:

1. As a guide in recruiting and examining candidates for employment;
2. In determining lines of promotion and in developing employee training programs;
3. In determining salaries to be paid for various types of work;
4. In determining personnel expenses in departmental budgets.

6.5 CREATION OF A NEW OR RECLASSIFICATION OF EMPLOYMENT POSITION

When a new position is established, or duties of an existing position substantially change, the Department Director is to submit, in writing, to the City Manager a comprehensive job description that describes in detail the duties of the position. The City Manager will review the actual and recommended duties provided by the Department Director and provide an assessment to the Department Director on whether the duties are sufficiently changed to warrant a change in pay classification. The job description for the new position or the revised description of an old position will be approved by the City Manager prior to inclusion in the Job Classification Plan for the City.

The City Manager shall have the authority to create or reclassify any position as long as such position has been approved in the budget or will be submitted as a budget amendment.

To the maximum extent possible, requests for the creation of a new position or reclassification of an existing position should be submitted during the annual budget process. If a Department Director considers a position to be improperly compensated, a request for a pay reclassification and/or wage adjustment should be submitted.

CHAPTER 7

COMPENSATION PLAN

7.1 COMPENSATION PLAN

The City shall provide, according to its financial ability, a fair and equitable compensation program for all employees which, at the same time, recognizes the need to be accountable for the use of public funds. The City's compensation plan is based upon prevailing wage rates, economic conditions, and labor market influences. The City administers a compensation program which is designed to attract and retain the best qualified talent possible, and to motivate and toward individual performance.

It shall be the policy of the City of Shelbyville to strictly adhere to the provisions of the United States Department of Labor's Fair Labor Standards Act as applied to Tennessee municipalities. The City will maintain a Compensation Plan that assigns pay ranges to each employment position identified in the Job Classification Plan for the City. Salaries of individual employees will be set within those ranges as approved by the City Manager, within budgeted fiscal resources. Exceptions must be specifically approved by the City Manager. These exceptions will be approved during the budget approval process by the City Council.

The Compensation Plan is intended to provide fair compensation for all positions contained in the Job Classification Plan. To this end, the City Manager may develop with assistance from staff, comparative studies of factors affecting the level of salary ranges and recommend to the City Council during the budget approval process such changes in salary ranges as appear to be in order. These changes will be made by adjusting the Compensation Plan's salary schedule the appropriate amount as approved by the City Council.

7.2 REQUEST FOR PAY RECLASSIFICATION / WAGE ADJUSTMENT

A Department Director may submit a pay reclassification or wage adjustment request to the City Treasurer as part of the budget process if he/she consider a position in his/her department to be improperly compensated. If the duties of a position have substantially changed or a new position is established, a new job description is required. The City Manager may authorize pay reclassifications or wage adjustments submitted by Department Directors outside of the time period stated.

A written recommendation will be forwarded to the City Manager for consideration. The decision of the City Manager shall be final and is not a grievable matter in accordance with these personnel regulations.

7.3 SALARY EXCEPTIONS

Temporary Work Assignment in Higher Capacity

All employees who are assigned temporary work in a higher classification may receive additional compensation beginning at the date of appointment. Temporary Work Assignment in higher classification require a Payroll Status Change Form to be completed to received additional compensation. No temporary appointment can be made for a period longer than three (3) months without approval of the City Manager.

Acting Department Director

When a supervisor or employee of the City is appointed by the City Manager additional compensation retroactive to the date of appointment by the City Manager will apply. Compensation including benefits will be determined by the City Manager based on the level of responsibilities assumed by the Acting Department Director.

City Manager Approval

The City Manager may authorize additional compensation, subject to available funding, when an employee temporarily assumes responsibilities that are significantly outside the scope of their normal job duties. Department Directors and supervisors are not eligible for additional compensation when performing tasks of subordinates in their department. The City Manager may approve adjustments retroactively when warranted. This provision should only be exercised in cases in which significant cost savings are achieved by not having to hire or train additional temporary staff.

7.4 MINIMUM WAGE

In accordance with the FLSA, no employee, whether full time, part time, or trainee, shall be paid less than the federal minimum wage unless they are expressly exempt from the minimum wage requirement set forth in the FLSA.

7.5 OVERTIME PAY

Overtime should be authorized by prior approval of the Department Director or City Manager. In cases of an emergency, a Department Director may also approve overtime.

Non-exempt employees required to work additional hours shall be paid at the rate of one and one-half (1 ½) times the regular rate of pay when an employee has already worked forty (40) hours in the work period. Fire protection and law enforcement personnel overtime hours shall be calculated in accordance with FLSA.

Employees who work overtime shall be compensated in accordance with the Fair Labor Standards Act. All overtime must be approved by the employee's

Department Director. Overtime will be paid for any hours worked in excess of the scheduled work period. Personal Leave, Bereavement, Holiday, and Comp time will not be calculated for overtime purposes. Sick leave cannot be used in the calculation of overtime pay unless associated with workers compensation claim. Approved vacation time will not be counted against employees in paying overtime.

7.6 COMP TIME

Compensatory time off at time and one-half may be granted in lieu of one and one-half times pay in accordance with the Fair Labor Standards Act. The City's Payroll clerk shall keep accurate records of accumulated compensatory time earned and time used for each employee in their respective department. Administration of accumulation of "comp time" shall be in accordance with the Fair Labor Standard Act; however, maximum accumulation of compensatory time shall not exceed forty (40) hours for each employee. Comp time for fire protection and law enforcement personnel shall be calculated on the same basis and pay period as for overtime. Comp time must be taken within thirty (30) days of the

pay period in which it was earned unless extended with request of Department Director and approved by the City Manager. If comp time is not used within approved period, overtime shall then be paid. The City reserves the right to schedule any comp time of use in such a manner that time off does not unduly disrupt the operations of the Department or the City. All comp time earned and taken must be approved and signed by the Department Director and reported each pay period to the Payroll clerk. The Payroll record shall be the City's official record for Compensatory time.

7.7 CALL BACK PAY

An employee who is called back to work on an emergency basis will be compensated at the regular overtime rate of one and one-half (1½) times their regular rate of pay for a minimum of two (2) hours as approved by his/her supervisor.

7.8 HOLIDAY PAY

All hourly full-time employees may be paid for an additional eight (8) hours at their regular rate of pay at one and one half times (1 ½) their regular rate of pay for all unscheduled time worked on the day observed as the holiday, or with approval of the department director and employee may be granted an optional eight (8) hours off in lieu of the day observed as the holiday within thirty days of the observed Holiday. Department Directors are encouraged to arrange working schedules to permit time off for Holidays in preference to extra pay.

Employees having been newly hired will receive full benefits of all holidays that fall after date of the employment.

Employees must be in a pay/ leave status on the work day before and on the work day after the holiday, unless otherwise excused by the department director, in order to receive compensation for the holiday.

7.9 LONGEVITY PAY

After an employee completes three years of continuous service, an annual bonus will be paid on the anniversary date at the rate of \$35.00 times the years of continuous service. For employees who are re-employed with the City, longevity pay shall be calculated based on the most recent hire date.

7.10 PAYROLL DEDUCTIONS

By law, the City of Shelbyville is required to deduct, where applicable, federal withholding taxes, Social Security taxes, and garnishments from an employee's pay. Additional deductions may also be made when authorized by an employee or court ordered.

Federal Income Tax

Federal taxes are withheld from employees' paychecks based on the number of dependents claimed by each individual. Employers are required to keep on file 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.

Social Security Tax

Social Security payments and deductions will be made according to the Social Security Act. The Finance Department shall keep such records and make such reports as may be required by applicable state and federal laws and regulations.

Deductions

Deductions may be made from an employee's pay only with the employee's written authorization. These deductions may include, but not be limited to:

1. Health insurance premiums,
2. Dental insurance premiums,
3. Vision insurance premiums,
4. Retirement plan contributions
5. Charity contributions approved by City of Shelbyville
6. Supplemental Insurance approved by City of Shelbyville

Garnishments

Financial Responsibility is a requirement for continued service with the City. Further, it is the policy of the City to discipline employees who demonstrate irresponsibility in meeting their legitimate financial obligations. Notice of all garnishments shall be handled in accordance with applicable state and federal regulations. An employee with 3 or more garnishments at one time-period may be subject to termination. Any employee with 5 or more garnishments in any 12-month period may be subject to termination.

Child support or spousal support orders, federal or state tax levies, and Chapter 13 bankruptcies are not garnishments.

7.11 Payroll Processing

The City processes payroll on a weekly basis. Vouchers (pay stubs) will be available on the Thursday following the end of each weekly pay period. Any required corrections identified after the payroll has been processed will be made on the next weekly payroll.

7.12 Direct Deposit

Direct Deposit is mandatory for all employees. The employee shall designate the depository of choice. This will be selected and assigned by the employee on the direct deposit authorization form. An employee can change the banking institute at any time with the payroll clerk.

7.13 REIMBURSEMENT FOR TRAVEL EXPENSES

The City will reimburse authorized employees for approved travel expenses on official City business. Authorization for all trips will be made by the Department Director or City Manager and when advance monies are required approved by the City Manager. Travel expenses for attending meetings, conventions, and training seminars incurred by an employee are reimbursable to the employee upon filing a written travel reimbursement voucher for review and approval by the Department Director, Purchasing Director, and City Manager. Reimbursement will be based upon applicable provisions contained in the Travel Policies for the City of Shelbyville (Revised 2013) adopted by Ordinance of the City Council. Reimbursement for mileage will be payable at the State of Tennessee allowable rate in the event that a personal vehicle is used by the employee in lieu of a City vehicle. However, when possible, a city vehicle shall be utilized in lieu of a personal vehicle.

7.14 COMPENSATION FOR TRAVEL TIME

Non-exempt employees who travel to attend a training class or seminar will be compensated at regular rates for travel time. Employees will receive overtime pay for time spent traveling if applicable in accordance with Overtime Policy Section 7.5 for training.

Employees are required to notify their Department Director of the projected travel time and the estimated hours of overtime when they complete their request to attend training.

CHAPTER 8

GENERAL POLICIES AND PROCEDURES

8.1 EMPLOYEE EVALUATION SYSTEM

The Human Resources Generalist will maintain at the direction of the City Manager a comprehensive employee performance evaluation system that will recognize satisfactory and superior employee performance and provide direction and guidance to employees whose performance is less than satisfactory. Employee performance evaluations will be performed on an annual basis by each department under the supervision of the Department Director and supervisors. Evaluations for new hires shall occur before the end of the first sixth (6) months. Employees will have an opportunity to make comments on the evaluation form. Employee performance evaluations shall be made a part of the employees personnel file. The City Manager will perform an annual performance evaluation for all Department Directors.

8.2 HOURS OF WORK

Regular Working Hours

The City Manager, in conjunction with Department Directors, shall establish hours of work for each position and the hours during which offices shall be open for business. Public service needs will be taken into account in determining regular working hours by department. The City Manager shall have the discretion based upon staffing levels to establish a flex schedule, depending on the needs of the particular department.

Work hours for Police Department and Fire Department shall be in accordance with FLSA requirements.

Lunch Period

A lunch period of either thirty (30) or sixty (60) minutes shall be provided to employees. The duration of the lunch period for specific employees, work sites or crews shall be determined by the Department Director with the approval of the City Manager and in accordance with all provisions under the Fair Labor Standards Act.

Breaks

Breaks will have administered when applicable according to Fair Labor Standards Act and Tennessee Law. If conditions permit, two (2) breaks, not to exceed ten (10) minutes, are authorized each day. One break is allowed during the first four (4) hours, and another during the second four (4) hours worked. It is the responsibility of the supervisor to ensure that this privilege is not abused.

Time Sheets/Time Clock

Non-Exempt Employees shall use the Time Keeping System/Time Clock to record actual hours worked. Any un-clocked time shall be recorded on an un-clocked time sheet that will be reviewed and signed by the Department Director. Exempt employees will include any leave taken on an un-clocked time sheet for the pay period. The following rules shall apply to the use of time sheets:

Employees are responsible for clocking in at the start of a shift and clocking out at the end of the shift.

Employees are not permitted to clock in in more than ten minutes before their normal starting time or to clock out late after their normal quitting time without the prior approval of their supervisor.

Employees shall not remove an un-clocked time sheet from the designated employee area or leave the premises with said un-clocked time sheet.

Employees given permission by their supervisor to leave their job assignment for any purpose besides City business during work hours must clock out when leaving and clock in upon returning to work.

An employee failing to properly sign his/her time sheet must have it immediately approved and initialed by a supervisor or Department Director to insure payment for hours worked. Failure to properly record hours worked may result in not being paid for those hours in question on the time sheet. Continued non-compliance may result in disciplinary action.

No unauthorized representative/employee shall mark on another employee's un-clocked time sheet nor clock in or out for another employee. Employees that alter another employees' time sheet shall be subject to disciplinary action.

8.3 EMPLOYEE DEVELOPMENT & TRAINING

Both the City of Shelbyville and the employees benefit when employees are well trained. The importance of training employees within each department unit leads to improved organizational development, increased productivity, and enhanced service. This is generally accomplished best through on-the-job or in-service training with occasional or mandated specialized off-site training. Each department will organize for employee training in such a way so as to assure that adequate and necessary training is provided and that unjustified training activities are not engaged in. Training opportunities will be provided uniformly, equally, and fairly. All employees will receive mandated state and federal training requirements such as Title VI and Blood Borne Pathogens.

Employees are encouraged to take advantage of education and training benefits offered to employees of the City to improve their job skills. These benefits are limited to training and education that are relevant to the employee's current position or determined by management to provide them with expanded skills and abilities to contribute to the goal and objectives of the City of Shelbyville. Training certifications and attendance logs will be on file in the employee personnel file located in the Human Resources Generalist Office.

Training Requests

Requests for education and training may be initiated by either the employee or Department Director. The Department Director is responsible to work with their subordinate to identify training opportunities that would be of value to the department and the City and to notify employees of the opportunity to gain additional training. The employee shall also share the responsibility for training by notifying his/her supervisor and Department Head of training opportunities that would be of value to the employee and the department.

The City Manager and the respective Department Director will authorize or require employee attendance and participation at conferences, seminars, workshops, or other functions of a similar nature that are intended to improve or upgrade the employee's job skills.

Requests for training appropriations should be made during annual budget preparation. When a request for training is approved, the employee's cost for registration, tuition and publications, transportation, lodging, and other reasonable expenses will be reviewed and covered by the City when applicable as set forth in the City Travel Policy.

Specialized Training

Specialized training will provide for the assignment of regular employees to recognized educational and professional institutions, facilities, and workshops to receive training which meet specific departmental needs for scientific, technical, professional and administrative skills. Thus, City management is provided with an additional and valuable means of ensuring that federal, state and local laws are complied with and that the methods and knowledge of the work force do not become obsolete.

All regular and full-time employees of the City of Shelbyville and certain probationary employees (for example, critical response positions), are eligible for job-related, specialized training assignments upon approval of the Department Director within departmental budget constraints. All out-of-state travel and training requires City Manager approval before attendance.

Attendance at required training shall be considered working hours for non-exempt employees. If training ends before the normal work shift, the employee must return to the work site.

Each employee on assignment to specialized training shall maintain satisfactory performance in the prescribed course of study.

The department will pay all training costs, including necessary and required tuition, books and expenses. However, such expenses will be paid no more than once for any required course. Should the employee fail a mandatory examination twice, the employee desiring to take the course and/or examination again will bear the cost of training and will attend on his/her time, utilizing vacation leave, compensatory time or leave without pay. Employees must successfully complete the Police Academy or Basic Firefighter on the initial attempt. Failure in these programs will result in disciplinary action such as extended probation or termination of the probationary employee.

If the employee voluntarily separates from the City within two (2) years of receiving training that costs \$2,000 or more, the employee will be required to reimburse the city fifty (50) percent of the training cost. These costs will be deducted from the employee final check through a payroll deduction. Any balance will be invoiced accordingly. Employees who attend the Police Academy are also subject to this provision.

8.4 PERSONAL APPEARANCE

Personal appearance and manner of dress is an important part of your job responsibilities. Employees are expected to dress and groom in a manner which reflects good taste and which is appropriate for the type of work performed. Since all employees deal with co-workers and the public on a daily basis, personal hygiene is a requirement. Employees should ensure their personal hygiene will not be offensive to others around them. This includes but is not limited to – scented body products, perfume/cologne, oral hygiene and body odor. Specific dress codes vary based on the position held and whether the job requires the use of a uniform. An employee who does not meet the standards of this policy will be required to take corrective actions, which may include leaving the premises. Any work time missed because of failure to comply with this policy will not be compensated, and repeated violations of this policy may be cause for disciplinary action. The City Manager may choose to authorize a particular day or day of the week during which casual clothing can be worn for administrative personnel, but restricted attire is still applicable. The following items are prohibited unless specifically authorized by the Department Director and City Manager:

1. Suggestive attire, see-through fabrics, low cut blouses or shirts, midriff shirts, miniskirts, clothing that is not the proper fit, or any other revealing apparel.
2. Overalls
3. Wind pants
4. Tank tops, spaghetti straps, tube tops (unless worn under a blouse)
5. Athletic wear such as sweat shirts, sweat pants, shorts (anything above the knee), jogging suits, yoga pants, and sports jerseys (excludes Recreation Department City-Issued Uniforms)
6. Printed t-shirts not assigned to the employee as part of their uniform (exception of city logo shirts on casual day)
7. Casual flip-flops and crocs
8. Pants with frayed hems, holes, rips or obvious patches
9. Overly worn, torn, or tattered clothing
10. Clothing or accessories that promote political affiliations that are a violation "Political Activity" of this Article.
11. Subjective or inflammatory symbols or any offensive clothing that is a violation of the City's Harassment and Workplace Violence Policy
12. Tattoos and body art shall not be obscene and in keeping with a professional image, when possible, should not be visible.
13. Body piercing jewelry will only be worn on the ear. No other areas of the body should be visible with body piercing jewelry.
14. Open toed shoes or sandals are not permitted in work areas where the exposure to chemical, environmental, or crushing hazards exist. Also, shoes with an open back, such as thong shoes are not permitted for jobs that require the employee to walk in directions other than forward frequently (such as when guiding vehicles or operating a hand-held camera). Employees should maintain proper hygiene at all times. Hair should be clean, combed and neatly trimmed or arranged. Long hair and long beards should be effectively restrained if a safety concern is created. Fingernails should be clean and well-trimmed.

Uniforms

In departments where uniforms are provided, all employees are expected to wear the uniform according to departmental policy. All uniforms are expected to be kept neat and in good repair. There will be a service or an allowance allotted for those employees required to wear uniforms and is specific to their respective department. City uniforms shall not be altered, uniforms are property of the city and must be returned upon termination of employment.

If issued a uniform, the employee shall wear such uniform while on duty, unless otherwise specified by their supervisor or Department Director. Lost or damaged (other than work-use and/or ordinary wear and tear) uniforms must be reimbursed to the City as indicated on the Acknowledgement of Receipt Form. From time to time, a Department Director may choose to order clothing with the City of Shelbyville logo for their employees. Such items should never be given to charities or individuals not employed by the City. Should an employee be separated from employment at the City, these items should be returned to the Department Director prior to the employee receiving their final paycheck. Violations of the City's personal appearance policy may be grounds for disciplinary action.

8.5 USE OF CITY VEHICLES AND EQUIPMENT

It is the policy of the City that certain positions require employee access to Municipal vehicles, either during the work shift or on a 24-hour on-call basis. City vehicles are not personal vehicles and are not for personal use. City vehicles should be viewed as belonging to the citizens of the City and are assigned solely for the purposes consistent with providing services to the citizen. Municipal vehicles and equipment are for municipal use only. No other person other than a city employee may operate a city vehicle or piece of equipment. Passengers may be carried only as part of official business. Drivers and/or operators must have a valid Tennessee Drivers' License and other certifications as required for a particular vehicle or piece of equipment and be approved by the Department Director. New Hires will have 30 thirty days to obtain a valid Tennessee's Drivers' License. Employees operating City vehicles and equipment should have proper City-issued identification. City issued vehicles shall be clearly marked unless otherwise approved by City Manager.

Reporting Vehicle or Equipment Accidents or Damage

All municipal employees that operate a municipal vehicle or a piece of equipment shall immediately report to their supervisor or Department Director any vehicle or equipment accidents or damage incurred while operating said vehicle or piece of equipment and shall remain at the scene. A crash report is required for all accidents to be completed by law enforcement. An accident involving the Shelbyville Police Department requires an accident report from another law enforcement agency. The employee will complete a Vehicle Accident Report that describes in sufficient detail how the accident occurred. These reports must be forwarded to the Safety Director/Human Resources Generalist within 24 hours if feasible.

Failure to properly report an accident or damage to equipment, regardless of fault or severity of damage to the vehicle or piece of equipment, will be subject to disciplinary action.

Management shall inspect or cause to be inspected all vehicles and pieces of equipment on a periodic basis. They will maintain a log of all reported damage and accidents incurred on each vehicle and piece of equipment within their respective department.

Damage to Third Party or Other Private or Public Property

In the event an accident or damage incurred involves another party or damage to private property or other public property, the employee will request an officer from the Shelbyville Police Department or other appropriate law enforcement authority, to complete an accident report that describes in sufficient detail the accident incurred.

The employee will also complete a Property Damage/Loss Report that describes the incident. The supervisor or Department Director will conduct an investigation of the incident and complete a Supervisor's Property Damage Investigation Report. These reports must be forwarded to the Safety Director/Human Resources Generalist within 24 hours.

Employee Negligence While Operating Vehicle or Equipment

After investigation of an accident, if it can be demonstrated the employee operating the vehicle or piece of equipment was negligent in operation of the vehicle or piece of equipment or in violation of motor vehicle regulations, operational safety rules, departmental guidelines or city policy, the employee may be subject to disciplinary action.

Vehicle Citations

Any employee that receives a citation while operating a municipal vehicle is responsible for citation fees and any court costs incurred. Three citations in a period of 12 twelve months may be subject to disciplinary and or termination of employment. Vacation or Personal Leave will be used for any requested time off for the purpose of court dates.

Driving Records

Any employee who is required as an employment condition to possess and maintain a valid Tennessee Drivers or Commercial Drivers' License must immediately, before reporting for duty the next workday, inform his/her supervisor should his/her license become denied, expired, restricted, suspended, or revoked any time during employment with the City. Periodic review of employee's driving records may be conducted by the City of Shelbyville.

Cell Phone Use in City Vehicles

Employees who operate a City vehicle and/or equipment are to limit use a handheld cell phone, either personal or business, while driving. If the vehicle is equipped with a hand -free device it shall be used accordingly. Texting is prohibited. Cell phones shall not be used while refueling city vehicles or equipment.

8.6 ATTENDANCE AND PUNCTUALITY

The City provides a variety of forms of leave to cover absence from work. Unless there are emergency factors involved, leave is to be requested at least 24 hours in advance. When this is not possible due to sudden illness or emergency, the employee is to notify his/her supervisor as soon as possible, and in all cases, prior to the start of the work day in which the employee will be absent. Department Directors with safety sensitive positions may establish more stringent notification requirements for employees to notify supervisors in the event the employee will be unable to work.

An absence from duty for which the employee has not notified and/or provided prior notification to his/her supervisor, and/or which is not approved as leave because of an unsatisfactory explanation, will be considered absence without leave and may be subject to disciplinary action. Upon the approval of the Department Director or City Manager, employees may not accrue paid leave for that month.

Employees are expected to report for duty and be ready to begin work by the start of the regular work day or their regular shift, unless on approved leave. They are to remain on duty until the close of the regular work day or of their regular work shift, unless prior arrangements are made with a supervisor and/or Department Director. Those failing to comply with these rules are subject to disciplinary action.

Attendance

Employees shall be in attendance at assigned work stations or locations at established starting times in accordance with general departmental regulations and these policies. Employees are required to adhere to the City's time and attendance procedures, including but not limited to punching in and out and completing leave requests. All departments shall keep daily attendance records of their employees which shall be reported to the Treasury Department on Tuesdays by a time specified.

Inclement Weather

Generally, inclement weather does not warrant the closing of City facilities or activities, and every employee is expected to make every attempt to report to work as usual. Some City operations and activities must continue regardless of, or because of, the weather conditions. Public Safety personnel are designated as emergency personnel under all circumstances. Employees in other departments, for example the Street Department, may be declared emergency personnel depending upon their job function and the equipment they operate. These employees are expected to report to work under all weather conditions. Personnel who fail to report to work will be charged with leave.

Department Directors, regardless of department or function, are expected to report to work.

If local weather conditions make it impossible for non-emergency personnel to report to work, the employee is expected to notify the supervisor in the same manner as for any other absence. Employees

may use vacation leave, accrued compensatory time, or if the employee has no accumulated leave, leave without pay.

If a non-emergency employee is late due to severe weather conditions, the employee will not lose paid time unless the delay is longer than one hour. Delays of longer than one hour will be charged to vacation leave or compensatory leave, taken as leave without pay, or made up within the workweek, with approval of the Department Director.

If weather conditions become progressively worse during the course of the day all employees will be expected to finish out their work schedule unless granted leave or unless contrary instructions are received from the City Manager. Only the City Manager can approve closing all activities, operations, and functions of any department, facility, and/or building.

8.7 EMPLOYEE JOB ACTIONS

No employee of the City of Shelbyville shall be a party to, participate in or instigate a strike against the City. Employees are prohibited from being a member of, or soliciting any other employee to join, any labor union which authorizes the use of strikes by municipal employees.

8.8 SOLICITATIONS PROHIBITED

Unauthorized solicitation of employees on the premises is strictly prohibited. This prohibition applies both to employees and persons outside the City. Solicitation of gifts (for such occasions as birthdays, resignations, retirements, weddings, and births) are considered authorized. It should be emphasized, however, that no pressure is to be placed on any employee to make any contributions. Upon approval, and at the discretion of the Department Director, solicitations strictly for fundraising purposes only may be allowed. These materials may not be distributed and may only be left in common or breaks areas for viewing at the employee's leisure.

8.9 PERSONAL TELEPHONE CALLS

Using the office telephone during regular work hours for 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. Calls should be made 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. The cost of any long distance personal telephone calls, even of an emergency nature, shall be paid by the employee and not the City. Long, "personal" phone conversations on non-emergency matters may result in disciplinary action.

8.10 CELL PHONE USE

Personal Cell Phones

Employees should keep use of personal cell phones or other personal handheld communication devices to a minimum so that their 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. Employees must be aware that any electronic communication devices used for city business are open to audit for monetary and or content review.

City-subsidized Cell Phones

For many employees, the City provides a stipend for a personal cell phone. The need for a stipend and the amount of the stipend is to be reviewed annually during budget process. The employee must agree to utilize the phone for City business and respond to City related phone calls. The need for a stipend and the amount of the stipend is to be reviewed annually.

Department Director Authority

Department Directors have the authority to restrict or prohibit use of cell phones at any time on the job when they consider such situations as a loss of productivity and/ or its use may present a safety hazard to the employee, co-worker and/or to the general public and private property. Employees in violation of this policy shall be subject to disciplinary actions.

8.11 COMPUTER AND INTERNET USE

Computers, the Internet, e-mail, as with other technologies, should be used to maximize the City's efforts in serving its citizens. Computers, computer files, software, Internet access, voice mail and the e-mail system furnished to the employees are property of the City of Shelbyville. The following rules must be adhered to by all persons using computers, voice mail and Internet resources. The terms and conditions of the City's Computer and Network Policies and Procedures, together with the City's Social Media Use and Internet Posting Policy are included herein by reference as fully and completely as though copied herein verbatim, as set forth in the appendix.

Proper Use

All personnel of the City of Shelbyville are responsible for using computers and Internet resources in an effective, ethical and lawful manner. E-mail is for City business, and only incidentally for personal use. Confidential information or other information that would cause citizens to lose confidence in the City or its personnel should not be provided using e-mail or shared with individuals outside the City's employment ranks. An employee must read and understand the Computer and Internet Use Agreement posted on all computers. Upon completion and approval, a user name will be assigned when applicable.

No Offensive Usage

Employees are prohibited from using computers, the Internet, voice mail and the e-mail system in any way that is disruptive or offensive to others on the basis of race, sex, religion, ancestry, disability or any other basis protected by law. Messages that harass or belittle an individual or group, contain threats, abusive language, obscenities or sexually explicit material is prohibited unless used within a criminal investigation. Voice mail, electronic messages or files that contain prohibited material may be grounds for disciplinary actions.

Security

No one may use loopholes or acts of subterfuge within the computer security systems or knowledge of a special password to damage computer systems, to compromise sensitive information, to obtain extra resources, to take resources from another user, to gain access to systems or to use systems from which proper authorization has not been given. Users may not impersonate other individuals or misrepresent themselves.

Solicitation

The Internet, e-mail or voice mail should not be used to solicit others to promote personal events or causes, commercial ventures, religious or political causes, outside organizations or other non-business matters. Employees are prohibited from uploading, posting, e-mailing, or otherwise transmitting any

unsolicited or unauthorized advertising, promotional materials, junk mail, chain letters, pyramid schemes or any other form of solicitation. No one may use the City's technological resources for personal financial gain by posting messages that promote the products or services of a local business or their own product or services.

Employer Access to Data

The City of Shelbyville reserves the right to read the contents of e-mail messages or listen to the contents of voice messages for any purpose. Computer, computer files and e-mails may be monitored, searched and reviewed by the City or its agents at any time. Employee violations of any of the provisions outlined in this policy may subject employee to disciplinary action.

Duplication or Downloading of Software

The City of Shelbyville purchases and licenses the use of various computer software programs. Employees are prohibited from illegally duplicating software and its related documentation. Employees are also prohibited from downloading software from the Internet and/or other sources without the express written authorization of the IT Director.

Public Records

Computers, computer files, software, Internet access, phone records, voice mail and the e-mail system may be demanded for reproduction under the Public Records Act.

8.12 USE OF TOBACCO PRODUCTS

The City of Shelbyville complies with the Non-Smoker Protection Act of 2007 which prohibits smoking in all public places. All employees who operate City owned vehicles are prohibited from smoking in vehicles. This includes other occupants that may be being transported in the vehicles. No person shall use tobacco products in a city owned or leased facility or vehicle. Violators of this policy will be subject to disciplinary action.

8.13 OUTSIDE EMPLOYMENT

Employees are required to complete an Outside Employment Authorization Form for any position held with an employer other than the City of Shelbyville. Police Officers that provide security related duties for businesses or associations must provide proprietary security license or contract license information for insurance verification to the Department Director. The Department Director may recommend approval of outside employment to the City Manager if the other position does not have any potential conflict of interest with the employee's job with the City. The City Manager has final approval of all outside employment. A business owned by an employee or employees' immediate family will not be considered outside employment; however, there may not be any conflict of interest with City employment or use of City time or facilities.

8.14 EMPLOYEE AWARDS

Upon recommendations of any City leader and at the discretion and approval of the City Manager, employee awards, including but not limited to safety awards, service awards, productivity awards and retirement awards, may be presented to an employee in recognition of significant contributions made by that employee to the City service. Service awards are based on continuous service since last hire date.

8.15 EMPLOYEE ASSISTANCE PROGRAM (EAP)

The City of Shelbyville provides a free, confidential counseling service through our Health Insurance Provider to employees and their dependents through the Employee Assistance Program. The City recognizes that dealing with stressful events can affect employees' health, home and work. EAP can help employees address family, personal, work and substance abuse issues. Department Directors and supervisors may recommend use of the Employee Assistance Program to provide employees with assistance in addressing work related problems. The program provides consultation services to the employee and is provided for eligible employees and their dependents. EAP providers follow strict confidentiality guidelines as outlined by federal law. The City Manager is the point of contact for EAP programs.

8.16 EMPLOYEE CONDUCT

Employees of the City shall not engage in any criminal, dishonest, infamous, immoral, or notorious, disgraceful conduct, or behavior activity, or association, either on or off duty, which discredits him/her and/ or the City. Each employee is expected to conduct himself/herself both on and off the job in such a manner as to reflect positively on both himself/herself and the City.

Reference is also made to the provisions of TCA Title 8, Chapter 17 "Ethical Standards for Officials and Employees" which states "The General Assembly recognizes that holding public office and public employment is a public trust and that citizens of Tennessee are entitled to an ethical, accountable, and incorruptible government.

8.17 RECORDS

The Human Resources Generalist shall maintain adequate records of all personnel activities and transactions, the proceedings of any and all hearings and appeals as they relate to personnel administration, this Personnel and Policies Procedure Manual, the record of every applicant as required by applicable record retention standards and the employment record of every employee. The City abides by the Tennessee Open Records Act, TCA Title 10, Chapter 7.

8.18 BUSINESS DEALINGS

Except for the receipt of such compensation as may be lawfully provided for the performance of the City duties, and except as noted below, no City Officer or employee shall be privately interested in or profit, directly or indirectly, from business dealings with of or by the City. Regular full time, regular part time and temporary employees of the City may, subject to the approval of the City Manager, contract to perform services for the City by meeting the following criteria: (1) the service performed must not be any service which the employee might provide in the normal scope of their regular duties (2) the employee would be required to bid or submit a proposal in the same manner as any other prospective provider of service; and (3) the service performed must not be present a conflict of interest nor a conflict of time with the employee's regular duties.

8.19 ACCEPTANCE OF GRATUITIES

No City officer or employee shall accept or solicit any money or other consideration or favor from anyone other than the City for the performance of an act which the officer or employee would be required or expected to perform the regular course of employment; nor shall any officer or employee accept, directly or indirectly, any gift, gratuity, or favor of any kind which might be reasonably be an attempt to influence the individual's actions with respect to City business.

8.20 USE OF INFORMATION

Employees may not disclose any information obtained in their employment that is made confidential under state or federal law except as authorized by law. Furthermore, employees may not use or disclose information obtained in their employment for financial gain for themselves or any other person or entity.

8.21 USE OF CITY TIME, FACILITIES, RESOURCES

No City officer or employee shall use or authorize the use of City time, facilities, supplies, inventory, materials, tools, machinery, equipment, or other resources for private gain or advantage to themselves or any other private person or group.

8.22 USE OF POSITION

No City officer or employee shall make or attempt to make private purchases in the name of the City, nor otherwise use or attempt to use status as a City employee to secure unwarranted privileges or exemptions.

8.23 ADDITIONAL DEPARTMENT PROVISIONS

Due to the emergency and paramilitary nature of their work, the Fire and Police Departments may have supplemental rules and regulations that are more stringent than rules and regulations applied to employees of other departments. Additionally, all other departments may have supplemental rules and regulations that are specific to the work-related goals and mission of that department. Supplemental rules and regulations shall not be inconsistent with the Personnel and Polices Manual and are subject to review of the City Manager.

8.24 CERTIFICATIONS

All Officer and Employee positions that require certifications applicable to job responsibilities shall maintain those certifications accordingly. Any lapse of certification shall be reported immediately to the Department Director. Failure to maintain a certification or report expired certifications shall be subject to disciplinary action. Original Certification Certificates will be kept on file with the Human Resources Generalist.

8.25 BULLETIN BOARDS

The City maintains bulletin boards at numerous locations on which important information connected with an employee's work is posted from time to time. Cooperation is needed in protecting posted material. All material to be placed on the bulletin boards must be approved by the appropriate supervisor before it is posted. Department Directors will be responsible for seeing that the following are posted on their bulletin boards:

1. Family Medical Leave Act and Fair Labor Standards Act
2. Americans with Disability Act
3. Equal Employment Opportunity
4. Title VI Policy
5. Hazardous Chemical Right to Know
6. State Wage and Hour Law
7. Drug Free Workplace
8. Sexual Harassment Policy
9. Age Discrimination Act

8.26 STRIKES AND UNIONS

No City Officer or employee shall participate in any strike against the municipality, nor shall he/she join, be a member of, or solicit any other municipal officer or employee to join any labor union which authorizes the use of strikes by governments.

CHAPTER 9

WORKPLACE HARASSMENT AND VIOLENCE

9.1 PURPOSE

Verbal or physical conduct by any employee that harasses, disrupts, or interferes with another's work performance or that creates an intimidating, offensive, or hostile environment will not be tolerated.

Employees are expected to maintain a productive work environment free from harassment, bullying or disruptive activity including threats of physical violence. No form of harassment will be tolerated, including sexual harassment and harassment based on race, color, religion, gender, or gender identity, age, national origin, disability, pregnancy, military status, or other protected category, as provided by law. Employees shall attend training classes on this subject as provided by the City.

9.2 SEXUAL HARASSMENT

The City of Shelbyville will not tolerate sexual harassment and prompt action will be taken to investigate and resolve sexual harassment complaints. Sexual harassment occurs when submission to sexual advances is a condition of employment; when submission to or rejection of sexual advances is the basis of an employment decision; or when the conduct of another has unreasonably interfered with an affected person's work performance or created an intimidating, hostile, or offensive work environment. Sexual harassment can be conduct directed toward a man or a woman by either sex and includes the following behavior:

1. Unwanted physical contact or conduct of any kind, including sexual flirtations, touching, advances or propositions;
2. Verbal harassment of a sexual nature, such as lewd comments, sexual jokes or references, and offensive personal references;
3. Demeaning, insulting, intimidating or sexually suggestive comments about an individual;
4. The display in the workplace of demeaning, insulting, intimidating, or sexually suggestive objects, pictures or photographs;
5. Demeaning insulting, intimidating or sexually suggestive written, recorded or electronically transmitted materials (such as email, instant message, and Internet materials)

Any employee who believes that an individual's actions or words in the workplace constitute unwelcome sexual harassment has a responsibility to report or complain about the situation as soon as possible.

9.3 HARASSMENT COMPLAINTS

Employees should immediately notify their immediate supervisor, Department Director, or City Manager of any incidents under this policy. If the dispute involves the supervisor, then the employee shall notify the Department Director. If the dispute involves the Department Director then the complaint shall be filed with the City Manager. Complaints of harassment will be handled and investigated promptly and in an impartial and confidential manner as possible. A written complaint signed by the employee shall be provided to proceed with an investigation process. The employee shall be prepared to provide sufficient information applicable to the investigation.

9.4 INVESTIGATING HARASSMENT COMPLAINTS

The City Manager is the designated investigator of complaints of harassment against employees. If the complaint is made against the City Manager, the City Council shall appoint an investigator, not employed by the City. When an allegation of harassment is made by an employee, the person to whom the complaint is made shall immediately prepare a report of the complaint and submit the report to the investigator or City Manager. The complainant and accused party shall be separated for the duration of the investigation, upon the approval of the Department Director and City Manager.

The investigator will meet with the employee, any witnesses, the supervisor, any other members of management considered appropriate and other individuals that may have relevant information. The investigator may elect to conduct a hearing as part of the investigative process. An investigative report will be written with the findings from the investigation.

9.5 ACTION ON COMPLAINTS OF HARRASSMENT

Determination of Harassment

Based upon the investigative report, the investigator shall determine whether the conduct of the person against whom a complaint of harassment has been made constitutes harassment. In making the determination, the investigator shall look at the record as a whole and at the totality of the circumstances, including the nature of the conduct in question, the context in which the conduct, if any, occurred and the conduct of the person complaining. The determination of whether harassment occurred will be made on a case-by-case basis. A written report of findings will be made and filed with the City Manager in all cases, even if there was no evidence of harassment.

Disciplinary Action

If the investigator determines that the complaint of harassment is founded, the City Manager shall take immediate and appropriate disciplinary action against the employee guilty of harassment, consistent with his or her authority under the municipal charter, ordinances or rules governing his or her authority to discipline employees. The disciplinary action may include oral counseling, written reprimand, suspension, demotion, or termination depending upon the severity of the matter and circumstances surrounding the incident (s). A written record of disciplinary actions shall be maintained by the City Manager in the employee's personnel file.

Appeal by Employee Complaining of Harassment

If the employee complaining of harassment is not satisfied with the manner in which the City addressed the complaint, the employee shall be given an opportunity to present a written appeal. The written appeal must specifically identify what aspect of the City's response was not satisfactory and why it was not satisfactory. The appeal must be submitted to the Office of the City Manager within ten (10) work days from the date on which the disciplinary action was rendered. The Office of the City Manager will render a written determination in the matter within ten (10) work days from receipt of the appeal. The decision of the City Manager will be final in all such matters. The City Manager has the authority to appoint a neutral third party (arbitrator) to be the final decision-maker in lieu of the City Manager when the City Manager determines that a neutral third party is in the best interest of the City. In all cases where the complaint is filed against the City Manager, a neutral third party, appointed by the City Council, shall be used as a final decision-maker.

Anti-Retaliation Clause

In all events, an employee accused of harassment will be warned not to retaliate in any way against the person making the complaint of harassment, witnesses or any other person connected with the investigation of the complaint of harassment. All other City employees are also warned not to retaliate

in any way to the above-mentioned parties. Any such retaliation or harassment will be dealt with immediately and may include disciplinary action.

The City of Shelbyville prohibits all forms of retaliation against any individual who complains in good faith about workplace discrimination or harassment or reports in good faith conduct which violated City policy. This policy also protects individuals who participate in the investigation of any such complaint or report.

It is the City's policy to encourage discussion of workplace issues and help protect others from being subjected to inappropriate behavior. Violation of this policy may result in disciplinary action up to and including dismissal.

Any employee who believes he or she has been retaliated against shall immediately inform their supervisor or the City Manager.

Harassment by Non-Employee

In cases where harassment is committed by a non-employee against a City employee in the workplace while performing the scope of their job, the employee is obligated to report such behavior to their leadership, and depending on the nature of the incident, also file a police report.

9.6 Obligation of Employee

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

Disciplinary action may be taken against an employee who fails to report instances of harassment, or who fails or refuses to cooperate in the investigation of a complaint of harassment, or who files a complaint of harassment in bad faith. Employees are prohibited from interfering or attempting to interfere with any departmental investigation. False allegations will be dealt with on a case by case basis, and depending on the outcome, may include disciplinary action.

9.7 Prevention

The City of Shelbyville is committed to preventing workplace violence and to maintaining a safe work environment. Employees and customers are to be treated with courtesy and respect at all times. Violence, threats, harassment, intimidation and other disruptive behavior in the workplace will not be tolerated.

All threats of violence or actual violence, whether direct or indirect, are to be reported immediately to your immediate supervisor or any other member of management and may include law enforcement. This includes threats by employees, as well as threats by customers, vendors, solicitors, or other members of the public. When reporting a threat of violence, the employee should be as specific and detailed as possible.

The City of Shelbyville will promptly investigate reports of workplace violence including suspicious individuals or activities. 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.

Employees are encouraged to bring their disputes or differences with other employees to the attention of their supervisors or the City Manager 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.

Weapons on City Property

The possession of weapons, and other dangerous or hazardous devices or substances are prohibited from City of Shelbyville property, unless in the control of law enforcement or emergency personnel. City property includes but is not limited to, buildings and City owned vehicles.

Open Door Policy

The City of Shelbyville City Manager has an open-door policy and employees are welcome to discuss any aspect of their employment without fear of retaliation.

CHAPTER 10

HOLIDAYS AND LEAVE

10.1 HOLIDAYS

Legal Holidays

The following days shall be legal holidays for all regular employees of the City of Shelbyville. If any holiday falls on a Saturday, it will be observed on the preceding Friday. If any holiday falls on a Sunday, it will be observed on the following Monday.

New Year's Day - January 1st
Martin Luther King, Jr. Holiday - 3rd Monday in January
Presidents Day - 3rd Monday in February
Good Friday - Friday before Easter
Memorial Day - Last Monday in May
Independence Day - July 4th
Labor Day - 1st Monday in September
Veterans Day - November 11th
Thanksgiving Day - 4th Thursday in November and the following Friday
Christmas Eve - December 24th
Christmas Day - December 25th

Employees who utilize a compressed work week (four, 10-hour days per week) will be compensated for ten (10) legal holidays. All of the above are considered legal holidays for employees utilizing a compressed work schedule, excluding the following:

Good Friday - Friday before Easter

Thanksgiving - Friday following Thanksgiving

Holiday Eligibility

In order to be eligible for holiday pay, a regular full-time employee must be in paid work or paid leave status on the employee's last regular work day before and the first regular work day after the holiday unless otherwise approved by the City Manager. Employees who receive payments from workers compensation or short-term disability are considered in paid leave status. Employees normally assigned to work on the holiday because of shift assignments must be in pay status on the holiday unless that holiday falls on their regular day off. Exempt employees scheduled to work on a holiday will receive an alternate eight (8) hours "floating" holiday to be taken within 14 business days.

10.2 LEAVE RECORDS

All leave, whether vacation, sick, military, compensatory or other, will be based on the calendar year. Records of leave balance will be maintained by the Payroll Clerk or such other person designated by the Finance Department. Leave requests shall be submitted on approved forms. Pay may not be granted to any employee for an absence not documented in writing and submitted to the Payroll Clerk prior to the end of the pay period.

10.3 PERSONAL LEAVE

Employees who have completed one year of continuous service shall be entitled to eight (8) hours of personal leave with pay in the calendar year following the completion of one year's service. These personal leave hours shall be scheduled as if they were vacation hours, but they will not be charged against accrued vacation hours, and they are not subject to accrual. Personal leave request shall not be less than a (1) hour time period.

10.4 VACATION LEAVE

Vacation is accrued by all full-time employees on an hour per pay period basis beginning with the employee's hire date. A new employee shall accrue vacation leave from the date of employment but will not be eligible to take accrued vacation time until completing six (6) months of satisfactory and continuous service unless authorized by the City Manager. Thereafter, vacation leave may be taken as earned, subject to the prior approval of the Department Director who shall schedule leave in accordance with staffing requirements for the department.

Vacation Leave Accrual

The following chart outlines the vacation accrual rate based on the number of years of continuous service. (For Re-Employment Provision Reference Section 3.4 E) Vacation time will not accrue if an employee is on leave without pay or suspension without pay.

The following accrual schedule applies to all Full-Time employees.

Years of Service	Accrual Rate (hours) per Week	Annual Hours Earned	Maximum Annual Accrual	Maximum Total Accrual
0-5 years	1.54	80	24	80
5-10 years	2.31	120	40	280 (after 10 yr)
10-15 years	3.08	160	80	480
15+ years	3.85	200	120	480

The above schedule and credits are for uninterrupted service computed from the most recent date of continuous employment with the exception of re-employment within a 12-month period.

Annual Vacation Leave

Every employee shall use 80 hours of vacation leave per year. Employees of less than 5 (five) years must use a minimum of 56 hours. If the employee hits the five (5) year mark after July 1, they will only be required to take fifty-six (56) hours. If before July 1, the employee must take eighty (80) hours.

Employees may continue to accrue vacation, but if on any anniversary of the date an employee was last hired and has maintained continuous employment, the employee's accrued vacation credit exceeds 480 hours, the city shall purchase from the employee at their current rate of pay all accrued vacation hours in excess of 480 and reduce their accrued vacation credit to 480 hours.

Vacation Leave Requests

Vacation leave shall be requested in writing on a Leave Request form in advance of the requested date of vacation. In an emergency situation, however, a verbal or written request for leave may be approved by the supervisor if contact is made prior to the beginning of the workday by the employee. Employees may not use vacation leave for more than three (3) consecutive weeks unless the employee is on FMLA leave or unless approved in advance by the City Manager.

If two employees request vacation for the same period, preference will be given to the employee who submitted the request first. Leave will be granted on a first come, first serve basis. If the absence of both employees would not interfere with the normal operations of the department, the Department Director has the option of scheduling both employees for the same or overlapping vacation period.

Vacation leave requests shall not take in less than a continuous one (1) hour time period. All vacation hours are used in one (1) hour increments.

Vacation Compensation upon Termination

Upon termination, an employee is eligible to receive the balance of his/her vacation hours in one lump sum payment on their final check. If an employee resigns, they may not use their vacation during the two (2) weeks they have given notice or during the four (4) weeks of notice for Department Directors. Notice may be waived at the discretion of the Department Director. The City Manager may waive the notice requirement for Department Directors.

10.5 SICK LEAVE

Sick leave shall not be considered a right which an employee may use at his/her discretion, but rather as a privilege. It is intended to be used for legitimate sick leave purposes only. Sick leave is intended as an insurance policy against the threat to an employee's income posed by a serious illness or accident. Each employee should attempt to build as much sick time as possible as a buffer against unexpected emergencies. Employees are encouraged to take sick leave when they are ill, but at the same time are cautioned against abuse of the sick leave privilege.

Sick leave shall not be used/paid in less than a 1 (one) hour time period increments.

Sick Leave Accrual Rate

Sick leave for all regular full-time employees, regardless of years of service, shall accrue at the rate of eight (8) hours per month. Employees can continuously accrue sick leave hours but are limited in the amount of sick leave compensation they can receive upon termination of employment.

Maximum amount of leave that can be accrued is 2080 hours. For those employees under the defined benefit plan, upon retirement, sick leave will be credited to years of service. Sick leave may not accrue if an employee is on leave without pay or suspension without pay.

Sick leave credit shall not accrue for hours worked in excess of an employee's regular schedule. Temporary and part-time employees are not eligible for the accrual of sick leave.

Sick Leave Uses

Sick leave uses may only be used for the following purposes:

1. Employee is incapacitated by illness or non-job-related injury
2. He/she is seeking medical, dental, optical, psychological or other diagnosis and treatment
3. Necessary care and attendance of a member of the employee's immediate family when approved by their Department Director. (See Chapter 2 for definition of Immediate Family)
4. Death of a member of the employee's immediate family in addition to the three (3) days of bereavement leave. Sick leave can be utilized for this purpose in the situation that additional time is needed but is limited to three (3) days except upon the approval of the Department Director and City Manager.

Any other reason that is allowable under the Family Medical Leave Act.

Voluntary Sick Leave Donation Procedures- The Voluntary Sick Leave Donation Procedures were adopted in December 2016. The Voluntary Sick Leave Donation Program allows for the transfer of unused accrued sick leave from one employee to another employee who needs such leave because of a qualifying health condition affecting the employee. Voluntary Sick Leave Donation regulations, Procedures, applications, and related forms can be obtained through the HR Generalist. A qualifying health condition is:

- Any period of incapacity or treatment in connection with or consequent to inpatient care in a hospital, hospice, or residential medical care facility;
- Any period of incapacity requiring absence from work, school, or other regular daily activities, for more than five consecutive work days, that involves continuing treatment by, or under the supervision of, a health care provider; or
- Continuing treatment by, or under the supervision of, a health care provider for chronic or long-term health condition that is incurable or so serious that, if not treated, would likely result in a period of incapacity of more than five consecutive work days, (maternity leave is not covered)

Sick Leave Abuse

Employees who abuse sick leave or deliberately make or cause to make false or misleading statements or claims regarding the necessity for sick leave shall be subject to the loss of such benefits or other disciplinary action up to and including termination. Absences due to illnesses or injuries which qualify under the Family and Medical Leave Act (FMLA) or Workers' Compensation will not be counted against an employee's attendance record. Medical documentation within the guidelines of FMLA and Workers' Compensation may be required in these instances.

Department Directors suspecting abuse should use the following criteria to identify and address possible sick leave abuse:

Employees may use up to six (6) non-consecutive days per calendar year for unexcused sick leave absences. Absences that are supported by a doctor's certificate will not count towards the six (6) days. Doctor's certificates should be submitted upon return to work from the sick leave absence or the absence may not be considered excused. This requirement may be waived at the discretion of the Department Director depending on the circumstances of the leave.

An absence of multiple days due to the same illness, injury or other incident will be counted as one day/instance for the purpose of this policy.

Patterns of absence may indicate possible abuse of sick leave. Patterns could include but are not limited to, frequent use, frequent sick leave in conjunction with days off, holidays or vacation leaves, using sick leave as soon as it is earned or taking sick leave when other accrued leave is denied.

If it is suspected that an employee may jeopardize the health of others he/she may be required to submit documentation from a qualified doctor stating he/she is clear to re-enter the workplace at no risk to others.

If sick leave abuse is determined, management should take the appropriate steps to counsel employees to improve their attendance. All supervisors confirming an absence as sick leave, knowing the cause not to be justified, or failing to report the absence, shall be liable to the same disciplinary action as the employee.

Notice to Supervisor

An employee who is absent because of illness shall notify his/her supervisor or other appropriate person as soon as possible but at least prior to the start of the work day in which the employee will be absent. Department Directors may set more stringent reporting requirements if necessitated by the safety sensitive nature of the job. Failure to call in as required may result in the absence being charged to leave without pay, in addition to any disciplinary action that may be indicated. An advance written request for sick leave is required whenever possible.

Doctor's Certificate

Whenever possible, an employee should provide a doctor's certificate or other evidence of illness in writing. A doctor's certificate of illness shall specify that the employee was ill and unable to work on the specific dates of absence being requested as sick leave. The Department Director may require a doctor's certificate when abuse of sick leave is suspected.

A doctor's certificate must be presented to support any sick leave requests for extended illness.

Whenever an employee has been absent for any portion of the employee's regular shift duty because of illness for two (2) consecutive work days, or more, a doctor's authorization for the employee to return to work is required. Any deviation of this requirement is at the discretion of the Department Director. The use of a large number of sick leave hours, does not, in itself, indicate abuse of sick leave, nor does it constitute a poor sick leave record.

10.6 BEREAVEMENT PAY

Immediate Family: In the event of the death of a member of the employee's immediate family, an employee may receive up to three (3) days in bereavement pay. Individuals considered "immediate family" members are listed in Chapter 2. Additional time off may be requested by an employee after Bereavement pay is used. Sick leave can be utilized for this purpose in the situation that additional time is needed but is limited to three days except upon approval of the Department Director and City Manager. For employees not currently married to their natural or adopted minor child's other parent, the employee will receive 3 days in bereavement pay in order to care for and comfort his/her child during the loss of the other parent.

Extended Family: In the event of the death of a member of the employee's extended family, an employee may receive one day of Bereavement pay. Individuals considered "extended family" members are listed in Chapter 2. Additional time off may be requested by an employee after Bereavement pay is used. Vacation Leave can be utilized for this purpose and in the situation that additional time is needed shall be approved by the Department Director and City Manager.

10.7 PARENTAL LEAVE (Maternity/Paternity Leave)

General Provisions

Tennessee State Law requires maternity/ paternity leave of up to four (4) months for employees who have been employed by the same employer for at least twelve (12) consecutive months for the purpose of bonding with a newly born or newly adopted child. This same provision is offered under the Family Medical Leave Act with an allowance of up to twelve (12) weeks of leave for eligible employees who have been employed by the same employer for at least twelve (12) consecutive months for various illnesses or injuries. Please refer to Section 10.10, Family Medical Leave Act. An employee is responsible for applying for FMLA and the Maternity/ Paternity Act, under their own discretion.

Under the Family Medical Leave Act and the Maternity/Paternity Act, an eligible employee can take up to a combined amount of sixteen (16) weeks of leave. The Family Medical Leave and Maternity/ Paternity Act are two separate laws, but the eligibility requirements are similar. So if an employee is eligible for Family Medical Leave of up to twelve (12) weeks, he/she may also be eligible for up to an additional four (4) weeks of time under the Maternity/ Paternity Act.

Leave Options

Parental leave may consist of sick leave or a combination of sick leave, vacation leave, and leave without pay. An employee who plans to return to work will be granted his/ her accrued vacation leave following the expiration of her sick leave. Following the expiration of all leave, leave without pay may be granted. In cases where medical problems continue after pregnancy, or in other special situations, additional paid leave or leave without pay may be granted upon the presentation of a doctor's statement outlining the reasons for the additional leave time with the recommendation of the employee's Department Director, the City Recorder/Human Resources Coordinator and the approval of the City Manager.

Continuance of Work

A pregnant employee may continue working as long as she and her doctor feel that the work does not pose a hazard to her health, and as long as she can continue to perform the duties of her position in a satisfactory manner, as determined by her Department Director. Public Safety positions will be considered on a case by case basis.

Conditions for Reinstatement

The reinstatement provisions of an employee on Maternity leave will adhere to all guidelines as set forth under the Family Medical Leave Act and Tennessee Maternity Acts in Section 10.9.

TENNESSEE MATERNITY LEAVE ACT - The City of Shelbyville, in compliance with T.C.A, 4-21-208, Tennessee Maternity leave act will provide the following:

- 1. Conditions for leave**

Employees who have been employed by the same employer for at least twelve (12) consecutive months as full-time employees, as determined by the employer at the job site or location, may be absent from such employment for a period not to exceed four (4) months for adoption, pregnancy, childbirth and nursing the infant, where applicable (such period to be hereinafter referred to as "leave"). With regard to adoption, the four (4) month period shall begin at the time an employee receives custody of the child.

- 2. Notification Requirements**

Employees who give at least three (3) months' advance notice to their employer of their anticipated date of departure for such leave, their length of leave, and their intention to return to full-time employment after leave, shall be restored to their previous or similar positions with the same status, pay, length of service credit and seniority, wherever applicable, as of the date of their leave.

Job Protection and Benefits

Employees who are prevented from giving three (3) months' advance notice because of a medical emergency which necessitates that leave begin earlier than originally anticipated shall not forfeit their rights and benefits under this section solely because of their failure to give three (3) months' advance notice.

Employees who are prevented from giving three (3) months' advance notice because the notice of adoption was received less than three (3) months in advance shall not forfeit their rights and benefits under this section solely because of their failure to give three (3) month's advance notice.

Pay Requirements

Leave is without pay. Such leave shall not affect the employees' right to receive vacation time, sick leave, bonuses, advancement, seniority, length of service credit, benefits, plans or programs for which the employees were eligible at the date of their leave, and any other benefits or rights of their employment incident to the employees' employment position; provided, that the employer need not provide for the cost of any benefits, plans or programs during the period of such leave unless such employer so provides for all employees on leaves of absence.

Reinstatement Provisions

If an employee's job position is so unique that the employer cannot, after reasonable efforts, fill that position temporarily, then the employer shall not be liable under this section for failure to reinstate the employee at the end of such leave period.

The purpose of this section is to provide leave time to employees for adoption, pregnancy, childbirth and nursing the infant, where applicable; therefore, if an employer finds that the employee has utilized the period of leave to actively pursue other employment opportunities or if the employer finds that the employee has worked part time or full time for another employer during the period of leave, then the employer shall not be liable under this section for failure to reinstate the employee at the end of such leave. Whenever the employer shall determine that the employee will not be reinstated at the end of such leave because the employee's position cannot be filled temporarily or because the employee has used such leave to pursue employment opportunities or to work for another employer, the employer shall so notify the employee.

Under the Family Medical Leave Act and the Tennessee Maternity Act, an eligible employee can take up to a combined amount of sixteen (16) weeks of leave. The Family Medical Leave and Tennessee Maternity Act are two separate laws, but the eligibility requirements are similar. So, if an employee is eligible for Family Medical Leave of up to twelve (12) weeks, he/she may also be eligible for up to an additional four (4) weeks of time under the Tennessee Maternity Act.

10.8 FAMILY AND MEDICAL LEAVE ACT**Reasons for Taking Leave**

The City, in compliance with the Family and Medical Leave Act of 1993, will allow eligible employees to take up to twelve (12) weeks of Family Medical Leave in a twelve-month period for the birth of a child or the placement of an adopted or foster care child. Leave may also be taken to care for one's self, a child, spouse, or parent who has a serious health condition. The right to take leave applies equally to male and female employees who are eligible.

****Married couples who are employed by the City of Shelbyville shall both be entitled to the full twelve (12) weeks of leave if the spouse experiences her own serious health condition as a result of the pregnancy. If the pregnancy is considered normal without complications, then the married couple would only be eligible for a combined twelve (12) weeks of Family Medical leave.**

Eligible employees may take up to twelve (12) weeks of unpaid leave to deal with family issues resulting from a spouse, son, daughter or parent being called to active duty (including being notified of an impending call to active duty).

Eligible family members (employees) of military personnel defined as the spouse, son, daughter, parent or next of kin of a covered service member may take a maximum of twenty-six (26) weeks of leave under Family Medical Leave to care for a wounded member of the Armed Forces. This includes family members of the National Guard or Reserves who are undergoing medical treatment, recuperation, therapy or other medical treatment for a "serious illness or injury". An employee has the option to use their accrued sick leave, vacation leave, personal, and compensation time when family and medical leave is taken. This should be indicated on the FMLA Request Form submitted to Administration by the employee. Should the employee not have any accrued paid leave available, the leave may be taken as unpaid leave.

The twelve-month period in which an employee is entitled to take unpaid leave is based on a rolling 12-month period measured backwards from the date an employee uses any FMLA leave. An employee's leave entitlement is determined each time leave is requested by looking back over the immediately preceding 12-month period.

Fitness-for-Duty Certification

All employees granted FMLA leave are required to obtain and present certification from the employee's health care provider that the employee is able to perform the essential functions of the employee's jobs and is able to resume work. On or before the City designates FMLA leave, the City will provide the employee with a list of the essential functions of the employee's job and provide written notice to the employee that the certification from the employee's health care provider must address the employee's ability to perform these essential functions. The cost of the certification shall be borne by the employee through the City Health Insurance program. The City may delay restoration to employment until an employee submits the required fitness for duty certification.

If reasonable safety concerns exist regarding the employee's ability to perform his or her duties, based on the serious health condition, for which the employee took leave, the City shall inform the employee on or before the FMLA leave is designated that each subsequent instance of intermittent or reduced schedule leave, the employee will be required to submit a fitness for duty certification once every thirty (30) days.

After an employee returns from FMLA leave, any medical examination by the City's health care provider, at the City's expense, must be job related and consistent with business necessity.

Job Benefits and Protection

During the period of FMLA leave, the City will maintain with continued required contributions from the employee, the employee's single health coverage. The employee may continue dental and vision coverage under their individual plan in the same manner as for dependent coverage. The employee must pay any dependent health, dental, and vision insurance or supplemental insurance premiums that are due during the period of leave. If the employee uses accrued sick, vacation or compensation time and is on "paid" leave, these premiums will be deducted from his/her paycheck as per normal procedures. Any employee not in a pay status must make premium payments on the first of each month that he/she is on leave.

The Family and Medical Leave Act requires that employees be restored to their original or equivalent position with equivalent pay, benefits and other employment terms upon their return to work.

Under specified and limited circumstance where restoration to employment will cause substantial and grievous economic injury to its operations an employer may refuse to reinstate certain highly-paid "key" employee after using FMLA leave during which health coverage was maintained. A "key" employee is a

salaried “eligible” employee who is among the highest paid ten percent of employees within 75 miles of the work site.

Definition of Parent, Spouse, Son or Daughter

The “parent”, as defined the Family and Medical Leave Act, need not be the employee’s biological parent, provided that the individual “stood in loco parentis” (acted as a parent), to the employee when the employee was a child. Benefits under FMLA are not extended to parents “in-law”.

FMLA defines the term “spouse” to mean “a husband or wife, as the case may be. An employer would be required to give an eligible female employee unpaid leave to care for her husband and an eligible male employee unpaid leave to care for his wife. No employer would be required to grant an eligible employee unpaid leave to care for an unmarried domestic partner.

“Son or daughter” is defined in part as one who is under age eighteen (18) or as an adult who is incapable of self-care because of a mental or physical disability. Medical leave may be taken for a biological child, as well as foster children, adopted children, step children or legal wards such as a niece, nephew or grandchild whom the employee is raising.

Serious Health Condition

A serious health condition is defined for this purpose as an illness, injury or impairment, or physical or mental condition that involves inpatient care in a hospital, hospice or residential medical facility; or continuing treatment by a health care provider where the employee is unable to perform their job duties;

“Health care provider” means: doctors of medicine or osteopathy, podiatrists, dentists, clinical psychologists, optometrists and chiropractors, or nurse practitioners, nurse mid-wives and clinical social workers, or any health care provider recognized by the employer or employer’s group health plan benefits manager.

Eligibility

In order to be eligible, an employee must be employed for at least twelve (12) months by the City of Shelbyville and have worked (actual time worked) at least 1,250 hours annually (24 hours per week) for the City during the past twelve (12) months. Calculated time does not include hours taken in sick time, vacation time, or FMLA leave.

Medical Certification

An employee must provide his/her Department Director and the City Recorder/Human Resources Coordinator with a certification by a health care provider when requesting family or medical leave which includes the following:

1. Date on which the serious health condition began;
2. Probable duration of condition;
3. Appropriate medical facts regarding the condition.
4. A statement that the employee is unable to perform the functions of his or her job or that the employee is needed to provide care for a spouse, child or parent.

An employer may require a second and/or third opinion, at the City’s expense. The City may also require an employee to provide re-certification of a serious health condition when the period of leave extends beyond one month.

Notification Requirements

An employee is required to give the City at least thirty (30) days’ notice when the circumstances of the leave are foreseeable. The City may deny or delay the FMLA leave if proper notice is not given. If the need for FMLA leave is not foreseeable, such as with an injury, the employee must give notice as soon as possible. In the absence of employee notice, the City may designate employee leave as FMLA-qualifying leave and count the time towards their twelve-week entitlement.

Periodic Reports

While on family or medical leave, the employee is required to contact his/her supervisor in writing every other week to maintain contact and advise the supervisor of his/her continuing need for leave and plans to return to work. If the circumstances of leave change and an employee is able to return to work earlier than the anticipated date, the employee must notify his/her supervisor at least two (2) days prior to the new return date.

Impact on Married Employees

Those employees who are married and both are employed by the City of Shelbyville if considered eligible, may take up to twelve (12) weeks of Family Medical Leave.

Intermittent Leave

Eligible employees may take intermittent leave or be placed on a reduced leave schedule for the care of a newborn child or the placement of a child for adoption or foster care. Leave for a serious health condition may also be taken intermittently when "medically necessary". These leave requests must be supported by medical certification which includes the medical necessity and its expected duration. Employees must make a reasonable effort to schedule foreseeable intermittent leave based on planned medical treatments so as not to unnecessarily disrupt the City's operations.

Reimbursement of Health Benefits

If an employee fails to return to work once the leave period is over, the City shall be entitled to recover the cost of the health premiums that the City paid during periods of unpaid leave. This provision only applies if the employee is physically able to return to work and chooses not to do so. It does not apply to "key" employees who are denied restoration under FMLA, or to any employee who is unable to return to work at the end of his/her family leave due to circumstance beyond the employee's control such as "the continuation, recurrence or onset of a serious health condition."

Failure to Return to Work

According to the Family and Medical Leave Act "if an employee is unable to or does not return to work at the end of twelve (12) weeks of FMLA leave, all entitlement and rights under FMLA cease at that time; the employee is no longer entitled to any further restoration rights under FMLA, and the employer is no longer required to maintain group health benefits pursuant to FMLA."

Notification of Discharge

An employee may be discharged from employment at the end of the twelve (12) week entitlement period if the employee has not returned to work, has not supplied written notification of their intent to return to work or is unable to perform his/her job duties.

10.9 JURY DUTY

Employees who are called for jury duty are required to notify their Department Head as soon as possible. Leave with pay may be authorized in order that employees may serve on jury duty. Employees must provide their supervisor with documentation of the time spent on jury duty. Employees retain their jury duty check which may include mileage paid by the court. The amount of jury duty pays deducted from an employee's pay will not include mileage payments.

10.10 MILITARY LEAVE

General Policy

Provisional, work status review and regular City employees participating in the National Guard or as a Reserve of the Armed Forces shall be entitled to a leave of absence without the loss of any rights or

benefits for which they are entitled, for all periods of military service during which they are engaged in the performance of duty under competent orders.

Military Leave for Training

Employees will receive full compensation for a period of twenty (20) days of military leave each calendar year, excluding holidays and scheduled off days. Such leave will not be charged to any form of accrued paid leave. An employee requesting military leave shall provide the City the dates for training and travel time in advance.

Extended Military Leave Without Pay

An employee entering the military service for the first time, or recalled to active military service from reserve status, shall be considered to be on extended military leave without pay. The employee shall be entitled to his/her position, or a substantially similar position at equal pay, upon return from military service. Reinstatement is dependent on whether the employee requests re-employment within ninety (90) days of release from active duty or hospitalization continuing after discharge for a period of not more than one (1) year.

Special Military Leave

Those full-time employees of each department of the city who are called to active duty in a national emergency by the President of the United States as members of the National Guard or as a Reserve of the Armed Forces, may, while on such active military duty, be entitled to special military leave with partial pay. There are two conditions under which employees are entitled to an additional 22 days of military leave under the provisions of 5 U.S.C. 6323(b). Reservists or National Guard members who perform military duty in support of civil authorities in the protection of life and property are eligible for an additional 22 workdays of military leave. In addition, effective November 24, 2003, employees who perform full-time military service as a result of a call or order to active duty in support of a contingency operation* as defined in section 101(a)(13) of title 10, United States Code, are entitled to 22 days of military leave under 5 U.S.C. 6323(b).

The activation of this rule shall apply upon passage of a resolution by the City Council for each national emergency and may at their discretion, apply retroactively to the time operations relative to said emergency commenced. Partial payment may be made for the duration of an employee's deployment in support of operations during the national emergency.

The intent of this rule is that, to the extent possible, partial pay shall be the difference in the employee's regular salary and the employee's full time military salary. The monthly amount is intended to keep in full force and effect all regular City health insurance benefits that the employee had on the date called to active duty, plus applicable taxes, provided the employee elects to continue and maintain required contributions for health insurance coverage while on special military leave. The maximum monthly amount shall be \$750.00 per month per employee. In the event that there is no difference in pay, or that the military pay is greater, the employee may elect to use annual accrued leave to pay the employee's portion of the City's health plan in order to remain in the plan.

Accruals

Said employees shall remain employees while on such active military duty but only for the purpose of accruing sick leave, accruing annual leave, and accruing longevity/seniority, as allowed under applicable regulations. These benefits shall not be pro-rated or decreased by any partial payments authorized under this rule.

Re-employment

Said employees shall be granted all re-employment rights as provided by law.

10.11 COURT LEAVE

Employees are authorized official leave to attend court on City related business as a result of a subpoena. If at any time during the judicial process the employee is released from such duty, the employee shall immediately report for work to his/her supervisor if said time is within the employee's normal duty hours. Upon return to duty, the employee shall furnish evidence of having rendered the service required for the court service. Court leave is not charged to any form of accrued paid leave.

An employee who is issued a subpoena on a non-City related business matter must use vacation for any time during which he/she would be scheduled to work. An employee will not be paid his/her regular wages unless testimony is dependent on his/her observations or actions while acting in their capacity as an employee of the City of Shelbyville.

10.12 VOTING

When elections are held in state, leave for the purpose of voting shall be in accordance with Tennessee Code Annotated Sec. 2-1-106 herein reprinted:

Employers may designate periods of permissible absenteeism. Any person entitled to vote in an election held in this state may be absent from any service or employment on the day of the election for a reasonable period of time, not to exceed three (3) hours, necessary to vote during the time the polls are open in the county where he/she is a resident. A voter who is absent from work to vote in compliance with this section may not be subject to any penalty or reduction in pay for his absence.

10.13 ADMINISTRATIVE LEAVE

Upon recommendation of the employee's Department Director and approval of the City Manager, employees may be authorized administrative leave at full, partial, or no pay for a variety of purposes, when it is determined that it is in the best interest of the City.

Absences under Administrative Leave may also be authorized when an employee is under investigation or otherwise required to be absent from duty, but not covered by vacation or sick leave.

An employee may also be placed on Administrative Leave as a disciplinary measure.

10.14 LEAVE WITHOUT PAY

Leave without pay shall be granted at the request of the employee and the approval of the employee's Department Director and City Manager. Each request will be considered on its own merits and approval will be granted only for reasons that are considered to be in the best interest of the City. Leave without pay in excess of ten (10) days will not be granted unless there is a reasonable expectation that the employee will return to duty at the expiration of the leave period.

Leave without pay may be granted only when the employee has used all his/her accrued available vacation leave, personal leave, compensation time and or sick leave as applicable. Employees who receive worker's compensation payments are not required to use accrued annual leave or comp time for the balance of the wages not paid by worker's compensation.

Leave without pay may also be used as a disciplinary measure.

Employees granted Leave without pay in excess of ten (10) work days will be notified that:

1. No firm assurance can be given that an employee will be reinstated or if he/she will return to the same position upon expiration of the leave in the event that it is in the best interests of the City to reassign the employee to another position during his/her absence. This provision does not apply to employees on approved FMLA leave.
2. An employee may be laid off during their absence if there is a lay-off which affects his/her position. Should this occur, the employee shall be notified.

An employee who is on Leave without pay for less than ten (10) days may continue to receive health insurance coverage by paying the employee portion of the premium in advance or by payroll deduction. An employee who is on Leave without pay for more than ten (10) calendar days may continue to receive health insurance coverage by paying the full amount of the monthly cost of such insurance to the City in advance of the month for which coverage is to be provided.

10.15 ABSENCE WITHOUT LEAVE

An absence from duty for which the employee has not notified and/or provided prior notification to his/her supervisor, and/or which is not approved as leave because of an unsatisfactory explanation, will be considered absence without leave. In addition, to any disciplinary action that may be taken, an employee shall have an amount of salary equivalent to the hours charged as absence without leave deducted from his/her weekly pay.

Employees shall not be eligible to accrue vacation or sick leave for the period of time on absence without leave. Unless approved by the City Manager, absences without leave for three (3) consecutive days shall be considered an automatic resignation without proper notice.

CHAPTER 11

EMPLOYEE BENEFITS

11.1 HEALTH INSURANCE

The City shall provide regular employees working at least 30 hours per week, an opportunity to participate in the City group benefits plan. This shall be effective on the first of the month following thirty (30) full days of continuous employment with the City. The City of Shelbyville's Health Insurance is in compliance with Federal Affordable Care Act Regulations. (ACA)

The specific insurance carrier or agent for the Group benefits plan shall be approved by the City Council.

The City contribution rate will be set by the City Council as a flat rate dollar contribution. The Council will review the contribution rate annually or upon receipt of any notice of rate change by the insurance carrier.

11.2 LIFE INSURANCE

The City shall provide regular full-time employees working at least 30 hours per week, an opportunity to participate in the City group life insurance. Coverage shall be effective on the first day of the following month of employment with the exception of employee hire dates that fall on the 1st of a month, which will result in coverage for the current month.

The specific carrier or agent for the life insurance plan shall be approved by the City Council.

The current rate of coverage for employees shall be set on an annual basis by the City Council. The City contribution rate shall be set by the City Council. The Board shall review the contribution rate annually, or upon receipt of any notice of rate change provided by the insurance carrier or agent.

11.3 SUPPLEMENTAL INSURANCE

Several different types of supplemental insurance programs are available for purchase by employees through payroll deduction. These programs presently include, but are not limited to, vision and dental, accident insurance, cancer insurance, hospitalization insurance, short term disability insurance, and life insurance.

11.4 DENTAL & VISION INSURANCE

The City offers dental and vision insurance as an option to the employee, with the premiums paid through a payroll deduction.

11.5 RETIREMENT INVESTMENT PLAN

Regular full-time employees who are hired after June 30, 2004; are at least 21 years old and have completed one year are eligible for participation in the City of Shelbyville's Retirement Program, which consists of contributions by the City equal to 7% of an employee's compensation into the Employees

Defined Contribution and 401(k) Plan (the “401(k) Plan”). The employee will make investment choices for each account. The City’s contributions are subject to the following vesting schedule:

After 3 years of continuous service-50%

After 4 years of continuous service-60%

After 5 years of continuous service-75%

After 6 years of continuous service-90%

After 7 years of continuous service-100%

For regular full-time employees hired on or before June 30, 2004, are participants in the City’s defined benefits retirements plan established effective January 1, 1972 and amended 1985, 1993 and 1998. The plan was amended effective July 2005 to freeze the Plan to new participants.

Employees may make voluntary contributions to the 401(k) plan three times a year or the 457 plan at anytime throughout the year; voluntary contributions are not subject to vesting.

11.6 SUPPLEMENTAL RETIREMENT PROGRAM

The City offers a deferred compensation program for regular full-time employees to utilize. Through this program, employees may choose to deposit pre-tax dollars, subject to maximum limits established by federal law, through employee payroll deduction into tax-deferred, access-restricted savings account. Any regular full-time employee regardless of their hire date may contribute a portion of their salary on a pre-tax basis to a 457 with ICMA-RC. Participation in the 457 plan is completely voluntary. Employees may enroll in the 457 plan at any time during their employment.

11.7 LONG TERM DISABILITY

City provides Long Term Disability Coverage for employees who are disabled while employed and no longer able to work at their position. There is a 90-day waiting period from the date of hire.

11.8 CREDIT UNIONS

Credit Union membership and participation in the services of Ascend Federal Credit Union and Heritage South Federal Credit Union are available to employees.

11.9 UNEMPLOYMENT INSURANCE

The City is a participating employer under the Tennessee Employment Security Act. Employees who become unemployed may be eligible for unemployment insurance benefits. If an employee becomes unemployed, he/she may visit the office of the Tennessee Department of Employment Security to determine whether he/she is entitled to benefits under the Act.

11.10 PAYROLL DEDUCTIONS

The City of Shelbyville does require that all employees’ payroll will be processed through direct deposit only. The employee may allow payroll direct deposit or deductions on their paychecks, by submitting authorization in writing to the Payroll department. The deductions may include group benefit insurance

premiums and supplemental insurance premiums. To make a change in pre-tax deductions that are allocated under the Section 125 (pre-tax contribution program) plan, hereinafter known as PTCP, you must have a qualifying event as follows:

PTCP (pre-tax contribution plan) Permitted Changes.

Under the Internal Revenue Service (IRS) rules, you may change your health insurance deduction during the plan year only after one of the following PTCP-qualifying events:

You have a change in family status (e.g. marriage, birth, death, legal separation, divorce, only dependent child's attaining the maximum age for coverage).

Your spouse loses coverage due to termination of employment and you apply for coverage for your spouse.

Your employment with the City terminates or you retire.

Your spouse has a change in employment status which results in either acquiring or losing eligibility for health insurance coverage.

You receive a divorce/legal separation and are required under a court order to provide health insurance coverage for your eligible dependent children and/or legally separated spouse.

There is a significant change in your or your spouse's health coverage which is attributable to your spouse's employment.

Changes in pre-tax health insurance deductions that stem from any of these qualifying events must be made within 28 days of the event (30 days for a change of coverage because of the birth of a child).

IRS Regulations

Changes in benefit elections during the plan year that do not stem from a qualifying event are not permitted by the IRS and cannot change the amount of your pre-tax health insurance deduction.

Since IRS regulations restrict changes in your benefit elections and their related health insurance premium deductions during a plan year, employees who are enrolled in the PTCP are not permitted to make the following two changes during the plan year:

You may not change from Family to Individual coverage while your dependents are still eligible for coverage unless the change stems from a qualifying event.

You may not voluntarily cancel your coverage while you are still eligible for coverage unless the change stems from a qualifying event.

These limitations apply only to changes made during the plan year when there is no PTCP-qualifying event.

To change any deductions, such authorization may be revoked at any time by said employee by submitting a written statement of cancellation or change in deduction amount to the Accounting Administrator provided that it does not apply to deductions allocated under the PTCP plan.

11.11 EDUCATION INCENTIVE & REIMBURSEMENT

(RESERVED FOR FUTURE CONSIDERATION)

CHAPTER 12

WORKPLACE SAFETY/WORKERS COMPENSATION

Policy

It is the policy of the City to provide a safe and comfortable work environment for all City 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 City policy to maintain a constant vigilance of all safety programs, and where 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 public is a high priority.

Employees are responsible for abiding by the Title 1, Chapter 13 of the Shelbyville Municipal Code.

12.1 WORKPLACE SAFETY

Safety Education and Training

All employees are required to take every precaution in the prevention of accidents to themselves, other employees and the public. Department Directors shall actively implement safety programs and practices.

All employees whose duties require the operation of office equipment, motorized vehicles, machinery or tools of any kind or nature shall follow safety procedures and instructions and use every precaution in preventing accidents to themselves and/or other employees. Such employees are charged with the responsibility of proper operation of all equipment that is used in the normal function of their duties. Employees who knowingly and willfully violate proper safety precautions may be subject to appropriate disciplinary action.

Management Commitment

The City will maintain a Safety Committee composed of staff level representatives from different departments. Safety Committee Chairman will be elected from within the members of the Committee. The Committee will have, but not be limited to, the following responsibilities:

1. Provide recommendations for necessary safety equipment to perform assigned work in a safe manner.
2. Provide recommendations on the elimination of known hazardous conditions at City work sites.
3. Provide recommendations on training in accident prevention and promoting safe work practices.
4. Provide recommendations on the establishment of appropriate rules for safe conduct of City employees while on duty.

The Fire Marshall and/or Human Resources Generalist is designated for coordination and purposes of reporting to OSHA and TOSHA and other regulatory safety agencies.

Employee Responsibility

Employees will follow prescribed safety rules and regulations provided for their benefit. Each employee is responsible to use all safety equipment and devices provided by the City in performing required job

duties. Employees will identify safety problems and carry out each work assignment or task in a safe and responsible manner. If an accident occurs, the employee is required to immediately complete an employee's report of accident/injury and report the incident immediately to management.

Employee is responsible to cease work immediately and cause the stoppage of work of other employees if the operation of unsafe equipment or working environment exists.

The appropriate corrective measures will be undertaken by a leader to remove the unsafe work condition or cause the repair of unsafe equipment. Under no circumstances should an employee be directed by a leader to continue to work in an unsafe work site or operate unsafe equipment until the unsafe condition has been properly addressed.

Failure to report properly an unsafe condition or piece of equipment may result in disciplinary action.

Failure of a leader to respond properly to correcting an unsafe workplace condition or unsafe piece of equipment may result in disciplinary action.

Should an unsafe work site or equipment condition cause a disruption in completing the task, the leader will immediately reassign the employee to other duties until such time as he/she may continue required work to complete the assigned task.

Reporting On-the-Job Accidents and Injuries

Any employee involved in an accident or injury on the job, however slight, shall immediately report the accident or injury to his/her supervisor, Department Director, Human Resources Generalist or other responsible City official. Failure to report an accident or injury may result in delaying proper medical treatment of the injury sustained by the employee and could result in denial of a claim for compensation. Failure to report an on-the-job accident or injury, however slight, may result in disciplinary action.

Emergency Medical Treatment

If an employee is injured to the extent that emergency medical treatment is required, the employee will be transported immediately to a local physician or local major health care facility emergency room for treatment.

Completion of Accident Report

The employee will immediately complete an Employee's Report of Injury/Accident through his/her supervisor or the Human Resources Generalist. Failure of the employee to properly complete the report may result in disciplinary action.

The supervisor and Department Director are responsible to provide the Safety Director and the Human Resources Generalist with a copy of the Employee's Report of Injury/Accident within 24 hours of the accident or injury. The supervisor or Department Director must investigate the injury/accident immediately if possible and complete a Supervisor's Accident Investigation Report providing sufficient information concerning the contributing factors, possible unsafe work conditions, eyewitness accounts, and other related information. If applicable, the associated Accident Witness Statement report must also be completed in correlation with the Supervisor's Accident Investigation Report. The City Recorder/Human Resources Coordinator or Safety Director upon receipt of the Employee's Report of Injury/Accident Report shall file appropriate reports with the City's official workers compensation insurance carrier and other state and federal occupational safety organizations such as OSHA and TOSHA, if required.

Safety Rules

Each department may develop specific safety rules pertinent to their respective department. Safety rules shall be submitted to the City Manager and Safety Director for review and approval prior to implementation. Approved departmental safety rules have the same force and effect as these Personnel Regulations.

12.2 INFECTIOUS DISEASE CONTROL

The City of Shelbyville has adopted by ordinance a comprehensive infectious disease control rules and regulations, which are on file in the City Recorder's Office. All employees shall be familiar with the rules and regulations. Those employees with high risk occupations, including but not limited to, firefighters, public safety employees, police and security personnel, rabies control officers, sanitation and landfill workers, and any other employees deemed to be at high risk of exposure to other person's body fluids or other potentially infectious materials are offered a Hepatitis B (HBV) vaccination, free of charge, in the amount and times prescribes by standard practices.

Employees engaged in the above-mentioned jobs are encouraged by the city and OSHA to take the vaccination (HBV) because of the high risk of being exposed to infectious disease.

Employees are required to comply with the rules, regulations and general guidelines adopted in the infectious disease policy when dealing with situations that may expose them to other person's body fluids.

12.3 Workers' Compensation

All employees are covered by Workers' Compensation Insurance in a policy carried by the City. The City adheres to the provisions and requirements of the Division of Workers' Compensation of the Tennessee Department of Labor.

When an employee is injured while working and being compensated by the City and requires medical attention, the employee should seek medical attention from a physician on the panel of physicians approved by the City's Workers' compensation insurance carrier. The panel of approved physicians will be posted in each department. In an emergency situation, the injured employee may use the most convenient medical service or hospital.

Employees shall report immediately any injury incurred in the course of their employment, however minor, to their supervisor or Department Director, and take necessary first aid or medical treatment. It is mandatory that within twenty-four (24) hours the employee (or supervisor of the employee is deemed unable) shall complete a TN First Report of Injury and a Medical Waiver and Consent, which are available from the payroll clerk. An employee determined to have been able, and who fails to report an injury or to complete said forms shall not be eligible for occupational disability or injury leave.

The original report must be submitted to the Payroll Clerk within twenty-four (24) hours of the incident. The Human Resources Generalist will keep a copy for his/her file. Where an accident causes serious bodily injury or death to an employee, the supervisor shall immediately notify the Payroll Clerk, Department Director and the City Manager.

Employees off work on occupational disability or injury leave shall receive compensation in accordance with the Tennessee Department of Labor regulations. The Risk Manager, or his/ her designee, under the direction of the insurance carrier or its representatives shall coordinate all workers' compensation claims. The employee shall be required to communicate to and coordinate all activities (i.e., medical

care, restricted duty, return to work, etc.) through the Risk Manager or his/ her designee. Failure to follow proper procedure may result in disciplinary action.

An employee who suffers injury or illness as a result of a work -related accident will be eligible for workers compensation benefits after seven (7) calendar days (including weekends) of loss of work time. Benefits for time lost from work are payable on the eighth (8) day after the injury. Once an injured employee has been off work for fourteen consecutive (14) days, the employee will receive retroactive payment for the first seven (7) days. Upon review and approval of the Worker's Compensation Carrier, Employees on worker's comp leave shall receive 66.67% of pay from the Worker's Compensation carrier. The employee must complete the required Worker's Compensation Election of Sick/Annual Leave-Lost Wages Agreement that provides the option to use 14% of accrued sick or annual leave during the Day 1-14 waiting period.

The City of Shelbyville Risk Manager or their designee will assist the employee in scheduling medical provider appointments, if requested, by the employee. For injured employees who return to work on light duty status, any time spent at medical or physical therapy appointments as follow-up shall not be charged against any of the employee's accrued paid leave used to supplement workers' compensation payments. A time over two hours away from work shall be charged against the employees accrued paid leave.

Once Workers Compensation Checks are issued to the employee no voluntary insurance deductions will be taken and arrangements will need to be made with the Payroll Clerk to make weekly payments. Failure to make timely payments of voluntary insurance deductions will result in loss of coverage of voluntary deductions. The payment for workers compensation is not subject to income tax and will not be reported to the Internal Revenue Service.

Also, if traveling to doctor's appointments from home that are in or out of town, the employee will be reimbursed for mileage for trips that exceed 30 miles round trip by workers compensation. Mileage will not be reimbursed from work to the appointment then back to work. Submit mileage, date (s) and the name of the doctor to the Payroll Clerk for reimbursement.

The employment of an injured employee, who is unable to return after a period of (3) three months, may be reassessed by the City Manager, at which time a ruling will be made.

12.4 TEMPORARY MODIFIED DUTY

The City of Shelbyville is committed to providing work, when possible, for employees who have been restricted by a physician due to a work-related injury or illness. Such work will be provided subject to availability. Employees on temporary modified duty must furnish a written update of their medical condition to the HR Generalist from the treating physician after each visit in order to remain in the reassigned job. Temporary modified duty assignments are limited to a period of 90 days, subject to review.

Assignment

Work will be assigned due to the nature of the injury or illness and the limitations set forth by the treating physician. Every effort will be made to place employees in positions within their own departments, but if necessary, employees will be placed wherever an appropriate position is available.

Compensation

While on temporary modified duty, employees will continue to receive their regular rate of pay. Employees who are placed outside their department will continue to have their salary charged to their regular department. Departments which require shift work which results in total accumulated hours in excess of forty (40) hours per work week may pay an employee at their normal rate of pay as long as the employee performs a temporary modified duty position with total accumulated hours of no less than forty (40) hours per week.

Maximum Medical Improvement

Upon reaching maximum medical improvement, the employee's medical condition shall be assessed as to the permanent medical restrictions and their ability to perform the duties of their normal work assignment. If the injured employee cannot return to his/her regular position, the Human Resources Generalist in conjunction with the Department Director shall attempt to find employment within the employee's department or within another department. Reasonable accommodation will be provided to qualified disabled individuals unless the accommodation would post an "undue hardship" on the City. Such attempts are not a guarantee that position will be offered or that future employment is assured.

CHAPTER 13

PARTICIPATION IN POLITICAL ACTIVITIES

13.1 POLITICAL PARTICIPATION

The City of Shelbyville encourages all City employees to participate in the political process by registering and voting in each election. However, it is necessary to implement some policies to avoid conflict of interest between political activity and public employment in a City position.

13.2 ELECTIVE CITY OFFICES

Whenever an employee of the City of Shelbyville is elected to any City of Shelbyville office, that employee's status and benefits with the City shall immediately cease, and the active employee shall resign or be terminated forthwith.

13.3 CANDIDACY OR ELECTED FOR OTHER PUBLIC OFFICE

An employee of the City of Shelbyville may become a candidate for non-city political offices, provided that candidacy and/or election of, does not create a conflict of interest with his/her City position and subject to meeting obligations of his/her job as a City employee.

13.4 MEETING TO DISCUSS CANDIDACY/OFFICE

An employee who becomes a candidate for any elective office shall, within fifteen (15) days, meet with the employee's Department Director and the City Manager, to discuss the candidacy and its potential effect on the employee's position. If after consultation with the Department Director, the City Manager determines that the employee's candidacy has caused or has the potential to cause a conflict with the employee's regular City position, or that the employee is not meeting the work obligations of the City position in full, the employee shall be required to take accumulated vacation leave and/or leave of absence without pay for the remainder of the campaign.

13.5 PERMITTED POLITICAL ACTIVITIES

A City employee may exercise his/her rights, when acting as a private citizen, to engage in political activity, not affecting an elective City office, including but not limited to:

1. Form, join or possess membership in a political party, club or other political organization;
2. Run for office in the organization and take an active role in the management of the organization;
3. Attend meetings;
4. Vote on the positions of the organization on candidates and issues.

13.6 PROHIBITED POLITICAL ACTIVITIES

Employees may not:

1. Use or permit others to use authority of their position with the City to endorse or actively support a candidate for any political office, including the use of any City property, uniforms, vehicles, reproduction or mail equipment, facilities or other equipment deemed the property and/or resources of the City of Shelbyville.
2. Employees may not represent themselves, nor knowingly permit themselves to be represented, as City employees, while engaging in any form of political activity.
3. City employees, individually or collectively, are prohibited from endorsing or actively working for the election of, recall of, or opposing or working for, the defeat of any candidate for City office while actively on duty.
4. An employee of the City may not directly, or indirectly, coerce, attempt to coerce, command or advise another City employee to pay, lend, or contribute anything of value to a party, committee, organization, agency or person for political purposes, or to campaign for or support any political candidate, or to refrain from any political activities except as provided in this Chapter.
5. No solicitations of signatures for political petitions will be allowed, nor shall anyone seeking political office actively engage employees for political positions while City employees are on active duty.

Employees who are candidates for or elected to a political position or whom are appointed to a City Board, are required to fulfill their job responsibilities and duties under their employment with the City of Shelbyville.

CHAPTER 14

DISCIPLINARY PROCEDURES

14.1 DISCIPLINE

Discipline is a necessary part of any organization. It is the mutual respect and self-control of the employees of the City that enables the City to meet its standards and objectives. Discipline is developed both by management and employees, since if one employee fails to follow the standards and objectives, every other employee must work harder to see that those objectives are accomplished. The City of Shelbyville is an At-Will Employer as considered under the State of Tennessee Department of Labor At-Will Status. Under the At-Will status, the City of Shelbyville reserves the right to discipline, suspend or fire any employee at any time and for any reason, good or bad, with or without cause or for no reason at all, as allowed by law.

Policy

The Department Director, with authorization from the City Manager, may demote, terminate, reduce in pay, or suspend without pay (for not more than thirty (30) calendar days in any calendar year, except that extensions may be made as provided in the Personnel Regulations pending any investigation and hearing), any employee within the service of the City for any one or more of, but shall not be limited to, the following reasons:

1. Dishonesty, theft, improper conduct, insubordination, unsatisfactory performance of duties, failure to adhere to rules and regulations or other written instructions, conduct bringing discredit to the City or discord by its citizens and/or employees, any other act of omission or commission tending to injure the public service, any willful failure on the part of the employee to conduct himself properly, or any willful violation of the provisions of these Personnel Regulations or other rules applicable to the employee's department.
2. Arrest, indictment or conviction of any criminal offense reflecting upon ability of the employee to perform his/her job responsibilities for the City.
3. Drug abuse, refusal to participate in a City-approved rehabilitation program deemed necessary for the employee, by the Department Director, Human Resources Generalist, and/or City Manager from substantiating evidence, or submit to pertinent testing as a result of the same evidence.
4. An employment history with the City that demonstrates a consistent pattern of disciplinary and/or performance problems and a lack of corrective action by the employee, in spite of documented warnings and counseling efforts by the City to encourage improvement, so as to cause sufficient doubt as to whether continued employment is in the best interest of the individual and/or the City.
5. Failure to adhere to the City's policy on discrimination
6. Conviction of a felony, a misdemeanor involving moral turpitude, or a misdemeanor reflecting upon the employee's ability to perform public service or for which a jail sentence is imposed.
7. Any other act or failure to act as set out in these rules and regulations, which, in the judgment of the City Manager, is sufficient to show that the person is an unsuitable and unfit employee. Any other act or failure to follow other established City policies, such as cell phone use, and unauthorized electronic taping will result in disciplinary action.
8. Any employee who receives more than twenty (20) combined days of suspension within any calendar year may be subject to termination.
9. Any employee who receives three (3) written reprimands in a twelve-month period may be subject to disciplinary action, including termination.

An employee may not be disciplined for any of the following reasons: Conditions controlled by equal opportunity laws, such as race, religion, national origin, sex, disability, veteran's status, age or any other legally protected status, including filing a complaint with the Equal Employment Opportunity Commission or Tennessee Human Rights Commission,

Reporting occupational health or safety violations, refusing to perform an unusual work assignment that the employee believes is hazardous or even life-threatening,

Refusing to perform an act that is in clear violation of the law.

14.2 DISCIPLINARY GUIDELINES

It is the policy of the City of Shelbyville to utilize disciplinary action to correct job behavior and/or performance problems when justified. Disciplinary action shall be remedial and progressive rather than punitive in nature whenever possible with the organizational objective of directing and motivating employees to fully carry forth their work obligations to the City of Shelbyville. Employees shall be informed of standards of conduct, performance, rules and regulations. Rules and regulations shall be consistently applied considering the seriousness of the infraction, mitigating circumstances, previous work record, and other relevant criteria. Discipline shall be based on the severity of the infraction. Department Directors and supervisors may recommend use of the Employee Assistance Program to provide employees with assistance in addressing work related problems.

Any employee receiving disciplinary action higher than a written reprimand, shall be placed on work review status. The length of the work review status is defined by the type of disciplinary action given. The employee's supervisor and Department Director shall observe the employee to insure proper performance or conduct and determine whether further disciplinary measures are in order. Further deviations by an employee from job expectations or acceptable conduct, whether involving the same issue as disciplined for initially or some other work performance or conduct issue of similar or more severe magnitude, may result in more severe disciplinary measures being invoked up to and including dismissal. Employees have the option of documenting their response to any disciplinary action and submitting a copy of that document to their personnel file.

Types of disciplinary actions:

Oral reprimand

Whenever an employee's performance, attitude, work habits, or personal conduct fall below a desirable level, the supervisor shall inform the employee promptly and specifically of such lapses and shall give him/her counsel and assistance. If appropriate and justified, a reasonable period of time for improvement may be allowed before initiating disciplinary actions. All oral reprimands shall be documented in writing, signed, dated, and placed in the employee's personnel folder. The documentation should be signed by the employee and the issuer of the reprimand.

Exception: Coaching. Department Director may determine that the offense does not rise to the level of a reprimand. The Department Director and/or Supervisor may determine that the employee needs "coaching." Upon recommendation of the Department Director, no written record is placed in the employee's file for instances of "coaching" where the supervisor is correcting, instructing, or guiding the employee.

Written reprimand

In situations where an oral warning has not resulted in the expected improvement, or when more severe initial action is warranted, a written reprimand may be sent to the employee, and a copy shall be placed in the employee's personnel folder. Receipt of three written reprimands in a twelve-month time period will be subject to dismissal.

Suspension

An employee may be suspended with or without pay by his/her department head or the City Manager, for reasons of misconduct, negligence, inefficiency, insubordination, disloyalty, unauthorized absence, or other justified reasons when alternate personnel actions are not appropriate. The suspension shall not exceed thirty days in any twelve-month period. An employee may be suspended by the City Manager, without pay for a longer period pending the investigation by the City Manager or hearing of any charges against him/her. An employee determined to be innocent of the charges against him/her shall be returned to duty with full pay for the period of suspension.

Demotion

The City Manager may demote an employee. Reasons may include but are not limited to misconduct, negligence, incompetence, insubordination, unauthorized absences, falsification of records, violations of any of the provisions of the Charter, ordinances or these rules.

Dismissal

The City Manager may dismiss an employee for the good of the city in accordance with these personnel policies and procedures. Reasons for dismissal may include, but shall not be limited to

1. Incompetency or inefficiency in the performance of duties.
2. Conviction of any criminal offense that may reflect adversely on the City, if the employee was not dismissed.
3. Violations of any lawful and reasonable regulations, order or direction made or given by a superior officer; or insubordination that constitutes a serious breach of discipline.
4. Public intoxication or drinking any intoxicating beverages while on duty; being addicted to the use of narcotics or being under the influence of a drug or narcotics or being under the influence of a drug or narcotic while on duty.
5. Theft, destruction, carelessness, or negligence in the use of property of the City.
6. Disgraceful personal conduct or language toward the public, toward fellow officers or employees, or abusive public criticism of his/her superior or other public officials of the city.
7. Unauthorized absences or abuse of leave privileges.
8. Incapacity for proper performance of duties because of a permanent or chronic physical or mental defect.
9. Acceptance of any valuable consideration which was given with the intent of influencing the employee in the performance of his/her duties.
10. Falsification of records or use of official position for personal advantage.
11. Failure to pay or make reasonable provision for the future payment of just debts.
12. Loss of an employee's driver's license and driving privileges by due process of law when the employee's position makes operation of a motor vehicle necessary for performance of his/her duties.
13. Violation of any of the provisions of the charter, ordinances of the city of Shelbyville or these rules.

14.3 NOTICE TO EMPLOYEE OF DISCIPLINARY ACTION

The City Manager shall furnish the employee to be dismissed notice of the dismissal action. The notice of the dismissal action must be in writing and served either personally or by certified mail on the employee. Such notice of intended dismissal shall contain a pre-termination hearing. However, the employee may be suspended without pay until a conclusion of the hearing has been finalized. The notice should state the time and date of the pre-termination hearing and explain that the employee may explain why he/she should not be terminated.

14.4 PRE-TERMINATION HEARING

All regular full-time employees, that are not currently in probationary status during the trial hiring period, shall be entitled to a pre-termination hearing with the City Manager, Department Director, Assistant Department Director and the employee's immediate supervisor prior to termination. The City may be represented at the hearing by the City Attorney or such other representative as it deems beneficial. If the employee fails or refuses to appear at the pre-termination hearing the termination may proceed. After the pre-termination hearing, the City Manager may terminate the employee or take other disciplinary action. The decision of the City Manager is final.

14.5 REINSTATEMENT; REIMBURSEMENT OF LOST WAGES

If at the conclusion of the pre-termination hearing an employee is found to have received discipline without sufficient or adequate cause or merit, then that employee shall be reinstated effective immediately to the same position held prior to the discipline. In such a case, if the employee was suspended without pay pending the results of the pre-termination hearing then that employee shall be reimbursed on the next regular pay date following final resolution of the matter for all lost wages for the hours of work for which the employee would have been otherwise normally scheduled, and all benefits, leave time, etc. shall be reinstated/reimbursed.

CHAPTER 15

GRIEVANCE PROCEDURES

15.1 GRIEVANCE PROCEDURE

An employee who has a grievance regarding a condition existing in his/her work environment, or regarding a specific action which adversely affects the employee on a non-harassment issue, may utilize the following grievance procedure. Employees are encouraged and obliged to bring safety issues to the attention of City management staff.

The employee shall notify his/her supervisor in writing that he/she has a grievance and discuss the grievance with the supervisor. If the grievance raised by the employee involves his/her immediate supervisor, the employee will meet with the Department Director initially. Otherwise, the employee must first begin the grievance process with the supervisor rather than the Department Director. When a grievance is raised to any supervisory employee (or Department Director if necessary) of the City, it shall be the responsibility of the supervisor (or Department Director if necessary) to promptly discuss all relevant information regarding the grievance with the employee and to address the cause of the grievance to the degree that the supervisor (or Department Director if necessary) possesses the authority, if justified and appropriate to do so. The supervisor (or Department Director if necessary) shall respond in writing to the employee within five (5) work days regarding the action to be taken in response to the non-disciplinary grievance.

If the employee is not satisfied with the response of his/her immediate supervisor, the employee may, within five (5) work days of said written response, appeal the decision of the supervisor in writing to his/her Department Director. The Department Director may discuss the grievance with the employee, the employee's supervisor, the Human Resources Generalist, the City Manager, and any other parties deemed relevant by the Department Director. The Department Director shall respond in writing to the employee within five (5) work days regarding his/her decision as to any corrective action to be taken in response to the initial grievance filed by the employee. If no action is taken by the Department Director within five (5) working days, the supervisors ruling stands. The Department Director may extend the response time by notifying the employee and Human Resources of the anticipated date of completion.

The employee shall have the right to appeal the Department Director's decision through the following procedure:

Submit a written appeal to the City Manager within ten (10) days from receipt of the Department Director's decision. The written appeal shall contain a detailed description of the reason(s) for the appeal.

The City Manager has the option to conduct a hearing to make his/her determination and decision. If the City Manager chooses to have a hearing, it must be held within fifteen (15) work days of receipt of the appeal. The City Manager shall render his/her determination and decision to the employee within fifteen (15) work days of receipt of written appeal if a hearing is not conducted or within fifteen (15) working days of the hearing. If no action is taken by the City Manager within ten (10) working days, the Department Director's ruling stands. The City Manager may extend the response time by notifying the employee and Human Resources Generalist. The decision of the City Manager shall be final in all grievance matters unless otherwise provided herein.

If a grievance is directed against a Department Director, the employee has the right to direct a grievance to the City Manager in writing. The grievance shall set forth fully the concerns of the employee and suggested remedies to address the grievance matter. The City Manager shall fully

discuss the grievance with the employee, the employee's Department Director, the Human Resources Generalist and any other parties deemed relevant by the City Manager. The City Manager shall respond in writing to the employee within fifteen (15) work days regarding his/her decision as to any corrective action to be taken in response to the initial grievance filed by the employee.

The City Manager reserves the right to review the decision of a Department Director where it is determined by the City Manager that the Department Director did not take all factual information under consideration or he/she deviated from procedures outlined in these Personnel Policies and Procedures. The City Manager may set aside the decision of the Department Director and request the department head conduct another hearing that properly takes into account facts surrounding the matter and/or follow procedures outlined in these Personnel Policies and Procedures. Such action taken by the City Manager does not have to be prompted by a written appeal from the affected employee.

The grievance appeals procedure is intended as a method of resolving problems arising from the employment relationship.

The written grievance and any appeal letters shall be given to the Human Resources Generalist for inclusion in the employee's personnel file and within other such personnel files as deemed appropriate by the Human Resources Generalist.

CHAPTER 16

TITLE VI COMPLIANCE

16.1 TITLE VI COMPLIANCE STATEMENT

The City of Shelbyville complies with Title VI of the Civil Rights Act of 1964. Title VI requires that no person shall, on the grounds of race, color or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.

16.2 COMPLAINT AND INVESTIGATION PROCEDURE

Title VI complaints filed against the City of Shelbyville should be logged and forwarded to the appropriate state or federal agency within three (3) business days.

Any complaint of discriminatory practices filed against contractors or sub-contractors of the City of Shelbyville must be referred to the City Recorder/Title VI Coordinator. The guidelines for processing complaints are as follows:

Acceptance of the Complaint

The Title VI Complaint Form must be completed by the complainant and forwarded to the City Manager and Title VI Coordinator.

The complainant must include their address, phone number, agency or program involved and the nature of the complaint, including all facts, date of incident and names of individuals involved on the form.

The complaint must be filed within 180 calendar days from the alleged discriminatory act.

The Title VI Coordinator reviews the complaint to assess any disparate impact. The complaint is entered on the Title VI Complaint log.

Notification of the complaint is made to the alleged discriminatory contractor or sub-contractor official. Including the name and telephone number of the Title VI Officer. The appropriate state and/or federal agency will also receive notification of the complaint from the Title VI Coordinator within (7) business days.

Investigation Process

The City Manager and Title VI Coordinator will conduct factual investigations to determine whether the reported incident constitutes discrimination based on race, color or national origin.

The City Manager and Title VI Coordinator will contact the complainant and set up an interview within three (3) business days of receiving the complaint. The complainant will be informed that he/she has a right to have a witness or representative present and can submit any documentation that is relevant to proving his/her complaint.

The contractor and/or sub-contractor will be given the opportunity to respond to all aspects of the complainant's allegations.

The City Manager and Title VI Coordinator will determine, based on relevancy or duplication of evidence, which witnesses will be contacted and questioned.

The City Manager and Title VI Coordinator will contact the complainant at the conclusion of the investigation, but prior to writing the final report and give the complainant the opportunity to give a rebuttal statement only at the end of the investigation process.

The City Manager and Title VI Coordinator will prepare a report which will be sent to the state and/or federal agency, the alleged discriminatory contractor and/or sub-contractor and the complainant within sixty (60) days of the date the complaint was received. The results of the investigation will include a) the Title VI Complaint Form, b) summarized statements from the witnesses, c) finding of facts, d) recommendation, based on the evidence presented, that the incident is substantiated or unsubstantiated and e) corrective action for substantiated cases.

Resolution of Complaint

The complaint is resolved if the involved parties accept the findings and the recommended corrective action, if applicable.

Corrective action may be recommended by either part to resolve the basis of the complaint if disparate impact is determined. Corrective actions can be taken at a future date after the initial thirty (30) days with projected time periods in which action will be completed. All corrective actions must be made within sixty (60) days from the date of the actual recommendation.

If corrective action is recommended, the alleged discriminatory agency will be given thirty (30) days to inform Title VI Director of the actions taken for compliance.

If the recommended corrective action(s) have not been taken within the thirty (30) day time period allowed, the contractor and/or sub-contractor will be found to be in non-compliance with Title VI and implementing rules and regulations, and a referral will be made to the appropriate state and/or federal agency for enforcement action.

Appeals Procedure

The complainant has the right to appeal all written reports to the Title VI Director of the appropriate state and/or federal agency within fourteen (14) days of receipt of the final report.

The appeal must specifically cite the portions(s) of the finding with which the complainant disagrees and his/her reason(s) for disagreement.

The Title VI Director of the state and/or federal agency will forward this appeal within seven (7) days to their Title VI Advisory Board for review.

The Board's review of the finding will be based on the entire record.

The Board must complete the appeal review thirty (30) calendar days after receipt of the appeal.

The Board will forward their written findings to the complainant, the City of Shelbyville and their Title VI Commissioner or appropriate official.

16.3 CONTRACT MONITORING PROCEDURE

The City of Shelbyville may directly contract for services for programs receiving Federal financial assistance or a consultant firm may provide bid services. The following wording will be included in all contract documents:

Civil Rights Act of 1964

“Under Title VI of the Civil Rights Act of 1964, no person shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.”

Upon notification of a project which will be receiving Federal funds, the City Attorney/Title VI Coordinator will take the following steps to monitor Title VI compliance during the bidding process and during the contract award process. These efforts will be done in conjunction with the contractor and/or sub-contractor, Finance Director and Purchasing Director.

Contractors that are awarded projects will receive a request for voluntary disclosure of the bidder's gender and ethnicity of ownership of the company. Records will be kept of the gender and ethnicity of the company owners.

Contractors will receive Title VI awareness during the construction conference.

Records will be kept of efforts to solicit bids from and to utilize minority group contractors or subcontractors with measurable minority group representation among their employees.

CHAPTER 17

DRUG-FREE WORKPLACE POLICY

The purpose and goal of this program is to send a clear message that the use of alcohol and drugs in the workplace is prohibited. Also, this program is to encourage our employees to voluntarily seek help with alcohol and drug problems.

Mission Statement

The City of Shelbyville is committed to protecting the safety, health and well-being of all employees and individuals in our workplace. We recognize that alcohol abuse and drug use pose a significant threat to the goals of the City. We have established a drug-free workplace program that balances our respect for individuals with the need to maintain an alcohol and drug free environment.

Policy Statement

This policy recognizes that employee involvement with alcohol and other drugs can be very disruptive, adversely affect the quality of work and performance of employees, pose serious health risks to users and others, and have a negative impact on productivity and morale. The City of Shelbyville has no intention of interfering with the private lives of its employees unless involvement with alcohol or other drugs off the job affects job performance or public safety. As a condition of employment, the City of Shelbyville requires that employees adhere to a strict policy regarding the use and possession of drugs and alcohol.

The City of Shelbyville encourages our employees to voluntarily seek help with drug and alcohol problems.

17.1 WHO IS COVERED BY THE DRUG FREE WORKPLACE POLICY

This policy is intended to clarify that it applies to any individual who conducts business for the City of Shelbyville, is applying for a position or is conducting business on the City of Shelbyville's property. Also, this policy includes but is not limited to all employees of the City of Shelbyville, regardless of race, sex or status.

When the policy applies

It is the intent of the City of Shelbyville to set forth a clear and consistent policy regarding the use of both alcohol and drugs. Our drug free workplace policy is intended to apply whenever anyone is representing, or conducting business for, the City of Shelbyville and is to include but not be limited to the following:

1. During all working / on duty hours.
2. Whenever conducting business or representing the City of Shelbyville.
3. While on call, paid standby.
4. While on company property.
5. At company sponsored events
6. While working off duty employment, while in the uniform of the City of Shelbyville.

Type of Behavior

It is a violation of our drug-free workplace policy to use, possess, sell, trade, and/or offer for sale alcohol, illegal drugs or intoxicants.

Because medication can affect an employee's ability to make decisions, exercise good judgment and operate equipment, the City of Shelbyville has a legitimate interest in addressing the use of both prescription and over-the-counter medications in our drug-free workplace policy. Prescription and over-the-counter drugs are not prohibited when taken in standard dosage and/or according to a physician's prescription. Any employee taking prescribed or over-the-counter medications will be responsible for consulting the prescribing physician and/or pharmacist to ascertain whether the medication may interfere with safe performance of his/her job. If the use of a medication could compromise the safety of the employee, fellow employees or the public, it is the employee's responsibility to use appropriate personnel procedures (e.g., call in sick, use leave, request a change of duty, notify supervisor, notify company physician) to avoid unsafe workplace practices.

The illegal or unauthorized use of prescription drugs is prohibited. It is a violation of our drug-free workplace policy to intentionally misuse and/or abuse prescription medications. Appropriate disciplinary action will be taken if job performance deterioration and/or other accidents occur. There are some prescribed and over-the-counter medications, such as amphetamines and benzodiazepines that may result in a positive drug test. In this event, the company's appointed physician or other appropriate company personnel may inquire to determine if the employee has a legitimate medical explanation, such as a physician's prescription for a positive drug test.

Notification by employee of drug-related convictions

Any employee who is convicted of a criminal drug violation in the workplace must notify the City of Shelbyville in writing within five calendar days of the conviction. The organization will take appropriate action within 30 days of notification. Federal contracting agencies will be notified when appropriate

Searches

The City of Shelbyville has the right to search any property of the City of Shelbyville for suspicion of a possible violation of the City of Shelbyville's Drug-free workplace policy and employees may be asked to submit to a search or inspection at any time. Participation in and consent to searches is a mandatory condition of employment.

17.2 DRUG TESTING

Under the Drug-free workplace policy there are various reasons for the implementation of drug tests and include but are not limited to the following:

1. Deter employees from abusing drugs and alcohol.
2. Prevent the hiring of individuals who use illegal drugs.
3. Provide early identification and referral of employees who have drug and/or alcohol problems.
4. Provide a safe workplace for other employees.
5. Ensure general public safety and instill citizen confidence that employees are working safely.

The City's drug testing program will follow the Substance Abuse and Mental Health Services Administrations' (SAMHSA) mandatory guidelines for workplace drug testing which include having a Medical Review officer review the test. Testing will be done only for those drugs identified in the SAMHSA guidelines (marijuana, cocaine, opiates, amphetamines and phencyclidine) for which drug laboratories are certified.

To ensure the accuracy and fairness of the testing program, all testing will be conducted according to DHHS/SAMHSA guidelines where applicable and will include a screening test; a confirmation test; the opportunity for a split sample; review by a Medical Review Officer, including the opportunity for employees who test positive to provide a legitimate medical explanation, such as a physician's prescription, for the positive result; and a documented chain of custody. All drug testing information will be maintained in separate confidential record.

The following is a listing of a variety of circumstances in which the City of Shelbyville may require a drug test along with an explanation of each type of test:

Pre-Employment

Required of all applicants once a conditional offer of employment has been made. Applicants agree to be tested as a condition of employment and are not hired if they fail to produce a negative test.

Pre-Duty

Testing is used when an employee is transferred from a position where he or she was not subject to testing to a position where testing is required. This type of testing also is used when an employee has been offered a promotion. If the employee tests positive, the offer of the transfer or promotion is withdrawn and the employee usually is required to participate in rehabilitation as previously described in this policy.

Random

Random testing is unannounced. Every employee in the pool has an equal chance of being chosen for testing every time a random selection is drawn. Random testing is believed to have the greatest deterrent effect on drug use since no one is sure when or if they will be tested. The pool of employees' subject to random drug testing are for safety sensitive positions only, I.E. operators of equipment, police officers, fire fighters etc.

Post-Accident

Testing following an accident can help determine whether drugs and/or alcohol were a possible factor. Examples of criteria that would trigger a test after an accident will include but not be limited to:

1. Fatalities
2. Injuries that require anyone to be removed
3. from the scene for medical care
4. Damage to vehicles or property
5. Citations issued by the police

Reasonable Suspicion

Reasonable suspicion testing is also referred to as probable cause testing, is conducted when Trained Supervisors/Department Directors document observable signs and symptoms that lead them to believe that the individual may pose a danger to him or herself, other employees or the public. Reasonable suspicion testing will be conducted by a supervisor who is trained in reasonable suspicion testing.

Possible causes requiring a testing of reasonable suspicion:

Specific observations concerning appearance, behavior, speech, body odors or performance.

Violations of any safety rule or unsafe work incident, which after further investigation of the employee's behavior leads the supervisor to believe the employee, may be unsafe.

Other physical or existing indicators of alcohol or other drug use.

Return to Duty

One-time announced test that is used whenever an employee who has tested positive has completed

the required treatment and is ready to return to the workplace. This type of testing may also be used for an employee who has been absent for an extended period of time.

Follow-up

Follow up testing is also referred to as post rehabilitation testing. This testing follows an employee's return to the workplace after completing rehabilitation. It is administered on an unannounced, unpredictable basis for a period of up to five years.

17.3 WHAT SUBSTANCES ARE TESTED AND HOW THEY ARE TESTED.

Typically, urine testing is the most commonly utilized. On various occasions, blood testing may also be required. The substances for which testing is commonly performed are those that the National Institute for Drug Abuse (NIDA) designated as "illegal" drugs for purposes of the Federal Drug Testing programs. Commonly known as "NIDA-5", the list includes amphetamines, cannabinoids (THC), cocaine, opiates, and phencyclidine (PCP). These are the drugs for which the Department of Health and Human Services (DHHS)/Substance Abuse and Mental Health Services Administration (SAMHSA) has established standardized procedures and cutoff levels that are followed by several federal agencies, DOT and various private and governmental regulations. Laboratory certification by DHHS/SAMHSA only applies to testing for these drugs. The Department of Transportation has added alcohol to the "NIDA-5".

NIDA-5 -Amphetamines, Cannabinoids, Cocaine, Opiates, Phencyclidine (PCP) and Alcohol

Other drugs that can be tested for include but are not limited to the following: Barbiturates, Benzodiazepines and Methadone

Consequences for Violation of Drug-Free Workplace Policy

One of the goals of the City of Shelbyville's drug-free workplace program is to encourage employees to voluntarily seek help with alcohol and/or drug problems. If, however, an employee violates the policy, the consequences are serious.

Applicants

In the case of an applicant violating the drug-free workplace policy, the offer of employment will be withdrawn and the applicant may not reapply.

Employees

If an employee violates the drug-free workplace policy, he or she will be subject to immediate termination. With the concurrence of the Department Director and at the City Manager's discretion, he or she may be subject to progressive disciplinary action and may be required to enter rehabilitation. An employee required to enter rehabilitation that fails to successfully complete it and/or repeatedly violates the policy will be terminated from employment. Nothing in this policy prohibits the employee from being disciplined or discharged for other violations and/or performance problems.

17.4 RETURN-TO-WORK AGREEMENT

A return-to-work agreement (RTWA) is a written document that sets forth the expectations of the City of Shelbyville and employee assistance/medical professional have of an employee who have completed mandated treatment for alcohol and/or drug problems. It also sets forth the consequences if the expectations are not met. This agreement will be used if an employee has violated the drug-free workplace policy and has been provided the opportunity to participate in rehabilitation as a condition of continued or re-employment.

Following a violation of the drug-free workplace policy, an employee may be offered an opportunity to participate in rehabilitation. In such cases, the employee must sign and abide by the terms set forth in a Return-to-work agreement as a condition of continued employment.

This Return-to-work Agreement is necessitated due to the fact that:

1. The employee tested positive for drugs.
2. A supervisor refers the employee to the EAP or treatment due to declining job performance
3. The employee has violated a work rule that could result in termination.
4. The employer is giving the employee a "last chance" to work free of alcohol or drugs.
5. The employee acknowledges receipt of the organization's drug and alcohol policy and agrees to comply with all provisions.
6. The employee has voluntarily signed the Release of Information form allowing the City of Shelbyville to receive information from medical professionals regarding continuing care recommendations and compliance.
7. The employee agrees to comply with all aspects of the medical professional's recommendations.
8. The employee agrees to be subject to unannounced follow-up testing for a period of five years.
9. The employee agrees that the organization will monitor compliance by receiving updates from medical professionals regarding compliance with continuing care recommendations. The employee will maintain documentation of attendance.
10. The employee agrees to abstain from the use of alcohol and/or other drugs except when prescribed by a physician who has been informed of the employee's difficulty with substance abuse.
11. The employee agrees that all costs of treatment and monitoring not covered by the employee's insurance plan are the financial responsibility of the employee.
12. If absence from work is required as a part of rehabilitation, it will be regarded as family and medical leave, sick leave, vacation, personal leave or some combination thereof, depending on accrued leave.

Type of Assistance Available

The City of Shelbyville recognizes that alcohol and drug abuse and addiction are treatable illnesses. We also realize that early intervention and support improve the success of rehabilitation and may prevent those whose substance abuse has yet to reach the level of addiction from progressing.

To support our employees, our drug-free workplace policy:

1. Encourages employees to seek help if they are concerned that they or their family members may have a drug and/or alcohol problem.
2. Encourages employees to utilize the services of qualified professionals in the community to assess the seriousness of suspected drug or alcohol problems and identify appropriate sources of help.
3. Ensures the availability of a current list of qualified community professionals.
4. Allows the use of accrued paid leave while seeking treatment for alcohol and other drug problems. Treatment for alcoholism and/or other drug use disorders may be covered by the employee's health insurance benefit plan. However, the ultimate financial responsibility for recommended treatment belongs to the employee.

17.5 EMPLOYEE CONFIDENTIALITY/PROTECTION

All information received by the organization through the drug-free workplace program is confidential communication. Access to this information is limited to those who have a legitimate need to know in compliance with relevant laws and management policies.

17.6 SUCCESS OF THE POLICY

A safe and productive drug-free workplace is achieved through cooperation and shared responsibility. Both employees and management have important roles to play. All employees are forbidden to report to work or be subject to duty while their ability to perform job duties is impaired due to on or off duty use of alcohol or other drugs.

In addition, employees are encouraged to:

1. Be concerned about working in a safe environment
2. Support fellow workers in seeking help.
3. Report dangerous behavior to their supervisor.

It is the Supervisor/Department Director's responsibility to:

1. Inform employees of the drug-free workplace policy.
2. Observe employee performance.
3. Investigate reports of dangerous practices.
4. Document negative changes and problems in performance.
5. Counsel employees as to expected performance improvement.
6. Clearly state the consequences of policy violations.

17.7 POLICY COMMUNICATION

Communicating our drug-free workplace policy to both employees and supervisors is critical to our success. To ensure that all employees are aware of their role in supporting our drug-free workplace program:

1. All employees will receive a written copy of the policy.
2. The policy will be reviewed with new employees.
3. The policy will be reviewed at safety meetings
4. All employees will receive updates to the policy, if any, on an annual basis.
5. Employee education about the dangers of alcohol and drug use and the availability of help will be provided to all employees.

CHAPTER 18

AMENDMENTS, SEVERABILITY, AND CONFLICTS TO PERSONNEL POLICIES AND PROCEDURES

18.1 AMENDMENTS

Amendments or revisions to these policies and procedures may be recommended for adoption by the City Manager or by the City Council of its own initiative. Such amendments or revisions of these regulations, policies and procedures shall become effective upon approval by the City Council.

No employee or other person enjoys any contractual or vested right to the continuation of any rules, regulations, policies, procedures, provisions or employee benefits contained within this Manual. The provisions of all employee benefits covered in this document are subject to annual appropriation by the Mayor and City Council. In additions, all benefits offered through third-parties are subject to the terms and conditions of the service contract between the City and the provider, which may be charged in the future, including the actual benefits offered, and any employee premiums and/or contribution rates.

Any provision of the Personnel Policies and Procedures Manual that are intended to comply with State or Federal laws or regulations shall be administered and implemented so as to always remain in compliance with such laws or regulations as may be amended in the future, regardless of whether this document is actually modified to reflect such amendments in the laws or regulations.

18.2 SEVERABILITY

The provisions of this Personnel Policies and Procedures Manual are hereby declared to be severable. Should any rule or regulation, section, provision, exception, sentence, clause, phrase or part of this Manual be held by any court to be invalid or unconstitutional, then the same shall not invalidate or impair the validity, force and effect of any other rule or regulation, section or subsection, provision, exception, sentence, clause, phrase, or part of this Manual unless it clearly appears that such other part or parts is wholly or necessarily dependent for its operation upon the part or parts so held invalid and unconstitutional, and the remainder of this Manual shall continue in full force and effect, it being the corporate intent, not hereby declared, that this Manual would have been passed, approved and adopted even if such unconstitutional or void matter had not been included herein.

18.3 CONFLICTS

Should any rule or regulation, section or subsection, provision, exception, sentence, clause, phrase or part of this Manual be in conflict with any provision of the City Charter or Municipal Code, then the City Charter and Municipal Code shall prevail.

18.4 PRIOR RULES SUPERSEDED

These policies and procedures shall be the Personnel Policies and Procedures for all Municipal Government employees of the City of Shelbyville, Tennessee, and shall supersede all previous Personnel Policies and Procedures. Those employees specifically excluded by the Municipal Code may not enjoy benefits and privileges of specific sections of the Personnel Policies and Procedures. Any

Rule or parts of Rules in conflict with the Personnel Policies and Procedures or the Municipal Code are repealed to the extent of such conflict.

18.5 DEPARTMENTAL RULES

Department Directors may implement additional policies and procedures which specifically govern their departments. These departmental policies and procedures must not be inconsistent with these Personnel Policies and Procedures. The departmental policies and procedures must be submitted to the City Manager for approval before implementation, and a copy shall be available to all employees of that department at all times. Human Resources activities arising out of the administration of departmental policies and procedures are subject to the grievance and appeals procedures in accordance with these Policies and Procedures.

18.6 IMPLEMENTING THESE RULES AND REGULATIONS

It is the responsibility of the Department Directors to carry out these Policies and Procedures. Department Directors shall be held accountable to the City Manager for failure to carry out these Policies and Procedures as written. The City Manager will advise and assist the Department Directors in enforcing and interpreting these Policies and Procedures.

18.7 FURTHER IMPLEMENTATIONS

The Personnel Policies and Procedures contained herein are an outline covering Human Resource policies and procedures and may be further implemented by specific policies and procedures duly adopted by the City Council.

COMPUTER AND NETWORK POLICIES AND PROCEDURES

City of Shelbyville

201 North Spring Street

Shelbyville, TN 37160

Adopted: October 11, 2012

Effective: January 1, 2013

PURPOSE AND APPLICABILITY:

The purpose of these procedures, standards, and guidelines is to establish a policy for the use of computers, including laptops, and related equipment, including but not limited to handheld devices and cell phones, internet and email by City of Shelbyville employees on City-provided computers, accounts and through City of Shelbyville internet and email servers, whether accessed directly or remotely.

Computers and related items furnished by the City are City property, intended for use by employees for City business. These items include, but are not limited to, hardware, software (including email and internet software), computer files and documents.

City of Shelbyville is responsible for securing its computer systems in a reasonable and economically feasible degree against unauthorized access and/or abuse, while making them accessible for authorized and legitimate users. Their responsibility includes informing users of expected standards of conduct and punitive measures for not adhering to them. Any attempt to violate the provisions of this policy may result in disciplinary action in the form of temporary revocation of user access, regardless of the success or failure of the attempt. Permanent revocations can result from continued violations or from management decision.

The users of the City's computer systems are responsible for respecting and adhering to local, state, federal and international laws. Any attempt to break those laws through the user of the City's computer systems may result in litigation against the offender by the proper authorities. If such an event should occur, the City will fully comply with the authorities to provide any information necessary for the ligation process.

The following procedures apply to all employees ("users"), including probationary, full-time, temporary and part-time employees, as well as interns and contractor personnel and to all equipment, electronic media and services that are:

1. Accessed on or from City premises;
2. Accessed using City-owned or leased computer equipment or via remote access methods; or used in a manner that identifies the individuals with the City

This policy is intended to be illustrative of the range of acceptable and unacceptable uses of the City's computers, equipment, electronic media, software, and internet and email facilities and is not necessarily exhaustive. Questions about specific activities not enumerated in this policy

Privacy

All electronic equipment used by employees is to be considered property of the City. All data, messages, or other files created while using the equipment is also considered property of the City. The City reserves the express right to monitor and review all activities of the employee, including information created or obtained by the employee. This monitoring includes, but is not limited to, reviewing files or correspondence created by any software medium and periodic scans of an employee's computer hard drive.

Users of the City of Shelbyville system have no expectation of privacy while using City-owned or City-leased equipment. Users understand that any connection to the internet offers an opportunity for non-authorized users to view or access City information. Therefore, it is important or internally, may be a public record subject to public disclosure under the Tennessee Public Records Law and may be inspected by the public (T.C.A. sec. 10-7-512), or possibly subject to disclosure in litigation.

Internet browsing, establishing links, and file accessing are not private activities.

Information passing through or stored on City equipment, including but not limited to computer data, a history of websites visited and emails obtained or deleted (even if password protected or encrypted), can and will be monitored and recorded using internet filtering software or other technology as the City deems appropriate. Use of passwords or encryption does not confer a special status on the internet-generated files with respect to applicability of laws, policies, and practices. Users should also understand that the City maintains the right to monitor and review –without notice or a user's permission- computer use, internet use and email communications 24 hours a day, whether sent or received by users.

1.2 Personal Use of Computers

Employees are not to place personal copies of software or data on any City equipment. If an employee requires the software, the City must purchase a copy. This includes, but is not limited to, games, screen savers, and questionable material. If found, the software or data will be removed and a memorandum sent to the user's Department Head outlining what was found and the action taken to remove it. It is City policy that City owned software is not to be taken home and installed on an employee's home computer for personal or City use, regardless of the software's licensing agreement.

1.3 Confidentiality

Unless otherwise dictated by public disclosure laws, all information regarding the computers systems, or data created by employees, are to be considered confidential. Removing of data from the City offices without the express consent of the Department Head is considered a breach of this confidentiality.

1.4 Violations of City Policy

Violations of this City policy may lead to revocation of computer use or disciplinary action, including discharge.

1.5 Employee Signature

All employees will be required to sign a Use of City Network and Computers form (see Appendix) before access to the computer systems will be made available to the user. Refusal to sign the form will result in the employee not receiving computer system access and possible disciplinary action.

Use of Local and Wide Area Networks

Once a user receives a network login account to be used to access the network and computer system, they are solely responsible for all actions taken while using that network login account.

2.1 Requesting a Network Login Account

When a new user needs network access, the employee must sign a Use of Computer and Network form. Applying for network login account under false pretenses is a punishable disciplinary offense.

2.2 Prohibited Actions

Users shall not use the City of Shelbyville's computer equipment, internet, or email for unacceptable purposes or in an unacceptable manner as described below:

Excessive Personal Use: Use that interferes with City operations, compromises functioning of the City's network, or interferes with the user's employment or other obligations to the City is unacceptable. Examples: accessing sports, entertainment, and job information and/or sites, or partaking in activity on behalf of organizations or individuals having no affiliation with the City for a personal gain.

Illegal activities: Examples include, but are not limited to: violating federal and state laws dealing with copyrighted materials (including articles and software) or might incite violence or describe or promote the use of weapons or devices associated with terrorist activities.

Permitting unauthorized access by another: Includes giving a password or access code to another, leaving equipment vulnerable to unauthorized use, etc.

Privacy Rights: Violating or infringing on the rights of any other person, including the right to privacy, (i.e., Social Security numbers), and to confidential health information under HIPPA.

Work Interference: Sending of messages likely to result in the loss of recipients' work or systems, and any other types of use that could cause congestion of the network or otherwise interfere with work of others, including annoyance or harassment. Modifying files or data belonging to other users without proper authorization to do so.

Sexually explicit materials: Generating, soliciting, viewing, storing, transmitting or other use of data or other matter which depicts or describes nudity, including sexual activities or organs, in a manner which is lewd and intended to elicit a sexual response, except for an official law enforcement investigation.

Obscene/Profane/Discriminatory materials: Generating, soliciting, viewing, storing, transmitting or other use of data or other matter which is abusive, profane, vulgar, contains offensive content of any kind, or otherwise offensive to a reasonable person except for an official law enforcement investigation. This includes, but is not limited to, a material containing ethnic slurs, racial comments, off-color jokes, or material that may be construed as harassment or the showing of disrespect for others, or that which may create a hostile or unsafe work environment.

Paid subscriptions: No user shall have authority to subscribe to any service for which a fee is charged unless approved by the City Manager.

Promoting messages of religious, political, or racial nature.

Streaming audio and video.

Unauthorized Web Page, Blog or Other Unofficial Postings: Blogging and other posting for personal or department purposes is not permitted on a City account or on or through City equipment, unless reviewed and approved by the City Manager.

Breaching Security/Tampering with Records: Attempting to test, circumvent or defeat security or auditing systems or tampering with programs, records or other another's saved data without prior authorization.

Unauthorized Use: Intentional attempts to "crash" network systems or programs is prohibited. Attempts to secure a higher level of privileges on any computer system are prohibited.

Viruses: The willful introduction of computer viruses or other disruptive/destructive programs into any City computer system, or any external computer system, is prohibited. The unintentional introduction of a computer virus or other disruptive/destructive programs into and City computer system, or any external computer system, by the failure to follow City policy will result in disciplinary action.

Security

As a user of City of Shelbyville computer systems, you may be allowed access to other computer systems through the use of City networks. This policy is used to describe types of security and prohibited actions regarding computer system security.

3.1 Computer Security Defined

Physical Security- this is the action taken to ensure that the computer system components (CPU, monitor, keyboard, mouse, modem, printer, etc.) are secure and not easily available by non-City personnel. Physical security is the responsibility of the head of the department.

Access Security- this is the action taken by the user to ensure that the computer system data is not compromised or made available to unauthorized personnel within and outside the City. The use of passwords and file encryption are the most common.

Electronic Messaging Systems

This policy defines the framework for use of electronic message systems and communications media by employees of City of Shelbyville. This includes but is not limited to, electronic mail systems (email), voice mail systems, calendar scheduling systems, faxes, Internet and other electronic media that generate, store, transmit and display correspondence for internal and external business communication purposes.

4.1 Definitions

Communications is defined as a system for sending and receiving messages, as by mail and telephone.

Media is the plural of medium which is defined as an agent by which something is conveyed, accomplished, or transferred.

Communication media is that aspect of electronic messaging systems that contain the message.

Employee is the person who is a permanent employee, temporary employee, contractor, student intern or otherwise engaged at City of Shelbyville and has been given authorized access to any agency electronic messaging system.

Encryption is a method of “scrambling” data using cryptographic algorithm based on a secret key that is known only to the originating system and destination system.

Securing a device means to log off the network, invoke a keyboard locking feature requiring a password, or otherwise makes the device inaccessible.

4.2 Electronic Messaging Systems Expected Use

The City will provide electric messaging systems, making them available to City of Shelbyville employees as required subject to resources and other limitations. Employees with assigned access to electronic messaging systems are expected to use them. Employees with access to electronic messaging systems are expected to check for messages on a frequent and regular basis and respond within a reasonable time as needed. An employee’s use of City-provided communications media is restricted. Employees are expected to use City provided communications media only for City business. However, the City recognized the occasional need to exchange personal messages. These should be kept to a minimum, both in number and length. At no time should personal messages be sent in a way that charges the City for transmission.

4.3 Use of Email

In addition to the prohibitions outlined in Prohibited Uses above, unacceptable uses for the use of email include, but are not limited to, the following:

1. Personal use of email that is unacceptable conduct, as outlined elsewhere in this policy;
2. Commercial use, candidate or political fund-raising, and use by individuals or organizations not authorized to use City facilities. Authorization for other external uses of email, such as professional organizations, requires written approval of the City Manager and will be granted only when that use is determined to further the City’s mission;
3. Intercepting, eavesdropping, recording, or altering another person’s email message(s), except for system administrators or other individuals as approved by the City Manager for purposes described below;
4. Forwarding a message sent to you without the recipient’s permission, including chain letters, junk mail or advertisements;
5. Spamming email accounts from the City’s email services;
6. Adopting the identity of another person on any email message, attempting to send electronic mail anonymously, or using another person’s password;
7. Consuming the City’s system resources or storage capacity on an on-going basis;
8. Composing, forwarding, or displaying to others email that contains racial, religious, or sexual slurs or jokes, sexually explicit content, or harassing, intimidating, abusive, or offensive material to or about others; or
9. Sending or receiving any software in violation of local, state, or federal laws.
10. Unauthorized attempts to break into any computer whether of City of Shelbyville or another organization (Hacking),
11. Using City time, equipment and/or other resources for non-work-related activity, personal gain or recreation,
12. Sending threatening messages,
13. Theft, or copying, of electronic files without permission,
14. Sending chain letters through electronic mail,
15. “Surfing” pornographic and sexually oriented sites,
16. Random “surfing” and “flame wars”.

4.4 Sending Electronic Messages Globally

Electronic messages sent globally (i.e. to “ALL”) must be appropriate for type and content. Examples of appropriate global messages are those that pertain to normal operations of the City such as training and security alerts.

4.5 Security

Email security is a joint responsibility of the City’s technical support and email user. Users must take all reasonable precautions, including safeguarding and changing passwords, to prevent the use of unauthorized access to their email. Overriding or otherwise tampering with security systems shall be considered a serious breach of this Policy.

4.6 Privacy and Access

Email messages are not personal or private. Email messages originating from or received into the City’s email system are the property of the City of Shelbyville.

The technical staff or others as designated with prior approval of the City Manager may access an employee’s email, as follows:

1. For a legitimate business purpose (e.g. the need to access information when an employee is absent for an extended period of time);
2. To diagnose and resolve technical problems involving system hardware, software, or communications;
3. To review any message relevant to a lawsuit or other legal action involving the City;
4. To investigate possible misuse of email when a reasonable suspicion of abuse exists or in conjunction with an approved investigation.

4.7 Electronic Messaging Retention

Email messages can only be stored for a limited time on the system. If an email message needs to be preserved, it should be moved into another media for storage. Information requiring longer retention should be printed and stored as hard copies.

4.8 Public Access to Email Records

The City Manager, or his designated appointee, shall accommodate members of public who request access to email records, subject to the City’s records production regulations.

Email that is created by any City staff is a public record. These records are subject to Tennessee Public Records Law, TCA Code 10-7-503, et seq., and the rules of the Public Records Commission.

Internet Access

The internet, when used appropriately, is an extremely valuable tool for City of Shelbyville staff. It offers direct access to numerous agencies and organizations whose publication and information are sought by staff on a daily basis. Its use enables staff to locate materials without leaving their workstation. In addition, more elusive information can often be located in a highly time efficient manner by subject

searching on the Internet or querying a list server. It benefits City of Shelbyville to provide direct access to the Internet to employees; contractors and volunteers who can use it to better perform their jobs.

5.1 Definitions

Internet –worldwide net of networks and computers.

Hacking – attempting to break into another system on which you have no account and is treated as malicious intent.

Netiquette – a word made from combining “Network Etiquette” which is the practice of good manners in a network environment.

Flame wars – angry email exchanges.

Surfing – random Internet browsing, normally not work related.

5.2 Guidelines

When accessing the Internet, employees are representing City of Shelbyville; therefore, all rules of conduct and law that apply in your regular workplace also apply on the Internet. City of Shelbyville has the right to review user accounts, workstations and file server space in order to make determinations on whether specific uses of information systems are appropriate. City of Shelbyville may revoke an employee’s, contractors or volunteer’s access to the network and network services when there has been a clear violation of acceptable use principles and guidelines. In addition, where violations occur, employees, contractors and volunteers are subject to any disciplinary or corrective actions or penalties proscribed in law, rule or policy.

5.3 Acceptable Uses of the Internet

City of Shelbyville encourages appropriate use of online resources. Acceptable uses include, but are not limited to:

1. Facilitating communication with other agencies or business partners,
2. Facilitating discussions aimed at professional development,
3. Training and education,
4. Gathering information on industry trends,
5. Use in grant related activities,
6. Legal and policy research,
7. Gaining timely access to government publications and statistics, and
8. Generally advancing the information needs of the organization.

5.4 Prohibited Uses of the Internet

Inappropriate behavior may result in disciplinary actions ranging from verbal warnings to termination of network services and/or employment with City of Shelbyville. The severity of the misbehavior governs the severity of the disciplinary action. Inappropriate online behavior in the workplace would include, but is not limited to:

5.5 Internet Access Authorization

Access to the Internet will be provided to City of Shelbyville employees, contractors and volunteers when deemed appropriate for their work. This is at the discretion of the department head or elected official for their department subject to resources and other limitations.

Personal Use

The prohibitions in this policy shall not be construed to prohibit infrequent and brief use of the system for incidental personal matters by an employee during a meal or other personal break time. This is similar to an employee's limited ability to make a personal phone call on personal time. For example, an employee may spend a minute or two looking at the weather radar online provided that in no event shall and such limited personal use include any activity otherwise prohibited by this policy.

Violations

The City will review alleged violations of this policy on a case-by-case basis. Clear and willful violations or abuse of acceptable usage will be subject to appropriate disciplinary actions, depending upon the severity of the transgression and policy abuse, up to and including termination. Criminal or civil action may be initiated in appropriate instances.

Users access to the internet and email may be suspended, with or without notice, when deemed necessary for the operation or integrity of the City's communications infrastructure, connected networks, or data.

Revisions

The City of Shelbyville, TN retains the right to edit and/or make changes to this policy as deemed necessary.

Waiver of Privilege not intended

Nothing contained within this policy is intended to waive any privileges provided by law.

This policy superseded any policy statement adopted by the City Council of the city of Shelbyville, TN.

RESOLUTION NO. 22-12

A RESOLUTION ADOPTING A SOCIAL MEDIA USE AND INTERNET POSTING POLICY

WHEREAS, the prevalence of online social media has made personal expression on public or semipublic Web sites commonplace; and

WHEREAS, the free speech rights afforded by the United States and Tennessee Constitutions are of utmost importance to the City of Shelbyville, its officials and employees; and

WHEREAS, the City of Shelbyville has an interest in cultivating and maintaining a positive presence on the internet.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Shelbyville that the following is hereby approved and adopted as the official Social Media Use Policy Statement for the City of Shelbyville, Tennessee.

SOCIAL MEDIA USE AND INTERNET POSTING POLICY

SECTION 1. APPLICABILITY

This policy applies to every employee, whether part-time, full-time, currently employed by the City in any capacity who posts any material whether written, audio, video or otherwise on any Web site, blog or any other medium accessible via the internet.

For purposes of this policy social media is content created by individuals using accessible and scalable technologies through the internet. Examples include: Facebook, blogs, Myspace, RSS, YouTube, Second Line, Twitter, LinkedIn, Google Wave, etc.

SECTION 2. CITY-OWNED OR CREATED SOCIAL MEDIA

2.1. The City maintains an online presence. An employee may not characterize him or herself as representing the City, directly or indirectly, in any online posting unless pursuant to a written policy of the City or the direction of a supervisor.

2.2. All City social media sites directly or indirectly representing to be an official statement of the City must be created pursuant to this policy and be approved by the City Manager.

2.3 The City's primary and predominant internet presence shall remain www.shelbyvilletn.org and no other Web site, blog or social media site shall characterize itself as such.

2.4 The City Manager or designee is responsible for the content and upkeep of any social media sites created pursuant to this policy.

2.5. Whenever possible a social media site shall link or otherwise refer visitors to the City's main Web site.

2.6. In addition to this policy all social media sites shall comply with any and every other applicable City policy including but not limited to:

1. Open Records Policy
2. Internet Use Policy
3. IT Security Policy
4. Ethics Policy
5. Records Retention Policy

2.7. A social media site is subject to Tennessee Public Records Act (T.C.A. Sec. 10-7-101, et seq.) and Open Meetings Act (T.C.A Sec. 8-44-101, et seq.) and no social media site shall be used to circumvent or otherwise in violation of these laws. All information posted on a social media site shall be a public record and subject to public inspection. All lawful records requests for information contained on a social media site shall be fulfilled by the City Recorder and any employee whose assistance is necessitated. Every social media site shall contain a clear and conspicuous statement referencing the aforementioned state laws. All official postings on a social media site shall be preserved in accordance with the City's records retention program.

2.8. A social media site shall also contain a clear and conspicuous statement that the purpose of the site is to serve as a mechanism for communication between the City and its constituents and that all postings are subject to review and deletion by the City. The following content is not allowed and will be immediately removed and may subject the poster to banishment from all City of Shelbyville social media sites:

1. Comments not topically related to the particular social medium article being commented upon;
2. Comments in support of or opposition to political campaigns or ballot measures;
3. Profane language or content;
4. Content that promotes, fosters, or perpetuates discrimination on the bases of race, creed, color, age religion, gender, marital status, status with regard to public assistance, national origin, physical or mental disability or sexual orientation;
5. Sexual content or links to sexual content;
6. Solicitations of commerce;
7. Conduct or encouragement of illegal activity;
8. Information that may tend to compromise the safety or security of the public or public systems; or Content that violates a legal ownership interest of any other party.

2.9.; the City of Shelbyville will approach the use of social media tools, software, hardware and applications in a consistent, citywide manner. All new tools, software, hardware and applications must be approved by City Manager or designee.

2.10 Administration of City social media sites.

The City Manager or designee will maintain a list of social medial tools which are approved for use by city departments and staff

The City Manager or designee will maintain a list of all City social media sites login and password information. Employees and officials will inform the City Manager or designee of any new social media sites or administrative changes to existing sites.

The City must be able to immediately edit or remove content from social media sites.

2.11. For each social media tool approved for use by the City the following documentation will be developed and adopted:

1. Operational and use guidelines
2. Standards and processes for managing accounts on social media sites
3. City and departmental branding standards
4. Enterprise-wide design standards
5. Standards for the administration of social media sites

SECTION 3. NON-CITY SOCIAL MEDIA SITES

3.1 An employee may not characterize him or herself as representing the City, directly or indirectly, in any online posting unless pursuant to a written policy of the City or the direction of a supervisor.

3.2. The use of a City of Shelbyville email address, job title, official City name, seal or logo shall be deemed an attempt to represent the City in an official capacity. Other communications leading an average viewer to conclude that a posting was made in an official capacity shall also be deemed an attempt to represent the City in an official capacity.

3.3. With approval of the City Manager, Departments shall have the option of allowing employees to participate in existing social networking sites as part of their job duties. Department heads may allow or disallow employee participation in any social media activities in their departments.

3.4 Any postings on a non-city social media site made in an official capacity shall be subject to the Tennessee Open Records Act and the Tennessee Open Meetings Act.

3.5 An employee or official posting on a social media site shall take reasonable care not to disclose any confidential information in a posting.

3.6. When posting in a non-official capacity an employee or official shall take reasonable care not to identify themselves as an official or employee of the City of Shelbyville. When the identity of an employee or official posting on a non-city social media site is apparent, the employee or official shall clearly state that he or she is posting in a private capacity.

This Resolution shall take effect January 1, 2013, the public welfare requiring it.

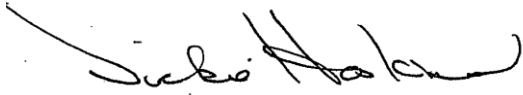
PASSED AND ADOPTED IN regular session of the City Council of the City of Shelbyville, Tennessee, on October 11, 2012.

APPROVED:



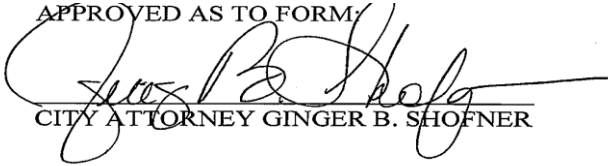
WALLACE CARTWRIGHT, Mayor

ATTEST:



Vickie Haskins, City Recorder

APPROVED AS TO FORM:



CITY ATTORNEY GINGER B. SHOFNER

RESOLUTION NO. 20-12

A RESOLUTION TO ESTABLISH A PERSONNEL POLICY FOR THE CITY OF SHELBYVILLE

WHEREAS, approximately 20 years ago, the City of Shelbyville adopted Personnel Rules and Regulations pursuant to Ordinance and included in the Shelbyville Municipal Code as Title 1, Chapter 2;

WHEREAS, the City Council has determined that the aforementioned personnel policy is outdated; and

WHEREAS, the Mayor and Councilmembers have determined that it is in the best interest of the City of Shelbyville to adopt the revised Personnel Policies and Procedures, attached hereto as Exhibit A, and included herein by reference as fully and completely as though copied herein verbatim.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Shelbyville that the following is hereby approved and adopted:

Personnel Rules and Regulations contained in the Shelbyville Municipal Code as Title 1, Chapter 2, shall be, and hereby are, deleted in their entirety.

Personnel Policies and Procedures contained herein and attached hereto, dated October 11, 2012, shall be, and hereby are, adopted and shall replace all previously adopted personnel policies.

This Resolution shall take effect January 1, 2013.

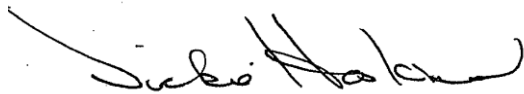
PASSED AND ADOPTED IN regular session of the City Council of the City of Shelbyville, Tennessee, on October 11, 2012.

APPROVED:



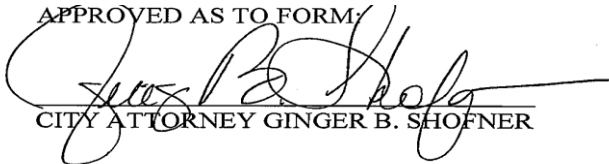
WALLACE CARTWRIGHT, Mayor

ATTEST:



Vickie Haskins, City Recorder

APPROVED AS TO FORM:



CITY ATTORNEY GINGER B. SHOFNER

RESOLUTION NO. 1-14

A RESOLUTION TO AMEND 2012 PERSONNEL POLICIES AND PROCEDURES FOR THE CITY OF SHELBYVILLE

WHEREAS, by Resolution No. 20-12 revised Personnel Policies and Procedures were adopted October 11, 2012; replacing all previously adopted Personnel policies; and

WHEREAS, by Resolution No. 6-13, Section 7.10 of the said 2012 Personnel Policies and Procedures was amended; and

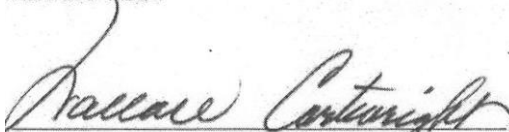
WHEREAS the 2012 Personnel Policies and Procedures are reviewed on an annual basis in order to update and correct these Policies and Procedures; and

WHEREAS, it has been determined that the amendments as contained in Exhibit A, attached hereto, are necessary.

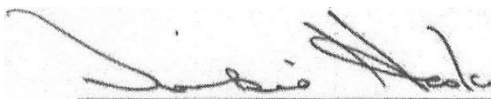
NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Shelbyville that the 2012 Personnel Policies and Procedures adopted by Resolution No. 20-12 and amended by Resolution 6-13, shall be and hereby are amended according to those matters as contained in attached Exhibit A, and included herein by reference as fully and completely as though copied hereby verbatim.

PASSED AND ADOPTED IN regular session of the City Council of the City of Shelbyville, Tennessee, on January 9 2014.

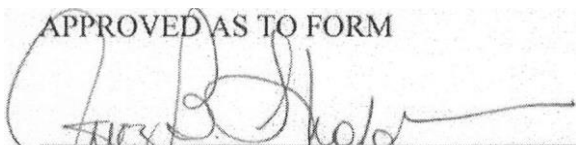
APPROVED:


WALLACE CARTWRIGHT, Mayor

ATTEST:



APPROVED AS TO FORM


Ginger B. Shofner, City Attorney

RESOLUTION NO. 15-18

A RESOLUTION TO AMEND THE PERSONNEL POLICIES AND PROCEDURES FOR THE CITY OF SHELBYVILLE, TENNESSEE

WHEREAS, by Resolution No. 20-12 Revised Personnel Policies and Procedures were adopted October 11, 2012, replacing all previously adopted personnel policies; and

WHEREAS, by Resolution there have been additional amendments to the Personnel Policies and Procedures for the City of Shelbyville, specifically Resolution Number 6-13, Section 7.10 and Resolution 1-14; and

WHEREAS, it is best practice to review the Personnel Policies and Procedures for the City of Shelbyville in order to update and correct these Policies and Procedures; and

WHEREAS, a Personnel Policy and Procedures Committee was established for this purpose; and

WHEREAS, it has been determined that the updated Personnel Policies and Procedures for the City of Shelbyville attached as Exhibit A, have been reviewed and updated accordingly.

NOW, THEREFORE, BE IT RESOLVED by the City of Shelbyville that the Personnel Policies and Procedures adopted by Resolution No. 20-12, and since amended by Resolutions 6-13 and 1-14, shall be and hereby are amended according to those matters as contained in attached Exhibit A, and included herein by reference as fully and completely as though copied hereby verbatim.

PASSED AND ADOPTED IN regular session of the City Council of the City of Shelbyville, Tennessee, on April 12, 2018.

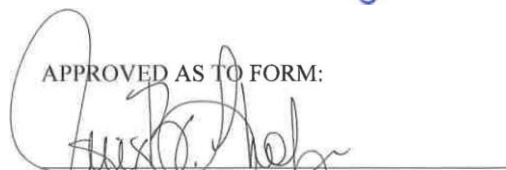
APPROVED:


WALLACE CARTWRIGHT, Mayor

ATTEST:


Shanna Boyette, City Recorder Pro-Tempore

APPROVED AS TO FORM:


Ginger B. Shofner, City Attorney

CITY OF SHELBYVILLE, TENNESSEE

Acknowledgement of Terms and Conditions for Computer, Electronic Equipment, Internet and Email Usage

I hereby acknowledge that I have received a copy of "Policy for the Use of Computers, Internet and Email" ("Policy") and agree to the terms and conditions stated therein.

Specifically, but not exclusively, I understand the following:

I understand all the provisions specified in the policy. I understand that all computers, electronic equipment, access to the internet and email systems are the property of the City, as is the information received from, transmitted by, or stored in these systems.

I understand that, except with respect to certain content deemed confidential by state and federal law, I have no expectation of privacy in connection with any email messages, the use of City equipment, or the transmission, receipt, or storage of information in this equipment. I understand that my correspondence in the form of electronic mail may be a public record under the public records law and may be subject to public inspection.

I acknowledge and consent to the City's monitoring my use of city equipment, computer(s), the internet and email at any time the City deems it necessary in accordance with its policy. Monitoring may include saving, reading and printing out all electronic mail entered, stored in, deleted or disseminated by the City's system and equipment, including but not limited to, retention of a history of websites visited and information obtained or sent.

I agree not to use any unauthorized code, access a file, or retrieve any stored information unless authorized to do so. I understand that this content is a condition of my employment and/or continued association with the City.

I recognize that a violation of this policy may result in disciplinary action, including possible termination.

EMPLOYEE

DATE

Acknowledgement of Receipt

City of Shelbyville Personnel Policies and Procedures

This is to acknowledge that I have received a copy of the City of Shelbyville (“the City”) Personnel Policies and Procedures dated April 12, 2018 or have been directed to the web-site concerning the City Personnel Policies and Procedures, and understand that it outlines certain City policies, procedures and benefits as may exist at the time of publication. I understand that it is my responsibility to familiarize myself with all information within the Personnel Policies and Procedures.

I understand that the Personnel Policies and Procedures do NOT constitute a contract or agreement of any kind; rather it is merely a statement of policies and procedures. I understand that the contents of the Personnel Policies and Procedures do not confer any rights on or promises to me or guarantee my employment for any period of time. I understand that the City can alter, eliminate, or otherwise change any policy, information, or benefit described in the Personnel Policies and Procedures (except the “at-will” employment policy), without notice, at any time and it is my responsibility to review the manual periodically on the web-site to observe any recent changes.

I understand that my employment with the City is employment at-will and can be terminated by me or the City at any time for any reason or no reason. I understand that, although other terms and conditions of my employment may change, this at-will employment relationship will remain in effect throughout my employment with the City. I understand that this at-will relationship may not be modified by any oral or implied promises or agreements. I understand that no employee has a right to continued employment by virtue of anything stated or inferred in the Personnel Policies and Procedures.

I understand that nothing in the Personnel Policies and Procedures or any summary brochure or employee handbook should be deemed to be a promise by the City to provide any benefit. Rather, the City reserves the right to alter or eliminate any benefit, without notice, at any time.

I understand that the Personnel Policies and Procedures replaces (supersedes) any and all prior City policies and any and all prior City Personnel regulations, employee handbooks or manuals, and any information contained in any such prior policy, handbook, or manual is no longer in effect. I understand that the Personnel Policies and Procedures are the property of the City and is to be returned to the City when employment with the City ceases.

I understand that release of all final pay shall be withheld pending compliance with Section 5.1 and that the City determines the cost for all unreturned items.

Employee Signature

Employee Name Printed _____

Department _____

Date