

RESOLUTION 11-01

A RESOLUTION OF THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF WHITE HOUSE, TENNESSEE, APPROVING CERTAIN AMENDMENTS AND REVISIONS TO THE PERSONNEL MANUAL.

WHEREAS, the City maintains a consistent set of adopted rules and procedures for the administration of personnel matters; and

WHEREAS, the City Administrator is charged with the duty to review the adopted policies and procedures that govern the City's personnel system and make recommendations of updates and improvements to the procedures; and

WHEREAS, the City has engaged the services of a professionally trained Human Resources Director to advise on personnel matters, including improvements to language contained in the Personnel Manual; and

WHEREAS, this professional has made a number of recommendations to revise the personnel rules and procedures; and

WHEREAS, the Board of Mayor and Aldermen wish to amend the current personnel manual;

NOW, THEREFORE, the Board of Mayor and Aldermen of the City of White House do hereby resolve that the Personnel Manual is hereby amended by changing and updating the City of White House Personnel Manual.

This resolution shall be effective upon passage.

Adopted this 25th day of January 2011.



Farris Bibb, Vice-Mayor

ATTEST:



Amanda Priest, City Recorder

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SECTION 1 - PERSONNEL POLICIES

1.1. PURPOSE AND OBJECTIVES

The purpose of these policies is to establish a high degree of understanding and cooperation among the City of White House employees, which comes from the application of good procedures in personnel administration, and to provide uniform policies for all employees, with all the benefits such program ensures without regard to race, color, religion, national origin, ancestry, gender, age, political affiliation, or disability.

The City of White House is an at-will employer. This means that an employee may be terminated at any time with or without notice, with or without cause as long as the termination does not violate existing employment laws. This Personnel Manual should not be construed as a contract or guarantee of continued employment.

THE FUNDAMENTAL OBJECTIVES OF GOOD PERSONNEL ADMINISTRATION TO BE ACHIEVED BY THESE POLICIES ARE TO:

1. ~~To~~ promote and increase efficiency and cooperation among employees of the City of White House;
2. ~~To~~ provide fair and equal employment opportunity to all qualified citizens on the basis of demonstrated merit and fitness, as ascertained through fair and practical methods of selection;
3. ~~To~~ develop a program of recruitment, advancement and retention; which will make the City attractive as an employer and encourage each employee to render their best service;
4. ~~To~~ establish and maintain a uniform plan of evaluation and compensation; and
5. ~~To~~ establish and promote high morale among the employees by providing good working relationships, uniform personnel policies, and opportunities for advancement

1.2. PERSONNEL POLICY STATEMENT

It is the policy of the City of White House to apply and foster a sound program of personnel management. The policies of the municipal government are ~~as follows~~ established to:

1.2.1. Employment and Placement

- a. ~~To~~ fill all positions, in accordance with job qualifications and requirements without discrimination as to race, color, religion, national origin, ancestry, gender, political affiliation, age or disability; and
- b. ~~To~~ establish programs for the promotion, transfer, demotion, dismissal, and reassignment of personnel

1.2.2. Position Classification and Pay Administration

- a. ~~To~~ establish and maintain job descriptions for every position, with the descriptions maintained on file with the ~~Human Resource Manager~~ Human Resources Department;

- b. To review position descriptions periodically and systematically to ensure currency and accuracy;
- c. To establish appropriate position standards and to group positions in classes with similar standards; and
- d. To conduct area wage and salary surveys periodically, in order to provide competitive wage and salary scales as the budget allows

1.2.3. Employee Relations and Services

- a. To develop a system of job performance standards and evaluation and inform each employee periodically and systematically of their performance status;
- b. To establish rules and standards governing employee conduct;
- c. To administer a uniform leave program;
- d. To provide an employee complaint process;
- e. To develop a handbook to inform employees of their responsibilities, rights, and privileges; and
- f. To provide and maintain a safe and healthful work environment

1.2.4. Employee Development and Training

- a. To establish training standards and requirements for all positions; and
- b. To motivate and stimulate employees to achieve their highest potential

1.2.5. Records

- a. To establish and maintain comprehensive and uniform personnel records; and
- b. maintain confidentiality and privacy of employees to the extent allowed by the law

1.3. COVERAGE

These rules and regulations shall will cover all employees in the City service unless specifically excluded by this document, the City charter and/or the ordinances of the City without regard to race, color, religion, national origin, ancestry, gender, age, political affiliation, or disability.

All excluded offices and positions of the City are as follows:

- all elected officials;
- City Administrator;
- members of appointed boards and commissions;
- consultants, advisers, and legal counsel rendering temporary professional service;
- City Attorney;
- independent contractors;

- persons employed by the City for not more than three months during a fiscal year; and
- City Judge.

1.4. ADMINISTRATION

These rules shall will be administered by the City Administrator under the direction of the Board of Mayor and Aldermen and in conformity with the ordinance establishing a personnel system.

Any modifications to these rules must be approved through resolution by the Board of Mayor and Aldermen upon recommendation from the City Administrator. Exceptions to anything contained in this handbook may only be granted by the Board of Mayor and Aldermen.

The City of White House is an at-will employer. This means that an employee may be terminated at any time with or without notice, with or without cause as long as the termination does not violate existing employment laws. This Personnel Manual should not be construed as a contract or guarantee of continued employment.

SECTION 2 – DEFINITIONS

For the purposes of this manual, the following words and phrases shall have the meanings respectively ascribed to them by this chapter:

Actual Service – The time engaged in performance of the duties of a position or positions, including absences with pay and authorized leave without pay.

Applicant – An individual who has completed and submitted an application for employment with the City.

Appointing Authority – The City Administrator shall be responsible for the appointment of qualified applicants to ~~regular~~ full-time, ~~regular~~ part-time, temporary, or emergency positions in the City. The City Administrator shall be the appointing authority for all Department Head and certain other positions as specified in the Municipal Code and Charter for the City.

Appointment – The offer to and acceptance by a person of a position ~~either on a regular or temporary basis.~~

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

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

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

Compensation – The standard rates of pay that have been established for the prospective classes of work, as set forth in the compensation plan.

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

~~**Compensatory Leave** – Time off from work in lieu of monetary payment for overtime worked. Exempt employees accrue compensatory time on an hour for hour basis.~~

Demotion – Assignment of an employee from one class to another which has a lower maximum rate of pay and/or rank.

Department – The primary organizational unit under the immediate charge of a Department Head who reports directly to the City Administrator.

Disability Leave – Paid leave that may be granted to an eligible employee who is unable to pursue the duties of his/her position because of physical or mental impairment.

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

~~**Exempt Employee** – A salaried employee who, according to the FLSA regulations, is not eligible for overtime pay. Employees not covered in the overtime provisions of the Fair Labor Standards Act (FLSA).~~

FLSA – Fair Labor Standards Act.

Guests of the City – Persons with which the City is conducting business, citizens involved in public safety ride-alongs per departmental policies, persons who the City Department is responsible for transport in a public safety setting, etc.

Immediate Family – Includes spouse, children, parents, siblings, grandparents, grandchildren; and current parents-in law, children-in law and siblings-in law. Proof of these relationships may be required. *Revised 08.20.09*

~~**Job Description** – A written explanation of one position or several very similar positions which includes a title, definition of responsibilities, examples of duties, and the minimum required qualifications. Statement of the tasks, duties, and responsibilities of a job to be performed.~~

Key Employee – An employee whose salary is among the top 10 percent of salaries paid to employees of the City and works within 75 miles of his or her worksite.

Lay-Off – The involuntary non-disciplinary separation of an employee from a position for reasons of shortage of funds or work, the elimination of a position, or for related reasons which are outside the employee's control and which do not reflect upon service of the employee.

Leave – An authorized absence during regularly scheduled work hours that has been approved by proper authority. Leave may be authorized with or without pay as provided for by these rules.

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

~~**Non-exempt Employee** – An hourly employee who, according to the FLSA regulations, is eligible for overtime pay for hours worked over 40 in a work week. Employees covered by the overtime provisions of the Fair Labor Standards Act (FLSA).~~

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

Overtime – Authorized time worked by an eligible employee in excess of 40 hours per week to be compensated at one and one half times the employee's straight time rate of pay. Public safety employees are allowed to work additional hours before overtime pay is required.

Pay Range – ~~The written chart which places every position in a pay grade. Each pay grade consists of minimum and maximum levels of pay. The range of pay rates, from minimum to maximum, established for a pay grade or class.~~

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

Payroll Date - Actual date a check is issued to an employee.

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

Probationary Trial Period – The designated period of time after an applicant is appointed or an employee is promoted in which the employee is required to demonstrate fitness for the position by actual performance.

Promotion – Assignment of an employee from one class to another which has a higher rate of pay and/or rank.

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

Reclassification – The process of reviewing the duties and responsibilities of an existing position or positions in order to revise the job description to which the position or positions are assigned; or moving a job description from one pay grade to another pay grade.

Regular Full-time Employee – An individual who works the equivalent of forty hours or more per week.

Regular Part-time Employee – An employee appointed to fill a vacancy or a newly created position who works less than a forty hour week. Only employees who work more than thirty hours per week are eligible for benefits.

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

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

Separation – The removal of an individual from a position either through resignation, termination, layoff, disability, retirement or death.

Suspension – An enforced leave of absence for disciplinary purposes or pending investigation of charges made against an employee.

Termination – A type of disciplinary action resulting in the involuntary separation of employment from the City.

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

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

SECTION 3 - JOB DESCRIPTIONS CLASSIFICATION PLAN

3.1. PURPOSE

~~Job descriptions provide a written explanation of one position or several very similar positions which includes a title, definition of responsibilities, examples of duties, and the minimum required qualifications.~~

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

3.2. COMPOSITION OF THE JOB DESCRIPTION CLASSIFICATION PLAN

~~Each job description shall consist of:~~

~~The~~

- ~~• A brief statement of essential duties and responsibilities;~~
- ~~• required knowledge and abilities;~~
- ~~• qualifications;~~
- ~~• and physical demands of the position.~~

The classification plan may consist of:

- a. a grouping of classes of positions that are approximately equal in difficulty and responsibility that call for the same general qualifications and that can be equitably compensated within the same range of pay under similar working conditions;
- b. class titles descriptive of the work of the class;
- c. written specifications for each class of positions; and
- d. physical standards for performance of the duties of the position

3.3. USE OF JOB DESCRIPTIONS CLASSIFICATION PLAN

~~The job description is to be used:~~

- ~~• As a guide in recruiting and examining candidates for employment.~~
- ~~• In determining salaries to be paid for various types of work.~~

- In evaluating employees' performance.

The classification plan may be used:

- as a guide in recruiting and examining candidates for employment;
- in determining lines of promotion and developing employee training programs;
- in determining salaries to be paid for various types of work;
- in determining personal service items in departmental budgets, and/or
- in providing uniform job terminology understandable by all local government officers and employees and by the general public

3.4. ALLOCATION OF POSITIONS

Before a new position is established, Department Heads shall submit in writing 1) a job description describing in detail the duties of such a position and 2) justification of the need for an additional position. The City Administrator shall then approve or deny such recommendation. If the City Administrator agrees that the new position is necessary, then the recommendation is put before the Board of Mayor & Aldermen for approval or denial.

3.5. REQUEST FOR RECLASSIFICATION

Positions may be reclassified by the City Administrator based on a written request from the Department Head outlining justification for the change.

SECTION 4 - PAY PLAN AND COMPENSATION

4.1. PURPOSE OF THE PAY PLAN

The pay plan is intended to provide fair compensation for all classes of positions in consideration of ranges of pay for other positions, general rates of pay for similar employment in private establishments and other public agencies in the area, cost of living data, the financial condition of the City, and other factors as the budget allows.

4.2. COMPOSITION OF THE PAY PLAN

The pay plan for the City of White House shall consist of minimum and maximum rates of pay for each existing pay grade.

4.3. MAINTENANCE OF THE PAY PLAN

The City Administrator will from time to time make comparative studies of all factors affecting the level of salary ranges and may recommend to the Board of Mayor and Aldermen approval of appropriate changes in the salary ranges as the budget allows.

4.4. USE OF SALARY RANGES

Salary ranges are intended to furnish administrative flexibility in recognizing individual differences among positions and in providing incentives to employees.

The minimum rate established for a position is the normal hiring rate except, in those cases where unusual circumstances (such as inability to fill the position at the hiring rate or exceptional qualifications of an applicant) appear to warrant employment of an individual at a higher rate in the pay range. Any Department Head desiring to appoint an applicant to start at a salary above the minimum must submit a written justification to the City Administrator for approval. Such appointments shall be made only in exceptional cases as decided by the City Administrator.

4.5. PAY FOR PART-TIME WORK

When an employment decision is for a part-time position, the employee will only be paid for the actual hours worked.

4.6. HOURLY RATES MINIMUM WAGE

In accordance with FLSA, no employee whether full-time, part-time, or probationary within his/her trial period, shall be paid less than the Federal minimum wage unless they are expressly exempt from the minimum wage requirement by FLSA regulations. Employees paid on an hourly rate basis are paid for all time actually worked.

4.7. OVERTIME PAY

Overtime work will be compensated in accordance with the provisions of the FLSA at a rate of one-and-one half the non-exempt employee's regular rate after the employee has completed 40 hours actually worked in a workweek. Vacation, sick leave and holidays are not included in the computations for hours worked. Department Heads must authorize any employee overtime work in advance.

Firefighter Overtime: Per the FLSA regulations regarding overtime for Section 207(k) employees, firefighter overtime is calculated on any hours above 212 in the 28-consecutive-day work period.

Police Officer Overtime: Police officer overtime is calculated on any hours worked above 86 hours in a 14-day work period.

4.8. CALL BACK PAY

Non-exempt employees of the City with on-call responsibilities, excluding public safety employees, will be paid a once daily call back premium of \$35.00 per day for being called back to work outside of scheduled or normal working hours. The call back premium is to be paid only in the event that the on-call employee reports to perform work. All hours worked upon returning to work will be paid at the appropriate straight time or overtime rate as applicable per the Fair Labor Standards Act. The call back premium will apply to a 24 hour period of on call status beginning and ending at midnight.

4.9. DIRECT DEPOSIT

All employees hired on or after January 19, 2006 are required to have their payroll checks deposited via direct deposit into the financial institution of their choice. Current employees hired prior to January 19, 2006 may choose and are encouraged, but not required, to participate in the City's payroll direct deposit program.

4.10. PAYCHECKS

All employees of the City of White House will be paid on a bi-weekly basis.

If an employee is absent on payday and wishes to have someone, such as a relative, obtain his/her check, the employee may send his/her identification and a signed note authorizing the City to give the check to the bearer.

Final Paycheck. The final paycheck will be made available on an employee's regular payday.

Lost Paychecks. Employees are responsible for their paychecks after they have been issued. Checks lost or otherwise missing should be reported immediately to the payroll department so that a stop-order payment will be initiated. The Finance Director will determine if and when a new check should be issued to replace a lost or missing check.

Unclaimed Paychecks. Paychecks not claimed by employees must be returned by the supervisor to the payroll offices.

4.11. SALARY INCREASES OR BONUSES FOR DEGREES OR CERTIFICATION

As the budget allows, the City Administrator may award salary increases or bonuses for degrees or certification that are required for a position or deemed necessary and required by a Department Head. The bonus or increase must be anticipated by and budgeted for by the Department Head.

SECTION 5 - EMPLOYMENT

5.1. APPLICATIONS

The City of White House will make every effort to attract qualified applicants for all positions. Applications are only accepted for current position vacancies.

All applications for employment are received at City Hall in the Human Resources Department and reviewed by the Human Resources Director to ensure that minimal minimum employment qualifications are met. The City of White House exercises a policy of fairness for every person who applies for work, and strives for the proper placement of individuals in various departments based on their experience, and qualifications, and the needs of the City.

~~The following steps are to be taken relative to the securing and filling of all employment applications in the Human Resources:~~

Potential applicants may request an application from the Human Resources Department either in person, via email, or via the telephone, whereby an application will be mailed sent to the applicant. Applicants will file their application directly with the Human Resources Department.

Applicants may be removed from consideration if:

- The applicant declines an appointment when offered.

- The applicant cannot be located by the postal authorities. It will be deemed impossible to locate an applicant when a communication is mailed to the last known address and returned unclaimed.
- The applicant fails to pass a post offer pre-employment drug test or any other required job-related employment test.
- The applicant is found to have been convicted of a felony which precludes employment for the position for which they applied.
- The applicant has made false statements of material fact on the application.
- The application was not filed within the period specified in the vacancy announcement or was not completed correctly or thoroughly.
- The applicant does not possess the minimum qualifications as indicated by the vacancy announcement.

5.2. RECRUITMENT BY EXAMINATION

All appointments in the City 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's ability to be able to perform the essential functions of the position.

5.3. TYPES OF EXAMINATIONS

The examinations held to establish eligibility and fitness for any position may consist of one or more of the following elements as determined by the City Administrator and/or Department Head. The City will make reasonable accommodations in the examination process to disabled applicants requesting such accommodations.

5.3.1. **Written Test.** This test, when required, ~~shall~~ will include a written demonstration designed to show the applicant's ~~ability to use the English language, and the range of their general education~~ familiarity with the knowledge involved in the class of positions to which he/she is seeking employment.

5.3.2. **Oral Test.** This test, when required, ~~shall~~ will include a personal interview where the ability to interact 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.

5.3.3. **Performance Test.** This test, when required, will determine the ability and manual skills of applicants to perform the work involved.

5.3.4. **Physical Test.** When required, this consists of tests of strength, agility, and physical fitness of job applicants. This test may be used to exclude from further consideration applicants who do not meet the minimum required standards.

5.3.5. **Psychological Mental Test.** When required, the mental test ~~shall~~ will include any test to determine mental alertness, general capacity of the applicant to adjust ~~their~~ his/her thinking to new problems or to ascertain special character traits and attitudes.

5.3.6. Pre-employment Drug Test. Pre-employment drug testing will be conducted on all positions. Positive results on the drug test can result in an applicant being denied employment.

5.4. NOTIFICATION AND INSPECTION OF EXAMINATION RESULTS

~~Each person who takes an examination shall be notified by first-class mail or via the telephone of the results and of his/her standing on the eligibility list (if one is maintained) or of his/her passing or failing. Each person in an examination may inspect their individual examination papers within ten days of notification of the results. These inspections shall be permitted only during regular business hours and at the Human Resource office.~~

5.5. PHYSICAL EXAMINATIONS

Pre-employment. Every prospective employee for the Police and Fire Departments shall be given a physical examination by a licensed physician designated by the municipal government after a conditional offer of employment has been extended, to determine if the employee meets necessary physical fitness standards.

Employees in other departments may also be required to receive a physical after the conditional offer of employment based on the job description. A copy of the specific job description must be signed by the physician and returned to Human Resources. The cost of this physical examination shall be borne by the City.

The conditional offer of employment will be rescinded for applicants who are unable to meet the necessary physical fitness standards of the job description.

Post-Hire. All employees of the City may, during the period of their employment, be required by their Department Head and with the approval of the City Administrator, to undergo periodic medical examinations to determine their physical and mental fitness to perform the work of the position in which they are employed or appointed to. This periodic medical examination shall be at no expense to the employee. Determination of physical or mental fitness will be by a physician designated by the City.

An employee determined to be physically or mentally unfit to continue in the position in which he/she is employed may be demoted in accordance with these rules or separated from the City.

5.6. NEPOTISM

No person shall be employed by the City who is related as a member of the immediate family, including in-laws, of any publicly elected official of the City government or current employee, if appointment is within the same department.

5.7. RESIDENCY REQUIREMENTS - DEPARTMENT HEADS

~~All Department Heads employed after July 1, 1998, shall reside within five miles of the corporate limits of the City. A newly employed Department Head not residing within the corporate limits shall make every effort to reside within five miles of the corporate limits within six months from their date of hire. A Department Head residing within the corporate limits on or after July 1, 1998, or relocating within five miles of the corporate limits shall continue to reside within five miles of the corporate limits for the duration of their employment as a Department Head.~~

All Department Heads shall reside within Sumner or Robertson Counties. A newly employed Department Head not residing within the county limits shall make every effort to reside within the Sumner or Robertson County limits within six months from his/her date of hire. A Department Head currently residing within the Sumner or Robertson County limits shall continue to reside within those county limits for the duration of his/her employment as a Department Head.

5.8. MINIMUM AGE

The Fair Labor Standards Act requires that employees of State and local governments be at least 16 years of age for most jobs and at least 18 years of age to work jobs declared hazardous by the Secretary of Labor.

All Firefighters and Police Officers must be a minimum of 21 years of age.

5.9. TYPES OF EMPLOYEES

5.8.1. **Regular Full-Time Employee.** A regular full-time employee is an employee appointed to a Board-approved position and who is subject to all conditions of employment and receiving benefits. ~~Regular Employees serve a 90-day probationary period during which time they may be terminated without recourse. The length of probationary periods for public safety employees are defined in the respective Standard Operating Procedures (SOP).~~ A full-time employee may be terminated at any time with or without notice, with or without cause as long as the termination does not violate existing employment laws.

5.8.2. **Regular Part-Time Employee.** Regular Part-time employees work less than 40 hours per week on a regular basis. Employees working at least 30 hours a week are eligible for City leave benefits on a prorated basis according to the actual hours worked. Employees who work at least 30 hours a week are also eligible for additional benefits through the City. ~~Regular Part-time employees serve a 90-day probationary trial period, during which time they may be terminated without recourse. A part-time employee may be terminated at any time with or without notice, with or without cause as long as the termination does not violate existing employment laws.~~

5.8.3. **Temporary Employee and/or Part-Time Employee.** A temporary employee is an employee who works full-time but not exceeding three months per term of employment. Temporary employees receive no benefits except insurance coverage under Workers' Compensation. Temporary and part-time employees may be terminated at any time during the course of their employment without recourse.

5.8.4. **Seasonal Employee.** A seasonal employee is one who performs the duties of a position for a period of less than six months in successive years of employment. Seasonal employees receive no benefits except insurance coverage under Workers' Compensation and may be terminated without recourse.

5.8.5. **Volunteer Firefighters.** Volunteer firefighters are appointed by the Fire Chief when necessary. ~~Volunteers are compensated per fire call with are reimbursed based on the "Membership Points & Incentive Program" and receive no other compensation or benefits except coverage under the liability coverage of the City and Workers' Compensation.~~

5.10. APPOINTMENTS, PROMOTIONS, DEMOTIONS AND TRANSFERS

Pursuant to the City Charter, the City Administrator has the authority to appoint, promote, demote, transfer, suspend, and remove all officers and employees of the City of White House.

All vacancies of Board-approved positions in the City shall be filled by original appointment, re-employment, promotion, interim appointment, transfer or demotion. Whenever a Department Head wishes to fill a vacancy, an Employee Request Form must be completed and submitted to Human Resources for approval by the City Administrator.

Promotions. A promotion is an assignment of an employee from one position to another which has a higher maximum rate of pay, grade and responsibility. Vacancies in positions above the lowest rank in any category shall be posted and filled as far as practical by the promotion of the most qualified internal applicant of the qualified applicant the City feels is in its best interest. Promotions in every case must involve a definite increase in duties and responsibilities and shall not be made merely for the purpose of affecting an increase in compensation.

As the budget allows, when an employee in one position is promoted to another in a higher pay grade and the employee's current rate of pay is less than the minimum rate for the new position, the employee's salary shall be raised to that minimum rate. When the employee's salary falls above the new minimum rate, a percentage increase as determined by the City Administrator shall be given as the budget allows.

Transfers. When an employee desires to transfer from one department to another, it must be agreeable to both Department Heads involved and approved by the City Administrator. The transfer of an employee from one position to another without significant change in level may be effective:

- When the employee meets the requirements for the new position, and
- If it is in the best interest of the City.

An employee who transfers from one department to another will retain and carry forward all benefits accrued as of the date of transfer. Employees accepting a lateral transfer will not receive an increase in compensation.

Demotions. A demotion is an assignment of an employee from one position to another which has a lower maximum rate of pay, rank and responsibility. When an employee in one pay grade is demoted to a position in a lower grade, the employee's rate of pay shall be reduced as determined by the City Administrator.

Should an employee be demoted, promoted or transferred, a 90-day probationary trial period will apply. Written evaluations ~~must~~ may be completed by the employee's supervisor at 6-weeks and 12-weeks to document the employee's performance. Satisfactory performance in the new position is required before the probationary trial period is lifted.

5.11. PROBATIONARY TRIAL PERIOD

The probationary or working test trial period, is an integral part of the examination process, and shall may be utilized for the following:

- closely observing the employee's work;
- securing the most effective adjustment of a new, promoted, demoted or transferred employee to his/her position; and
- rejecting any employee whose performance does not meet work standards

The probationary trial period for all regular full- and part-time employees shall be 90-days. Department Heads may request an extension of any employee's probationary trial period with the prior approval of the City Administrator. In no event may a probationary trial period be extended beyond 6 months. Firefighter and Police Officer probationary trial periods are determined by the department's SOP.

~~During the probationary period, the supervisor will inform the employee when performance is unsatisfactory and not meeting requirements.~~

~~A written performance evaluation must be completed by the employee's supervisor at 6-week and 12-week intervals before an employee's probationary trial period is lifted. At any time during the probationary trial period, the Department Head may notify the City Administrator in writing of an employee's unsatisfactory performance and recommend whether or not employment should continue. The City of White House is an at-will employer, and an employee may be terminated at any time with or without notice, with or without cause as long as the termination does not violate existing employment laws.~~

5.12. PERFORMANCE APPRAISAL / EVALUATION

Each employee ~~will~~ may be given a performance evaluation at the midpoint and completion of their his/her respective probationary trial period by the immediate supervisor. Annually, each employee's performance ~~will~~ may be formally reviewed by the his/her immediate supervisor, once the employee has served in his/her position for a minimum of one (1) year at time of evaluation. The written evaluation will be discussed with the employee. By this means, it is intended that each employee will have adequate opportunity to correct any weaknesses that may hinder satisfactory job performance. Each written evaluation, once signed by the employee will be forwarded to Human Resources for inclusion in the employee's personnel file. Performance appraisals should not be construed to confer any right on the part of the employee to continued employment. The City reserves the right to alter the terms and conditions of employment, including the manner in which performance is or is not appraised.

5.13. MERIT / PAY-FOR-PERFORMANCE PLAN

Purpose. The purpose of a pay-for performance system is to provide a mechanism that can:

- provide equal pay for equal performance so that, over time, resulting salaries correspond to performance level;
- recognize and reward quality performance by varying pay-for-performance pay adjustments;
- use performance appraisals as the basis for determining pay-for-performance adjustments;
- accomplish pay-for-performance within constraints of the salary structure and available funding; and
- provide training to improve objectivity and fairness in performance evaluations

Coverage. The pay-for-performance system covers all full-time employees of the City of White House. Determining coverage for other positions lies with the City Administrator.

Rating Period. The annual rating period for pay-for-performance begins July 1 of each year and ends June 30 of the following year. The supervisor will formally meet with each employee at the beginning of the rating period. During this meeting, the critical and non-

critical elements and associated performance standards will be discussed, established and recorded. The supervisor and employee may meet again during the rating period to discuss progress. At the end of the rating period, the supervisor and employee will again formally meet to discuss accomplishments and deficiencies, with results recorded on the performance appraisal form. Means to correct deficiencies should also be discussed.

Assessment. The supervisor or Department Head and employee will review the job description together, and determine if the job description properly describes the duties and responsibilities of the position. Job descriptions will be amended or revised as necessary. The supervisor will also review and assess employee performance on each job element. Non-Department Heads will be assessed on (1) Basic Performance Standards, (2) Additional Performance Standards, and, if in a supervisory role, (3) Supervisor's Performance Standards. Department Heads will have a separate appraisal form, and may be assessed on goals and objectives and performance attributes. The tentative rating assigned to each section of the appraisal and the overall performance rating will be discussed with the employee.

The **overall rating** will be one of the following five levels:

<u>RATING</u>	<u>DEFINITION OF RATING</u>	<u>GUIDELINES</u>
<u>OUTSTANDING</u>	<u>EXCEPTIONAL, EXTRAORDINARY, WELL ABOVE STANDARD. EMPLOYEE ACHIEVES ALL MAJOR OBJECTIVES, MOST BY A WIDE MARGIN. PERFORMANCE IS CONSISTENTLY CHARACTERIZED BY EXCEPTIONALLY HIGH-QUALITY WORK. CONTRIBUTIONS TO THE CITY ARE REPEATEDLY FAR ABOVE THE REQUIREMENTS OF THE POSITION.</u>	<u>USE WHEN PERFORMANCE IS EXCEPTIONAL. FAR EXCEEDS REQUIREMENTS.</u>
<u>ABOVE STANDARD</u>	<u>PERFORMANCE EXCEEDS POSITION REQUIREMENTS. CONSISTENTLY MEETS ALL MAJOR OBJECTIVES, PRODUCING HIGH-QUALITY WORK. MAKES VALUABLE CONTRIBUTIONS TO THE ORGANIZATION AND CONTRIBUTES MORE THAN REQUIRED SHARE. TAKES INITIATIVE BEYOND JOB RESPONSIBILITIES. REQUIRES MINIMAL SUPERVISION.</u>	<u>USE WHEN PERFORMANCE CONSISTENTLY EXCEEDS STANDARDS. EXCEEDS REQUIREMENTS.</u>
<u>SOLID PERFORMER</u>	<u>SATISFACTORY AND COMPETENT PERFORMANCE. MEETS ALL PERFORMANCE REQUIREMENTS AND PRODUCES QUALITY WORK. PERFORMANCE ON SOME OBJECTIVES EXCEEDS</u>	<u>USE WHEN ALL STANDARDS FOR SUCCESSFUL PERFORMANCE ARE MET. MEETS ALL REQUIREMENTS.</u>

<u>IMPROVEMENT NEEDED</u>	<u>REQUIREMENTS; MAY BE DEFICIENT IN A FEW, BUT OVERALL PERFORMANCE IS SOLID. REQUIRES MODERATE SUPERVISION. IN GENERAL, MEETS PERFORMANCE REQUIREMENTS AND ACCOMPLISHES OBJECTIVES. UNDERSTANDS BASIC JOB RESPONSIBILITIES. NEEDS SOME GROWTH AND DEVELOPMENT. MAY BE NEW IN JOB. REQUIRES SUPERVISION.</u>	<u>USE WHEN PERFORMANCE STANDARDS ARE GENERALLY NOT MET. MEETS MINIMUM REQUIREMENTS.</u>
<u>UNSATISFACTORY</u>	<u>PERFORMANCE IS CLEARLY BELOW THE LEVEL OF ACCEPTABILITY. UNABLE TO PERFORM ESSENTIAL FUNCTIONS. DEFICIENCIES MAY BE CORRECTABLE. REQUIRES FREQUENT COUNSEL, GUIDANCE, AND CLOSE SUPERVISION.</u>	<u>USE WHEN PERFORMANCE HAS BEEN DETERIORATING. FAILS TO MEET REQUIREMENTS.</u>

The appraisal is not final until it has been reviewed and acted upon by the City Administrator. Employees may appeal their performance appraisal. The employee also has an opportunity to object to the appraisal during the process on the appraisal form.

Ineligibility. An employee is not eligible for a merit / pay-for-performance increase when the employee has:

- been suspended during the evaluation period; and/or
- completed less than one year of service

Employees who have worked beyond their trial period are eligible for a performance review, but not eligible for an increase until after one year of employment with the City.

Determination. Following the performance appraisal and assigning an overall performance rating, the supervisor or Department Head may make a merit / pay-for-performance recommendation based on the performance rating.

After the discussions are completed, the Department Head will forward his/her recommendations to the Human Resources Department and City Administrator for consideration, along with any written response to the rating by the employee. The Human Resources Director will examine the individual ratings, assess trends, and require further explanations or justifications on potential discrepancies where necessary. The City Administrator has the authority to approve or modify any tentative ratings or adjustments.

Effective date for merit / pay-for-performance increases. The award of pay for performance increases will become effective January 1 dependent upon the availability of pay-for-performance funds and as the budget allows.

5.14. OUTSIDE EMPLOYMENT

With the approval of one's Department Head, outside employment is permissible, provided that there is no conflict of interest or impairment of work performance for the City of White House. Before outside employment begins, employees must present a written request to the Department Head describing the work to be performed.

Required overtime of any employee of the City takes priority over an employee's "outside employment." Anyone who knowingly misses work or refuses mandatory overtime at his/her primary job to work a second job shall be terminated. Approval of a second job may be withdrawn for any of the above reasons.

5.15. WORKDAY / WORKWEEK

Pursuant to the Fair Labor Standards Act, a workweek is a regular recurring period of 168 hours consisting of seven consecutive 24-hour periods. Except as is provided in special contracts of employment, the number of days that shall constitute a workweek for regular employment shall be ~~five~~ four days per week. Schedules will vary in departments as necessary for the smooth operation of the City, i.e. Parks and Recreation, the Library Department, and the Fire Department and Police Departments. A standard workweek is scheduled between 7:00 AM on Sunday through 7:00 AM on the Sunday following.

5.16. ATTENDANCE

Punctual and regular attendance is necessary for the efficient operation of the City. Employees unavoidably late or absent from work due to illness or other cause must notify their supervisor (or the supervisor's designee if unable to reach the supervisor) within 30 minutes of their regularly scheduled starting time. Employees should provide the reason for the absence and, if possible an anticipated return to work date. Failure to timely notify one's supervisor of absences may result in disciplinary action or dismissal.

~~5.15. OVERTIME PAY~~

~~Overtime work will be compensated in accordance with the provisions of the FLSA at a rate of one and one half the non-exempt employee's regular rate after the employee has completed 40 hours actually worked in a workweek. Vacation, sick leave and holidays are not included in the computations for hours worked. Department Heads must authorize any employee overtime work in advance.~~

~~Per the FLSA regulations regarding overtime for Section 207(k) employees, firefighter overtime is calculated on any hours above 212 in the 28 consecutive day work period. Police officer overtime is calculated on any hours worked above 86 hours in a 14-day work period.~~

SECTION 6 – BENEFITS AND LEAVE POLICIES

6.1. HOLIDAYS *revised 02.19.09*

All offices of the City of White House, except emergency and necessary operations, will be closed and employees excused on the holidays listed below. New employees are not eligible for paid holidays while serving their 90-day probationary trial period.

New Year's Day January 1st
Martin Luther King's B'day ~~3rd Monday in January~~

Martin Luther King, Jr. Day 3rd Monday in January
President's Day 3rd Monday in February
Good Friday Thursday before Easter Sunday
Memorial Day Last Monday in May
Independence Day July 4th
Labor Day 1st Monday in September
Columbus Day 2nd Monday in October
Veterans Day November 11th
Thanksgiving Day 4th Wednesday in November
And the Day After 4th Thursday in November
Christmas Eve December 24th
Christmas Day December 25th

The City of White House follows the Sumner County holiday schedule.

6.2. HOLIDAY PAY *Revised 08.20.09*

Employees must work their last regularly scheduled shift before a holiday and their first regularly scheduled shift after a holiday in order to receive compensation for the holiday. If an employee does not work their regularly scheduled shift before and after the holiday, pay for the holiday(s) will be forfeited. Pre-approved vacation or pre-approved sick leave does not constitute forfeiture of holiday pay. Employees scheduled but who do not work the holiday shall forfeit holiday pay.

Full-Time Employees. Regular, Full-time employees working 10 hour shifts who are required to work on a holiday shall receive straight time pay for the actual hours worked. Ten (10) hours of holiday pay will also be recorded at the employee's straight time rate of pay.

Regular, Full-time employees working 8 hour shifts who are required to work on a holiday shall receive straight time pay for the actual hours worked. Eight (8) hours of holiday pay will also be recorded at the employee's straight time rate of pay.

Fire Personnel. Fire Department personnel required to work a 24-hour shift on a holiday shall receive holiday pay at a rate of a straight ten (10) hour time period.

Police Personnel. Police officers who work a 12-hour shift on a holiday shall receive holiday pay at a rate of a straight ten (10) hour time period.

~~Regular, Full-time employees working 8 hour shifts who are required to work on a holiday shall receive straight time pay for the actual hours worked. Eight (8) hours of holiday pay will also be recorded at the employee's straight time rate of pay.~~

Part-Time Employees. Regular, Part-time employees working at least 30 hours per week who are required to work on a holiday shall receive straight time pay for actual hours worked. The average of their daily hours worked will be paid as holiday pay. All holiday pay will be paid on day of City Hall observance.

6.3. ANNUAL VACATION WITH PAY *Revised 08.20.09*

Vacation time will accrue based on the employee's years of service. The maximum number of vacation hours an employee may accrue is 200, with the exception of members of the Fire Department working a 24 hour shift whose vacation will carry a maximum accrual of 264 hours and members of the Police Department working a 12 hour shift whose vacation will carry a maximum accrual of 210 hours.

Eligibility. Employees working at least 30 hours per week are eligible to accrue vacation leave. Temporary and seasonal employees are not eligible for leave.

Initial Accrual and Waiting Period. During the first twelve months of employment, an employee accrues 3.07 hours of vacation per pay period for a total of eighty hours; however, vacation leave may only be taken after the satisfactory completion of 90-days employment.

Vacation time will be calculated according to the following schedule for all personnel working 8, 10 and 12 hour shifts:

Years of Service	Pay Period
Less than 1 year	3.07 hours
Completion of 1 year through completion of 5 years	3.69 hours
Beginning of 6th year through completion of 10 years	4.62 hours
Beginning of 11th year through completion of 15 years	5.54 hours
Beginning of 16th year	6.46 hours

Vacation time will be calculated according to the following schedule for fire personnel working a 24 hour shift:

Years of Service	Pay Period
Completion of 1 year through completion of 5 years	5.54 hours
Beginning of 6th year through completion of 10 years	6.92 hours
Beginning of 11th year through completion of 15 years	8.31 hours
Beginning of 16th year	9.69 hours

For leave purposes, the service an individual has to his/her credit includes all time spent as an regular employee of the City.

Scheduling. Vacations should be scheduled in advance for the mutual convenience of the employee and the City so proper adjustments can be made in work schedules. Department Heads preparing vacation schedules may give a choice of dates based on seniority of the personnel in his/her department, and no employee may begin his/her vacation leave until his/her request has been approved by the Department Head.

Leave request forms (see appendix) should not be forwarded to the payroll office until approved by the Supervisor.

Termination of Employment. An employee who voluntarily separates from the employment of the City shall only be paid for his/her unused vacation leave if the employee gives at least two weeks' written notification and works the entire notification period. For notification of less than two weeks, the vacation payout shall be forfeited. Vacation leave payout will be at the employee's straight time rate of pay. Payment of the unused accrued vacation will only be made after the return of any issued City property. The termination date shall be the last date worked.

Legal Holidays. Legal holidays falling within a vacation period are not to be counted as vacation days. Payment in lieu of vacation is prohibited. When an employee is on "leave without pay" for 15 calendar days or more during any calendar month, no vacation leave accumulates. Employees may not borrow against future annual vacation nor transfer earned leave to or from another employee.

Military. Service in the Tennessee National Guard, State Militia, Military Reserves, or any U.S. Military branch may be charged as annual vacation at the option of the employee when called to active duty. Employees electing to coincide vacation time with military leave shall receive full pay for the amount of specified vacation leave.

Workers Compensation. Employees on Workers' Compensation will continue to accrue vacation during the period of absence.

6.4. SICK LEAVE

Eligibility and Waiting Period. Sick leave may only be taken after the satisfactory completion of 90 days employment and only for the illness or injury of the employee, spouse, child or any other FMLA qualifying event. Sick leave benefits will commence on the first day of such absence and shall continue for as long as sick leave credit remains.

Sick leave hours deducted from an employee's sick leave accumulation shall be for the number of regular work hours absent and shall not include holidays and scheduled off days. Employees claiming sick leave while on annual leave must support their claim by a doctor's statement if requested by a Department Head or the City Administrator. When an employee is on "leave without pay" for 15 calendar days or more during any calendar month no sick leave accumulates.

Accrual. Each regular full-time employee will accrue sick leave at the rate of 3.69 hours per pay period to a maximum of 1040 hours. Part-time employees will accrue benefits on a prorated basis according to the actual hours worked. Members of the Fire Department working a 24 hour shift will accrue sick leave at the rate of 5.54 per pay period to a maximum of 1400.

Maximum Accrual. Employees currently with an accrual balance more than the 1040 hour maximum will not accrue additional hours until the accrued balance falls below the 1040 hour maximum. ~~Sick leave may only be taken after the satisfactory completion of 90 days employment and only for the illness or injury of the employee, spouse, child or any other FMLA qualifying event. Sick leave benefits will commence on the first day of such absence and shall continue for as long as sick leave credit remains. Once an employee exhausts sick leave, vacation leave will be substituted for the remaining absences or until the vacation leave is exhausted. If the illness is FMLA qualifying, once all accrued leave is exhausted, further absences shall be designated as leave without pay.~~

Sick Leave Notice. The employee is required to notify his/her supervisor as soon as practical, but no later than the start of the workday. The employee should make every effort to reach the supervisor directly to explain the reason for absence.

Health Care Statement. To prevent abuse of the sick leave privilege, any absence may require a doctor's certificate. Absences in excess of three days shall require a doctor's certification to return to work.

~~Sick leave hours deducted from an employee's sick leave accumulation shall be for the number of regular work hours absent and shall not include holidays and scheduled off days. Employees claiming sick leave while on annual leave must support their claim by a doctor's statement. When an employee is on "leave without pay" for 15 days or more during any calendar month no sick leave accumulates.~~

Fire Personnel. Members of the Fire Department working a 24 hour shift will be charged 24 hours of sick leave for each missed shift due to illness. Fire department employees

who work a regular eight or ten hour shift shall be charged sick leave for the number of hours absent each day up to a maximum of eight or ten hours.

Police Personnel. Members of the Police Department working twelve hour shifts shall be charged twelve hours sick leave for each twelve hour shift absent from work due to illness. Police Department employees who work a regular eight or ten hour shift shall be charged sick leave for each hour absent from work due to illness up to a maximum of eight or ten hours.

~~According to Family Medical Leave Act (FMLA) regulations, after an employee is on extended sick or family medical leave for twelve weeks and is unable to return to work, the employee may request from the City Administrator an extended medical leave and be placed on leave without pay, or may be terminated. Should the employee be released at a later date by their physician to return to work, they may reapply for employment to a position for which the employee is qualified.~~

Workers' Compensation. Employees on Workers' Compensation will continue to accrue sick leave during his/her period of absence.

Retirement Credit. An employee who takes regular retirement may be paid for one-half of unused accrued sick leave allowance to a maximum of 520 hours at the employee's regular straight time rate of pay in effect as of the date of retirement.

Exhaustion of Leave. Once an employee exhausts sick leave, vacation leave will be substituted for the remaining absences or until the vacation leave is exhausted. If the illness is FMLA qualifying, once all accrued leave is exhausted, further absences shall be designated as leave without pay.

Department Head or Supervisor Requirements. Department Heads and/or supervisors are required to report to Human Resources any employee sick leave absences of three calendar days to ensure that the City complies with federal regulations regarding the Family and Medical Leave Act. Notification to Human Resources must occur on the fourth day after three consecutive days of absences.

6.5. LEAVE WITHOUT PAY

Leave without pay is defined as time off from regular work which may be granted without pay at the recommendation of the employee's Department Head. Leave without pay may only be authorized by the City Administrator.

Leave without pay may only be granted after an employee exhausts all applicable accrued leave for a period not to exceed ninety days for good and sufficient reasons which are considered uncontrollable. Such leave shall require prior Department Head recommendation and approval of the City Administrator. An employee on leave without pay for 15 calendar days or more during a calendar month shall not accrue sick or vacation leave while on leave status.

6.6. BEREAVEMENT LEAVE *Revised 08.20.09*

~~Bereavement leave will be granted to employees beginning the next calendar day following the death of a member of the immediate family as defined in this manual. Paid leave will only apply to days that are regularly scheduled work days. A maximum of three (3) consecutive calendar days shall be granted for bereavement leave. If additional time off is necessary beyond the three consecutive calendar days bereavement leave, the employee may request that vacation leave be granted. Bereavement leave shall not be~~

~~counted against any other authorized leave. Example: If the death of a qualifying relative were to occur on Friday, the next calendar day would occur on Saturday, with subsequent calendar days falling on Sunday and Monday. If you were scheduled for work during any of the three calendar days following death, you would receive Bereavement Pay only for those days scheduled for work.~~

It is the policy of the City to provide all full-time and part-time employees time off without loss of pay due to the death of an immediate family member as defined below.

An employee who is absent during his/her regularly scheduled workweek due to the death of an immediate family member shall receive payment for reasonable and customary days absent, such days of payment not to exceed three regularly scheduled work days.

Immediate family shall be deemed to include an employee's:

- Spouse
- Children
- Parents
- Siblings
- Grandparents
- Grandchildren
- Current parents-in-law
- Children-in-law
- Siblings-in-law

In addition to the three regularly scheduled work days, additional leave may be granted at the discretion of the City Administrator in the instance of death of one of the immediate family members listed above.

Employees will be granted this leave without deduction from their vacation or sick leave balances.

6.7. ~~MILITARY LEAVE AND RESERVE DUTY LEAVE~~ Revised 08.20.09

Any regular employee who is a member of the United States Army Reserve, Navy Reserve, Air Force Reserve, Marine Reserve or any of the Armed Forces of the United States, will be granted military leave for any field training or active duty required (excluding extended active duty). Such leave will be granted upon presentation of the employee's official order to his/her Department Head. Compensation for such leave will be paid pursuant to T.C.A., Section 8-33-109.

Full-Time Employees. All regular, full-time employees will be allowed up to 20 eight hour days per calendar year. Employees working shifts greater than eight hours per day will be allowed up to a total of 160 hours military leave.

Part-Time Employees. Regular, Part-time employees working at least 30 hours per week will be allowed military leave of up to 20 days at the average of their daily hours worked, not to exceed 8 hours per day.

The employee may choose to supplement military leave with vacation or comp time, if available, up to the amount of regularly scheduled pay.

Employees with less than two years of service with the City entering an extended active duty will be given two weeks pay when placed on active military leave.

Employees with at least two years of service with the City who are called to active military duty will be compensated by the City at a rate that supplements the difference in pay between their City salary and the military pay, until such a time that the military pay exceeds their City salary, but not for a period to exceed one year from the date the leave begins.

Benefits. These same employees who are covered under the City's health insurance policy will be allowed to continue the City's health insurance for the duration of active duty. It is the responsibility of the employee to pay their portion of the health insurance premium while on active military duty.

Employees eligible for re-employment will be covered under the Uniformed Services Employment and Re-Employment Rights Act (USERRA).

Reinstatement. The process for reinstatement of employees returning from military leave begins when the employee requests reemployment. Said request must be submitted:

- on the first work day back for employees deployed 30 days or less;
- within 14 days of the end of service for employees deployed up to 180 days;
and
- within 90 days of the end of service for employees deployed 181 days or longer

Extensions are available if employee can show that it was impossible or unreasonable, through no fault of the employee, to report or reapply.

The returning employee will be re-employed in the position he/she would have attained had they not been absent for military service, with the same seniority, status, and pay.

6.8. JURY DUTY LEAVE

Employees providing proper documentation as being selected for jury duty shall be excused from their assigned duties for the actual duration of the jury duty. In the event of release from jury duty during the employee's normal working hours, he/she shall be expected to return to his/her department. An employee shall receive full pay from the City during jury duty. Any monies received from jury duty may be kept by the employee.

6.9. FAMILY AND MEDICAL LEAVE

~~Employees may request up to 12-weeks of leave according to Family and Medical Leave Act (FMLA) regulations after completion of 12 months of service and working at least 1,250 hours within the previous year of employment. Employees requesting FMLA leave need to complete a Request for FMLA Leave Form available from Human Resources (see appendix). Eligible employees may request leave for the birth, adoption or placement of a foster child, caring for a spouse, child or parent (not in law) with a "serious health condition"; and for the employee's own "serious health condition." Proper medical certifications will be required for leave authorization. Payment during FMLA will be in accordance with current leave policies. Once sick and/or vacation leave is exhausted and the employee is unable to return to work, the balance of the FMLA leave will be as leave without pay. If the employee is unable to return to work following 12 weeks of leave, the employee may be terminated. If, at a later date, the employee is released by their physician to return to work, they may reapply for employment with the City.~~

Eligibility. The Family and Medical leave policy is applicable to both male and female employees who have worked at least 12 months for the City and who have worked at

least 1,250 hours during the preceding 12-month period. Such employees are eligible for a maximum of 12 to 26 weeks of leave under the act. Special rules apply for husbands and wives employed by the same employer and for highly compensated employees. People who are not covered include elected officials, volunteers, independent contractors, and legal advisors.

Employees may be eligible for Family and Medical Leave for one or more of the following reasons:

- for the birth and care of the newborn child of the employee;
- for placement with the employee of a son or daughter for adoption or foster care;
- to care for an immediate family member (spouse, child, or parent) with a serious health condition;
- medical leave when the employee is unable to work because of a serious health condition;
- to care for an immediate family member (spouse, son, daughter or parent) injured while on active duty if that injury renders the service member unfit for military duty; and/or
- to handle a "qualifying exigency" relating from an employee's spouse or child being called to active duty.

Paid / Unpaid Leave. Family and medical leave runs concurrently with paid time off (i.e. sick and vacation). Payment during FMLA will be in accordance with current leave policies. If the employee does not have the time available or he/she exhausts paid time while out on family and medical leave, the remainder of the approved leave will be unpaid. When an employee is on "leave without pay" for 15 calendar days or more during any calendar month no benefits accrue. The combination of sick leave, annual leave, and unpaid leave may not exceed the total allowable leave under the FMLA.

Guidelines. An eligible employee may take up to 12 weeks of family and medical leave in a 12-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. Eligible employees may take up to 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 of military personnel defined as the spouse, son, daughter, parent or next of kin of a covered service member may take a maximum of 26 weeks leave under FMLA 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 injury or illness".

Serious health condition. A serious health condition means an illness, injury, impairment, or physical or mental condition that involves one of the following:

1. Inpatient care in a hospital, hospice or residential medical care facility, including any period of incapacity or subsequent treatment.
2. A period of incapacity of more than three consecutive calendar days that also involves treatment two or more times by a health care provider or treatment which results in a regimen of continuing treatment under the supervision of the health care provider.
3. Any period of incapacity due to pregnancy or for prenatal care.

4. A chronic condition that requires periodic treatments, continues over an extended period of time, and may cause episodic rather than a continuous period of incapacity.
5. A period of incapacity which is permanent or long-term due to a condition for which treatment may not be effective, requiring continuing supervision of a health care provider.
6. Multiple treatments either for restorative surgery after an accident or other injury, or for a condition that would likely result in a period of incapacity of more than three calendar days in the absence of medical intervention or treatments, such as cancer, severe arthritis or kidney disease.

Serious Injury or Illness for an Injured Servicemember is defined as a covered servicemember's injury or illness incurred in the line of duty on active duty in the Armed Forces that may render the servicemember medically unfit to perform the duties of the member's office, grade, rank, or rating. This could include medical treatment, recuperation, therapy, outpatient care and other treatments for a serious injury or illness.

Spouse / Same Employer. If spouses are employed by the same employer and eligible to take leave for the birth or adoption of a child, their aggregate leave under FMLA is limited to 12 weeks. For example, if the father takes four weeks leave to care for a child, the mother would be entitled to eight weeks leave, for a total of 12 weeks. If, however, the spouse experiences her own serious health condition as a result of the pregnancy, both employees are entitled to the full 12 weeks.

Right to Return to Work. On return from family and medical leave, an employee is entitled to be returned to the same position that he/she held when leave commenced, or to an equivalent position with equivalent benefits, pay, and other terms and conditions of employment. An employee is entitled to such reinstatement even if the employee has been replaced or his/her position has been restructured to accommodate the employee's absence.

If the employee is unable to perform the essential functions of the position because of a physical or mental condition, including the continuation of a serious health condition, the employee has no right to restoration to another position under the FMLA. The City, however, may be required by the Americans with Disabilities Act (ADA) to offer the employee an accommodation.

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

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

It is the City's responsibility to designate leave in writing as FMLA leave and to notify the employee. Employees may not retroactively claim that leave was for FMLA. Failure to provide notification will result in the leave not being designated as FMLA. The City will, if necessary, provide the FMLA leave notice in alternate formats.

Certification. The City reserves the right to verify an employee's request for family/medical leave. Failure to provide certification from a health care provider in a timely manner may result in delay or denial of FMLA. Medical certifications will be treated as confidential and privileged information under HIPAA and the State's Open Records laws as appropriate.

If the City has a reason to question the original certification, the City may, at the City's expense, require a second opinion from a different health care provider chosen by the employer. The health care provider may not be employed by the City on a regular basis. If a resolution of the conflict cannot be obtained by a second opinion, a third opinion may be obtained from another provider and that opinion will be final and binding. Payment for the second opinion shall be borne by the employee. Payment for the third shall be divided between the employee and the City.

An employee may be required to report periodically to the City the status and the intention of the employee to return to work. Before return is granted, employees are required to furnish the City with a medical certification from the employee's health care provider stating that the employee is able to resume work.

Reduced and Intermittent Leave. Family and medical leave may be taken intermittently or on a reduced schedule when medically necessary as certified by the health care provider. The schedule must be mutually agreed upon by the employee and the employer. Employees on intermittent or reduced leave schedules may be temporarily transferred by the City to an equivalent alternate position that may better accommodate the intermittent or reduced leave schedule. Intermittent or reduced leave may be spread over a period of time longer than 12 weeks, but it will not exceed the equivalent of 12 workweeks total leave in a 12-month period.

Restoration. Employees who are granted leave under the FMLA policy will be reinstated to an equivalent or the same position held prior to the commencement of their leave. Certain highly compensated key employees, who are salaried and among the 10 percent highest paid workers, may be denied restoration.

Restoration may be denied if:

1. the employer shows that such denial is necessary to prevent substantial and grievous economic injury to the employer's operations;
2. the employer notifies the employee that it intends to deny restoration on such basis at the time the employer determines that such injury would occur; and
3. in any case in that the leave has commenced, the employee elects not to return to work within a reasonable period of time after receiving such notice

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

The 12-Month FMLA Period. The City follows a 12-months measured forward method. This means that the leave is measured from the date an employee's first FMLA leave begins.

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

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

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

Employee Benefits While on FMLA. During periods of FMLA, the City will continue to provide health insurance benefits at the employee rate. If premiums are current, the City will maintain health insurance benefits during periods of unpaid leave without interruption. Any payment for premiums or other payroll deductible insurance policies must be paid by the employee or the benefits may be terminated. The City is obligated to reinstate benefits upon an employee's return to work.

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

FMLA leave under this policy does not constitute a qualifying event that entitles an employee to Consolidated Omnibus Budget Reconstruction Act (COBRA) benefit; however, the qualifying event triggering COBRA coverage may occur when it becomes clearly known that an employee will not be returning to work. At that point, the employee ceases to be entitled to leave under this policy and may be offered COBRA.

Workers' Compensation While on FMLA. Workers' Compensation injury/illness meets the criteria for a serious health condition, therefore, the workers' compensation absence and the FMLA leave entitlement will run concurrently.

6.10. MEDICAL AND DENTAL INSURANCE HEALTH BENEFITS

Employees and those City officials specified in the Municipal Code are covered under the medical insurance carrier selected by the City. A dental plan is also provided for all qualified employees and their dependents.

Eligibility. Eligibility of the medical and dental insurance are per each plan document. Eligible employees must enroll for coverage within 30 days of employment or a qualifying event. See benefit chart in appendix for information on additional benefits.

Employees not covered under the City's medical plan must show proof of medical insurance if covered elsewhere.

Qualifying Events. Employees are responsible to notify the City if they experience any significant life event such as birth, marriage, divorce, legal separation, adoption, legal placement of a child, change of address, reduction in employee's regularly scheduled work hours, or a dependent change in status (i.e., school status). Some events will allow an employee to make changes to benefits including adding or dropping dependents or terminating or adding coverage. Employees should notify the City within 30 days of experiencing a qualifying event.

6.11. RETIREMENT BENEFITS

After six months of service, eligible employees of the City of White House will be enrolled in the Tennessee Consolidated Retirement System. Employees are required to contribute a percentage of their wages as determined by the Tennessee Consolidated Retirement System.

Police Officers and Fire Fighters reaching the age of 66 shall be required to retire from City service.

6.12. 457 DEFERRED COMPENSATION PLAN

The City has established a 457 Deferred Compensation Plan. Employees who wish to save additional money toward retirement may contribute a portion of their earnings to a tax deferred account. Participation in the 457 plan is strictly voluntary and is 100% employee contribution. For more information, please contact Human Resources.

6.13. WORKERS' COMPENSATION

All injuries and illnesses arising out of and in the course of one's employment shall be governed by the Tennessee Workers' Compensation Law and be designated as FMLA.

If the injury is such that it is a lost time injury, the employee shall receive full pay from the City at his/her base rate for the first 7 calendar days of workers' compensation leave. According to the workers' compensation regulations, after the 8th day of leave, employees on leave shall receive two-thirds (2/3) of their regular base pay from the workers' compensation carrier. Pay from workers' compensation will be supplemented by the City with the employee's accrued sick and vacation leave until such leave is exhausted. Vacation and sick leave will continue to accrue while receiving paid leave from the City.

Employees shall immediately report any injury incurred in the course of their employment, however minor, to their supervisor and take such first aid or medical treatment as may be necessary. Any employee determined to have been able, but who fails, to make such a report shall be subject to disciplinary action. The appropriate form for initial reporting of an injury is the 'First Report of Work Injury and Illness'. This form is available from your supervisor, Human Resources or on the Employee Intranet.

In all cases of workers' compensation leave, the responsibility of determining the nature and duration of an injury or illness shall rest with the licensed, practicing medical doctor(s) designated by the workers' compensation carrier.

Before an employee is returned to duty, the employee must provide Human Resources documentation of his/her release by the treating physician to return to work. If the employee is not released to full-duty, every effort will be made to accommodate his/her restrictions. If the City cannot accommodate the restrictions, the employee will be on unpaid status from the City until FMLA benefits are exhausted.

The City has a transitional return to work policy that allows placement of an injured employee in a modified position or in an alternative temporary assignment during the period of recovery if work is available. Work may be assigned as needs of the City arise. A description of the work to be performed will be reviewed by the employee's panel physician for approval prior to assignment. Refusal of an employee to perform work that is approved by the physician and offered by the City may be considered voluntary resignation from employment. A letter of agreement between the employee and the City will be provided in the event that the alternate temporary assignment is offered.

SECTION 7 - MISCELLANEOUS POLICIES

7.1. SOLICITATION

The City believes that its employees should not be exposed to frequent solicitations for charitable purposes; therefore, solicitation shall be limited to before/after working hours or during an employee's lunch break.

7.2. PERSONAL USE OF CITY PROPERTY

The personal use of City-owned property is discouraged. City-owned property includes, but is not limited to, use of copiers, fax machines, telephones, cellular telephones, computers, business cards, work badges, uniforms, logo attire, and vehicles. Personal usage of City-owned property may result in disciplinary action up to and including termination.

7.3. DRUG FREE WORKPLACE

7.3.1. GENERAL RULES

7.3.1.1. City employees shall not take or be under the influence of any drug unless prescribed by the employee's licensed physician. Employees who are required to take prescribed or over-the-counter medication shall notify the immediate supervisor should the medication produce any adverse effects which might limit the employee's ability to perform their job.

7.3.1.2. City employees are prohibited from the use, possession and sale of drugs, alcohol or any other controlled substance on City property or in City vehicles.

7.3.1.3. All property belonging to the City is subject to inspection at any time without notice, as there is no expectation of privacy.

Property includes, but is not limited to, vehicles, desks, containers, files and storage lockers.

Employees assigned lockers (that are locked by the employee) are also subject to inspection.

7.3.1.4. Employees who have reason to believe another employee is using alcohol or illegal drugs while on duty must report the facts and circumstances immediately to their supervisor or Human Resources. Failure to do so may result in disciplinary action.

7.3.1.5. Failure to comply with the intent or provisions of this general order may be used as grounds for disciplinary action.

7.3.2. EMPLOYEE TESTING

Current City employees will be required to undergo drug and alcohol testing after a work-related accident or incident; if there is reasonable suspicion that the employee is under the influence of drugs or alcohol during working hours; or if drawn during random selection. Only employees holding safety sensitive positions are subject to random alcohol and drug testing. Safety sensitive positions include police officers, firefighters, positions requiring a commercial driver's license, public works equipment operators, wastewater plant operations.

A minimum of 15 minutes and a maximum of two hours will be allowed between notification of an employee's selection for random urine drug testing and the actual presentation for specimen collection.

Random donor selection dates will be unannounced with unpredictable frequency. Some may be tested more than once each year while others may not be tested at all, depending on the random selection.

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

Supervisors are required to detail in writing the specific facts, symptoms, or observations that formed the basis for their determination that reasonable suspicion existed to warrant the testing of an employee. This documentation shall be forwarded to the appropriate Department Head who shall immediately forward the information to Human Resources.

7.3.3. REFUSAL TO CONSENT

An employee who refuses to consent to a drug and alcohol test after a work-related accident or incident, if drawn during random selection, or when reasonable suspicion of drug or alcohol use has been identified will be terminated.

7.3.4. CONFIRMATION OF TEST RESULTS

An employee or job applicant whose drug test yields a positive result, indicating the presence of drugs or alcohol, shall be given the opportunity to speak with the Medical Review Officer prior to a final determination. Test results are then forwarded to Human Resources for appropriate action.

7.3.5. CONSEQUENCE OF A CONFIRMING POSITIVE TEST RESULT: JOB APPLICANTS

Job applicants will be denied employment with the City if their pre-employment test result has been confirmed positive.

7.3.6. CONSEQUENCES OF A CONFIRMING POSITIVE TEST RESULT: CURRENT EMPLOYEES

Upon confirmation of an employee's positive test result where the employee has been employed less than two years, he/she is subject to termination.

Employees testing positive who have been employed with the City longer than two years will be required to attend an Employee Assistance Program provided through the City's healthcare provider. Failure to complete the recommended program constitutes immediate termination. Employees will also be subject to random follow-up testing for a period of up to two years after completion of the program.

7.3.7. CONFIDENTIALITY OF TEST RESULTS

To the extent allowed under the Tennessee Open Records Law, all information from an employee's or applicant's drug and alcohol test is confidential and only those individuals with a need to know are to be informed of test results.

7.4. FIGHTING, HORSEPLAY, DISRUPTIVE BEHAVIOR, DAMAGING CITY PROPERTY

Fighting, horseplay, disruptive behavior, and intentionally defacing or damaging City property is not permitted. Employees engaging in these activities will be subject to disciplinary action up to and including termination.

7.5. PARKING

Parking is provided for employees. The City does not assume responsibility for loss or damage at any time to employees' vehicles or their contents.

7.6. LOCKERS

Locker rooms and lockers are provided as needed so employees may change their clothing before and after work, if desired. Employees are expected to furnish their own lock and key so they will have control over access to the locker. Liability for loss or damage to content of lockers cannot be assumed by the City. Employees may be requested to open their locker for periodic housekeeping, inspections or other occasions when it is appropriate and/or necessary. Those who use the locker rooms are expected to assist in keeping them clean and orderly. Any suspicious activity around lockers, as well as break-ins and theft, should be reported to a supervisor.

7.7. BULLETIN BOARDS

The City maintains bulletin boards at numerous locations on which important information connected with an employee's work is posted. Cooperation is needed in protecting the posted material. All material to be placed on the bulletin boards must be approved by the appropriate supervisor before it is posted.

7.8. LOST AND FOUND ARTICLES

The Parks Department acts as a clearinghouse for lost and found personal property. Lost articles should be turned in and/or reported to the Parks Department secretary as soon as possible.

7.9. TRAVEL POLICY

7.9.1. GENERAL RULES

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

7.9.1.1. In the interpretation and application of this policy, the term "traveler" or "authorized traveler" means any elected or appointed municipal officer or employee, including members of municipal boards and committees appointed by the mayor or the municipal governing body, and the employees of such boards and committees who are traveling on official municipal business and whose travel was authorized in accordance with this policy. "Authorized traveler" shall not include the spouse, children, other relatives, friends, or companions accompanying the authorized traveler on City business, unless the person(s) otherwise qualifies as an authorized traveler under this policy.

7.9.1.2. Authorized travelers are entitled to reimbursement of certain expenditures incurred while traveling on official business for the City. Reimbursable expenses shall include expenses for transportation; lodging; meals; registration fees for conferences, conventions, and seminars; and other actual and necessary expenses related to official business as determined by the City Administrator. Under certain conditions, entertainment expenses may be eligible for reimbursement.

7.9.1.3. Authorized travelers can request either a travel advance for the projected cost of authorized travel, and/or advance billing directly to the City for registration fees, air fares, meals, lodging, conferences, and similar expenses. Travel advance requests are not considered documentation of travel expenses. If travel advances exceed documented expenses, the traveler must immediately reimburse the City. It will be the responsibility of the City Administrator to initiate action to recover any undocumented travel advances.

7.9.1.4. Travel advances are available only for special travel and only after completion and approval of the travel authorization form.

7.9.1.5. The **Statement of Expense Claims Form** (see appendix) will be used to document all expense claims.

7.9.1.6. To qualify for reimbursement, travel expenses must be:

- Directly related to the conduct of the City business for which travel was authorized, and
- Actual, reasonable, and necessary under the circumstances. The City Administrator may make exceptions for unusual circumstances. Expenses considered excessive will not be allowed.

7.9.1.7. Claims of \$5 or more for travel expense reimbursement must be supported by the *original* paid receipt for lodging, vehicle rental, phone call, public carrier travel, conference fee, and other reimbursable costs.

7.9.1.8. Any person attempting to defraud the City or misuse City travel funds is subject to legal action for recovery of fraudulent travel claims and/or advances.

7.9.1.9. Mileage and motel expenses incurred within the City are not ordinarily considered eligible expenses for reimbursement.

7.9.2. TRAVEL REIMBURSEMENT RATE SCHEDULE

Authorized travelers shall be reimbursed according to the State of Tennessee travel regulation rates. The City's travel reimbursement rates will automatically change when the rates are adjusted. The City may pay directly to the provider for expenses such as meals, lodging, and registration fees for conferences, conventions, seminars, and other education programs.

7.9.3. TRAVEL REQUESTS

To ensure reimbursement for official travel, an approved travel authorization form is required. See Authorization for Travel Form in appendix. Lack of pre-approval does not prohibit reimbursement, but it does assure reimbursement within the limits of the City travel policy. All costs associated with the travel should be reasonably estimated and *shown* on the Authorization for Travel Form. An approved authorization form is needed before advanced expenses are paid or travel advances are authorized. A copy of the

conference program, if applicable, should be attached to the authorization form. If the program is not available prior to the travel, you must attach it to your Statement of Expense Claims Form.

7.9.4. TRAVEL DOCUMENTATION

It is the responsibility of the authorized traveler to:

- 7.9.4.1. prepare and accurately describe the travel;
- 7.9.4.2. certify the accuracy of the reimbursement request;
- 7.9.4.3. note on the reimbursement form all direct payments and travel advances made by the City; and
- 7.9.4.4. file the expense form with the necessary supporting documents and original receipts. The expense form should be filed with the finance department within 10 days of return or at the end of the month, whichever is more practical

7.9.5. TRANSPORTATION

All potential costs should be considered when selecting the modes of transportation. For example, airline travel may be cheaper than automobile when time away from work and increased meal and lodging costs are considered. When time is important, or when the trip is so long that other modes of transportation are not cost-beneficial, air travel is encouraged. If the traveler goes outside the state by means other than air, the reimbursement will be limited to air fare at tourist or economy class, ordinary expenses during the meeting dates, and one day's meals and motel before and after the meeting. The traveler will be required to take annual leave for any additional time taken beyond the day before and the day after the meeting dates.

Exceptions: When the traveler extends the trip with personal time to take advantage of discount fares, the reimbursement will be limited to the lesser of the:

- 7.9.5.1. actual expenses incurred; or
- 7.9.5.2. the amount that would have been incurred for the business portion only. The calculations for the business portion of the trip must be made using the least expensive rates available. All expenses and savings associated with extending the trip must be submitted with the expense reimbursement form

7.9.5.2.1. AIR

When possible, the traveler should make full use of discounts for advance airline reservations and advance registration. The traveler should request conference, government, or weekend rates, whichever is cheaper, when making lodging or rental car reservations. The City will pay for tourist or economy class air travel. The traveler should get the cheapest reasonable fare and take advantage of discount fares. Airline travel can be paid by direct billing to the City. Mileage credits for frequent flyer programs accrue to the individual traveler. However, the City will not reimburse for additional expenses—such as circuitous routing, extended stays, layovers to schedule a particular carrier, upgrading from economy to first class—for travelers to accumulate additional mileage or for other personal reasons. The City will not reimburse travel by private aircraft unless authorized in advance by the City Administrator.

7.9.5.2.2. RAIL OR BUS

The City will pay for actual cost of ticket.

7.9.5.2.3. VEHICLES

Automobile transportation may be used when a common carrier cannot be scheduled, when it is more economical, when a common carrier is not practical, or when expenses can be reduced by two or more City employees traveling together.

Personal Vehicle. Employees should use City vehicles when possible. Use of a private vehicle must be approved in advance by the supervisor. The City will pay a mileage rate not to exceed the rate allowed by the state schedule. The miles for reimbursement shall be paid from origin to destination and back by the most direct route. Necessary vicinity travel related to official City business will be reimbursed. If an indirect route is taken, MapQuest mileage will be used to determine the mileage to be reimbursed. If a privately owned automobile is used by two or more travelers on the same trip, only the traveler who owns or has custody of the automobile will be reimbursed for mileage. It is the responsibility of the traveler to provide adequate insurance to hold harmless the City for any liability from the use of the private vehicle. In no event will mileage reimbursement, plus vicinity travel and associated automobile costs, exceed the lowest reasonable available air fare and associated air fare travel costs. Travelers will not be reimbursed for automotive repair or breakdowns when using their personal vehicle.

City Vehicle. The City may require the employee to drive a City vehicle. If a City vehicle is provided, the traveler is responsible for seeing that the vehicle is used properly and only for acceptable business. The employee will be reimbursed for expenses directly related to the actual and normal use of the City vehicle when proper documentation is provided. Out-of-town repair cost to the City vehicle in excess of \$100 must be cleared with the proper City official before the repair is authorized.

Rental Cars. Use of a rental car is not permitted unless it is less expensive or otherwise more practical than public transportation. Approval of car rental is generally required in advance by the City Administrator. Always request the government or weekend rate, whichever is cheaper. Anyone who uses a rental car for out-of-state travel must obtain liability coverage from the vendor.

- Fines for traffic or parking violations will not be reimbursed by the City.
- Reasonable tolls will be allowed when the most direct travel route requires them.

7.9.5.2.4. TAXI, LIMOUSINE, AND OTHER TRANSPORTATION FARES

When an individual travels by common carrier, reasonable fares will be allowed for necessary ground transportation. Bus or limousine service to and from airports should be used when available and practical. The City will reimburse mileage for travel to and from the local airport and parking fees, provided such costs do not exceed normal taxi/limousine fares to and from the airport. Receipts are required. For travel between lodging quarters and meetings, conferences, or meals, reasonable taxi fares will be allowed. Remember, *original* receipts are required for claims of \$5 or more. Transportation to and from shopping, entertainment, or other personal trips is the choice of the traveler and not reimbursable. Reimbursement claims for taxis, limousines, or other ground transportation must be listed separately on the expense form, claiming the destination and amount of each fare.

7.9.6. LODGING

The amount allocated for lodging shall not ordinarily exceed the maximum per diem rates authorized by the state rate schedule.

7.9.6.1 Tennessee's reimbursement rate varies according to location and does not include appropriate taxes. State rates for travel reimbursement can be found in the state regulations online at <http://www.state.tn.us/finance/act/policy8.pdf>.

7.9.6.2. Original lodging receipts must be submitted with the expense form. *Photocopies are not acceptable.*

7.9.6.3. If a traveler exceeds the maximum lodging per diem, excess costs are the responsibility of the traveler.

7.9.6.4. If the best rate is secured, and it still exceeds the maximum lodging per diem, the supervisor may authorize a higher reimbursement amount. Even if it costs more, travelers may be allowed to stay at the officially designated hotel of the meeting; however, more moderately priced accommodations must be requested whenever possible. It will be the traveler's responsibility to provide documentation of the "officially designated meeting site" room rates, if these rates are higher than the normal reimbursable amounts.

7.9.6.5. If two or more City employees travel together and share a room, the lodging reimbursement rate will be the maximum of two single rooms. If an employee shares a room with a non-employee, the actual cost will be allowed up to the maximum reimbursable amount. The receipt for the entire amount must be submitted with the expense form.

7.9.7. MEALS AND INCIDENTALS *Revised 08.20.09*

Receipts are not required for meals and incidentals. The authorized traveler may be reimbursed the daily amount based on the rate schedule and the authorized length of stay. The per diem meal amounts are expected to cover meals, tips, porters, and incidental expenses. The authorized traveler will not be reimbursed more than this. Whether meals may be claimed depends on when the traveler leaves and returns to the official station. The traveler's official station is home or work, whichever produces the least cost to the City. When partial day travel is involved, the current per diem allowance is determined as follows:

MEAL	IF DEPARTURE BEFORE	IF DEPARTURE AFTER
Breakfast	7:00 a.m.	8:00 a.m.
Lunch*	11:00 a.m.	1:30 p.m.
Dinner**	5:00 p.m.	6:30 p.m.

Departure time is determined by using the start time for the class or event less the estimated travel time from www.mapquest.com

**Generally, lunch will not be reimbursed unless overnight travel is involved. Lunch may be reimbursed if departure is before 11 a.m. and the employee is eligible to be reimbursed for dinner.*

*** When overnight travel is involved, dinner reimbursement is made regardless of departure time*

Regardless of which reimbursement rate the City uses, the amounts include tip, gratuity, etc. The hour and date of departure and return must be shown on the expense form.

The excess cost of an official banquet may be allowed provided proper documentation or explanation is submitted with the expense form. If a meal is included as part of a conference or seminar registration, or is included with the air fare, then the allowance for that meal should be subtracted from the total allowance for the day. For example, if a dinner is included as part of the conference fee, the maximum meal allowance for the day should be reduced by the allowed dinner amount.

7.9.8. MISCELLANEOUS EXPENSES

7.9.8.1. Registration fees for approved conferences, conventions, seminars, meetings, and other educational programs will be allowed and will generally include the cost of official banquets, meals, lodging, and registration fees. Registration fees should be specified on the original travel request form and can include a request for preregistration fee payment.

7.9.8.2. The traveler may be reimbursed for personal phone calls while on official travel, but the amount will be limited to \$5 per day.

7.9.8.3. A \$4 allowance will be reimbursable for hotel/motel check-in and baggage handling expenses.

7.9.8.4. Laundry, valet service, tips, and gratuities are considered personal expenses and are not reimbursable.

7.9.8.5. For travel outside the United States, all expenses claimed must be converted to U.S. dollars. The conversion rate and computation should be shown on each receipt.

7.9.9. ENTERTAINMENT

The City may pay for certain entertainment expenses provided that the

- entertainment is appropriate in the conduct of City business;
- entertainment is approved by the City Administrator;
- group or individuals involved are identified; and
- documentation is attached to the expense form to support the entertainment expense claims

To request reimbursement for authorized entertainment expenses, be sure to include with the expense form.

Required receipts. All requests must be supported by original receipts from the vendor (restaurant, caterer, ticket office, etc.) Reasonable tips and gratuities included on the receipt by the vendor are reimbursable.

A disclosure and explanation statement, explaining the purpose of the entertainment and identifying the group and the number of people entertained (or individual names listed if not a recognized group). If the City Administrator is the person filing the claim, then it must be approved by the governing board before the finance officer authorizes payment.

7.9.10. TRAVEL RECONCILIATION

7.9.10.1. Within 10 days of return from travel, or by the end of the month, the traveler is expected to complete and file the Statement of Expense Claims Form. It must be certified by the traveler that the amount due is true and accurate. Original lodging, if the City provided a travel advance or made advanced payment, the traveler should include that information on the expense form. In the case of advances, the form should have a reconciliation summary, reflecting total claimed expenses with advances and City pre-payments indicated. The balance due the traveler or the refund due the City should be clearly shown below the total claim on the form or in a cover memo attached to the front of the form.

7.9.10.2. If the traveler received a travel advance and spent less than the advance, the traveler should attach a check made payable to the City for that difference.

7.9.10.3. The City Administrator will address special circumstances and issues not covered in this policy on a case-by-case basis.

7.9.11. TRAVEL VIOLATIONS

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

7.10. USE OF CITY VEHICLES AND EQUIPMENT *Revised 08.20.09*

Employees who are required to be assigned a City-owned vehicle shall use that vehicle in the execution of their official duties for the City. The vehicle shall be used daily in commuting to and from their place of employment.

City vehicles and equipment are considered City property, therefore, only approved City employees are allowed use of the vehicles and equipment. As City property, smoking is not allowed in any City owned vehicle. Riders who are not employees of the City, or guests of the City (as defined in Section 2 - Definitions) while conducting City business are expressly not allowed. Violations of the City Vehicle Use policy may result in disciplinary action up to, and including, termination of the employment.

In some cases, take home use of a City owned vehicle is a fringe benefit and is considered taxable income. The required daily charge for use of a take home vehicle as issued by the Internal Revenue Service shall be reported annually by the City on employees' W-2 forms.

The City of White House employees that drive a City-owned vehicle will at all times operate them in a safe manner, adhering to all local, state, and federal traffic laws. Employees are expected to extend common driving courtesies to fellow motorists at all times. Employees must possess a valid driver's license with the proper endorsements in order to be eligible to operate a City-owned vehicle.

The **Take Home Vehicle Policy** includes, but is not limited to, the provisions below:

7.10.1. City-owned vehicles are not assigned, nor shall they be used for the convenience of the employee with regard to personal transportation needs or other non-business activities. Vehicles shall be driven only for City business and not for personal business.

7.10.2. Reserved for Future Use

7.10.3. Reserved for Future Use

7.10.4. The City Administrator shall, at least annually, review the assignment of City vehicles to specific employees as well as the necessity for specific employees to take vehicles home overnight.

7.10.5.1 The following employees are required to commute to and from the workplace in a qualified, non-personal use vehicle as defined by IRS Reg. § 1.274-5T(k.), Reg. § 1.132-5(h):

- Animal Control Officer
- Police K9 Officer
- Police Patrol Division Supervisor
- Detective Sergeant
- Police Chief
- Fire Chief
- Fire Marshall
- Scheduled on-call utility worker
- Wastewater Collections Supervisor
- Emergency Response Team
- Wastewater Superintendent

7.10.5.2 As a general rule, the following are the only employees authorized assignment of a take home vehicle:

- City Administrator
- Public Works Director
- Parks Director
- Wastewater Director
- City Engineer

7.10.6. All accidents, whether at fault or not at fault of the employee, shall be reported to the employee's Department Head as soon as possible. Employees shall be accountable for the safety and care of the vehicles assigned to them. Employees are solely responsible for the following:

- All traffic laws while operating any City vehicle or equipment;
- Any violation of such laws which result in speeding, parking or other moving violations; and
- Tickets and/or citations shall be paid by the employee

7.10.7. No employee will operate a city vehicle while under the influence of alcohol, illegal substances, or medications (prescription or over the counter) which could affect the employee's ability to operate the vehicle safely.

7.10.8. Any employee who is assigned a take home vehicle is subject to all IRS, local, state and federal laws. All employees assigned take home city vehicles, who are not exempt from IRS filing regulations, must be informed of the IRS options available to them, choose an option, and give notification to the Finance Department to ensure IRS compliance. The employee is solely responsible and will be held accountable as to the use, safety and operation of the vehicle.

7.10.9. Employees on vacation leave (or other circumstances) for more than 2 consecutive working days will park their city vehicle at their designated facility.

7.10.10. **Care and Maintenance.** All city vehicles shall be kept clean and in orderly condition. Maintenance of city vehicles requires the cooperation of the employee using such vehicle. Employees shall notify their Department Head of all mechanical or other

unsafe problems. The employee operating the vehicle is responsible for regularly checking the oil level, anti-freeze/coolant level, battery water level, fuel and tires. Employees assigned a take home vehicle shall additionally be responsible for keeping the vehicle clean and neat in appearance. Vehicle maintenance personnel may periodically request all city-owned vehicles and equipment to be brought to the maintenance shop for preventive maintenance scheduling. Preventive maintenance will be scheduled with the Department Head. The cost for maintaining city vehicles will be charged back to the department requesting maintenance.

Disciplinary action. Violation of this policy is considered a misuse of city property. Anyone misusing or abusing city vehicles shall be subject to appropriate disciplinary action, up to and including termination.

7.11. SEXUAL HARASSMENT

7.11.1. PURPOSE

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

This policy applies to all officers and employees of the City of White House, including but not limited to, full- and part-time employees, elected officials, regular and temporary employees, and employees working under contract for the City.

7.11.2. DEFINITIONS

~~Sexual harassment is defined as unwelcome sexual advances or requests for sexual favors and other verbal or physical conduct of a sexual nature; making either explicit or implied job threats or promises in return for submission to sexual favors; telling inappropriate sexually-oriented jokes; displaying sexually explicit or pornographic material. When any of the foregoing unwelcome conduct affects employment decisions, makes the job environment hostile, distracting, or unreasonably interferes with work performance it is an unlawful employment practice and is absolutely prohibited by the city.~~

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

- sexual harassment or unwelcome sexual advances;
- requests for sexual favors;
- verbal or physical conduct of a sexual nature in the form of pinching, grabbing, patting, or propositioning;
- explicit or implied job threats or promises in return for submission to sexual favors;
- sex-oriented comments on appearance;

- sex-oriented stories;
- displaying sexually explicit or pornographic material, no matter how the material is displayed; and/or
- sexual assault on the job by supervisors, fellow employees, or, on occasion, non-employees

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

7.11.3. MAKING SEXUAL HARASSMENT COMPLAINTS

~~By law, the city is responsible for acts of sexual harassment in the work place where the city (or its agents or supervisory employees) knows or should have known of the conduct, unless it can be shown that the city took immediate and appropriate corrective action. Additionally, supervisors who knew or should have known of the sexual harassment may also be held personally responsible. The city may also be responsible for the acts of non-employees, with respect to the sexual harassment of employees in the work place, where the city (or its agents or supervisory employees) knew or should have known of the conduct and failed to take immediate and appropriate corrective action.~~

Prevention is the best tool for the elimination of sexual harassment. An employee who feels subjected to sexual harassment should immediately contact one of the persons below with whom the employee feels the most comfortable. Complaints may be made orally or in writing to:

- the employee's immediate supervisor;
- the employee's Department Head;
- the City's human resources director; and/or
- the City Administrator

Employees have the right to circumvent the employee chain of command in selecting which person to whom to make a complaint of sexual harassment. Regardless of which of the above persons the employee makes a complaint of sexual harassment, the employee should be prepared to provide the following information:

- ~~Official's or employee's~~ his/her name, department and position title;
- the name of the person or persons committing the sexual harassment, including their title(s), if known;
- the specific nature of the sexual harassment, how long it has gone on, and any employment action (demotion, failure to promote, dismissal, refusal to hire, transfer, etc.) taken against the employee as a result of the harassment, or any other threats made against the employee as a result of the harassment;
- witnesses to the harassment; and
- whether the employee has previously reported the harassment and, if so, when and to whom

7.11.4. REPORTING AND INVESTIGATING SEXUAL HARASSMENT COMPLAINTS

The Human Resources Director is the person designated by the City to be the investigator of complaints of sexual harassment against employees.

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

The investigator shall make and keep a written record of the investigation, including notes of verbal responses made to the investigator by the person complaining of sexual harassment, witnesses interviewed during the investigation, the person against whom the complaint of sexual harassment was made, and any other person contacted by the investigator in connection with the investigation. The notes shall be made at the time the verbal interview is in progress.

Upon conclusion of the investigation, the investigator shall prepare a report of the findings and present it to the City Administrator. The report shall include the written statement of the person complaining of sexual harassment, the written statement of witnesses, the written statement of the person against whom the complaint of sexual harassment was made, and all the investigator's notes connected to the investigation.

7.11.5. ACTION ON COMPLAINTS OF SEXUAL HARASSMENT

If it is determined that the complaint of harassment is founded, immediate and appropriate disciplinary action against the employee guilty of sexual harassment will be taken by the City Administrator, consistent with this authority under the municipal charter, ordinances or rules governing the authority to discipline employees.

The disciplinary action shall be consistent with the nature and severity of the offense. The disciplinary action may include demotion, suspension, warning, reprimand, or termination. A determination of the level of disciplinary action shall be made on a case-by-case basis.

A written record of disciplinary actions taken shall be kept, including verbal reprimands. In all events, an employee named in a sexual harassment investigation shall be warned not to retaliate in any way against the person making the complaint of sexual harassment, witnesses or any other person connected with the investigation of the complaint of sexual harassment.

In cases where the sexual harassment is committed by a non-employee against a City employee in the work-place, the Human Resource Manager shall take whatever lawful action against the non-employee is necessary to bring the sexual harassment to an immediate end.

7.11.6. OBLIGATION OF EMPLOYEE

Employees are not only encouraged to report instances of sexual harassment, they are **obligated** to report them. Employees are also obligated to cooperate in every investigation of harassment.

Disciplinary action may also be taken against any employee who fails to report instances of sexual harassment, or who fails or refuses to cooperate in the investigation of a complaint of sexual harassment, or who files a complaint of sexual harassment in bad faith.

7.12. POLITICAL ACTIVITY

Nothing in this section is intended to prohibit any municipal government employee from privately expressing his/her political views or from casting his/her vote in all elections.

City employees are prohibited from participating in the following activities:

7.12.1. In elections for city and county offices - No City employee, whether on or off duty, whether in or out of uniform, and whether on or off City property, shall at any time or any place:

- Become a candidate for, or campaign for, an elected city or county office.
- Directly or indirectly solicit, receive, collect, handle, disburse or account for assessments, contributions or other funds for a candidate for city or county office.
- Organize, sell tickets to promote or actively participate in a fund-raising activity of a candidate for city or county office.
- Take an active part in managing the political campaign for a candidate for city or county office.
- Solicit votes in support of or in opposition to a candidate for city or county office.
- Act as a recorder, watcher, challenger or similar officer at the polls on behalf of a candidate for city or county office.
- Drive voters to the polls on behalf of a candidate for city or county office.
- Endorse or oppose a candidate for city or county office in a political advertisement, broadcast, campaign literature or similar material.
- Address a rally or similar gathering of the supporters of opponents of a candidate for city or county office.
- Initiate, circulate, or sign a petition for referendum or candidate nomination for city or county office.
- Wear campaign buttons, pins, hats or other similar attachment, or distribute campaign literature in support or opposition to a candidate for city or county office.
- In all other elections for public office - No City employee, whether on or off duty, whether in or out of uniform, and whether on or off City property, shall at any time or place:
 - Become a candidate for, or campaign for, an elected public office.
 - Take an active part in managing the political campaign of a candidate for public office.
 - Directly or indirectly solicit, receive or collect contributions or other funds for a candidate for public office.

- Sell tickets to a fund-raising activity of a candidate for public office.
- Engage in any of the other political activities enumerated in the aforementioned section (1) except while they are either off duty or on their own time while they are not in a City uniform, and while they are in places other than on City-owned property.

A leave of absence will not be granted to a City employee to engage in any of the political activities enumerated above.

7.13. PERSONNEL RECORDS

Personnel records for each employee are kept on file and maintained in the Human Resources office Department. Employee changes (i.e., address, pay rate, title, etc.) should be submitted to the Human Resources Department.

The Human Resources office Department also maintains the benefit information for each employee. Employees will be advised of their eligibility so that they may take full advantage of all the benefits available.

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

7.14. FLOWERS

Departments desiring to send flowers for an employee's or their family members' death or illness may do so at the expense of each employee within the department.

7.15. ~~INFORMATION SYSTEMS COMPUTER USE AND MONITORING~~

~~Any employee using a computer, the Internet or using E-mail for personal use shall be subject to disciplinary action up to and including termination. Periodically the City shall make a random check of all computers in order to ascertain any abuse.~~

It is every employee's duty to use the City's computer resources and communication devices responsibly, professionally, ethically and lawfully. These policies are not intended to, and do not grant users any contractual rights. The term "computer resources" refers to the City's computers, electronic equipment, and its entire computer network.

The computer resources are the property of the City and should be used for legitimate business purposes. While personal use of City computer resources including Internet and electronic mail is not forbidden, it is discouraged. Personal use shall be minimal and shall not interfere with the performance of job duties and responsibilities. Users are permitted access to the computer resources to assist them in performing their jobs. Use of the computer resources is a privilege that may be restricted or revoked at any time. All information contained in the computer resources and all documents generated there from are for the exclusive use of the City in connection with the conduct of its business and are the sole property of the City. Periodically, the City shall make a random check of all computers in order to ascertain any abuse.

7.15.1. General Computer Policies

- Only those persons currently employed (or given special permission) are permitted to use any computer resources owned, leased or in control of the City of White House.
- Use of the City of White House's computer resources or internet connections for gambling, obtaining or distributing pornographic materials and all other illegal activity is strictly forbidden. The City actively monitors incoming and outgoing internet traffic for this type of usage.
- Programs and/or downloads related to specialized icons, wallpaper, screensavers, instant messaging, chat rooms, and online gaming is strictly prohibited.
- Only information system personnel or agents contracted by them may install software or hardware on any City computer system. Information systems personnel may, at their discretion, authorize staff to perform specific software or hardware installations. All other software or hardware installations are strictly prohibited.
- Unless departmental arrangements have been made, always obtain permission from a co-worker before using his/her computer. Please be considerate, if you must use someone else's computer, do not change their colors or other settings.
- Do not log into your colleague's account(s). However, staff may authorize other staff members to use shared files and/or directories in cooperative projects.
- Where copyright laws apply, the City forbids unlawful copying of any software or manuals.

7.15.2. Internet Usage

- Access to the internet is for the exchange of information and research consistent with the vision, mission, goals and activities of the City of White House.
- Employees are expected to use the internet solely for job related research and City business communications during work hours.
- Employees shall not use the internet for inappropriate or unlawful purposes, including but not limited to, placing unauthorized information, computer viruses or harmful programs on or through the computer system in either public or private files or messages, using obscene or otherwise inappropriate language in communications and obtaining, viewing or downloading information that is unlawful, obscene, indecent, vulgar, pornographic or otherwise objectionable.
- Internet access records and records of downloaded files are not private and may be occasionally monitored as the City Administrator or Department Head deems necessary.

- Department Heads shall be responsible to ensure proper employee use of the internet.
- Inappropriate or unlawful use of the internet may result in the loss of access for the user and, depending on the seriousness of the infraction, can result in disciplinary action as deemed necessary.

7.15.3. E-Mail Usage

- Electronic mail may constitute a public record under certain circumstances and may be accessible or obtainable by individuals, agencies and others outside the City and subject to state archivist rules for retention / destruction.
- All electronic mail originating from or received by City computer systems is City property, and is not considered private information.
- Electronic mail may be monitored by the Department Head and/or the City Administrator as they deem necessary.

7.16. WORKPLACE VIOLENCE AND HARASSMENT

The City maintains a zero tolerance policy toward workplace violence, or the threat of violence, by any of its employees, customers, the general public, and/or anyone who conducts business with the City. The City recognizes that each employee is entitled to a safe and secure work environment that is free from intimidation, threats, or violent acts, and will not tolerate verbal or physical conduct by an employee which harasses, disrupts or interferes with another's work performance or which creates an intimidating, offensive or hostile environment.

~~Workplace violence includes, but is not limited to harassment, threats, physical attacks, or property damage. A threat is the expression of intent to cause physical and/or mental harm regardless of whether the person communicating the threat has the present ability to carry out the threat. Physical attack is intentional hostile physical contact with another person such as hitting, fighting, pushing, shoving, or throwing objects. Property damage is intentional damage to property, which includes property owned by the City, employees, or others.~~

No employee or non-employee shall be allowed to harass any other employee or non-employee by exhibiting behavior including, but not limited to, the following:

- **Verbal harassment.** Verbal threats toward persons or property; the use of vulgar or profane language directed towards others; disparaging or derogatory comments or slurs; offensive flirtations or propositions; verbal intimidation; exaggerated criticism or name-calling; spreading untrue or malicious gossip about others.
- **Physical Harassment.** Any physical assault, such as hitting, pushing, kicking, holding, impeding or blocking the movement of another person.
- **Visual Harassment.** Displaying derogatory or offensive posters, cartoons, publications or drawings.

Charges of violence and harassment may be reported to any supervisory employee of the City, including, but not limited to, the Human Resources Director, the City Administrator, and the Mayor. Each incident of violent behavior, whether it is committed

~~by an employee or external entity, must be reported to the next level supervisor. The supervisor then is to report it to the department head. The incident is to be reported immediately to Human Resources by the department heads, or highest level of supervision if the department head is not available. The Director of Human Resources is the party designated to investigate any claims of workplace violence.~~

Upon completion of an investigation, a written report will be presented to the City Administrator. If it is determined that the information is correct, immediate and appropriate disciplinary action will be taken against the employee guilty of workplace violence or harassment. The disciplinary action may include mandatory management referral to the Employee Assistance Program (EAP), demotion, suspension, warning, reprimand or termination. A determination of the level of action shall be made on a case-by-case basis. It is in direct violation of this policy to engage in any act of workplace violence or harassment.

Employees who have knowledge of an act of workplace violence or of another employee's intent to commit an act of violence against a co-worker, supervisor or citizen have an obligation to report such information to their supervisor. Failure to report or refusal to cooperate in an investigation regarding workplace violence or harassment may result in disciplinary action. Any employee who acts in good faith by reporting real or implied violent behavior or harassment will not be subject to any form of retaliation or harassment. Any action of this type resulting from a report of violent behavior must be reported to Human Resources for investigation.

Should an employee become a victim of an incident of workplace violence or harassment, Human Resources may offer contact through the Employee Assistance Program (EAP) to assist in coping with any effects of the incident.

The City must be informed of individuals who have been ordered legally to stay away from any City employee or City location. Any employee who applies for or obtains a protective or restraining order shall provide in confidence to Human Resources the appropriate information and/or documentation.

~~7.18. CALL BACK PAY~~

~~Non exempt employees of the City with on-call responsibilities, excluding public safety employees, will be paid a once daily call back premium of \$35.00 per day for being called back to work outside of scheduled or normal working hours. The call back premium is to be paid only in the event that the on-call employee reports to perform work. All hours worked upon returning to work will be paid at the appropriate straight time or overtime rate as applicable per the Fair Labor Standards Act. The call back premium will apply to a 24 hour period of on-call status beginning and ending at midnight.~~

~~7.19. COMPENSATORY TIME~~

~~Exempt employees may be eligible for compensatory time, should their attendance be required at scheduled meetings or for emergency call-outs. Time earned will be one hour for each hour worked and will expire 12 months from accrual date. An employee's compensatory time balance is not paid out should the employee leave the City's employ.~~

7.17. CELLULAR PHONES

Employees issued a City-owned cellular phone due to the nature of their position shall be able to receive and initiate personal calls outside regular business hours. However,

should personal minutes or data usage exceed the number of minutes allowed by the City's cellular phone plan, the employee is responsible for reimbursement to the City for the overage charges. Any employee habitually having a balance due for cellular phone charges may be subject to disciplinary action. Cellular phone etiquette shall be observed at all times. If employee loses or damages City owned cellular telephone due to abuse or neglect, employee may be held responsible for replacement cost of equipment.

7.21. DIRECT DEPOSIT

~~All employees hired on or after January 19, 2006 are required to have their payroll checks deposited via direct deposit into the financial institution of their choice. Current employees hired prior to January 19, 2006 may choose and are encouraged, but not required, to participate in the City's payroll direct deposit program.~~

7.18. CODE OF ETHICS

THE CODE OF ETHICS APPLIES TO ALL FULL-TIME AND PART-TIME ELECTED OR APPOINTED OFFICIALS AND EMPLOYEES, WHETHER COMPENSATED OR NOT, INCLUDING THOSE OF ANY SEPARATE BOARD, COMMISSION, COMMITTEE, AUTHORITY, CORPORATION, OR OTHER INSTRUMENTALITY APPOINTED OR CREATED BY THE MUNICIPALITY. FOR MORE DETAILED INFORMATION, SEE WHITE HOUSE MUNICIPAL CODE, TITLE 4, CHAPTER 6, CODE OF ETHICS.

7.19. SOCIAL MEDIA

City of White House departments may utilize social media and social network sites in support of City goals and objectives. To address the fast-changing landscape of the Internet and the way residents communicate and obtain information online, City departments may consider participating in social media formats to reach a broader audience. The City of White House encourages the use of social media to further the goals of the City and the missions of its departments where appropriate.

The City Administrator and Department Heads will approve which social media outlets may be suitable for use by the City and its departments.

The City of White House's website will remain the City's primary and predominant Internet presence.

All official City presences on social media sites or services are considered an extension of the City's information networks and are governed by the City of White House Information Systems Policy and Procedures.

The City Administrator and Department Heads will review department requests to use social media sites. In addition, the City Administrator and Department Heads may assist in the selecting of appropriate social media outlets, as well as defining a strategy for engagement using social media.

Departments that use social media are responsible for complying with applicable federal, state, and county laws, regulations, and policies, as well as all applicable City policies. This includes adherence to established laws and policies regarding copyright, records retention, the Freedom of Information Act (FOIA), the First Amendment, and privacy laws.

Wherever possible, links should direct users back to the City's official website for more information, forms, documents, or online services necessary to conduct business with the City of White House.

Employees representing the City government via social media outlets must conduct themselves at all times as representatives of the City. Employees that fail to conduct themselves in an appropriate manner shall be subject to the disciplinary action outlined in the City of White House Personnel Manual and the City of White House Information Systems Policy and Procedures. Violation may also result in the removal of department pages from social media outlets.

Departmental staff members are responsible for the content and upkeep of any social media pages or sites that a department might create. One contact will be designated by the department and approved by the City Administrator.

SECTION 8 – SEPARATIONS AND DISCIPLINARY ACTIONS

8.1. TYPES OF SEPARATIONS

8.1.1. RESIGNATION

In the event an employee decides to leave the City's employ, whenever possible, a two (2) week written notice shall be given to his/her supervisor. In such a case, employees must return any/or all City equipment assigned.

An unauthorized absence from work for a period of three consecutive working days will be considered a voluntary resignation. Failure to provide a two (2) week written notice will render employee ineligible for rehire.

8.1.2. LAY-OFF

The City Administrator or Department Head (upon approval from the City Administrator) may lay-off an employee in the City's service when he/she deems it necessary by reason of shortage of funds, the elimination of a position, or for related reasons that are outside the employer's control and that do not reflect discredit upon the service of the employee.

8.1.3. TERMINATION

An employee may be terminated for a number of reasons which may include, but not be limited to, misconduct, insubordination, failure to pass a drug test and the inability to satisfactorily perform the job. The City Administrator's decision shall be final and binding on all parties involved.

8.1.4. DISABILITY

An employee may be separated for disability when he/she cannot perform the essential functions of the job because of physical or mental impairment that cannot be accommodated without undue hardship or that poses a direct threat to the health and safety of others. Action may be initiated by the employee or the City, but in all cases it must be supported by medical evidence acceptable to the City Administrator. The City may require an examination by a licensed physician of its choice at the City's expense.

8.1.5. RETIREMENT

Whenever an employee meets the conditions set forth in the retirement system's regulations, he/she may elect to retire, and receive all benefits earned under the appropriate retirement system.

8.1.6. DEATH

All compensation due in accordance with T.C.A., Section 30-2-103, Designation of beneficiary – Wages and debts owed deceased employee, shall be paid except for such sums as by law must be paid to the surviving spouse.

8.2. TYPES OF DISCIPLINARY ACTIONS

Whenever an employee's performance, behavior, work habits or personal conduct falls below an acceptable level as defined in current job description, personnel manual, City of White House Municipal Code, or applicable reference, supervisors may discipline an employee as appropriate up to and including termination, ~~shall inform employees promptly either verbally through coaching and counseling, or in writing using the City of White House performance correction notice, as appropriate.~~ In some instances, a specific incident, in and of itself, may justify severe initial disciplinary action up to, and including, termination.

Copies of all disciplinary action shall be forwarded to Human Resources for inclusion in the employee's personnel folder.

8.2.1. ORAL REPRIMAND

In situations where an oral warning is deemed sufficient, a written record of the warning will be given to the employee, and a copy shall be placed in the employee's personnel folder.

8.2.2. 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 will be given to the employee, and a copy shall be placed in the employee's personnel folder.

8.2.3. SUSPENSION

An employee may be suspended with or without pay by his/her Department Head with the approval of the City Administrator.

A written statement of the reason for suspension shall be given to the employee affected prior to the time the suspension becomes effective. Employees may be suspended with or without pay pending an investigation of any charges against them. An employee determined to be innocent of the charges shall be returned to duty with full pay for the period of suspension.

8.2.4. TERMINATION

The City Administrator may terminate any employee. The City of White House is an at-will employer. This means that an employee may be terminated at any time with or

without notice, with or without cause as long as the termination does not violate existing employment laws. Reasons for termination may include, but shall not be limited to: misconduct, negligence, incompetence, insubordination, unauthorized absences, falsification of records, violation of any of the provisions of the Charter, ordinances or this personnel manual. The City Administrator's decision will be final and binding on all parties involved.

8.3. COMPLAINT PROCEDURES

A complaint is defined as an expression of dissatisfaction; disagreement or dispute arising between a current employee and his/her supervisor and/or employer with some aspect of his/her employment, application or interpretation of regulations and policies, or some management decision affecting him/her. A complaint may be something real, alleged, or a misunderstanding concerning only administrative orders involving the employee's health, safety, physical facilities, equipment or materials used. Such misunderstandings, points of view, and opinions will be considered a complaint, except in cases where they relate to personnel actions arising out of pay, suspension, and dismissal.

It is the City's desire to address complaints informally, and both supervisors and employees are expected to make every effort to resolve problems as they arise. However, it is recognized that there will be occasional situations that will be resolved only after a formal appeal and review.

Employee(s) who have a complaint should first discuss it with their immediate supervisor, a higher-level supervisor, and/or the Department Head. Every employee may present a complaint under the provisions of the complaint procedure free from fear of retaliation of any kind concerning employment.

STEPS OF THE COMPLAINT PROCEDURE ARE AS FOLLOWS:

Step 1. The employee files an oral or written complaint with the immediate supervisor. It is the responsibility of the immediate supervisor to promptly consider the complaint and take action. The supervisor shall inform the employee of his/her decision in writing within three business days. The supervisor shall provide a copy of his/her decision to the Department Head. Any supervisor in the chain of command shall attach a copy of his/her recommendation regarding the unresolved complaint if it proceeds to a higher level. No supervisor may hold a complaint longer than three business days without forwarding it to the next supervisory level.

Step 2. If the issue cannot be resolved between the employee and his/her supervisor, the employee may proceed to the second step. Before proceeding, an employee must reduce the request to writing and request that the Department Head review the written complaint and supervisor's response. If an employee wishes a meeting with the Department Head, one will be arranged. Upon hearing the complaint, the Department Head must provide a written response to the employee and the immediate supervisor within three business days of the meeting.

Step 3. If the issue still cannot be resolved by the Department Head, the employee may request in writing a meeting with the City Administrator. The City Administrator shall have ten business days to schedule the meeting after which, the City Administrator shall provide a written response to the employee with copies to the Department Head and immediate supervisor. Every attempt will be made to resolve the employee's complaint. The City Administrator's decision shall be final and binding on all parties involved.

SECTION 9 - AMENDMENT OF PERSONNEL RULES

9.1. AMENDMENTS

Amendments or revisions of these rules may be recommended for adoption by the Board of Mayor and Aldermen by the City Administrator. Such amendments or revisions of these rules shall become effective after approval by resolution of the Board of Mayor and Aldermen.

9.2. SPECIAL NOTE

These personnel policies are believed to be written within the framework of the Charter of the City of White House but in case of conflict, the Charter takes precedence.

SECTION 10 – PERSONNEL MANUAL REVISION LOG

Rev #	Date	Section Revised	Description of Revision(s)
1	01.16.09	All	Change in format from page enumeration to section enumeration.
2	01.16.09	10	Addition of Revision Log
3	01.16.09	6.13	Addition of Light Duty language to Worker Compensation Policy

4	01.16.09	7.3.2	Addition of language clarifying Safety Specific Personnel and guidelines to Drug Free Workplace policy
5	01.16.09	7.9.7	Addition of language clarifying departure times to Meals and Incidentals section of Travel Policy
7	01.16.09	7.17	Addition of clarifying language to Workplace Violence Policy
8	01.16.09	5.11	Addition of language clarifying annual eligibility of employees for performance evaluations.
9	01.16.09	Appendix	Elimination of appendix, as all attached appendices are now available on the Employee Intranet as individual docs
10	02.19.09	6.1	Align Holiday Schedule with 4 day work week
11	02.19.09	6.2	Aligns Holiday Pay with 10 hour work days
12	08.20.09	6.2	Clarification of policy for regular part-time workers
13	08.20.09	6.3	Clarifying language for accrual benchmarks
14	08.20.09	6.6	Clarification of policy
15	08.20.09	6.7	Policy clarification and definition of a 'day' for purposes of leave administration
16	08.20.09	Definitions	Inclusion of approved in-laws within bereavement policy
17	08.20.09	7.9.7	Clarification of policy to align with per-diem and overnight travel
18	08.20.09	7.10	Alignment of City Vehicle use with IRS code taxable fringe guidelines