



COFFEE COUNTY GOVERNMENT

Coffee County, Tennessee

PERSONNEL MANUAL

APPROVED BY THE COFFEE COUNTY COMMISSION

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PURPOSE OF PERSONNEL MANUAL

The purpose of this manual is to provide a comprehensive operating procedural framework for all employees of Coffee County Government (referred to as “the county”). The primary objective of this manual is to give department heads, elected officials, and supervisors the flexibility to apply leadership within their particular area of county government. The major reason for this manual is to insure that all county employees receive fair, equitable, and objective treatment in all matters pertaining to their employment, regardless of the department in which they work.

Realizing the progress of the county is due to the valuable contributions made by Coffee County employees; it is the desire and intent of the Coffee County Commission, and other elected officials that every person employed in county government have access to employment without discrimination in areas of race, color, religion, gender, age, disability, or other officials that all employees become informed of their duties and responsibilities as well as procedures for redress.

This manual shall be revised as needed by the appropriate committee(s).

The policies set out in this manual apply to county employees in the following county offices: Mayor, Election Commission, Register of Deeds, Codes & Safety, County Buildings (maintenance), Accounting and Budgeting, Property Assessor, County Trustee, County Clerk, Circuit Court, General Sessions Court, General Session Judge, Chancery Court, Judicial Commissioners, Probation Services, Sheriff, Jail, Juvenile Services, EMA, Manchester & Tullahoma Health Centers, Animal Control, Ambulance/Emergency Medical Services, Manchester & Tullahoma Libraries, Consolidated Communications Center, Agricultural Extension Services, Soil Conservation, Industrial/Economic Development, Veteran’s Service, and Rural Solid Waste.

DISCLAIMER

Coffee County Government is an equal opportunity “at-will employer”. All employees will be considered employees-at-will. Employees may be terminated for failure to satisfactorily perform their duties or simply at the will of the employer, but they shall not be terminated for an illegal purpose. This manual shall not be construed to imply a contract or promise of employment between Coffee County Government and its employees; neither shall it be construed to limit the duties and responsibilities of the parties to the policies contained herein. Nothing in this manual shall be construed to supersede state and federal law. The policies contained in this manual may be revised at any time.

HIRING POLICY

Department heads shall select the best-qualified and most suitable candidate to fill a job opening. The criteria shall include, but not limited to, education, experience, and past performance. Department head, elected officials, and supervisors shall comply with all Equal Employment Opportunity Laws and without any form of discrimination on the basis of race, color, sex, age, national origin, or non-job related disability. Department heads shall comply with the Immigration Reform and Control Act of 1986 that requires suitable documentary proof of eligibility to work in the United States.

EQUAL EMPLOYMENT OPPORTUNITY POLICY

Coffee County Government provides equal employment opportunities to all employees and applicants for employment without regard to race, color, religion, sex, national origin, age or disability in accordance with applicable state and federal law. This policy applies to all terms and conditions of employment including, but not limited to, hiring, placement, training, promotion, retention, discipline, termination, layoff, recall, transfer, compensation and benefits.

All officials and department heads are responsible for creating and maintaining an atmosphere free of unlawful discrimination and harassment. Employees are responsible for respecting the rights of their co-workers, supervisors, and the "chain of command".

Any employee or applicant who feels that he or she has not been afforded equal opportunity for any employment action, or who feels that he or she has been otherwise treated in an unlawful, discriminatory manner should report the incident immediately to their immediate supervisor who will investigate the matter and take appropriate action. In the alternative, incidents may be reported to the Human Resources/Benefits Coordinator. Complaints will be kept confidential to the maximum extent possible under the circumstances although confidentiality cannot be guaranteed. Persons are encouraged to report incidents with the assurance that they will be protected from harassment and retaliation.

If, after investigation, the employer determines that an employee is guilty of harassment or discrimination against another individual appropriate disciplinary action will be taken against the offending employee up to and including termination of employment. Retaliation against an employee for filing a complaint or for assisting in an investigation is prohibited. However, if an employee intentionally provides false information regarding a complaint, disciplinary action may be taken against the individual who intentionally gave the false information.

The county will not discriminate on the basis of a person's natural origin or citizenship status with regards to recruitment, hiring, and discharge. However, the county will not knowingly employ a person who is, or becomes, an unauthorized

alien. In compliance with Immigration Reform and Control Act of 1986, all new employees, and all applicants for employment, regardless of nation origin or citizenship must provide suitable documentation that they are eligible to work in the United States. They must also complete INS Form I-9 in order to verify their identity and employment eligibility. As an equal opportunity employer, employment will be based on consideration of the qualifications of all employees or applicants for employment. Discrimination based upon an applicant's or employee's race, color, sex, religion, national origin, age, or disability will not be tolerated.

NEPOTISM

A relative of a county employee will be considered for employment by the county if the applicant possesses all the qualifications for employment. The relative is any person who is related by blood or marriage or whose relationship with the employee is similar to that of persons who are related by blood or marriage. However, to avoid conflict of interest situations, the County will not consider a relative for employment if: (a) the employee will participate in the decision to hire the relative, (b) the employee will supervise the relative or employment activities of the relative, (c) the employee will be in a position to influence the employment activities of the relative or (d) the recruitment of the relative will create either an actual conflict of interest or the appearance of a conflict of interest. These criteria will also be applied when assigning, transferring, or promoting an employee.

For purposes of this policy "relative" shall include, but is not limited to, the employees' spouse, brother, sister, parents, grandparents, children, step-children, grandchildren, father-in-law, mother-in-law, daughter-in-law, son-in-law, brother-in-law, sister-in-law, and any other member of the employee's household.

Employees who become relatives must also meet the requirements to avoid a conflict of interest. Current employees that fall under the definition of a relative will remain in status quo regarding their position, however, any change of position or assignment must be in conformity with this section.

SALARY SCHEDULE: All new hires for county employment shall be placed on the salary schedule grade level consistent with their qualifications and experience as determined by the department head, elected official, or supervisor. The step level shall be number one (1). Exceptions to this provision shall apply to new hires whose previous job is an "in kind" job meaning the previous job is identical to the job with the county. All new hires will get credit for the actual experience they have acquired. Step raises will be given every other year on July 1 if the employee was hired before August 10, 2004. Employees hired after August 10, 2004 will receive step raise on their anniversary date every other year.

FULL TIME EMPLOYEES—HOURS OF WORK

A minimum of thirty-seven and one-half (37 1/2) hours per week is established as a standard work week beginning at 12:01 a.m. on Wednesday and ending at 12:00 midnight the following Tuesday for all full time employees.

Normal operating hours shall be 8:00 a.m. to 4:30 p.m., Monday through Friday, with the exception of Holidays. Some departments may operate 16 or 24 hours per day with office hours listed above. The various department heads shall have the authority to determine whether the hours of operation for their department will be different from those listed above. If the office hours are different from the standard 8:00 a.m. to 4:30 p.m., the office hours shall be posted in a conspicuous place. It is the responsibility of the department head to determine the weekly schedule allowing for overtime when necessary. The department head will be responsible for maintaining budgetary constraints.

If an employee has an occasion to be late for work or absent due to illness or some unexpected circumstance, the employee shall notify their immediate supervisor as soon as possible. Failure to report for duty at the assigned time and place will not be tolerated.

All full time county employees will be eligible for benefits and compensation as listed in other sections of this manual.

EMS personnel excluding the administrative staff are scheduled to work 24 hour shifts and their normal compensation for a two-week period is based on forty hours of straight-time and eight hours of overtime pay for one week and forty hours of straight-time and thirty-two hours of overtime pay for the second week (a total of eighty hours straight-time and forty hours' overtime for each two-week period). When other county employees take two weeks for vacation or are off for sickness or other personal reasons, that employee receives their normal pay for the two week pay period whether it is for two weeks at 37.5 hours per week or two weeks at 40 hours per week. In order for EMS personnel to receive their normal two-week compensation, the EMS employee must be paid for the leave time on the same basis as if they had worked those leave hours. They need to receive 80 hours at straight-time and 40 hours at overtime. Additionally, EMS personnel are not permitted to use compensatory time. If they were to use compensatory time the ambulance service will not be able to staff sufficient ambulances to service, the County's emergency needs.

As part of their total compensation, paid absence, including vacation/sick hours are considered to be hours worked for the purpose of calculating overtime for Ambulance Personnel.

TEMPORARY/PART-TIME EXEMPT EMPLOYEES

Temporary Employees: Any person employed with the county, who in a given calendar year works less than (6) calendar months or who is hired for a specific project not to exceed (6) six months in a (12) twelve month period, shall be classified as a temporary employee.

Part-Time Employees: Any person employed with the county who is regularly assigned to work less than thirty (30) hours per week.

Exempt Employees: Certain employees who are classified as exempt by definition of the provisions set forth in the Fair Labor Standards Act (FLSA).

All benefits set out in this manual are intended to apply only to full time employees with the exception of provisions on discrimination and harassment. These policies are not intended to establish paid leave of any kind for temporary or part-time employees.

OVERTIME PAY/COMPENSATORY TIME

All employees who are not classified as exempt as defined by the FLSA, shall be paid straight time or given straight time compensatory time (subject to allowable limits) for all hours worked more than thirty-seven and one-half (37 ½) hours during the work week. No overtime or compensatory time at time and one-half will be earned until the employee has worked more than forty (40) hours for this work period and the department head has approved all such overtime and compensatory time.

Overtime rate: An employee who works overtime (over 40 hours) shall receive time and one-half pay, or the employee may receive compensatory time off in lieu of overtime pay. Such compensatory time shall be earned at a rate of one and one-half hours for each hour exceeding the forty (40) hours per week. Any overtime work in fractions of hours shall be: 15 minute-1/4 hour; 30 minutes=1/2 hour; 45 minutes shall be ¾ hour.

The use of compensatory time in lieu of monetary overtime compensation is subject to approval by the department head and agreement of the affected employee. In compliance with Federal law (FLSA) an employee who has accrued compensatory time and requests the use of the time will be permitted to use the time off within a reasonable period after making the request if it does not "unduly disrupt" the operations of the department. A Compensation Request form must be completed by the employee and approved by the Department Head before any Compensation

Time will be accrued. Employees may accrue up to 120 hours of compensatory time; employees who work in a public safety or emergency response activity may accumulate up to 240 hours of comp time. Upon reaching the maximum accrual you will be notified to reduce your balance by 40 hours within a thirty day period, if you are unable to reduce the hours in the time allotted the hours will be rolled into your sick leave.

CALL-OUT PAY

When non-exempt employees are called out to work outside of normal working hours, they shall be paid a minimum of two (2) hours pay at overtime rates. Overtime hours worked immediately prior to, or after, normal working hours will not be considered as a "call-out."

COMPENSATION FOR TRAVEL TIME

Non-exempt employees who travel to attend a training class or seminar will be compensated at time and a half for travel time if they are unable to flex the additional hours during the workweek. Employees will receive overtime pay or compensation time for time spent traveling if they worked over forty hours during the workweek that they attended the training class or seminar.

Employees are required to notify their department head of the projected travel time and the estimated hours of overtime when they complete their request to attend training. If staffing levels allow, department heads and supervisors must schedule non-exempt employees to accrue compensation time or flex any potential overtime hours within the workweek.

RELIGIOUS ACCOMMODATION

Efforts will be made to accommodate the religious observance and practices of an employee unless such accommodation is unreasonable and would result in an undue hardship on the conduct of business. In making these decisions, supervisors will consider such factors as business necessity, financial costs and expenses, and resulting personnel problems.

DISABILITY ACCOMMODATION

It is the policy of Coffee County Government to assure equal employment opportunity to persons with disabilities on the basis of qualifications and ability to perform the job. There shall be no discrimination in terms of employment opportunities, wages, hours of work, or other conditions of employment or benefits.

PERSONNEL RECORDS

The County Mayor, elected officials, and department heads shall be responsible for the establishment, up-to-date maintenance, and safeguard of personnel records for each employee under their supervision. It is the responsibility of each employee to provide accurate information to the employer. Employees are also responsible for reporting to the employer any change in the information which they have previously provided.

SEPARATION

All employees who voluntarily terminate employment shall give the department head a two week notice unless there are extenuating circumstances. The County Mayor will investigate all extenuating circumstances and send a recommendation to the Personnel and Compensation Committee for review.

It is the responsibility of the former employee to contact his/her former department head or immediate supervisor relative to any compensation due, possible insurance conversion policies, accrued sick days, etc. upon his/her separation.

All equipment is the property of the county and must be turned in prior to separation. Department heads and supervisors are required to request an exit interview with the employee. Exit interview information shall be reviewed and used to promote improvements in the county and its policies.

An employee, whose service is being terminated, either voluntarily or involuntarily, shall be paid for all regular earnings which are due and accrued plus all accrued vacation time, overtime and compensatory time at the employees' current rate of pay on the next available pay date. Any employee who is classified as exempt will NOT receive payment for any accrued compensatory time upon separation of employment with the county. While the employee may be paid for vacation time, vacation time is scheduled at the discretion of the supervisor and may not be used as "notice time". No sick leave may be taken after an employee has given notice. The employee will not be compensated for any unused sick leave days. Accumulated sick leave days shall be credited toward retirement longevity. In the event of death, the amount owing to the employee shall be paid to his estate or to the surviving spouse as required by law.

If an employee separates within two(2) years of receiving training that costs \$2,000 or more, the employee will have a certain percentage deducted from his/her final paycheck based on the following schedule:

- Voluntary Separation before the six-month anniversary of the date of completion: repay 75% of the costs

- Voluntary Separation after the six-month anniversary and before the one-year anniversary of the date of completion: repay 50% of costs.
- Voluntary Separation after the one-year anniversary and before the two year anniversary of the date of completion: repay 25% of costs.
- Voluntary Separation after two years: no repayment obligation.

The cost referred to herein is the costs paid to the training entity.

Exceptions to Repayment Obligation of Training Agreement

The elected official or department head may grant exceptions to the payment of the pro rate reimbursement based upon the employee's situation. Examples of situations that may result in exceptions include: separation that is caused by circumstances beyond the employee's control such as illness or death of an immediate family member, or the unexpected relocation of a spouse. Exceptions may also be granted if separation is due to agency budgetary cutbacks, reductions in workforce, reorganizations, or for the convenience of the county. Each situation will be considered on its own merits, and only the elected official or department head is authorized to grant exceptions to repayment.

Upon notice given by the employee, the department head shall immediately complete a "Coffee County Separation Form" and forward a copy of the completed form to the Human Resources Director.

COURT LEAVE

Paid court leave is provided to all county employees who are required to serve on a jury or as a witness in a state, federal, or local court. This ensures against a loss of pay for employees performing a civic duty.

Pay for time served on court leave including the time spent traveling to and from court shall be made at the employee's regular hourly rate of pay except that such compensation shall not exceed the total of the employee's regularly-scheduled daily pay. However, if the jury service results in any personal compensation from the court, the employee is required to reimburse the county for any compensation received from the court while on paid court leave. Upon return to work the employee will be required to present proof of jury duty service or other mandated court appearance by an authentic summons, subpoena, or notice to appear from the appropriate court including dates of service and any compensation received from the court.

The employee has ten (10) working days after the employee is compensated from the court to reimburse the county for any compensation received or the employee may choose to retain the court compensation and use vacation leave instead of court leave. Any reimbursements from the court received by the employee for personal expenses such as mileage allowance, food allowance, and non-reimbursed parking expenses shall not be included in the amount reimbursed to the county.

If the employee is dismissed from court before 12:00 p.m. (noon) then the employee should return to work.

If an employee summoned for jury duty is working a night shift or is working during hours preceding those in which court is normally held such employee shall also be excused from employment as provided by the section for the shift immediately preceding the employee's first day on any lawsuit. After the first day of service when such person's responsibility for jury duty exceeds three (3) hours during a day then such person shall be excused from the person's next scheduled work period occurring within twenty-four (24) hours of such day of jury service. Any questions concerning the application of the provisions of this subsection to a particular work shift or shifts shall be conclusively resolved by the trial judge of the court to which the employee has been summoned.

The above provisions concerning compensation for time in court do not apply if the employee is involved as a plaintiff or defendant in private litigation. On these occasions, the employee must take vacation leave, compensatory leave, or leave without pay.

FAMILY AND MEDICAL LEAVE

In compliance with Federal Laws concerning the Family Medical Leave Act, Coffee County Government provides covered employees with up to twelve (12) weeks of job-protected leave for certain family and medical reasons. Employees are eligible for Family and Medical Leave Act (FMLA) leave if they have worked for the County for at least twelve months prior to the request. It is not required that the twelve months be consecutive. The employee must also have worked at least 1250 hours in the twelve-month period immediately preceding the application for leave. An employee is required to use their balances of sick, vacation and compensatory accruals at time of leave being taken. If the employee does not have any accrued leave available, then the leave may be taken as unpaid leave.

The following list indicates reasons for leave covered under the FMLA:

1. Birth of a child or the placement of a child for adoption or foster care.
2. A serious health condition of the employee, or the care of a child, spouse or parent who has a serious health condition. A serious health condition is an illness, injury impairment or physical or mental condition requiring one of

the following: hospital care, absence plus treatment, pregnancy, chronic conditions requiring treatments, permanent/long-term conditions requiring supervision, or multiple treatments (non-chronic conditions). Refer to FMLA definition of serious health condition found in form WH-380, Physician's Certification. To qualify as serious, the condition must result in either an overnight stay in a medical care facility or absence from work and/or regular daily activities for more than three days.

Benefits provided by the county employee benefit plan will be administered in accordance with this law. If you were a covered employee prior to the commencement of the leave period, your coverage will stay in effect during the FMLA leave period under the same conditions as if you were not on leave.

If premiums which are your responsibility are not paid during the leave period, once the leave is concluded, any coverage lost for non-payment of premium will be reinstated, if you request coverage in writing within 31 calendar days of your return to work and pay any require premium agreed to by you and your employer. Any waiting periods, deductibles or plan maximums partially or totally satisfied prior to the leave will be continued or reinstated when the county is informed of your return from FMLA leave. If your employer continues your coverage by paying premiums during the leave of absence, you may be required to repay any premium payments missed by you during the FMLA leave period.

During periods of unpaid leave, an employee will not accrue additional seniority or other such employment benefits, unless the Maternity Leave Policy herein is applicable. However, such leave will not be considered a "break on service" for purposes of the employee retirement plan.

The right to leave under this policy shall apply equally to male and female employees who meet the eligibility requirements.

The employees must give thirty (30) days advance notice of the need for leave where the need is foreseeable. Emergency conditions and unforeseen events, such as a sudden serious health condition or a premature birth, do not require such notice. The county may deny or delay the FMLA leave if proper notice is not given and all paperwork is not returned within two weeks of employee receiving it. In the absence of employee notice, the county may designate employee leave as FMLA qualifying leave and count the time towards their twelve week entitlement.

The county has the right to verify an employee's request for family/medical leave. If the employee requests leave because of a serious health condition or to care for a family member with a serious health condition, the county requires that the request be supported by certification supplied by the health care provider responsible for the treatment of the serious health condition on a form prescribed by the county. The certification must include the date the serious health condition began, how long the condition is expected to continue and what medical facts form the basis for these

findings. If leave is taken for the serious health condition of a family member, the certification must also include a statement that the individual needs the care of the employee, and, if applicable, an estimate of the amount of time the employee is needed to care for the family member.

If the supervisor has reason to doubt the certification, the county may require a second opinion be acquired from a provider of the county's choice at the county's expense. The provider may not be employed by the county on a regular basis. Should that provider find that a serious health condition as defined by the law does not exist, a third provider may be selected to resolve the conflict. The decision of this provider shall be final and binding. To the extent allowed by law, the medical certification will be treated as confidential and privileged information.

An employee is required to report in weekly to the county while on FMLA leave. If the employee is suffering from a serious health condition then the employee should report as frequently as is possible given the employee's condition. The employee is expected to indicate whether he or she intends to return to work.

Leave taken under this policy will be based on a calendar year and can be taken intermittently or on a reduced leave schedule when certified to be medically necessary. Intermittent or reduced leave schedules for routine care of a new child may be taken only with your supervisor's approval on a schedule mutually agreed upon by you and your supervisor.

Ordinarily when employees return from Family and Medical Leave they are entitled to return to their original position or an equivalent. However, if an employee is a key, salaried employee in the top ten-percent (10%) of paid county employees, the county may not be able to hold the position for said employee. The county must show that the denial is necessary to prevent substantial and grievous economic injury to the operations of the county. The county must also notify the employee when the supervisor or department head is not able to hold the original position at the time it is determined and must give said employee the option to return to work within a reasonable period of time after receiving this notice.

WORKER'S COMPENSATION

Employees injured on the job are entitled to compensation for medical expenses and lost wages in accordance with the Tennessee Worker's Compensation Act. Detailed information regarding accident and injury reporting procedures are located in the office of the Human Resources/Benefits Coordinator to insure proper reporting of accidents, medical and related expenses, and proper addressing of safety issues if warranted.

An employee receiving sick leave pay and simultaneously receiving compensation under the worker's compensation provisions shall receive only that portion of his or

her regular pay which will together with workers compensation equal his or her regular pay.

MILITARY LEAVE

Military Leave shall be approved immediately upon submission of an authentic Military Order showing the date, time, and place to appear by the employee to the department head.

If the employee's military pay rate is less than his/her county pay rate, he/she will be paid the difference by the county upon proof of military pay rate. Upon return to work, the employee will be required to present proof of military service including dates of service.

RECORDING LEAVE TIME

Department heads and supervisors are required to record employee hours on the forms (time sheets) provided for this purpose. The forms should be completed and signed by the employee, reviewed by the department head or supervisor for accuracy, then at the end of the pay period forwarded to the county payroll clerk for processing. Employees should request time off on the forms provided by their department head. Employees should be sure that their actual hours worked and leave time taken are recorded accurately. Falsifying these records is a crime under T.C.A. 39-16-504.

MONITORING OF ELECTRONIC MAIL

Employees and officials of the county do not have any right to privacy in any electronic mail (e-mail) that travels over the county's electronic mail system. All e-mail that travels over the county's system is subject at any time to being examined by officials of Coffee County Government or their designees. In addition, correspondence of county employees and officials in the form of e-mail may be a public record under the public records law and may be subject to public inspection.

This Section is the policy of Coffee County Government as required by Tennessee Code annotated, Section 10-7-512, enacted by the General Assembly in 1999.

HARASSMENT POLICY

It is the policy of Coffee County Government to maintain a respectful work and public service environment. The county prohibits and will not tolerate any form of unlawful harassment by or toward any employee or official on the basis of race, color, religion, sex, national origin, age, disability, or status in any other group

protected by law. Any employee or official who engages in such behavior is subject to disciplinary action, up to and including, termination of employment.

Any form of harassment or complaint of harassment should be immediately reported to your supervisor. In the event that the employee's complaint is against his/her supervisor, then the complaint should be addressed to the Human Resources Director. Upon receipt of any complaint of violation of this policy the complaint and any documentation thereof shall be immediately provided by the supervisor to the Human Resources Director. If the action of the immediate supervisor does not satisfactorily resolve the matter to the employee's satisfaction, the next step for review by the employee would be to address the matter to the Human Resources/Benefits Coordinator. Such matters as are presented to the Human Resources Director will be addressed by the Chairman of the Personnel Policy and Salary Review Committee, the Human Resources Director, and one (1) other member appointed by the Mayor. The final decision concerning the matter made by this Committee will be relayed to the employee in written form with a copy to the employee's immediate supervisor, Human Resources, and the Mayor.

While the Mayor maintains an open door policy for information purposes of all County business, an employee addressing a claim of harassment must follow the procedures set forth above.

EMPLOYEE BENEFITS

VACATION: The vacation leave balances will accrue each pay period in the following manner for employees whose normal scheduled work week is 37.5 hours:

<u>Vacation accrual for a 37.5-hour work week:</u>		
Hire date - 5 years	12 days	3.46 hours per pay period
6-10 years	15 days	4.33 hours per pay period
11-20 years	18 days	5.19 hours per pay period
21 + years	21 days	6.05 hours per pay period

For those employees whose normally scheduled workweek is 40 hours per week, the accrual rate is as follows:

<u>Vacation accrual for a 40-hour work week:</u>		
Hire date - 5 years	12 days	3.69 hours per pay period
6-10 years	15 days	4.62 hours per pay period
11-20 years	18 days	5.53 hours per pay period
21 + years	21 days	6.46 hours per pay period

EMS Leave Accruals

<u>Years of Service</u>	<u>Vacation Accrued Per Pay Period</u>	<u>Sick Accrued Per Pay Period</u>	<u>Maximum Vacation Accrual (2X Annual Accrual)</u>
0 to 3	5.54	5.54	288
3 to 5	6.23	6.23	324
5 to 10	6.92	6.92	360
10 to 15	8.31	8.31	432
15 to 20	9.69	9.69	504
20 +	11.08	11.08	576

Any vacation days, which are earned and left unused at the end of the year, can carry over no more than one (1) year of the previous year’s vacation. Any vacation time over two (2) years shall be lost for vacation purposes, but shall be transferred to sick days as authorized sick leave. The scheduling of vacation leave is subject to the approval of the department head. All departments within the county will adhere to the vacation and sick leave schedule as set forth in this manual. Vacation leave will not be paid in advance to any employee of the county.

BEREAVEMENT LEAVE: Upon the death of an immediate family member, the employee shall be given up to three (3) consecutive day’s bereavement leave. Immediate family for the purposes of bereavement leave shall be defined as spouse, mother, mother-in-law, step-mother, father, father-in-law, step-father, brother, brother-in-law, step-brother, sister, sister-in-law, step-sister, children, step-children, grandparents, grandchildren, step-grandchildren, daughter-in-law, and son-in-law. These three days shall not be counted against sick leave or vacation days. Bereavement leave is not transferable to sick leave or retirement, and is not accumulative. Additional leave time may be granted without pay at the discretion of the department head or supervisor.

HOLIDAYS: The County shall recognize the following days as holidays:

- New Year’s Day 1 day
- Martin Luther King, Jr. Day 1 day
- President’s Day 1 day
- Good Friday 1 day
- Memorial Day 1 day
- Independence Day 1 day
- Labor Day 1 day
- Veteran’s Day 1 day
- Thanksgiving 2 days
- Christmas 3 days

TOTAL DAYS

13

Department heads are prohibited from granting holidays other than those days officially recognized herein. Department heads may grant special holidays to their employees without pay or the employee shall be charged with a vacation day if said employee receives pay for any special holiday granted to them.

When an official holiday falls on Saturday, it shall be observed on the preceding Friday. When a recognized holiday falls on a Sunday, it shall be observed on the following Monday.

All full time county employees will qualify for holiday pay for the days listed above in accordance with the following provisions:

1. Employees who work or who are in active pay status in all available workdays in a pay period or month will receive payment for all holidays in the pay period or the month.
2. Any holiday falling within a period of an employee's sick or vacation leave shall be considered holiday leave and shall not be deducted from the employee's accrued sick leave or vacation leave.
3. Non-duty pay for a non-worked holiday shall be at the employee's current rate of regular pay not to exceed the hours, for which the employee is normally scheduled to work, or the employee's average hours worked per day (normal work week divided by 5), whichever is greater.
4. Pay for a holiday worked by full time employees shall be made at double the employee's current rate of pay for the actual number of hours worked; or the equivalent time may be taken in lieu of the holiday at the discretion of the departmental supervisor.

Thirteen (13) holidays are observed by the county in keeping with the policy for holidays. These holidays are documented on the county employee timesheets.

RETIREMENT: Employees hired prior to July 1, 2014 are required to participate in the Tennessee Consolidated Retirement System (TCRS) defined pension plan and contribute 5% of their gross salary. The county contributes a percentage of each employee's gross income at an actuarially determined rate. The contribution requirement of plan members is set by state statute. Employees hired on or after July 1, 2014 participate in the T.C.R.S. defined contribution plan and must contribute at least 2% of their gross salary. The county will match the employees' contribution up to 5%.

SICK LEAVE: All sick leave will accrue at a rate of 3.46 for a 37.5 work week per bi-weekly pay period and 3.69 for a forty hour work week without limitation on the number of hours. When an employee is no longer employed with the county all unused sick leave will be credited to his/her retirement in accordance with the Tennessee Consolidated Retirement

System (TCRS) rules and regulations. As an example, if an employee upon retirement after twenty years has 240 days of unused sick leave, a said employee shall not be entitled to be paid for unused sick leave, but shall have 240 days credited to the employee's retirement account as additional days worked by the employee for credited service retirement purposes. Any unused sick leave on the date of retirement may be credited one month of retirement credit for each twenty (20) days of unused sick leave. Sick leave is not recognized for retirement purposes until the employee has retired and the employer has certified the sick leave. The sick leave hours will be converted to days when reported to TCRS.

Sick Leave Compensation upon Termination:

The following applies to employees hired on or after July 1, 2014. In order to reward longevity for those employees who do not abuse sick leave and to increase efficiency, the county shall pay the employee up to one-half of their accumulated sick leave up to a cap of 960 hours, 1,250 for the Ambulance/EMS employees. No more than half of the capped amount will ever be vested, and the payment will be based on the employees' hourly pay rate at the time of termination. Employees will be eligible for sick leave compensation only after they have completed five (5) years of **continuous** service as of their last date of employment.

<u>Length of Service</u>	<u>Vested Percentages</u>
5 years	25%
6 years	30%
7 years	35%
8 years	40%
9 years	45%
10 years	50%

Sick leave must be approved by the department head and may require a doctor's excuse at his/her discretion. While it is understood that emergencies do occur, employees are expected to give adequate notice to their department head. Failure to do so may result in said sick leave not being approved. Sick leave may be used for the individual or the employee's immediate family. Immediate family shall be defined in the case of sick leave as spouse, parents, children, stepchildren or anyone from whom the employee is a legal guardian. No sick leave may be taken after an employee has given notice of intention to leave the county employment.

MEDICAL & DENTAL INSURANCE:

Medical and dental insurance plans are available for employees. For more information regarding the options available, contact the Human Resources Director.

EMPLOYEE VOLUNTARY INSURANCE PLANS:

The county does offer other employee insurance plans for vision, accident, sickness, and disability. Contact the Human Resources Director for more information.

COUNTY OFFICIALS CERTIFICATE TRAINING PROGRAM

The County Officials Certificate Training Program (COCTP) is a comprehensive training program administered by the University of Tennessee County Technical Assistance Service (CTAS).

COCTP is designed to provide specialized, office-specific, technical, administrative, managerial, and leadership training to elected officials and their employees in order to help them run their office more effectively. It also offers a comprehensive knowledge of the inner workings of County Government. In short, graduates of COCTP will obtain a thorough knowledge of County Government and be designated with the Title of Certified Public Administrator.

In order to complete the requirements of COCTP, you must complete the following:

- 4 of the 10 core classes
- 40 credits of electives
- A passing score of 70 percent or higher earned on the County Government overview
- A passing score of 70 percent or higher earned on the exit exam
- Attendance at the three-day Capstone Event
- Must complete sixteen hours of continuing education each fiscal year in order to retain the certification

Information regarding the Certification Program can be obtained in the Human Resources office.

COFFEE COUNTY GUIDELINES FOR CERTIFIED TRAINING PROGRAM

- Elected Officials are not eligible for County compensation benefit from COCTP
- Employees must have been employed with Coffee County for a minimum of three years as full time to be eligible for participation in the COCTP and the county benefit.

- Certification compensation benefit of \$1,000 can only be received one time per fiscal year.
- Employees may attend the Recertification Event in the fall at their own expense, provided the Department Head approves absence from work.
- If an employee attends yearly staff development specific to their jobs they must use these hours towards the County approved COCTP benefit, otherwise on-line courses will be accepted.
- The COCTP benefit will be paid at the earliest October 15th for July-September certifications. After that it will be paid to the employee by the 15th of the month following the month of recertification.
- Employee compensation benefit shall never increase above \$1,000 per year.
- If the current year budget does not reflect COCTP benefit allocation for an employee, they can't begin program until following budget year when funds are allocated.

ADMINISTRATIVE CLOSING

The County offices will have certain Holiday and Administrative Closings. During these days regular employees on the active payroll (not including Sheriff Department Personnel, EMS Personnel and Communication Center Personnel) will be granted time off from work with pay.

The County Mayor will announce as early as possible each calendar year the days of administrative closing for that calendar year. In cases of extreme weather or other emergency conditions, the County Mayor may determine additional days or partial days of administrative closing and will make formal announcements. During these additional days of administrative closing, personnel of the emergency services to include the Sheriff Dept., EMS and Communication Center which must remain open during these closings will receive Comp Time for the hours worked during the administrative closing.

DRUG – FREE WORKPLACE

During working hours, employees are strictly prohibited from being under the influence of illegal drugs or alcohol or selling, possessing, transferring or purchasing illegal drugs, or possessing or consuming alcoholic beverages. If the department head suspects that an employee has reported for work under the influence of any drug or alcohol, the employee must be sent for a drug test immediately.

Any employee whose off-duty substance abuse results in on-the-job impairment (including but not limited to excess absenteeism or tardiness, carelessness or

disregard for safety, or poor work), or who commits an unlawful act or whose conduct discredits the county in any way is in violation of this policy.

The foregoing constitutes the policy of Coffee County Government on substance abuse. Violation of this policy is grounds for disciplinary action, up to and including immediate termination of employment. The county may take appropriate actions against employees in violation of this policy including referral for legal prosecution or mandatory drug/alcohol abuse counseling and satisfactory completion of an approved drug use/alcohol abuse assistance or rehabilitation program.

(The complete Substance Abuse Policy statement is an attachment to this personnel manual.)

DISCIPLINARY GUIDELINES

It is the policy of the county to utilize progressive disciplinary action to correct job behavior and/or performance problems when justified for cause. Disciplinary action shall be remedial rather than punitive in nature whenever possible with the organizational objective of directing and motivating employees to fully carry forth their work obligations to the county.

The employee's department head shall observe the employee to insure proper performance or conduct and determine whether further disciplinary measures are in order. Further deviations by an employee from job expectations or acceptable conduct whether involving the same issue of similar or more severe magnitude may result in a more severe disciplinary measure being invoked up to and including dismissal. Employees have the option of documenting their response to any disciplinary action and submitting a copy of that document to the Human Resources Director for inclusion in their personnel file.

Oral Reprimand:

An oral notification to an employee by a supervisor or department head of performance or conduct that does not meet job expectations. This notification shall include an explanation of the proper performance or conduct expected and a warning that continued activity will result in disciplinary action.

Written Reprimand:

A formal written notification presented to an employee by a supervisor or Department Head detailing performance or conduct which does not meet job expectations, including an explanation of the proper performance or conduct expected, and a warning that continued activity will result in disciplinary action. A copy of this notification shall be forwarded to Human Resources for inclusion in the

personnel file of the employee. The written reprimand shall remain in the employee's personnel file for a period of two years (2) from the date of the reprimand, provided that the employee has had no further disciplinary actions.

Minor Suspension:

Disciplinary removal by the department head from paid status for one to three working days as a form of disciplinary action for a serious offense and/or multiple violations of a less serious nature where major suspension, demotion, or termination is not warranted. A copy of the suspension notification and related documentation shall be forwarded to Human Resources for inclusion in the employee's personnel file. The suspension notification and related documentation shall remain in the employee's personnel file for a period of one year (1) from the date of the suspension provided that the employee has had no further disciplinary actions.

Major Suspension:

Disciplinary removal from paid status by the department head for four or more consecutive working days not to exceed thirty (30) consecutive working days, as a form of disciplinary action for a serious offense and/or multiple violations of a less serious nature where demotion or termination is not warranted. The thirty (30) day limit may not be exceeded by a department head unless warranted by special circumstances involving the employee's conduct. A copy of the suspension notification and related documentation shall be forwarded to Human Resources for inclusion in the official personnel file of the employee. The suspension notification and related documentation shall remain in the employee's file for a period of five years (5) from the date of the suspension, provided that the employee has had no further disciplinary actions. If an employee is charged or indicted for a violation of a criminal law(s) that employee may be temporarily suspended without pay under such terms and conditions as the disciplinary authority deems appropriate pending final outcome of said criminal charges. The effects of pre-trial diversion and the possibility of such may be considered by the County Mayor in establishing the term of the disciplinary action to be taken.

Termination:

An employee may be terminated from the county for the most serious violation of performance or conduct or as the final step in a series of disciplinary actions.

Guidelines for Disciplinary Action:

Oral Reprimand

- Unsatisfactory attendance or excessive tardiness.
- Abuse of County time, equipment and property.
- Obscene or abusive language or actions.
- Inadequate or unsatisfactory work performance.

Written Reprimand

- Second Offense- Violation of any of the examples of misconduct referenced in Oral Reprimand.
- Failure to report to work without proper notification to department head or supervisor (First Offense).
- Not following safety rules or improper use of safety equipment.

Minor Suspension (1 to 3 Days)

- Third Offense-Violation of any of the examples of misconduct referenced in written reprimand as a second offense for which an employee is still in violation from the second offense.
- Gambling on county property or while on duty.
- Failure to report to work without proper notification to department head or supervisor (Second Offense).

Major Suspension (4 to 30 Days)

- Knowingly make false or malicious statements which harm or destroy the reputation, authority, or official standing of individuals or the county.
- Charge or indictment for a violation of a criminal law(s).
- Third Offense- Violations of any of the examples of misconduct referenced in Minor Suspension as a second offense.

Termination

- Insubordination that constitutes a serious breach of discipline.
- Use of official position or authority for personal profit or political advantage.
- Accepting gifts, favors, or services that might reasonably tend to improperly influence an employee in the discharge of official duties.
- Third Offense- Violation of any of the examples of misconduct referenced in Written Reprimand, Minor Suspension or Major Suspension to which the employee has previously been disciplined by means of written reprimand and suspension without pay (either minor or major).
- Disorderly or improper conduct including conviction of a felony while in employment of the county or other acts that are such a nature that to continue the employee in the current capacity could constitute negligence in regard to the county's duties to the public or other employees.
- Participation in any kind of work slowdown, sit down, or similar concerted interference with county operations.
- Unauthorized possession or use of unlicensed, dangerous weapons, or explosives in the workplace.
- Reporting to work when physical or mental ability is impaired by alcohol or the unlawful use of controlled substance, prescription drugs, or over-the-counter medications.

- Except as required in the performance of their duties threatening other employees or supervisors or acts of physical violence or fighting directed toward an employee or the public while on duty.
- Incapacity for proper performance of duties because of a permanent or chronic physical or medical condition.
- Willfully falsifying, damaging, or theft of county or employee records including receipts, reports, insurance claims, leave and time reports, and employment applications.
- Absence without approved leave in excess of three (3) working days.
- Before employee is terminated without progressive disciplinary steps required in this policy, the department head must brief the Personnel and Compensation Committee. The committee will send their recommendation to the County Mayor whose decision is final.
- The appropriate disciplinary authority with concurrence of the County Mayor may in any given case in his or her respective sound discretion adjudge a lesser or greater discipline for a category of offense than authorized in the guidelines considering the overall circumstances of the offense and the employee's record as deemed to be appropriate and in the county's best interest. The utilization of this discretion would not change the standard or the exception of disciplinary level and will not be a basis for challenging the level of discipline utilized in another case.

REVISIONS

All revisions of this manual and any supplemental departmental manuals shall be approved by the Coffee County Commission.

Revisions:

November 2009 Commission Meeting

- ❖ Disciplinary procedures, other minor revisions.

March 2011 Commission Meeting

- ❖ Administrative Closing, Training Reimbursement.

June 2012 Commission Meeting

- ❖ Substance Abuse Policy Statement.

June 2014

- ❖ Sick leave compensation upon termination.

July 2016

- ❖ Maximum accrual rates on Compensatory time changed.

January 2017

- ❖ Change to the FMLA Policy, accrual balances must be used concurrent with the FMLA Leave.

July 2017

- ❖ County Officials Certificate Training Program

January 2019

- ❖ EMS Pay and Accrual Chart, (Sick-Vacation)

GOVERNMENT RECORD: DESTRUCTION, TAMPERING OR FABRICATION

Tennessee Code Annotated § 39-16-504 – Government record: destruction, tampering or fabrication

(a) It is unlawful for any person to:

- (1) Knowingly make a false entry in, or false alteration of, a governmental record;

- (2) Make, present, or use any record, document or thing with knowledge of its falsity and with intent that it will be taken as a genuine governmental record; or
- (3) Intentionally and unlawfully destroy, conceal, remove or otherwise impair the verity, legibility or availability of a governmental record.

(b) A violation of this section is a Class A misdemeanor.

By signing this, I acknowledge that I have read and understand the above Tennessee State Law governing the destruction, tampering or fabrication of government records.

Employee Name (Type or Print)

Employee Signature

Date

COFFEE COUNTY COMPENSATORY TIME AGREEMENT

Compensatory Time Agreement: The federal wage and hour laws require a prior agreement or understanding before compensatory time may be given to employees in lieu of cash payment for overtime.

In accordance with the Fair Labor Standards Act, Coffee County has a policy of granting employee's compensatory time off in lieu of compensation for time worked in excess of 40 hours in a workweek (or other permissible schedules for law enforcement, firefighter, and certain other employees). A copy of this policy is on file in the office of the County Clerk. I understand that compensatory time will be granted at time and one-half for all time worked in excess of 40 hours (or other permissible work schedules). I further understand that accrued compensatory time may be used in accordance with county policy and

the applicable laws, rules and regulations of the U. S. Department of Labor. I voluntarily and knowingly agree to accept compensatory time off in lieu of cash compensation for overtime work and to the use of accrued compensatory time off in accordance with the county's policy and the laws, rules and regulations of the U.S. Department of Labor.

Employee Signature

Date

COFFEE COUNTY GOVERNMENT

By signing this form, I acknowledge that I have received a copy of the personnel policies currently in effect for my office as of this date and I understand that it is my responsibility to read and comply with the policies. These policies cannot and are not intended to answer every question about my employment with the county. I understand that I should consult my supervisor regarding any part of the policies that I do not understand or any questions I may have about my employment with the county which is not answered in the policies. Current policies are always on file in the office of the Coffee County Clerk and I may examine them there at any time during normal business hours.

These policies are necessarily subject to change and I acknowledge that revisions may occur from time to time. I understand that all changes to the policies will be filed in the office of the Coffee County Clerk. Although my employer will usually provide me with revisions to this policy, I understand

that changes will apply to me regardless of whether I receive actual notice. I understand that revised information may supersede, modify, or eliminate any or all of the policies at any time. All information contained in the policies is subject to applicable state and federal laws, rules, and regulations and I understand that to the extent that any such laws may conflict with any provision of these policies, such laws, rules, and regulations will prevail.

I have entered into my employment relationship with Coffee County Government voluntarily and I acknowledge that there is no specific length of employment and that my employment may be terminated by me or by my employer at will without cause or prior notice at any time.

I acknowledge that none of the county's policies may be constructed to create a contract of employment or any other legal obligation, express or implied, and that any policy may be amended, revised, supplemented, rescinded or otherwise altered in whole or in part at any time in the sole and absolute discretion of Coffee County Government.

Employee Name (Type or Print)

Employee Signature

Date

**COFFEE COUNTY GOVERNMENT
COFFEE COUNTY, TENNESSEE**

**ACCEPTABLE POLICIES AND USE AGREEMENT
FOR COMPUTER SERVICES, INTERNET ACCESS, AND ELECTRONIC MAIL**

All computer hardware and software used by any county employee is the property of Coffee County. All electronic mail, documents, spreadsheets, databases, and any other material generated by and on these computer systems are also the property of Coffee County. Coffee County reserves the right to review any document, data file, electronic mail message or any other material on these computer systems and to copy, delete, or disclose it, if necessary.

Internet access is available for use by county personnel. This is a computer service that is provided by Coffee County. The county reserves the right to monitor Internet use by any user at any time. Access to unacceptable Internet sites will not be tolerated. Any Internet usage in which acceptable use is questionable should be avoided. If a user is in doubt, he or she should seek policy clarification prior to pursuing the activity.

As a user, I agree to the following guidelines:

1. I will use the information and computer resources of Coffee County for authorized county business only. I will be accountable for and accept full responsibility for all transactions performed using my computer access codes.
2. I will maintain the confidentiality of all computer information and resources to which I have access. I will maintain confidentiality by using passwords that are not obvious and easy to detect. I will not share passwords or disclose passwords. I will not disclose any information or documentation obtained from, or pertaining to, the county's computer system to any third party, except in the routine lawful conduct of the county's business.

I have read and agree to comply with the policies and guidelines set forth above. I understand that I do not have a right to privacy regarding any information created, stored, or distributed utilizing a Coffee County computer system. I understand that willful violation of, or disregard for, any of these policies or guidelines may result in disciplinary action.

User's Signature

Date