

**COFFEE COUNTY  
HIGHWAY  
DEPARTMENT  
EMPLOYEE HANDBOOK**

**PREPARED BY  
THE OFFICE OF THE COFFEE  
COUNTY HIGHWAY  
SUPERINTENDENT JANUARY, 2015  
AMENDMENTS  
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## **FOREWORD**

### **EMPLOYEES OF COFFEE COUNTY HIGHWAY DEPARTMENT**

You are now a part of Coffee County Highway Department Government. The progress the County Highway Department makes depends on our employees. We are glad you have chosen Coffee County Highway Department to build your career and future. You will want to know more about your job and your benefits. That is the purpose of this handbook to help you get acquainted with your employer; to briefly explain your benefits and what you should do to obtain them; and to prevent questions and problems before they arise. It is your advantage to read this Handbook carefully and keep it handy for further use. If from time to time, some questions arise concerning you and this Handbook, feel free to ask your Supervisor or Department Head for assistance.

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**Benton Bartlett**  
**Coffee Co Hwy Superintendent**

## BASIC OBJECTIVES OF HANDBOOK

The purpose of these policies is to bring into the service of Coffee County the high degree of understanding, cooperation, efficiency and unity which comes through systematic application of good procedures in personnel administration, and to provide a uniform policy for all employees, with all the benefits such a program ensures. The fundamental objective of good personnel administration is sought to be achieved by these policies.

## PROBATIONARY PERIOD

Each new hire county employee who has been appointed to a full-time regular position is required to serve a probationary period of three (3) months. Employees who receive a promotion must serve a new probationary period in the new position. Employees who are transferred from one department to another may be required to serve new probationary periods from one department to another.

During your probationary period, your Supervisor will provide training, assistance and close supervision to aid you in becoming thoroughly familiar with your duties and responsibilities. Your attitude toward your work and co-workers, the quality of your work and your willingness to assume responsibility will be carefully observed. During your probationary period, your Supervisor can determine your ability. This period of time also gives you the opportunity of decide whether you wish to continue your service for the Coffee County Highway Department.

Probationary employees may earn sick leave during the probationary period, but may not take leave with pay during said period. If your probationary period is determined satisfactory, you will be recommended for a regular position.

## DEFINITIONS OF GENERAL TERMS

**ABSENCE WITH PAY:** means an absence from duty which has been approved by the Department Head, and for which compensation is received.

**ABSENCE WITHOUT PAY:** means absence for which compensation is not paid.

**ABSENCE WITHOUT LEAVE:** means absence from duty which was not authorized or approved and for which either a leave request was not made or such request was denied.

**DEPARTMENT:** means a major functional unit of the Coffee County Highway Dept.

**DEPARTMENT HEAD:** means a person appointed/elected in accordance with the Law and who is responsible for administering the functions of a Department.

**EMPLOYEE:** means any person working in the paid service of the Coffee County Highway Dept. *(Also see full-time regular, part-time temporary, seasonal, exempt, non-exempt and probationary employee under Definition of Employee).*

**HIRING AUTHORITY:** means the officer having authority under the laws of the Coffee County Highway Dept. to make appointments to the positions.

**HOLIDAY:** means one of those official dates which has been declared a holiday of the County Highway Department Commission. On these days all employees, with the exception of those required to maintain certain operations within the Highway Department are excused from duty without charge to leave.

**INJURY LEAVE:** means that leave which is granted to any employee injured.

**LEAVE OF ABSENCE:** means the excused absence of an employee of a period of time during which he retains the right to return to his position.

**MATERNITY LEAVE:** means that time taken at employee discretion in accordance with appropriate Department needs and statutory laws.

**OFFICIAL:** means any individual appointed or elected by the citizenry of Coffee County for the paid or unpaid service of the Coffee County Highway Department.

**ON CALL:** means personnel that is authorized to work hours other than the regular forty (40) hour work week.

**OVERTIME:** means authorized time worked in excess of regular work week.

**PENSION:** means that monthly compensation received due to retirement from a county position based on service, age or disability.

**PERFORMANCE:** means the way in which an employee executes his assigned duties and responsibilities. Performance is evaluated by the immediate supervisor.

**POSITION:** means a group of current duties and responsibilities assigned or delegated by appropriate authority, regarding the services of a full-time regular or part-time regular employee.

**POSITION DESCRIPTION:** means a detailed written description of specific duties assigned to and performed.

**PROBATIONARY PERIOD:** means that designated period of time after an applicant is employed or an employee is promoted in which the employee is required to demonstrate his fitness for the position by the actual performance of the duties.

**RESIGNATION:** means a separation from the county service at the request of the employee.

**SICK LEAVE:** means that absence due to illness which is approved by the department head or supervisor.

## **DEFINITIONS OF EMPLOYEE**

**EMPLOYEE:** Any person working in the paid service of the Coffee County Highway Department.

**FULL-TIME REGULAR EMPLOYEE:** Any person who is hired to work the department's normal, full time forty (40) hour workweek on a regular basis. Such an employee may be defined as an exempt or non-exempt employee as defined below.

**PART-TIME REGULAR EMPLOYEE:** Any person who is hired to work less than thirty (30) hours per week on a regular basis.

**PROBATIONARY EMPLOYEE:** Any person hired or appointed who in a full time job capacity has not completed a three (3) month period of successful performance of work.

**EXEMPT EMPLOYEE:** Are those who are not required to be paid overtime, in accordance with federal wage & hour laws, for hours worked over forty (40) in a work week. Executive employees, professional employees, and certain employees in administrative positions are typically exempt. These employees do however accumulate unused sick & vacation leave. Exempt Employee's are also on mandatory First Response Duty.

**NON-EXEMPT EMPLOYEE:** Are those who are required to be paid overtime at time and one-half their regular rate of pay, in accordance with federal wage & hour laws, for hours worked over forty (40) in a workweek.

## **JOB DESCRIPTIONS**

### **ASSISTANT**

Oversee and supervise mowing, patching, paving, graveling, grading, ditching, shouldering, tiling, sign installation and the assignments of day to day jobs.

### **ADMINISTRATIVE ASSISTANT**

Phone and public work, maintains daily receipts/bills and administers to the accounts receivables and payables county department, prepares weekly timecards for payroll, prepares various reports and monthly minutes of the highway commission meetings, assists the superintendent with budget preparation and administers workers' comp forms.

### **MECHANIC**

Maintains all vehicles and equipment of the highway department, maintain inventory of equipment, parts and supplies and provide off-site assistance when needed.

### **OPERATOR**

Must be able to operate any or all of the following pieces of equipment: backhoe, sweeper, loader, scraper, tractor and grader bush hog, gradall, dirt loader, dump truck and crane.

## **LABORER**

Operate as a flagman or provide traffic control on county road projects, pick up and deliver supplies and materials and perform odd jobs as required by the department.

### **REGULATION HOURS POLICY**

#### **WORK WEEK, ATTENDANCE AND HOLIDAYS**

##### **WORK WEEK**

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

Normal operating hours shall be 7:00 a.m. to 3:30 p.m., Monday through Friday, with the exception of holidays. If the office hours are different from the standard 7:00 a.m. to 3:30 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.

##### **ATTENDANCE, PUNCTUALITY AND RECORDS**

Employees shall be at their places of work in accordance with department regulations. Regular attendance and punctuality are essential if we are to accomplish the objectives of providing efficient service to the public. If you are unable to arrive at work on time, either notify your supervisor or make arrangements for someone else to contact your supervisor as soon as possible, preferably before the work day begins. If that is not possible, make some notification sometime during the workday.

**ABSENCE**

An employee who fails to report to work shall be required to notify his department head or authorized person immediately stating the reason for absence.

**AUTHORIZED HOLIDAYS**

*When an authorized holiday falls within an employee's vacation period, an additional day of vacation shall be provided.*

**THE AUTHORIZED HOLIDAYS ARE:**

*When an authorized holiday falls within an employee's vacation period, an additional day of vacation will be provided.*

NEW YEARS 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 DAYS

**WAGE POLICIES**

**DEFINITION OF PAY PLAN**

Full time basis of salary schedule is based on a 40 hour normal work week required to fulfill the duties of the position. Hourly rates for non-exempt employees are computed by dividing the weekly pay period salary by the standard schedule hours in the pay period. Weekly salary rates for exempt employees are computed by dividing the yearly salary by the weekly pay period.

**OVERTIME**

Overtime is defined as time worked in excess of forty (40) hours in a workweek. Non-exempt employees, as defined herein, who work over forty (40) in a workweek are entitled to compensation

for such hours, in cash at the rate of one and one-half times their regular rate of pay. Employees shall not work overtime without first receiving the approval of their supervisor. Any employee who works overtime without obtaining advance approval of the supervisor as required may be subject to disciplinary action, up to and including termination of employment. Exempt employees are not eligible for overtime.

### **Time Records**

Each employee shall keep up with the number of hours worked, including any overtime. Each employee is required to use the time clock that is provided. Each employee is required to sign their own time card for verification and accuracy.

## **BENEFITS**

### **RETIREMENT PLAN**

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. of contribution plan and must contribute at least 2% of their gross salary. The county will match the employees' contribution up to 5%.

### **HEALTH AND LIFE INSURANCE**

After thirty (30) days from the date of employment, the full time regular employee has an option of the county's group insurance coverage, which includes comprehensive major medical coverage. Eligibility is on the first of the insurance month that follows the date the employee completes 30 days of continuous service. Individuals have the choice of participating in various Blue Cross/Blue Shield or Cigna plans. The highway department will pay \$1000 per month towards the employee's choice of plans. Open enrollment is October 1 – November 1 each year.

After thirty (30) days from the date of employment, the full time regular employee the employee will be enrolled in a \$30,000 life insurance. Eligibility is on the first of the insurance month that follows the date the employee completes 30 days of continuous service. The highway department pays the individual premium. Family coverage is not available.

## **DENTAL INSURANCE**

Full time regular employees are eligible for coverage after 30 days of employment. Individual coverage is paid by the county and family-coverage is paid by the employee. Open enrollment is September 1 – September 15<sup>th</sup> each year.

## **DEDUCTIONS**

### **TAXES**

Social Security and Medicare taxes are deducted according to law. The amount of tax withheld is regulated by Federal & State Laws depending on your earnings and the number of exemptions that are taken. After the close of each year you will receive a Withholding Tax Statement of earnings; with appropriate copies for filing your income tax.

### **SMOKING**

Smoking in the Coffee County Highway Department Office is prohibited except in designated areas. THERE WILL BE NO EXCEPTIONS.

## **LEAVE POLICIES**

### **SICK LEAVE**

All sick leave will accrue at a rate of 1.85 hrs. for a 40.0 hour work week per weekly pay period. 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. 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.

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

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.

### **VACATION LEAVE**

It is the policy of the Highway Department to promote employee efficiency, mental health & morale

through periodic interruption from ones duties. Accordingly, employees shall be granted paid leave from their date of hire, as follows:

<b><u>Vacation accrual for a 40 hour work week:</u></b>		
<b>Hire date – 5 years</b>	<b>12 days</b>	<b>1.85 hours per pay period</b>
<b>6-10 years</b>	<b>15 days</b>	<b>2.31 hours per pay period</b>
<b>11-20 years</b>	<b>18 days</b>	<b>2.77 hours per pay period</b>
<b>21 + years</b>	<b>21 days</b>	<b>3.23 hours per pay period</b>

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.

### **VACATION ASSIGNMENTS**

Vacation leave may be used only at times approved in advance by your immediate Supervisor. The Highway Department wants you to take your vacation, but it must be taken at the convenience of your Department. There will be no accumulation of Vacation leave.

As service requirements permit, vacation may be taken any time during the calendar year. The Department Head will endeavor to schedule vacation for the convenience of the employee, but the needs of the Department must be the controlling factor. If two employees at the crusher operation desire the same vacation day (s), the deciding factor will be on a desire the same vacation date and the workload is such that both employees may not be absent from work, seniority will be the deciding factor.

### **VACATION PAY**

Pay checks for vacation periods can be computed on the regular payroll day and will be available for employees at the normal time and place. Vacation time cannot be worked for pay in addition to regular salary.

### **LONGEVITY PAY POLICY**

Longevity is a lump sum payment intended to reward all full time County Employees, Department Heads and Appointed Officials for service to the county and to encourage those employees to remain employed by the county. All full-time employees will receive \$50 per year starting on the 5 th year of employment. (5 th year \$250.00, 6 th year - \$300.00, until the 14 th year \$700.00), starting year 15 the yearly amount will increase to \$75 per year (15 th year \$1,125.00 to 24th year \$1,800.00) , and starting with year 25 the amount will increase to \$100 per year (25 th year \$2,500.00) and will max out at 30 years (30 years \$3,000.00). The continuation or adjustments of longevity pay will be subject to yearly funding in the county's budget by approval of the Coffee County Commission. Part-time employment is not to be included in the calculation of service. This longevity pay will be awarded to any employee that qualifies (minimum of 5 years as of July 1st of each calendar year) and is employed by the County as of July 1st, payment will be issued no later than November 15 th of each year. Each year the employee must have worked a minimum of 1950 hours to be eligible for their Longevity Bonus.

Once an employee reaches the 30 year mark the maximum payout for this plan has been reached and any years above 30 will be capped at \$3,000.

### **LEAVE DONATION PROGRAM**

A voluntary leave donation program is provided by Coffee County Government for the benefit of its employees. The program is revenue neutral, i.e., shall neither increase nor decrease the budgetary or financial liability of the County. An employee who has suffered a personal emergency can submit a request for donation of sick or vacation days from other employees. A "personal emergency" is defined as a serious long term illness or injury of

the employee which is likely to result in an employee's absence from work for a prolonged period of time and to result in a substantial loss of income due to the employee's lack of sick or vacation leave. The requirements for leave donation are as follows:

The employee requesting the sick leave donation must be a full-time employee.

Prior to being eligible to receive a transfer of leave from other employees, the employee shall be required to exhaust all sick leave, vacation leave and compensation time and have gone five (5) work days without pay.

The employee or family member acting on behalf of an incapacitated employee shall submit a request to Human Resources on forms provided by the County. The request shall include a doctor's statement explaining the nature of the illness or injury and the anticipated date for returning to work.

Human Resources will determine if the request meets the requirements for a personal emergency. If approved, the Human Resources Office will send a request to employees in the individual's department requesting sick or vacation leave donations. If sufficient leave is not received to meet the employee's need, the request will be sent to other departments.

Employees may donate up to ten (10) days or up to one hundred (100) hours of sick or vacation time or thirty-seven and a half (37.5) hours of sick or vacation time based on their scheduled work week. They must complete necessary forms to make the transfer.

Employees who donate sick leave must have at least twenty-five (25) days of sick leave remaining after the donation.

Employees who work a forty (40) hour work week may not receive more than fifty (50) days or four hundred (400) hours of donated sick or vacation leave per injury or illness. Employees who work a thirty-seven and a half (37.5) work week may not receive more than fifty (50) days or three hundred seventy-five (375) hours of donated sick or vacation leave per injury or illness.

The donated leave time shall be available for the use of the employee suffering the personal emergency, however, the amount of donated leave taken may not exceed the length of the emergency.

Sick or vacation leave donated will be credited to the leave balance of the employee requesting the donation up to the maximum number of hours permitted. Donated hours will be transferred on a first come first serve basis and any excess hours donated will be refunded.

Leave that is transferred from one employee to another shall be used to offset the difference in pay not received from disability. Transferred leave shall not be used to receive income that is more than an employee's base pay. Participation in this program is voluntary. No employee is to be penalized in any manner for non-participation.

### **FAMILY MEDICAL LEAVE**

Under the federal Family Medical Leave Act of 1993 (FMLA), eligible county employees are entitled to up to twelve (12) workweeks of unpaid leave during each 12-month period beginning each fiscal year for the birth of a child, the placement of a child for adoption or foster care, a serious health condition of the employee that makes the employee unable to perform the functions of his or her job, or the serious health condition of a spouse, son, daughter or parent which requires the employee's presence. Both male and female employees are eligible for leave in connection with the birth or placement of a child or a family illness, but special rules may apply if both husband and wife are county employees. Subject to certain conditions, accrued paid leave may be substituted for unpaid FMLA leave.

Eligible employees are those who have been employed by the county for at least 12 months, and who have worked at least 1,250 hours during the 12 month period immediately before leave is requested. An employee must provide at least thirty (30) days advance notice of the need to take FMLA leave under normal circumstances. Medical certification also may be required.

It is the policy of the Coffee County Highway Department to grant its employees leave in accordance with the requirements of the Family and Medical Leave Act. All employees should have a copy of the FMLA Fact Sheet, and employees may obtain additional copies of that publication as well as additional information about the FMLA and their rights and obligations under that law from their supervisor, or by contacting the Highway Superintendent. The following conditions must be met before extended leave without pay will be granted:

1. You must use all of your accumulated annual leave.
2. In cases of sickness, you must use all of your sick leave.

### **MATERNITY LEAVE**

In addition to the FMLA, Tennessee has a maternity leave law (T.C.A. § 4-21-408) which applies to all employers who employ 100 or more full-time employees at a job site or location. This state law allows employees who have been employed for twelve (12) months to take up to four (4) months of unpaid leave for pregnancy, childbirth and nursing the infant. To be eligible for his leave the employee must give at least three (3) months advance notice, except in cases of medical

emergency. This leave will run concurrently with any leave to which the employee may be entitled under the FMLA or otherwise. Subject to certain conditions accrued paid leave may be substituted for the unpaid maternity leave. Employees may obtain a copy of the Tennessee maternity leave statute by contacting the Highway Superintendent.

### **MILITARY LEAVE**

You may be granted leave and paid the difference between military base pay and your regular salary only to a maximum of 15 days in a calendar year for mandatory active duty training if you are a member of any reserve component of the armed forces of the United States. You will receive this benefit only if you are a full-time employee. If you are a full-time employee and are drafted or volunteer for active duty with the Armed Forces of the United States, you will be granted a leave of absence without pay for the period of such conscription or for one period of voluntary extensions.

### **CIVIL LEAVE**

Employees may be granted a leave of absence without loss of pay when subpoenaed or directed by proper authority to appear when:

1. Performing jury duty
2. Appearance before court, public body or commission as a witness without personal interest in the litigation.

If released from either of the above during working hours, employee is expected to return to work.

An employee will receive the difference between his/her normal county pay and his/her jury duty pay. Notice shall be given to the Department Head. Vacation leave will be charged if the employee is involved in private litigation. All compensation of fees received for this service shall be retained by employee.

### **BEREAVEMENT LEAVE**

Upon the death of an immediate family member, the employee shall be given up to three (3) consecutive day's bereavement leave ending with the day of funeral. 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 of employee.

## **EQUAL EMPLOYMENT OPPORTUNITY POLICY**

### **NON-DISCRIMINATION- EQUAL EMPLOYMENT OPPORTUNITY**

It is the policy of the Coffee County Highway Department to provide employment opportunities to all individuals regardless of race, color, religion, sex, national origin, age, disability, status as a Vietnam-era veteran or special disabled veteran, or status in any other group protected by law. This policy extends to all terms and conditions of employment, including but not limited to hiring, placement, promotion, termination, layoff, recall, transfer, leaves of absence, compensation and training. It is the policy of Coffee County Highway Department to make reasonable accommodations for qualified individuals with known disabilities unless doing so would result in undue hardship. Employees of applicants with questions or concerns about any type of discrimination in the workplace are encouraged to bring these issues to the attention of the immediate supervisor or department head. Employees can raise concerns and make complaints without fear of reprisal and with the assurance of protection from harassment or retaliation. Anyone found to be engaging in any type of unlawful discrimination will be subject to disciplinary action, up to and including termination of employment.

### **DISCLAIMER**

Coffee County Highway Department 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 Highway Department 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 PRACTICES**

The Coffee County Highway Department does not discriminate in its hiring practices on the basis of race, color, religion, sex, national origin, age, disability, status as a Vietnam-era veteran or special disabled veteran, or status in any other group protected by law. In order to give all interested parties an opportunity to apply for positions as they become open, job openings will be advertised in the local paper. All qualified applicants are urged to apply. Applicants must apply for a specific job opening. Employment applications will not be accepted unless a specific position is open at the time the application is submitted. Applications are not retained after the position for which the application was submitted has been filled. Anyone applying for a subsequent opening must submit a new application. Commercial Drivers License are a requirement to obtain employment with the Coffee County Highway Department.

## **UNLAWFUL HARASSMENT IN THE WORK PLACE**

It is the policy of the Coffee County Highway Department to maintain a respectful work and public service environment. Coffee County prohibits and will not tolerate any form of unlawful harassment by or towards any employee or official on the basis of race, color, religion, sex, national origin, age, disability, status as a Vietnam-era veteran or special disabled veteran, 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.

One particular kind of harassing behavior is sexual harassment. Sexual harassment, which can consist of a wide range of unwanted and unwelcome sexually directed behavior, is defined as: Unwelcome sexual advances, request for sexual favors and other verbal physical conduct of a sexual nature when;

- (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment,*
- (2) submission to or rejection of such conduct by an individual is used as a basis for employment,*
- (3) such conduct has that purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.*

Neither sexual harassment nor any other form of unlawful harassment will be tolerated in the

workplace. Employees are urged to report alleged incidents of unlawful harassment.

### **DISCRIMINATION/HARASSMENT COMPLAINT PROCEDURE**

Discrimination, including harassment, in the workplace on the basis of race, color, religion, sex, national origin, age, disability, status as a Vietnam-era veteran or special disabled veteran, or status in any other group protected by law is illegal. If an employee believes that he or she has been subjected to illegal discrimination or harassment related to employment with the Coffee County Highway Department, the employee should report the incident promptly to the Highway Superintendent or department head under whose direction the employee works. If the problem is not resolved within a reasonable time, or if for any reason the employee feels uncomfortable reporting the problem to the Highway Superintendent or department head, then the problem should be reported to the county attorney. The county attorney may act as a mediator between the affected employee and the county highway superintendent or department head under whose direction the employee works to assist them in reaching an acceptable resolution of the problem, but the county attorney has no legal authorization to make employment decisions on behalf of the county highway superintendent or department head. No adverse personnel action will be taken against an employee for reporting a bona fide incident of discrimination or harassment or for assisting in the investigation of a complaint. However, disciplinary action may be taken against any individual providing false information in connection with a complaint.

### **DISCIPLINARY ACTION POLICY**

#### **REPRIMANDS**

Whenever employee performance, attitude, work habits or personal conduct fall below a desirable level, supervisors shall inform employees promptly and specifically of such lapses and shall give them counsel and assistance. If appropriate and justified, a reasonable period of time for improvement may be allowed before initiating disciplinary action. In some instances, a specific incident in and of itself may justify severe initial disciplinary action; however, the action to be taken depends on the seriousness of the incident and the whole pattern of the employee's past performance and conduct.

In situations where an oral warning has not resulted in the expected improvement or when more severe initial action is warranted, a written reprimand may be sent to the employee and a copy shall be placed in the employee's personnel file.

An employee may be suspended without pay by the Hwy. Department Head for reasons of misconduct, negligence, inefficiency, insubordination, disloyalty, unauthorized absence or other justified reasons when alternate personnel actions are not appropriate, but not to exceed thirty (30) days in a twelve (12) month period.

### **DISMISSAL POLICY**

**The Superintendent of the Hwy Dept.** may at will dismiss or demote an employee for the good of the county highway department. Reasons for dismissal may include, but shall not be limited to: incompetency or inefficiency in the performance of duties, conviction of a criminal offense or of a misdemeanor involving moral turpitude' violations of any lawful and reasonable regulation, order or direction made or given by a superior officer; or insubordination that constitutes a serious breach of discipline; public intoxication or drinking any intoxicating beverages while on duty; being addicted to the use of narcotics or being under the influence of a drug or narcotic while on duty; theft, destruction, carelessness or negligence in the use of the property of the Coffee County Highway Department; disgraceful personal conduct or language toward the public, toward fellow employees or abusive public criticism of his superior or other public officials; unauthorized absences or abuse of leave privileges; incapacity for proper performance of duties because of a permanent or chronic physical or mental defect; acceptance of any valuable consideration which was given with the expectation of influencing the employee in the performance of his duties; falsification of records use of official position for personal advantage; failure to pay or make reasonable provision for the future payment of just debts; loss of an employee's driver's license and driving privileges by due process of law when the employee's position makes the operation of a motor vehicle necessary in the performance of his duties; violation of any of the provisions of these laws. The employee may be retained in duty status, on leave or suspension with or without pay at the discretion of the Department Head.

### **GRIEVANCE PROCEDURE**

When any grievance comes or is directed to the attention of any supervisory employee of the Coffee County Highway Department, the Department Head shall discuss within two (2) working days all relevant circumstances with the employee and remove the causes of the grievances to the

extent that he or she deems advisable and possesses the authority. Failing resolution at this level, the grievance shall be carried to the Highway Superintendent within ten (10) working days, until a satisfactory solution has been reached or authority to deal with the situation has been exhausted.

## **REINSTATEMENT POLICIES**

### **FOLLOWING LAYOFF**

A person, who is laid off, including a former temporary employee separated upon completion of duties, may be recalled to work at any time, provided the person remains qualified to perform the duties of the position.

### **FOLLOWING MEDICAL SEPARATION**

A person who was separated for incapacity due to mental or physical disorders may be (but is not required to be) reinstated in the person(s) former type of position following separation; provided the reason for the incapacity has been removed to the satisfaction of the hiring authority, and the reinstatement would be in the best interest of the County Highway Department.

### **FOLLOWING REMOVAL**

A person who was removed from the employment of the County may be (but is not required to be) reinstated if in the opinion of the hiring authority the cause of the removal no longer exist, the person remains qualified to perform the duties of the position and reinstatement would be in the best interest of the County Highway Department.

### **VETERANS**

A former regular employee who left the County Service in good standing to enter the active military service and who completed under honorable conditions a term of service of not more than

four (4) years may be reinstated to the person's former type of position upon application within ninety (90) days of release, provided the person remains qualified to perform the duties of the position, and the reinstatement would be in the best interest of the County Highway Department.

## **SAFETY POLICIES**

### **GENERAL SAFETY POLICY**

No job is completely free of hazard; therefore, safety is an important aspect of employment to you and the County Highway Department. Accidents cost the Highway Department money through man-hours lost from work; also, accidents can result in serious harm to the employees.

The Coffee County Highway Department has established a job safety and health protection program for its employees. Under this plan, the Coffee County Highway Department is responsible for providing safe and healthful working conditions for all work stations.

However, employees also have responsibility to comply with OSHA standards and rules, regulations and orders issued pursuant to the program. All injuries or accidents, no matter how minor, whether it be an employee or visitor, must be reported at once to the department head. In compliance with the Tennessee Occupational Safety and Health Act of 1972, the TOSHA form 101-PS is to be filled out by the Supervisor or Department Head within twenty-four (24) hours of an accident. One copy is to be retained in the Department and one copy forwarded to the OSHA /Personnel Director. TOSHA and OSHA forms 101, 102, and 200 have been provided to all Departments - additional forms may be obtained by contacting the OSHA / Personnel Director.

### **PERSONAL PROTECTIVE EQUIPMENT**

1. Hearing Protection. Use hearing protection when you must raise your voice to be heard over the surrounding noise. Check with you Supervisor.
2. Eye Protection. Wear safety glasses or goggles and appropriate face shields whenever eyes and face are exposed to physical or chemical hazards.
3. Foot Protection. Wear sturdy work shoes or boots. Steel-toed safety shoes or boots are mandatory at certain operations.
4. Hazardous Atmosphere. Use an approved respirator when working around or in dust, sand blasting, paint or chemical mist, etc. Check with your Supervisor.
5. Hard Hats. Always wear a hard hat where required while on duty, unless specifically exempted by your safety manager.
6. Flotation Devices. Wear approved life preservers or work vest where danger of falling into water exist.

### **GENERAL SAFETY RULES**

1. Make sure suspended loads are securely blocked from movement before walking or working around them.

2. Thoroughly check your equipment and work area for hazardous conditions. Report any unsafe condition to the Supervisor in charge.
3. Do not operate, repair or ride any vehicle or machine unless trained, qualified and authorized to do so.
4. When work is to be performed on equipment, the appropriate power circuits on such equipment shall be de-energized before work is begun. Then circuits shall be locked out by the individuals working on them  
- one person, one lock. A tag may also be necessary. Check with your Supervisor.

To de-energize electrical circuits means to make a mechanical disconnect of the circuit. An emergency stop switch, although lock proof, is not acceptable. Other power circuits such as fuel to a boiler, diesel engine to a crusher, etc. must be appropriately disconnected.

5. Determine, with your Supervisor, what safety equipment is required when working above floor level. A safety belt or guard rail may be necessary. There is no loader, backhoe or shovel allowed to be used as an elevated work platform unless properly equipped and secured.
6. Riding materials hoists, crane loads or headache ball is prohibited.
7. Keep your Coffee County Highway Department issued personal protective equipment in good condition. When necessary, turn in worn or damaged items for replacement. Without an exchange you are responsible for replacing the item.
8. Direct questions about the safest way to do a job to your Supervisor.
9. Keep all work sites clean and free of hazards. Discard all trash and waste in proper containers.
10. When lifting, keep your back straight. Use your legs to lift the object, not your back. Get help when needed.
11. Keep oxygen and gas cylinders upright and secured. Make sure caps are in place.
12. Ride only on equipment having provisions for passengers. Riding a vehicle's load is strictly prohibited.
13. Know where fire extinguishers are located and learn how to use them. Make sure the extinguisher is properly charged.
14. Use flagmen when signs, signals and barricades do not provide the necessary protection on or adjacent to a highway or street. Use flags or signs paddles when signaling by hand. When exposed to traffic, use warning lights and wear reflective vests.
15. Unauthorized passengers are not permitted in Coffee County Highway Department owned vehicles.
16. Keep guards and protective devices in place at all times. Be sure mechanical safeguards such as cover plates, gear guards and/or belt guards, etc., are replaced and/or repaired before regular machine operation.
17. When parking or otherwise leaving equipment for any period of time, all operators must park in such a fashion that it eliminates or minimizes backing the equipment. It also should be secured to prevent unauthorized operation or startup.

18. Climb or descend ladders using both hands. Use hand lines or pouches for tools and materials. Barrels, boxes, chairs, etc. are not to be substituted for ladders.
19. When dismounting equipment or fixed objects, always dismount facing the machine or object. When carrying objects, make sure to allow for three points of contact. Never jump down.
20. When appropriate, use protective screens around welding operations to protect others from eye injury.
21. Keep all hand and power tools and similar equipment, whether furnished by employer or the employee, in safe condition. Repair or replace defective or broken tools. The use of broken or cracked handles mushroomed hammers, chisels, punches, bars and other faulty equipment is prohibited.
22. Use safety tire rack, cage or equivalent protection when inflating, mounting or dismounting tires installed on split rims or rims equipped with locking rings or similar devices.
23. Keep tools off scaffolds, ladders or overhead working spaces when not in use. Use containers for tools when working on scaffolds or ladders.
24. When operating loaders, dozers, scrapers, graders and similar equipment, always lower blades, buckets, bowls, etc. when not in use.
25. When using cranes make sure rigging material is rated for the load being moved. Before lifting, check all rigging material for defects and coordinate signals with crane operator.
26. Smoking is not allowed in the immediate area of paint rooms. Wear personal protective equipment (respirator, safety glasses, protective clothing, etc.) when painting. Keep paint rooms free of all debris which might create fire hazards. Observe all safety precautions given by paint manufacturers in handling, mixing and painting with all paint products.
27. Keep aisles and passageways clear so that people and material handling equipment can move freely and safely.
28. Know the procedures to follow in case of emergency, ie. location of first aid kits, radio call procedures and telephone numbers for ambulance, fire and police, etc.
29. Each operator must conduct and complete a pre-shift inspection and its form daily and communicate to his supervisor any item on the inspection form not being satisfactory. Also, each operator must communicate to his supervisor immediately if an item on that list affects the safe operation of the equipment during the course of the day's activities, and the supervisor is required to act to correct this.
31. Each operator is responsible to keep the equipment under control at all times.
32. Before each operator resumes travel after dismounting from a machine, the operator must insure that the area around the machine is clear.
33. An effective system to load and unload equipment or material must be used, ie. winch, crane, etc. Properly secure loads before hauling.
34. All operators of machines must wear and have properly adjusted the seat belts of the machines that are so equipped.

35. All employees operating licensed trucks of more than 26,000 pounds on public roadways shall be a DOT qualified driver.
36. When arriving at and/or leaving a job site with confined and/or unknown conditions the driver must walk the route in which he plans to take to insure that all hazards and exposures have been removed.
37. When working on any type of equipment, each unit shall be securely blocked from rolling and blocked from falling.
38. Each driver is responsible for the housekeeping and the general appearance of their vehicle and equipment.
39. When dumping material from the bed of a haul truck each operator must allow the bed to come completely down before moving.
41. Dump beds, booms and buckets from loaders, backhoes or shovels shall not be raised within 10 feet of overhead utility lines.

## **DRUG & ALCOHOL POLICIES**

### **OFFICIAL NOTIFICATION**

This statement is intended to notify you that your employer, as a federal grant recipient, must comply with the Drug-Free Workplace Act of 1988. The act requires your employer to notify you of certain provisions contained in the act.

1. The site where you perform work for your employer in connection with a federal grant is declared to be a drug-free workplace.
2. The unlawful manufacture, distribution, dispensing, possession or use of a controlled substance (illegal drug) at the workplace is prohibited.
3. Any criminal drug statute conviction for a violation of this prohibition will result in a personnel action against a convicted employee.
4. Personnel actions include:
  - A. requiring a convicted employee to participate satisfactorily in a designated drug abuse assistance or rehabilitation program at the expense of the employee;
  - B. other appropriate actions; or
  - C. termination of employment.
5. As a condition of employment under the grant and in the workplace, you must:

A. notify your employer through your immediate supervisor of any criminal drug statute conviction for a violation occurring in the workplace **NO LATER THAN FIVE (5) DAYS AFTER SUCH CONVICTION**, and

B. abide by the terms of this statement.

### **DRUG FREE WORKPLACE**

**USE OF ILLEGAL DRUGS:** Illegal drugs are often referred to as controlled substances because both federal and state laws refer to them in this manner. The use of illegal drugs (or controlled substances) by an employee while on duty in the workplace poses a clear danger to the user and to other persons. A person taking illegal drugs will often exhibit one or more symptoms depending on the drug. It is important to be aware of the symptoms because many of them will cause the person to be less safe than if he had not taken drugs.

The following is a partial list of symptoms of use of illegal drugs:

**IMPAIRED OR BLURRED VISION**

**HEADACHES**

**DIZZINESS**

**LOSS OF PHYSICAL COORDINATION**

**IMPAIRED JUDGEMENT AND REASONING ABILITY**

**INAPPROPRIATE BEHAVIOR**

**NAUSEA**

**LOSS OF SHORT-TERM MEMORY**

**ELEVATED BLOOD PRESSURE AND INCREASES HEART RATE**

**DEHYDRATION**

**LOSS OF ABILITY TO RECOGNIZE DANGER**

It is common place to learn from news reports of the deaths, attributed to the effects of drugs, of many of the most promising young people in sports, arts and music. Many hundreds of other deaths of persons of all ages who are not so famous or newsworthy occur annually. Death may result from the internal effects of an illegal drug on the body of the drug user. For example, the use of cocaine one time has been known to kill because of the deadly effect of the function of the human heart. Few people have the ability to analyze a drug purchased on the illegal market to see if it is in a safe dosage. Many deaths occur because people think they are taking a "small" amount of a drug when, in a reality, they are taking a deadly dose.

In addition to the overdose by accident, people die in the accidents caused by their unsafe behavior after taking illegal drugs. The taking of most illegal drugs severely diminishes a person's ability to handle commonly used but dangerous items and machinery. A lighted cigarette becomes a torch and drill or a saw or a lawn mower becomes a weapon of self-destruction in the hands of a person on drugs.

There is no situation in which an employee can gain from the use of illegal drugs in the workplace. In doing so, the individual increases his/her risk of death or injury to oneself. For example, a person suffering from blurred vision and dizziness, no matter how much fun he/she may be having, the danger of falling or slipping is quite real. As you may expect, falling and slipping constitute the major causes of back injuries on the job. A person's loss of inhibitions resulting from illegal drug use leads to embarrassment, but the individual and employer will have great difficulty recovering from a major lawsuit. Plaintiffs have collected large settlements and injury awards in cases filed against individuals and employers that allege improper sexual advances and sexual discrimination on the part of both men and women resulting from behavior brought on by drug use. Each symptom listed above, if exhibited by a person on the job, can lead to a danger or a risk of loss in the workplace.

Because of the risk of harm to employees associated with the activity, the use of illegal drugs or controlled substances in the work place can never be condoned by the employer and should not be tolerated by employees. Counties, as public agencies, and their officials and employees have a special obligation to the taxpayer. Congress decided that federal law should require any county or other public agency accepting federal grant money to actively oppose and attempt to stop the use of illegal drugs. It was recognized that the best way for these agencies as employers to accomplish such a directive would be to establish an outright ban on the use of illegal drugs in the workplace associated with the grant, publicized the ban and conduct programs to make sure employees understand the dangers of drug use and drug abuse in the workplace. The Drug-Free Workplace Act of 1988 became effective in March of 1989. It specifically enacted these requirements.

## **EMPLOYEE RESPONSIBILITY**

### **USE OF LEGAL DRUGS**

Prescription drugs and certain over-the-counter (non prescription) drugs can often be used during work if the employee exercises caution and uses the drug according to directions. While using these drugs, the employees should not operate machinery or motor vehicles, unless it is clear the effects of the drugs do not cause drowsiness, loss of physical coordination or any other any other symptom that could lead to a risk of harm. For example, a person taking aspirin is not likely to endanger himself or others unless he is allergic to the drug, while the same person is taking an antihistamine drug could become drowsy and could

pose a risk of harm if he" is driving or operating machinery.

Employees intending to take prescription drugs should always reveal to their physician or pharmacist what activity their work requires. They should demand to be told about effects or side effects that could adversely affect them at work. If the employee using legal drugs respects the possible dangers of side effects and exercise caution while following directions for use, few problems will arise.

Alcohol is a drug. Although it is regulated by law, in most places in this country it is a legal drug. Alcohol is commonly sold as an ingredient in beverages or alone in a solution with water. Only under the rarest of circumstances would a physician prescribe the use of alcohol for medical purposes. Employers prohibit the use of alcohol on the job, even if it is a legal drug, because, among other reasons, it is not used by employees as a medicine. The use of alcohol causes many of the same systems as the use of illegal drugs and it is undisputed that the use of excessive amounts is dangerous. Today, it is common knowledge that more than half of the deaths in automobile accidents are related in some way to the use or abuse of alcohol.

One of the most addictive in use is nicotine. The surgeon general has declared nicotine to be as addictive as heroin. While regulated in ways similar to alcohol, the drug is legal. Nicotine is consumed by a person smoking or otherwise using tobacco in which it is contained. Smoldering or burning tobacco gives off several noxious chemicals; therefore, smoking is forbidden in the workplace.

### **PROHIBITION OF THE USE OF ILLEGAL DRUGS IN THE WORKPLACE**

This program is being conducted in compliance with the Drug-Free Workplace Act. All employees in the work place associated with federal grants should carefully read the following; In addition to any existing policies of your employer regarding the use of drugs and alcohol on the job, YOU as an employee in the workplace associated with a federal grant, are specifically prohibited from using illegal drugs or controlled substances in the workplace. You should carefully read the document entitled "Statement to employees, Drug-Free Workplace. Act of 1988", which is a one page statement contained in this program. It is also available to you separately through your employer.

### **UNLAWFUL MANUFACTURE, DISTRIBUTION & DISPENSING OF DRUGS**

The unlawful dispensing of drugs plays a significant part in the distribution process of illegal drugs, but is generally considered to be the process by which legal drugs are distributed in an unlawful manner. For example, physicians prescribing lawful drugs to individuals in great quantities are unlawfully

dispensing drugs. **Persons who give away prescription drugs that are controlled substances to friends or family members are unlawfully dispensing.** A related form of dispensing occurs if drug companies sell unusually large amounts of constituent ingredients to be used in the illegal manufacture of drugs in other countries.

Experts agree that the two most commonly manufactured and distributed in the workplace and the ones most commonly dispensed there are marijuana and the powdered form of cocaine. The legal drugs most commonly dispensed unlawfully are pain medications and tranquilizers, which are in demand in the workplace also. It is self evident that without these unlawful activities, no use of illegal or non-medical use of legal drugs could occur in the workplace, resulting in job loss to involved employees.

### **DRUG ABUSE**

**Definition:** Drug abuse is a pattern of use of legal or illegal drugs that result in a person missing work or performing his job badly, and results in a person endangering himself or fellow workers around him in any way.

**Key Words & Phrases:** The idea of a **pattern use** means that a person uses legal or illegal drugs from habit or from a perceived need for the influence of the drug in order to cope with his/her routine or handle unusual events in his life. **Dependence** results from pattern use. If the pattern use of legal or illegal drug use **results in a person missing or performing his job badly**, then it becomes clear that harm is occurring. Without the job, the individual, the family & the lifestyle are all at serious risk.

**Endangering the person or fellow workers around him/her** describes an alternate effect of patterned use of drugs. A person who is drunk or under the influence of drugs or alcohol and who has been in that condition on frequent or multiple occasions either harms himself in some other way or at least poses an increased threat or harm to himself or others.

The **difference between frequent or patterned users and infrequent or first time users, therefore, is that frequent or patterned users** pose a much more serious risk to themselves by trying to carry on a normal work day or normal leisure activities in an influenced state. **Infrequent or first time users** are aware that they are under a new influence; therefore, know they cannot function normally while under this influence.

In the **workplace, association with a drug abuser** puts an employee's job in jeopardy. Simply put, people die in the drug abusers' car crashes; they are injured from the objects he/she drops and the machinery he/she misuses; they are traumatized by his/her beatings and are injured in his/her fights,

they are offended by his/her advances, they suffer mentally, bodily & financially.

**ASSISTANCE COUNSELING AND REHABILITATION PROGRAMS:**

**ANY EMPLOYEES HAVING QUESTIONS ABOUT DRUG USE  
IN HIS FAMILY OR BY A FELLOW EMPLOYEE SHOULD SEEK OUT HELP**

Rehabilitation programs are usually designed as crisis intervention undertakings. They can require two weeks to several months to complete. In their initial phases, they demand full time commitments from their participants. Successful programs are increasingly available as the number of professional and personnel grows in response to a sharp rise in the demand for such services.

Employees of the Coffee County Highway Department are fortunate to have as part of your class III benefit section "entitled" clinical counseling or school psychologist services of a licensed clinical, counseling or school psychologist in treatment of services and/or mental disorders, drug addiction or alcoholism. The schedule of benefits from Class III express can be found on page 32 of the **Local Government Group Insurance Program Employee Handbook, Insurance Benefits Summary**

**COFFEE COUNTY HIGHWAY DEPARTMENT**

**Drug and Alcohol Testing Policy**

Highway Department is dedicated to providing safe and efficient service to our customers. Our employee's most valuable resource is ensuring the quality of this service. The goal of this company is therefore, to provide our employees with a workplace environment which promotes health and safety.

In order to meet this goal, we hereby endorse the Federal Highway Administrations's anti drug and alcohol policy and regulations. This department will not tolerate unauthorized use, abuse, possession, or sale of controlled substance by its employees. Drug and alcohol testing will be an integral part of our program. This department will provide training, education and other assistance to our employees to help them understand their responsibilities.

Non-compliance with this policy or violation of these regulations may result in severe disciplinary action including suspension or dismissal.

**POLICY OBJECTIVES**

1. To create and maintain safe drug-free work environment for all employees.
2. To encourage any employee with dependence on or addicted to alcohol or other drugs to seek help in overcoming the problem.
3. To reduce problems of absenteeism, tardiness, carelessness, and/or other unsatisfactory matters related to job performance.
4. To reduce the likelihood of incidents of accidental personal injury or damage to property.
5. To comply with Federal Laws, specifically the requirements of the Omnibus Transportation Testing Act of 1991.

### **DRUG USE/DISTRIBUTION/IMPAIRMENT/POSSESSION**

All safety sensitive employees are prohibited from possessing, distributing, manufacturing, or having controlled substances, abusing prescription drugs or any other mind altering or intoxicating substance present in their systems while at work or on duty.

All employees must inform their supervisor when they are legitimately taking medication, which may affect their ability to work, in order to avoid creating safety issues and violating the Drug and Alcohol Policy.

### **ALCOHOL USE/POSSESSION/IMPAIRMENT**

All safety sensitive employees are prohibited from being impaired or intoxicated by alcohol while operating. A Blood Alcohol Concentration (BAC) of .04 will be accepted as presumptive evidence of impairment.

### **OFF-DUTY SCREENING**

An employee's personal habits are his/her own affair. However, the highway department must become involved when the use and/or abuse of controlled substances affect an employee's job performance. When job performance is poor, sound business practice dictates immediate corrective action or termination.

### **SUBSTANCE SCREENING**

Substance screening is required for all final applicants applying for a position for which drug or a alcohol testing is required by the provisions of the **Omnibus Transportation Testing Act of 1991**.

Applicants will be disqualified for hire if the individual test's positive, refuses to submit to a test or refuses to execute the required consent/release form.

**ALL CURRENT EMPLOYEES SUBJECT TO THE OMNIBUS TRANSPORTATION  
EMPLOYEE TESTING ACT OF 1991**

**REASONABLE CAUSE**

All employees will be required to submit to screening whenever a supervisor observes circumstances which provide reasonable cause to believe any employee has used a controlled substance or has otherwise violated the substance abuse rule. Examples of circumstances that may establish reasonable cause to warrant testing include: supervisor observation, co-worker complaints, performance decline, attendance or behavior changes, involvement in a workplace or vehicular accident, or any other actions which indicate a possible error in judgment or negligence, other violations of the drugs and alcohol policy, or other violation of the provisions of this handbook of the Coffee County Highway Department.

**Highway Department Policies**

**RANDOM TESTING**

Coffee County Highway Department will conduct random unannounced screening of employees. Tests of all employees for illicit drugs will be conducted in a number equal to or greater than 50 percent of the effected workforce --- without advance notice in any given 12 month period. Tests of all employees for alcohol will be conducted in a number equal to or greater than 25 percent of the effected workforce --- without any advance notice in any given 12 month period. There will be no maximum number of samples that any individual will be required to provide during the testing schedule. All employees will be required to report to the **Coffee County Highway Department** designation collection site for testing as soon as possible but in no case later than four (4) hours following notification. Annually, the tests will be spread reasonably over 12 months.

**POST ACCIDENT TESTING**

Employees are required to notify his/her supervisor immediately of any accident involving **Coffee County Highway Department** property.

An employee involved in a reportable accident, defined as an accident resulting in injuries, or a

fatality, and/or related accidents involving department property; or an accident where the driver has been cited for a moving violation or where a vehicle must be towed, is required to undergo drug screening within 32 hours of the occurrence and a alcohol screening within 2 hours of the occurrence.

Any employee who fails to report an accident or submit to substance screening where required by law or policy of the Coffee County Highway Department will be immediately terminated.

### **RETURN TO DUTY TESTING**

All employees referred through administrative channels who undergo a counseling or rehabilitation program or who are suspended for abuse of substances covered under this policy will be subject to unannounced testing following return to duty for not less than 121 months and no more than 60 months. Testing will be on a random basis, daily, weekly, monthly or longer basis and in addition to other types of tests provided in this policy.

### **TESTING PROCEDURES**

**General Guidelines** - The **Coffee County Highway Department** shall rely upon the Federal Department of Transportation, Procedures for Transportation Workplace Drug Testing Programs, 49 C.F. Parts 30.1 through 30.39 and on the future guidance of the Omnibus Transportation Employee Act provided in 49 C.F., 382, 391, 392, and 395.

**Substances Tested For** - Employees will regularly be tested for amphetamines, cocaine, marijuana, opiates, and phencyclidine. Testing for alcohol will also be conducted subject to Omnibus Transportation Act of 1991. Employees may be tested for other substances without notice as part of a separate test. Testing

**Procedures** - The Coffee County Highway Department will utilize urinalysis in completing all drug testing, and evidential testing (EBT) will be utilized for alcohol testing.

**Collection Sites** - The Coffee County Highway Department will designate collection sites where individuals may provide specimens.

**Collection Procedures For Alcohol Testing** - The **Coffee County Highway Department** and the laboratory will maintain a documented procedure for collection, shipping and accessing urine specimens. A tamper-proof sealing system, identifying numbers, labels, and sealed shipping containers will be used to safeguard the specimen in a transit status. Collection sites will maintain instructions and provide training for

collection site personnel as needed to protect the integrity of the specimen.

**Evaluation and Return of Results** - The laboratory will transmit (by fax, mail, or computer, but orally over the telephone) the results of all tests to the Medical Review Officer (MRO). The MRO, who is an employee of the current Drug and Alcohol Screening provider will be responsible for reviewing the quantified test results of employees and confirm that the individuals testing positive have used drugs in violation of **Coffee County Highway Department Policy**. Prior to making a final decision the Medical Review Officer shall give the individuals an opportunity to discuss the result either face to face or over the telephone. The MRO shall then notify the designated contact person which employees or applicants test positive.

**Release of Test Results** - Test results shall not be released by the **Coffee County Highway Department** to the MRO without the individual's written authorization. However, all employees will be required to execute a consent/release form permitting the **Coffee County Highway Department** to release test results and related information to the Unemployment Compensation Commission or the relevant government agency. The MRO shall retain the individual test results for positive specimen for the five (5) years and negative for twelve (12) months.

## **ENFORCEMENT**

In order to enforce these rules the Coffee County Highway Department reserves the right to require all employees (defined as all employees subject to the Omnibus Transportation Act of 1991) to submit at any time an employee is on duty, to drug and alcohol tests to determine the presence of prohibited substance.

Coffee County is required to develop, implement and enforce a drug and alcohol policy for their employees. This a condition of compliance with the Omnibus Transportation Employee Testing Act of 1991.

Pursuant to **Coffee County Highway Department's** policy and regulations, testing will be done prior to employment, when a supervisor has reasonable cause to believe an employee has violated the department's Alcohol and Drug Policy, and on a random basis without prior notice. Employees are also required to report injuries or damage-related accidents involving department property on

personal or during department related activities, and to submit screening within 32 hours of a reportable accident.

Employees who return to work following alcohol rehabilitation will be required to undergo random testing in addition to general testing requirements.

Violation of these rules, including testing positive, will be subject to the following:

1. Testing positive for illegal drugs shall be cause for employee to be referred to a Substance Abuse Professional and the employee shall abide by the method of treatment (if treatment is deemed necessary), at the employee's expense.
2. Testing Positive for alcohol shall be cause for the employee to be referred to a Substance Abuse Professional and the employee shall abide by the method of treatment (if treatment is deemed necessary), at the employee's expense.

**Refusal to cooperate with highway department in any test will result in disciplinary action, including discharge under the applicable federal antistate Laws.**

### **Disciplinary Action**

Coffee County Highway Department will discipline, including discharge employees for any violation of this policy. The first (1st) offense for testing positive for alcohol shall be, give the option of rehabilitation and must adhere to all conditions concerning return to duty status as outlined in Section entitled Enforcement.

No employee may be returned to regular duties after any rehabilitation unless certified as safe and not using alcohol and drugs by the Comprehensive Compliance's MRO.

Any employee returned to duty after violating the policy or testing positive will be subject to aftercare and random testing as outlined in the Probation Agreement.

### **CONCLUSION**

When you read this booklet you should have a better understanding of our County Highway Government, what you can expect as a County Highway Employee and what your County Highway Department expects of you as an employee.

Space does not permit a detailed discussion on all matters; however, remember your Supervisor

will always be glad to assist you. If something is troubling you, go to your Supervisor without delay.

In conclusion, we, all employees and officials of the Coffee County Highway Government say, "Welcome". We want to make this the best job you ever had, and it is hoped you will do your best for the benefit of the citizens of Coffee County, whom you serve.

## APPENDIX

## ACKNOWLEDGMENT

### COFFEE COUNTY HIGHWAY DEPARTMENT

#### SUBSTANCE ABUSE POLICY

By my signature below, I hereby acknowledge that I have read and understand the Substance Abuse Policy of the Coffee County Highway Department. I understand that an offer for employment and/or continuing employment is contingent upon successfully passing a drug/alcohol test.

I understand that as an employee I may be randomly tested for controlled substances. I understand that I will be tested for drugs/alcohol after an accident, if I am suspected of being under the influence of drugs/alcohol on department time, or upon my return from a leave of absence.

I understand that refusal to take a drug/alcohol test is cause for denial or termination of employment. I agree to notify the department if I am convicted of any drug-related offense within five (5) days of such conviction.

I agree to cooperate and abide by the Coffee County Highway Departments' Substance Abuse Policy and understand that any failure to do so by me is cause for termination.

\_\_\_\_\_  
Employee's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Supervisor/Witness

\_\_\_\_\_  
Date

# ACKNOWLEDGMENT

## COFFEE COUNTY HIGHWAY DEPARTMENT

### EMPLOYEE HANDBOOK

By signing this form, I hereby acknowledge that I have received a copy of the *Employee Handbook* currently in effect for my department 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 *Coffee County Highway Department*. I understand that I should consult with the Highway Superintendent regarding any part of the policies that I do not understand or any questions I may have about my employment with the Highway Department which are not answered in the policies. The current policies will always be on file in the office of the *Coffee County Clerk*, and I may examine them there at any time during normal business hours.

The 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 with the office of the *Coffee County Clerk*. Although my employer will usually provide me with notice of changes, 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 the policies, such laws, rules and regulations will control.

I have entered into my employment relationship with the *Coffee County Highway Department* 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 Highway Department's policies may be construed 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 the *Coffee County Highway Department*.

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Employee's Name (type or print)

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Employee Signature

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Date