

CITY OF MUNFORD PERSONNEL

RULES AND REGULATIONS

Effective Date: JANUARY 1, 2015

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ORDINANCE NO. 2014-11-01

AN ORDINANCE TO ESTABLISH PERSONNEL RULES AND REGULATIONS FOR EMPLOYEES OF THE CITY OF MUNFORD, TN., IN ACCORDANCE WITH TITLE 4, SECTION 4-203 OF THE MUNICIPAL CODE OF THE CITY OF MUNFORD. THESE RULES AND REGULATIONS SHALL SERVE AS THE PRIMARY SOURCE DOCUMENT OF PERSONNEL POLICIES.

BE IT ENACTED BY THE CITY OF MUNFORD:

SECTION I-PERSONNEL RULES AND REGULATIONS

A. PURPOSE - The purpose of this ordinance is to establish a system of personnel administration in the City of Munford that is based on merit and fitness. The system shall provide means to select, develop, and maintain an effective municipal work force through impartially applying personnel policies and procedures free of personal and political considerations and regardless of race, color, gender, age, creed, national origin, or disability.

B. COVERAGE - All offices and positions of the municipal government are divided into the classified service and the exempt service. The classified service shall include all regular fulltime positions in the city's service unless specifically placed in the exempt service. All offices and positions of the municipal government placed in the exempt service are as follows:

1. all elected officials;
2. members or appointed boards and commissions;
3. consultants, advisers, and legal counsel rendering temporary professional service;
4. city attorney;
5. independent contractors;
6. people employed by the municipality for not more than three months during a fiscal year;
7. part-time employees paid by the hour of the day and not considered regular;
8. volunteer personnel appointed without compensation;
9. city judge;

All employment positions of the municipal government not expressly exempt from coverage by this section shall be subject to the provisions of the city charter.

All classes of employees shall be governed by Section VI-B and, to the extent applicable, Section VII.

SECTION II - CLASSES OF EMPLOYEES

A. REGULAR FULL TIME - Regular full-time employees are individuals employed by the municipal government who work 32 hours or more per week. Regular full-time employees receive full benefits unless specifically excluded by the city charter, code, or ordinances.

B. REGULAR PART TIME - Regular part-time employees are individuals who do not work on a daily basis and whose hours are less than 30 hours per week on average unless approved by the city manager/department head/mayor. Regular part-time employees do not receive all benefits afforded full-time employees.

C. TEMPORARY EMPLOYEE -A temporary employee is an individual who works for the city for no more than 3 months during one calendar year. Temporary employees receive no benefits.

D. TEMPORARY PART-TIME EMPLOYEE - A temporary part-time employee is an individual who works less than 24 hours per week. Temporary part-time employees receive no benefits.

E. VOLUNTEER EMPLOYEE - A volunteer is an individual who works for the city for little or no compensation.

F. VOLUNTEER FIREFIGHTERS- Volunteer firefighters are recommended by the fire chief and approved by the Mayor. Volunteer firefighters are compensated per fire department policy with no other benefits except coverage under the volunteer firefighter's insurance coverage policy.

G. POLICE RESERVE - Reserve officers are recommended by the police chief and approved by the mayor. Reserve officers receive no benefits or compensation except when working special events approved by the mayor or mayor's designee. Police reserves receive coverage under the police reserve insurance policy.

SECTION III - HIRING PROCEDURES

A. POLICY STATEMENT - Pursuant to Title 4 Chapter 2, Section 4-201 of the municipal code of the City of Munford, the primary objective of this hiring policy is to ensure compliance with the law and to obtain qualified personnel to serve the citizens of the city. Appointments to positions are based on merit, technical knowledge, and work experience. No person shall be employed, promoted, demoted, discharged, or in any way favored or discriminated against because of race, gender, age, color, religion, creed, ancestry, disability, or national origin. Nothing in the personnel rules and regulations document shall be deemed to give employees any more property rights in their jobs than may already be given by the city charter.

The city reserves the right to alter or change any or all of these rules without prior notice to employees.

Employees of the City of Munford are at will employees and may be dismissed for cause, no cause, or for any cause as long as it does not violate federal or state law.

B. RECRUITMENT - When a vacancy occurs, the Mayor or Mayor's designee will advertise such vacancy and accept applications for a specified time.

A vacancy occurs when there is not a suitable person in volunteer, reserve or part-time status.

C. APPLICATION PROCESS - Applications will not be accepted unless there is a job opening. All people seeking appointment or employment with the city shall complete a standard application form as provided by the municipal government unless waived in lieu of other methods (example E-mail). Employment applications shall be accepted in the Human Resources Department during regular office hours only. The department head will make reasonable accommodations in the application process to applicants with disabilities making a request for such accommodations.

D. INTERVIEWS - All appointments are subject to an interview with the Mayor, City Manager, appropriate department head and/or the governing body. The department head will make reasonable accommodations in the interview process to applicants with disabilities making a request for such accommodations. (The person who conducts the employment interview is designated by the mayor).

E. APPOINTMENTS - All appointments to positions in the City of Munford shall be made by the Mayor or Mayor's designee. Following a conditional offer of employment, every prospective employee, when required, may be given a medical examination, and a general physical exam by a licensed physician designated by the municipal government to ensure they can perform the essential functions of the position they have been offered. The cost of this medical exam shall be borne by the city. Also, if required for the job classification, a drug test will be performed by a qualified person (See Drug and Alcohol Program). Any prospective employee who is unable to successfully perform the essential functions tested for in the medical examination shall have the offer of employment by the city withdrawn only if they:

1. cannot perform the essential functions due to a disability that cannot reasonably be accommodated;
2. pose a direct threat to themselves and/or others;
3. are unable to perform the essential functions due to a temporary condition or disability not protected by ADA.

F. CITIZENSHIP AND ALIEN STATUS VERIFICATION -The city will not discriminate on the basis of a person's national origin or citizenship status with regard to recruitment, hiring, or discharge. However, the city will not knowingly employ any person who

is or becomes an unauthorized alien. In compliance with the Immigration Reform and Control Act, all employees hired after Nov. 6, 1986, regardless of national origin, ancestry, or citizenship, must provide suitable documentation to verify identity and employability. The documentation must be provided within three days before employment or the individual will not be hired.

H. FRATERNIZATION - The efficient operation of the City of Munford requires that department heads, supervisors, managers, etc. deal fairly and objectively with the personnel whom they supervise and that all employees, regardless of their sex, or position with the City of Munford work well together in a professional and businesslike environment. If a department head or supervisor has a close personal relationship with an employee, the possibility of favoritism and /or the appearance of favoritism increases. If a department head or supervisor pursues or participates in a romantic or sexual relationship with an employee, claims of sexual harassment may result.

Therefore, department heads, supervisors, managers, etc. are strictly forbidden from pursuing or engaging in romantic or sexual relationships with employees whom such department heads, supervisors, managers, etc. directly or indirectly supervise. Furthermore, it is prohibited for department heads, supervisors, managers, etc. to pursue romantic or sexual relationships with nonemployee persons, such as contract personnel or vendors for whom they had a role in contracting with or purchasing from. Employees who violate this prohibition are subject to disciplinary action up to and including termination of employment.

Furthermore, with respect to non-supervisory situations, all employees are strongly discouraged from pursuing or participating in romantic or sexual relationships with any other employee regardless of such person's position with the City of Munford. Employees who are, or believe they may become involved in a romantic or sexual relationship, should discuss their situation with the personnel manager. The personnel manager, mayor, or mayor's designee are the only officials authorized to investigate and determine if the relationship has the appearance of negatively impacting the efficient operation of the City of Munford. Employees found in violation of this prohibition may be subject to disciplinary action up to and including termination of employment.

I. TRANSFERS - The mayor may make transfers of employees or delegate this authority if he/she deems advisable. A transfer may also be implemented as a reasonable accommodation when an employee is unable, due to a disability, to continue to perform the essential functions of the job. **Salary will be determined according to job skills.**

J. PROMOTIONS/DEMOTIONS - The Mayor may make promotions/demotions of employees or delegate this authority if he/she deems advisable. A demotion may also be implemented as a reasonable accommodation when an employee, due to a disability, becomes unable to perform the essential functions of the job.

SECTION IV - COMPENSATION

A. SALARIES - The Board of Mayor and Aldermen shall set by ordinance or resolution all salaries paid by the city. Due consideration shall be given to duties performed, responsibilities, technical knowledge and skills required to perform the work satisfactorily, the labor market, and availability of people having the desired qualifications.

B. HOURS OF WORK - The Board of Mayor and Aldermen shall establish the hours of work per week for each position in the service of the city. Employees unavoidably late or absent from work due to illness or other cause must notify their supervisor within the time frame (at least 30 minutes before the employees scheduled work period begins) established by each department (unless unusual circumstances prevent the employee from making proper notification). Such employees must explain the reason for the absence and, if possible, an anticipated time and date of return to work. Failure to notify one's supervisor of absences may result in disciplinary action. Employees found falsifying time sheets will be subject to disciplinary action up to and including dismissal. Excessive tardiness is regarded as sufficient reason for termination. Employees may be required to provide documentation of reason for absence or tardiness. Work schedules are determined by the department heads and overtime may be required occasionally.

C. BREAKS- Breaks will be determined by department heads **and as required by state and federal law.**

D. PAYDAY - All employees of the City of Munford shall be paid on a bi-weekly basis with one week withheld on the first pay period. If you have questions about your work time, salary, or pay, call them to the attention of the department head, city manager, or payroll clerk within the pay period in question or immediately thereafter.

Pay is administered via direct deposit. If you have questions about direct deposit, see the payroll clerk.

E. PAYROLL DEDUCTIONS

1. **Federal Income Tax**: Federal taxes are withheld from employees' wages based on the number of dependents claimed by the individual. Employees are required to keep on file with the municipal government a copy of the W-4 form. In the event of changes in the employee exemption status, a revised W-4 must be filed before payroll deduction adjustments will be made.

2. Social Security and Medicare: Social Security and Medicare payments and deductions will be made in accordance with the Social Security Act. The payroll clerk shall keep such records and make such reports as may be required by applicable state and federal laws or regulations.

3. Retirement: Full-time employees are required to participate in the Tennessee Consolidated Retirement System. The employee contribution will be deducted from employees' paychecks.

4. Others: Other deductions (hospitalization, life insurance, deferred compensation payments, disability insurance, etc.) may be made from an employee's pay only with a signed consent from the employee.

F. OVERTIME AND COMPENSATORY TIME - Employees required to work overtime shall be compensated in accordance with the FLSA at a rate of 1 1/2 the employee's regular pay rate. Exempt employees are excluded from the overtime provisions of the city. Compensatory time off may be granted in lieu of overtime pay. Administration of the policy and accumulation of time shall also be in accordance with the FLSA. Compensatory Time shall be administered as follows:

Police Department limited to 80 hours
Fire Department limited to 72 hours
Public Works Department limited to 120 hours
City Hall Office Staff limited to 80 hours
Parks and Rec Department limited to 120 hours
Centennial Park limited to 240 hours

SECTION V –BENEFITS

A. ELIGIBILITY - All regular full-time employees are eligible for all benefits provided by the city.

B. HOLIDAYS – Generally, full time employees are allowed a day off with pay on the following holidays:

1. New Year's Day
2. Martin Luther King Day
3. President's Day
4. Good Friday
5. Memorial Day
6. Independence Day
7. Labor Day
8. Veteran's Day
9. Thanksgiving Day
10. Friday after Thanksgiving

- 11. Christmas Eve
- 12. Christmas Day

When a holiday falls on Sunday, it will be observed on the following Monday. When a holiday falls on Saturday, it will be observed on the preceding Friday.

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

C. VACATION LEAVE –All full-time employees of the municipality shall accrue vacation leave monthly. Vacation leave will begin to accrue as of the first full month of employment, but cannot be taken until the employee has completed 3 months of employment. As the number of years of service increases, the amount of leave granted increases and may accumulate to the maximum accrual as shown in the table below.

Regular Full-Time Employees (40 Hours)

Years of Service	1-4	5 -15	over 16
Hours Accrued Bi-Weekly	3.08	4.62	6.15
Hours Accrued Annually	80	120	160
Maximum Accrual Hours	240	240	240

Full-time employees working less than 40 hours per week will accrue vacation on a prorated basis.

Vacation leave exceeding the maximum accrual limit of 240 hours will be converted to sick leave.

Vacation leave shall be taken at a time approved by the employee’s supervisor. Upon separation, employees are entitled to be reimbursed for any unused vacation leave, not to exceed the maximum accrual allowed for the years of service completed.

Vacation leave, so far as practical, will be granted at the time desired by employees, but vacation leave in each department must be scheduled to assure orderly operation and adequate, continuous service to the public. Department heads must plan with employees in their department an orderly vacation leave schedule. Holidays, as defined above, shall not be counted as vacation leave days.

Employees are allowed to sell up to forty hours of vacation per year back to the city. Only one request per year will be allowed and when making a request to sell vacation an employee must have an additional forty hours accumulated.

D. SICK LEAVE - All full time employees, working 40 hours or more per week, shall accumulate 8 hours of sick leave with pay for each month of work completed for the city. (3.7

/hour per pay period) Employees working less than 40 hours will accrue sick leave on a prorated basis.

Sick leave may be granted for the following reasons:

1. illness
2. bodily injury
3. exposure to contagious disease, if quarantined
4. doctor, dental, or optical appointments that are necessary and cannot be scheduled during off time
5. serious illness or death in the immediate family (father, mother, guardian, husband, wife, son, daughter, brother, sister, current father-in-law and mother-in-law, or grandparents, and grandchildren.)

The mayor or mayor's designee may, at his/her discretion, require a doctor's certificate or other satisfactory evidence to substantiate that absences are properly chargeable as sick leave. **Sick leave may not be taken if it does not meet these requirements or an exception has been made by the mayor or mayor's designee.** Whenever an employee retires under the Tennessee Consolidated Retirement System, all remaining sick leave credit will be converted to retirement service. Employees who are not vested in the TCRS, that retire, resign or who may be terminated will not receive compensation for sick leave credit.

No sick leave may be accumulated while on leave without pay.

E. FAMILY AND MEDICAL LEAVE POLICY -The family and Medical leave policy is applicable to both male and female employees who have worked at least 12 months for the employer and who have worked at least 1250 hours during the preceding 12 month period. Such employees are eligible for leave under the act. Public Agencies are covered without regard to the number of employees employed. Special rules apply for husbands and wives employed by the same employer and for highly compensated employees. People who are not covered include elected officials, political appointees, volunteers, independent contractors, and legal advisors.

Leave under the FMLA must be supported by certification from a health care provider. All accrued leave must be used before the FMLA will apply. An employee under the FMLA must pay his/her standard share of health insurance premiums. No benefits will accrue while on unpaid leave. Any payroll deducted non-health programs must be paid by the employee. If an employee is unable to return to work after the FMLA period, that employee, based on job title and duties, may be terminated.

(See Appendix A)

H. SICK LEAVE BANK PROGRAM - (Refer to the City of Munford Sick leave Bank Program). (See Appendix B)

I. LEAVE OF ABSENCE - Subject to approval by the Board of Mayor and Aldermen.

J. FUNERAL/BEREAVEMENT LEAVE - Full-time employees shall be allowed 2 days of leave with pay for a death in an employee's immediate family. (father, mother, guardian, husband, wife, son, daughter, brother, sister, current father-in-law and mother-in-law, or grandparents, and grandchildren.) Employees wishing to attend services of non-relatives must use annual leave for this purpose.

K. CIVIL LEAVE - Civil leave with pay may be granted to employees to:

1. Serve on jury duty: an employee will receive the difference between his/her regular pay and his/her jury duty pay.

2. answer a subpoena to testify for the city.

Employees selected for civil leave shall be excused for the actual duration of the civil leave. Upon release from civil duty during the employee's normal working hours, he/she is expected to return to duty. Employees will receive full pay during such service.

L. VOTING - When elections are held in the state, leave for the purpose of voting shall be in accordance with T.C.A. 2-1-106, herein reprinted:

2-1-106. Absence from work allowed for voting. (a) Any person entitled to vote in an election held in this state may be absent from any service or employment on the day of the election for a reasonable period of time, not to exceed three (3) hours, necessary to vote during the time the polls are open in the county where the person is a resident.

(b) A voter who is absent from work to vote in compliance with this section may not be subjected to any penalty or reduction in pay for such absence.

(c) If the tour of duty of an employee begins three (3) or more hours after the opening of the polls or ends three (3) or more hours before the closing of the polls of the county where the employee is a resident, the employee may not take time off under this section.

(d) The employer may specify the hours during which the employee may be absent. Application for such absence shall be made to the employer before twelve o'clock (12:00) noon of the day before the election. **HISTORY:** Acts 1972, ch. 740, § 1; T.C.A., § 2-106.

M. MATERNITY LEAVE - (Not applicable at this time. Under 100 employees) Under the Tennessee Maternity Leave Act, a female employee who has been employed full time for at least one year with the City of Munford and who gives at least three months advance notice her anticipated date of departure, length of maternity leave, and intentions to return to fulltime employment, may be granted maternity leave for a period not to exceed four months for pregnancy, childbirth, and nursing an infant. Sick leave may be granted for maternity purposes; otherwise, the employee will be granted a leave of absence without pay.

An employee desiring maternity leave shall notify her department head so a temporary replacement may be secured. Return to duty must be accompanied by a release statement from the employee's attending physician.

N. MILITARY LEAVE- Any regular employee who enters the U.S. armed forces will be placed on military leave: The city manager/mayor/department head shall approve military leave without pay when the employee presents his/her official orders. The employee must apply for reinstatement within 90 days after release from active military duty.

The employee will be reinstated to a position in the current classification plan at least equivalent to his/her former position. His/her salary will be the salary provided under the position classification and compensation plan prevailing at the time of reinstatement or reemployment for the position to which he/she is assigned. If no position is available at the time of the employee's return, the employee will be reinstated into the first available position. No current full-time employee will be terminated or laid off to allow for the reinstatement.

Any regular full-time employee who is a member of the U.S. Army Reserve, Navy Reserve, Air Force Reserve, Marine Reserve, or any of the armed forces will be granted military leave for any field training or active duty required (excluding extended active duty). Such leave will be granted upon presentation of the employee's official order to his/her jurisdictional official. Compensation for such leave will be paid pursuant to TCA 8-33-109.

It will be the employee's responsibility to arrange with the department supervisor to attend monthly meetings on regular off-time, with pay being applicable to the annual two-week training period. Employees entering an extended active duty will be given twenty (20) days' pay when placed on military leave.

O. DEATH OF AN EMPLOYEE - Upon the death of a full-time regular employee, his/her beneficiary will receive his/her next due payroll check, pay for accrued vacation time, further, his/her beneficiary shall be given complete assistance by the city in settling pension, life, and hospital insurance benefits.

P. RETIREMENT SYSTEM - Employees of the City of Munford will be eligible for retirement benefits under the Tennessee Consolidated Retirement System, Social Security or employee contributed plans.

Q. INSURANCE COVERAGE - The City of Munford provides basic health and life insurance coverage through an insurance agency. Should circumstances dictate terminating benefits; the city will offer employees and their dependents the opportunity to extend their health, insurance coverage under COBRA.

R. WORKERS COMPENSATION - All injuries arising out of and in the course of one's employment shall be governed by the Tennessee workers' compensation law. Employees while on occupational disability leave will receive, for a period of ninety days; the difference in the amount of worker's compensation received and the amount of his/her regular pay period

salary. All standard deductions, co-pays, etc. will be the responsibility of the injured employee. The total amount of monies paid the employee each pay period shall not exceed the full pay the employee would have received for the same pay period at his/her regular straight time rate of pay. If after 90 days an employee is not able to return to work, full pay will be terminated but, the city will continue to pay the injured employee's health insurance for an additional nine months if he/she continues to receive worker's compensation benefits for that nine month period. For that nine month period the city will pay the basic plan premium and up to \$100 for family coverage. To qualify for the family coverage, the injured employee must have had family coverage at the time of the injury. The employee is responsible for the additional cost of premiums for various coverages and "buy-ups." Before an employee is returned to duty, the employee must be certified by the attending physician as capable of performing the essential functions of the job.

S. OTHER BENEFITS - The City of Munford provides uniforms for police, fire, parks and recreation, public works, and utility department employees.

T. LONGEVITY PAY - After five years of employment, each full time employee will receive five dollars per month of employment beginning from the date of employment. This pay will be distributed on the first pay period in December.

SECTION VI - SEPARATIONS AND DISCIPLINARY ACTIONS

A. TYPES OF SEPARATIONS - All separations of employees from city positions shall be designated as one of the following types and shall be accomplished in the manner indicated:

1. Resignation - In the event an employee decides to leave the municipal government's employ, a two (2) week notice shall be given to his/her supervisor so that arrangements for a replacement can be made. In such a case, employees will be expected to return any or all municipal government equipment assigned. An unauthorized absence from work for a period of three (3) consecutive working days may be considered by the department head as a resignation.

If an employee leaves employment with the City of Munford and decides later that he/she wishes to return, the following rules will apply:

If there is a position available, he/she must apply for the job just as anyone else would.

That person would then receive benefits with the exception of longevity pay and any other accumulation of benefits prior to re-employment (sick leave, comp time, vacation, etc.). Longevity and vacation will start as if that person is a new employee.

Anyone leaving employment with the City of Munford for longer than 60 days will be classified as a new employee and all new employee regulations will apply. Special exceptions may apply of the City of Munford actively recruits an ex-employee.

2. Layoff - The department head, upon approval from the mayor or mayor's designee, may lay off an employee in the municipal government service when he/she deems it necessary

by reason of shortage of funds, the abolition of a position, or other material changes in the duties or organization of the employee's position, or for related reasons that are outside the employer's control and that do not reflect discredit upon the employee's service. Temporary employees shall be laid off before regular employees. The order of layoff shall be in reverse order to total continuous time served upon the date established for the layoff to become effective.

3. **Disability** - An employee may be separated for disability when he/she cannot perform the essential functions of the job because of physical or mental impairment that cannot be accommodated without undue hardship or because the disability poses a direct threat to the health and safety of others. A reasonable accommodation may include transfer to a comparable position for which the individual is qualified. Action may be initiated by the employee or the municipality, but in all cases it must be supported by medical evidence acceptable to the Board of Mayor and Aldermen and the disability must prevent the employee from performing the essential functions of the job. The municipal government may require an examination, at its expense, to be performed by a licensed physician of its choice.

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

5. **Death** - Separation shall be effective as of the date of death of an employee. All compensation due will be paid as stated in the **BENEFITS SECTION – DEATH OF AN EMPLOYEE** or as federal and state laws dictate.

6. **Dismissal** - Employees of the city have no rights to continued employment with the city. Employees may be dismissed for cause, for no cause, for any cause as long as it does not violate federal and state law.

B. DISCIPLINARY ACTION - Progressive discipline is not an option available to city employees. Employees of the city have no rights to continued employment. Employees may be dismissed for cause, for no cause, for any cause as long as it does not violate federal and state law. Whenever an employee's performance, attitude, work habits, or personal conduct fall below a desirable level, supervisors shall inform the employee promptly and specifically of such lapses and shall give him/her counsel and assistance. If appropriate and justified, a reasonable period of time for improvement may be allowed before initiating disciplinary 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. The types of disciplinary actions are:

1. **Oral Reprimand** - Whenever an employee's performance, attitude, work habits, or personal conduct fall below a desirable level, the supervisor shall inform the employee promptly and specifically of such lapses and shall give him/her counsel and assistance. If appropriate and justified, a reasonable period of time for improvement may be allowed before initiating disciplinary actions. The supervisor will place a memo in the employee's file stating the date of the oral reprimand, what was said to the employee, and the employee's response. Failure by a

supervisor, department head or other person, administering reprimands, to document such may result in a reprimand to that supervisor, department head or other person.

2. **Written Reprimand** - In situations where an oral warning has not resulted in the expected improvement, or when more severe initial action is warranted, a written reprimand may be sent to the employee, and a copy shall be placed in the employee's personnel folder. The supervisor administering the reprimand shall advise the employee that the action is a written reprimand and emphasize the seriousness of the problem; cite previous corrective actions and/or informal discussions relating to the offense; identify the problem and/or explain the offense; inform the employee of the consequences of continued undesirable behavior; detail corrective actions and identify dates by which the corrective actions shall be taken.

At the conclusion of a conference with the employee, a copy of the written reprimand shall be placed in the employee's personnel folder. It is recommended that the affected employee sign the written reprimand to indicate that he/she has seen the document and to acknowledge receipt of the employee's copy. Should the employee refuse to sign the written reprimand, the supervisor will obtain a witness to sign and date the form and so indicate the employee's refusal to sign. Refusal to sign the form may lead to disciplinary action.

3. **Suspension And/or Termination** - An employee may be suspended with or without pay by his/her department head, with the approval of the mayor or mayor's designee. The department head may then recommend, to the mayor, the termination of an employee. If the mayor upholds the recommendation, the employee is considered terminated.

SECTION VII - MISCELLANEOUS PERSONNEL POLICIES

A. **OUTSIDE EMPLOYMENT** - No full-time employee of the city shall accept any outside employment without written authorization from the mayor or the mayor's designee. The mayor or the mayor's designee shall not grant such authorization if the work is likely to interfere with the satisfactory performance of the employee's duties, or is incompatible with the employee's municipal employment, or is likely to discredit or embarrass the municipal government. Approval to work a second job may be withdrawn for any of the reasons above.

B. **USE OF MUNICIPAL TIME, FACILITIES, ETC.** - No employee of the city shall use or authorize the use of municipal time, facilities, equipment, or supplies for private gain or advantage to oneself or any other private person or group.

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

Municipal employees may not be a candidate for any Munford municipal political office; however they may enjoy the rights of any other citizen of the State of Tennessee to participate in political activities by supporting or opposing political parties, candidates, and petitions to governmental entities. The city, however, will not compensate employees for time when the employee is not performing work for the city. Any time off from work used by the employee for

participation in political activities shall be limited to earned days off, vacation days, or by any other arrangement worked out between the employee and the city. **Employees shall not engage in any political activity while on official duty with the City of Munford.**

(Note - *T.C.A. 38-8-310* prohibits law enforcement officers from engaging in political activities, supporting or opposing any candidate, party, or measure in any election when on duty or acting in such officer's official capacity.)

D. SOLICITATION - The city believes that its employees should not be exposed to frequent solicitations for charitable purposes. Therefore, solicitation shall be limited to as few visits as necessary during the course of the year. Any solicitation of employees must be approved by the mayor or city manager.

E. PERSONAL TELEPHONE CALLS, COMPUTER USE AND MONITORING –
Use of personal cellular phones / text messaging during regular work hours, except in emergency cases, is discouraged. Personal calls / text messages that must be made or received during business hours are permitted if they are held to a minimum and do not interfere with the employee's work.

Emergency phone calls / text messages may be made or received any time. Examples of emergencies are illness or severe injury to a member of the employee's family, changed plans regarding an employee's transportation home from work or extreme weather conditions.

When using office phones, long-distance emergency calls must be billed to the caller's home phone number or reimbursed by the employee making the call. Excessive phone conversations on non-emergency matters may result in disciplinary action.

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

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

Waiver of Privacy Rights Users expressly waive any right of privacy in anything they create, store, send or receive using the Computer Resources. Users consent to allowing the City to access and review all materials users create, store, send or receive using the Computer Resources.

Inappropriate or Unlawful Material Material that is, or could reasonably be regarded as, derogatory or discriminatory on the basis of race, sex, religion, national origin, age, or disability, or is fraudulent, harassing, embarrassing, sexually explicit, profane, obscene, intimidating, defamatory or otherwise unlawful, may not be sent, by e-mail or other forms of electronic communication (such as bulletin board systems, news groups and chat groups) or displayed on or stored in the Computer Resources. Any such material received by electronic transmission from a source outside of the City should be deleted immediately.

Misuse of Software Without prior authorization and proper licensing, users may not do any of the following: (a) copy software for use on their home computers; (b) provide copies of software to any third person; (c) install software or hardware on any Computer Resources; (d) download any software from the Internet or other online service to any Computer Resources; (e) modify, revise, transform, recast or adapt any software on any Computer Resources.

Compliance with Laws and Licenses In their use of Computer Resources, users must comply with all software licenses and copyrights and all state, federal and international laws governing intellectual property and online activities.

Communication of Trade Secrets Unless expressly authorized by the Town, sending, transmitting or otherwise disseminating proprietary data, trade secrets or other confidential information of the Town is strictly prohibited.

Use of Encryption Software Users may not install or use encryption software on any computers without first obtaining written permission from the Town.

Monitoring Usage The City has the right, but not the duty, to monitor any and all aspects of the Computer Resources, including monitoring sites visited by employees on the Internet, monitoring chat groups and news-groups, reviewing material downloaded or uploaded by users to the Internet, and reviewing e-mail sent and received by others.

Public Records All employee correspondence in the form of electronic mail may be considered a public record and may be subject to public inspection under the Tennessee Public Records Law.

F. FIGHTING, HORSEPLAY, DAMAGING MUNICIPAL GOVERNMENT PROPERTY– Fighting, horseplay, and intentionally defacing or damaging city property is not permitted. Employees engaging in these activities will be subject to disciplinary action that could include discharge.

G. PARKING - Parking is generally provided for municipal government employees. Employees working in congested areas where parking is scarce should try to pool their transportation. The municipality does not assume responsibility for loss or damage any time to employee vehicles or their contents.

H. LOCKERS - Lockers are the property of the municipality and may be inspected at any time without notice as there may be no expectation of privacy in such property. Employee-assigned lockers (that are locked by the employee) are also subject to inspection after reasonable advance notice, unless such notice is waived by the mayor or city manager.

I. GARNISHMENT - An employee who is garnished for more than one indebtedness within a 12-month period may be subject to termination.

J. BULLETIN BOARDS - At numerous locations the city maintains bulletin boards on which important information connected with an employee's work is posted from time to time. Cooperation is needed in protecting the posted material. All material to be placed on the bulletin boards must be approved by the appropriate supervisor before it is posted.

K. LOST AND FOUND ARTICLES - The department head shall act as a clearinghouse for lost and found personal property. Lost articles should be turned in and/or reported as soon as possible.

L. TRIP REIMBURSEMENT - Refer to the City of Munford Travel Policy.

M. USE OF CITY VEHICLES AND EQUIPMENT- All city vehicles and equipment are for official use only. No person other than a city employee may operate a city vehicle or piece of machinery. Drivers and/or operators must have a valid Tennessee driver's license and be approved by the department head. Drivers shall not have a driving history that would prevent the insurance carrier from insuring that driver. (See City of Munford Vehicle Use Policy).

N. SMOKING POLICY - No smoking will be allowed in any city owned enclosed facility as defined in T.C.A. Title 39, Chapter 17. (Resolution 2007-09-04)

O. APPROPRIATE ATTIRE-An important aspect of the city's public image is conveyed in your personal appearance. Employees are required to dress in a manner that creates a good impression on the people served. **Employees shall not engage in any activities, when on duty, that may discredit or embarrass the city. Employees shall not engage in any activities, when off duty and in a city uniform, that may discredit or embarrass the city.**

P. SEVERABILITY - Each section, subsection, paragraph, sentence, and clause of this resolution is hereby declared to be separable and severable. The invalidity of any section, subsection, paragraph, sentence, or clause shall not affect the validity of any other portion of this resolution, and only any portion declared to be invalid by a court of competent jurisdiction shall be deleted herein.

Q. EFFECTIVE DATE -This Ordinance shall take effect from and after its final passage, the welfare of the City requiring it.

PASSED THIS _____ DAY OF _____, 2014

Mayor

Recorder

I _____ do hereby acknowledge receipt of the City of Munford Personnel Rules and Regulations.

Signature

Date

APPENDIX A

FAMILY AND MEDICAL LEAVE ACT

Purpose

The purpose of this policy is to provide a family and medical leave policy in compliance with Public Law 103-3, titled Family and Medical Leave Act (FMLA) of 1993. The policy also provides the changes to FMLA that come as part of the National Defense Authorization Act of 2008.

Eligibility

The Family and Medical leave policy is applicable to both male and female employees who have worked at least 12 months for the City and who have worked at least 1,250 hours during the preceding 12-month period. Such employees are eligible for a maximum of 12-26 weeks leave under the act. Special rules apply for husbands and wives employed by the same employer, for highly compensated employees, and for local educational agencies. People who are *not* covered include elected officials, political appointees, volunteers, independent contractors, and legal advisors.

FMLA Circumstances

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

For the birth and care of the newborn child of the employee;

For placement with the employee of a son or daughter for adoption or foster care;

To care for an immediate family member (spouse, child, or parent) with a serious health condition;

Medical leave when the employee is unable to work because of a serious health condition.

To care for an immediate family member (spouse, son, daughter or parent) injured while on active duty if that injury renders the service member unfit for military duty;

To handle a “qualifying exigency” relating from an employee’s spouse or child being called to active duty.

Paid / Unpaid Leave

Family Medical Leave may be paid or unpaid. After 10 days of leave as a result of a qualifying event, FML shall run concurrently with paid time off (i.e. sick, annual time). If the employee has the time available he/she may be paid. If the employee does not have the time available or he/she exhausts paid time while out on FML, the remainder of the approved leave will be unpaid. During periods of unpaid leave, an employee may not accrue any additional leave.

Employees requesting medical leave or family leave due to serious illness or injury (of themselves or eligible family members) must generally use their accumulated sick leave followed by annual leave or compensatory time/floating holidays. Fathers requesting family leave for the birth of a child or adoption/foster placement must first use their annual, followed by unpaid time. The combination of sick leave, annual leave, floating holidays, and unpaid leave may not exceed the total allowable leave under FMLA.

Guidelines

An eligible employee may take up to 12 weeks of FML in a 12-month period for the birth of a child or the placement of an adopted or foster care child. Leave may also be taken to care for one's self, a child, spouse, or parent who has a serious health condition. The right to take leave applies equally to male and female employees who are eligible. Eligible employees may take up to 12 weeks of unpaid leave to deal with family issues resulting from a spouse, son, daughter or parent being called to active duty (including being notified of an impending call to active duty).

Eligible family members of military personnel defined as the spouse, son, daughter, parent or next of kin of a covered service member may take a maximum of 26 weeks leave under FML to care for a wounded member of the armed forces. This includes family members of the National Guard or Reserves who are undergoing medical treatment, recuperation, therapy or other medical treatment for a "serious injury or illness".

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

1. Inpatient care in a hospital, hospice or residential medical care facility, including any period of incapacity or subsequent treatment.
2. A period of incapacity of more than three consecutive calendar days that also involves treatment two or more times by a health care provider or treatment which results in a regimen of continuing treatment under the supervision of the health care provider.
3. Any period of incapacity due to pregnancy or for prenatal care.
4. A chronic condition that requires periodic treatments, continues over an extended period of time, and may cause episodic rather than a continuous period of incapacity.
5. A period of incapacity which is permanent or long-term due to a condition for which treatment may not be effective, requiring continuing supervision of a health care provider.
6. Multiple treatments either for restorative surgery after an accident or other injury, or for a condition that would likely result in a period of incapacity of more than three calendar days in the absence of medical intervention or treatments, such as cancer, severe arthritis or kidney disease.

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

During periods of unpaid leave, an employee may not accrue any additional seniority or similar employment benefits during the leave period.

Spouse / Same Employer

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

Right to Return to Work

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

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

Notification and Scheduling

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

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

It is the local government's responsibility to designate leave in writing as FMLA leave and to notify the employee. Employees may not retroactively claim that leave was for FMLA. Failure to provide notification will result in the leave not being designated as FMLA.

The employer will, if necessary, provide the FMLA leave notice in alternate formats.

Certification

The employer reserves the right to verify an employee's request for family/medical leave. If an employee requests leave because of a serious health condition or to care for a family member with a serious health condition, the employer may require that the request be supported by certification from the health care provider of either the eligible employee or the family member, as appropriate. Failure to submit proper certification may result in a delay of FML approval. If

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

Payment for the second opinion shall be borne by the employee. Payment for the third shall be divided between the employee and the local government. This certification must contain the date on which the serious health condition began; its probable duration, and appropriate medical facts within the knowledge of the health care provider regarding the condition. The certification must also state the employee's need to care for the family member. Medical certifications will be treated as confidential and privileged information under HIPAA and the State's Open Records laws as appropriate.

An employee may be required to report periodically to the employer the status and the intention of the employee to return to work. Before return is granted, employees who have taken unpaid leave under this policy may be required to furnish the employer with a medical certification from the employee's health care provider that the employee is able to resume work.

Failure to provide certification in a timely manner may result in delay or denial of FMLA.

Reduced and Intermittent Leave

FMLA Leave may be taken intermittently or on a reduced schedule when medically necessary as certified by the health care provider. Intermittent leave is defined as whatever increment your system will accommodate. Intermittent or reduced leave schedules for routine care of a new child can be taken only with the employer's approval. The schedule must be mutually agreed upon by the employee and the employer.

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

Intermittent or reduced leave may be spread over a period of time longer than 12 weeks, but it will not exceed the equivalent of 12 workweeks total leave in a 12-month period.

Restoration

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

Restoration may be denied if:

1. the employer shows that such denial is necessary to prevent substantial and grievous economic injury to the employer's operations;

2. the employer notifies the employee that it intends to deny restoration on such basis at the time the employer determines that such injury would occur; and
3. in any case in that the leave has commenced, the employee elects not to return to work within a reasonable period of time after receiving such notice

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

The 12-Month FMLA Period

The 12-month period during which an employee is entitled to 12 work weeks of Family and Medical Leave Act (FMLA) leave is measured as follows. An employee is entitled to 12-26 weeks of leave during the 12-month period after the leave begins. The next FML period will begin the first time the employee requests FML after the completion of the previous 12-month period.

Denial of FMLA Leave

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

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

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

Employee Benefits While on FMLA

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

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

FMLA Leave under this policy does not constitute a qualifying event that entitles an employee to Consolidated Omnibus Budget Reconstruction Act (COBRA) benefit; however, the qualifying

event triggering COBRA coverage may occur when it becomes clearly known that an employee will not be returning to work. At that point, the employee ceases to be entitled to leave under this policy and may be offered COBRA.

Workers' Compensation While on FMLA

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

APPENDIX B

CITY OF MUNFORD EMPLOYEE SICK LEAVE BANK PROGRAM

Enrollment period will be conducted in July of each year.

Enrollment forms may be obtained from the Human Resources Department. The enrollment forms must be returned to the HR Department by July 10 of each year.

I. PURPOSE

The Sick Leave Bank shall provide emergency sick leave to member employees who have suffered disability due to an unplanned personal illness, injury, or quarantine and who have exhausted their personal sick and vacation leave

II. ADMINISTRATION

A Board of Trustees shall administer the Sick Leave Bank. The Board is comprised of one member of the Board of Mayor and Aldermen, the City Manager and Department Heads. The Mayor or Mayor's designee will hear all appeals.

III. GUIDELINES

1. Members are defined as regular full-time persons employed by the City of Munford who are entitled to accrue sick leave pursuant to City of Munford Personnel Rules and Regulations, who have been employed by the City for at least twelve (12) months prior to application for participation, who are in leave accruing status and who have a sick leave balance of at least six (6) days at the time of application for participation, are eligible to participate in the Sick Leave Bank. The Board of Trustees shall reserve the right to review and consider any extenuating circumstances to these provisions.

2. City employees electing to participate shall do so during the month July of any year. Application shall be on forms approved by the Board of Trustees.

3. Any city employee who elects to participate in the bank shall initially have the equivalent of two (2) days of sick leave deducted from his or her personal accumulation and donated to the Sick Leave Bank. Thereafter, a contribution of one (1) day of sick leave per year will be made each July 1. This yearly contribution may be waived in any year by notice from the Board of Trustees.

4. Donations to the Sick Leave Bank are nonrefundable and nontransferable.

5. At any time the number of days in the bank is less than fifty (50) or one (1) per member, if there are more than fifty (50) members, or at any time deemed advisable, the Trustees shall assess each member one or more days of sick leave. If a member is not in leave accruing status and has no accumulated sick leave at the time of assessment, the first earned days shall be donated as they are accrued by the member. It is the responsibility of the member to hold the sick leave in his or her balance for assessment and to notify the HR Department upon accrual. Failure to meet the assessment within one (1) year constitutes refusal to honor an assessment as outlined in Item 22.

6. The Trustees shall establish the criteria for distributing sick leave from the bank and prescribe the form and manner for participation in the bank. The Mayor or Mayor's designee shall hear appeals regarding denials of requests for leave or loss of membership.

7. The Board of Trustees shall determine whether to grant or deny all requests for sick leave from the bank. The determination shall be made within ten (10) calendar days from receipt of all necessary documentation.
8. All appeals to the Bank Trustees must be filed on the prescribed form with the HR Department within fifteen (15) days from receipt of a determination.
9. Members of the Sick Leave Bank shall be eligible to make application to the bank for sick leave only after having been a member of the bank for thirty (30) calendar days. Leave grants from the Bank for conditions determined to be pre-existing shall not be eligible for benefits until six (6) months following the effective date of membership. Applications shall be made on forms approved by the Trustees.
10. A participant shall not receive any sick leave from the bank until after having exhausted all accumulated sick, vacation, and compensatory leave.
11. All initial applications for sick leave from the Bank shall require a Medical Certification Form completed by the current attending medical doctor/surgeon at the time of application. Any subsequent applications relating to the same injury or illness shall require a Supplementary Documentation for Continuing Disability Form completed by the current attending medical doctor/surgeon from a follow up treatment visit. Refusal to comply may result in denial of the pending request for sick days from the Bank.
12. Application for Sick Leave Benefits from the Bank should be submitted within two (2) weeks prior to the expiration of all accumulated leave absent any extraordinary circumstances.
13. In the event a member is physically or mentally unable to make a request to the Bank for use of sick leave days, a family member or agent may file a request.
14. Grants of sick leave from the Bank shall not be made to any member on account of elective surgery, illness of any member of the participant's family, while the member is receiving income from other employment, or during any period the member is receiving disability benefits from social security, the city retirement plan, worker's compensation benefits, or any other form of payment.
15. The Trustees may require a second medical opinion concerning any member's application for benefits.
16. If a member sustains an on-the-job injury or illness, the member is first to submit and receive determination upon a worker's compensation claim prior to requesting sick leave from the Bank.
 - a. If the worker's compensation claim is denied, a request for sick leave from the Bank will be considered.
 - b. If the worker's compensation claim is approved, a request for sick leave from the Bank will not be considered.
17. Members who have been approved and have received worker's compensation benefits for work related injuries or illnesses are not eligible for Sick Leave benefits for any claims involving the work related injuries or illnesses.
18. The maximum number of days any participant may receive as result of any one or recurring diagnosed illness or accident is twenty (20) days or one hundred sixty (160) hours.
19. Grants of sick leave from the bank shall not exceed twenty (20) days or one hundred sixty (160) hours within a twelve month period.

20. Sick leave benefits terminate as of the date the member is no longer temporarily totally disabled and has been released to return to work even with limitations.

21. Sick leave used from the Bank shall not constitute creditable service for sick and vacation leave accrual or for longevity purposes. Employees shall not accrue sick leave or vacation leave during the period of emergency sick leave.

22. A member shall lose the right to membership and to obtain the benefits of the Bank by:

- a. Resignation or termination of employment with the City of Munford.
- b. Changing to part-time employment status.
- c. Cancellation of participation which is effective on September 30th.
- d. Refusal to honor such assessment as may be required from time to time by the Board of Trustees to maintain an adequate number of reserve days in the Bank.
- e. Retirement.
- f. Any documented proof of fraud or misrepresentation of facts in making application for use of sick leave from the Sick Leave Bank.

23. By written notice to the Trustees, a member may withdraw from the Bank participation which will be effective on September 30th. Membership withdrawal results in forfeiture of all days contributed.

24. The Trustees may vote to expel any member if the member is found to have violated any of the provisions set forth herein.

25. Any member who receives Sick Leave Bank benefits through the use of fraud or any misrepresentation of facts shall be liable for the reimbursement of all salary and benefits expended by the Bank. **ALL MEMBERS CONSENT TO PAYROLL DEDUCTION FOR THE REIMBURSEMENT OF SICK LEAVE BANK BENEFITS EXPENDED THROUGH THE USE OF FRAUD OR ANY MISREPRESENTATION OF FACTS.** Employees found guilty of fraud shall be subject to disciplinary procedures as outlined in the Personnel Rules and Regulations up to and including termination of employment.

26. In the event the Sick Leave Bank is dissolved, the total number of days on deposit shall be returned to the then participating members and credited to their personal sick leave accumulation in proportion to the number of days each has contributed individually.

27. If a member of the Board of Trustees applies for sick leave from the bank, that member shall remove him/herself from the Board during discussion and decisions concerning that member.

**CITY OF MUNFORD
SICK LEAVE BANK REQUEST**

Name

(Last)

(First)

(Middle)

Address

(Street/P.O. Box)

(City/State)

(Zip)

Daytime Phone _____

Department _____

Date Annual Leave Expires _____

Number of Days Requested From Sick Leave Bank _____

Signature of Employee or Agent _____ Date _____

Comments _____

APPROVAL OR DENIAL

(To be completed by Board of Trustees)

Request Approved: Yes _____ No _____

If no, reason for denial _____

Number of Days Approved _____

Chairperson _____ Date _____

Effective Dates: From: _____ to: _____

Comments _____

Chairperson Signature: _____ Date _____

CITY OF MUNFORD
AGREEMENT TO PARTICIPATE IN THE SICK LEAVE BANK PROGRAM

I, the undersigned employee of the City of Munford, do hereby agree to participate in the Sick Leave Bank Program.

I also agree to abide by the guidelines set forth in the text of the Sick Leave Bank Program.

Name of
Employee _____

Signature of _____ Date _____

I, the undersigned employee of the City of Munford, do not wish to participate in Sick Leave Bank Program at this time. I understand that enrollment in the program is only allowed once per year in the month of September.

Name of
Employee _____

Signature of _____ Date _____

APPENDIX C

SOCIAL MEDIA USE AND INTERNET POSTING POLICY

SECTION 1. APPLICABILITY

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

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

SECTION 2. CITY OWNED OR CREATED SOCIAL MEDIA

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

2.2. All city social media sites directly or indirectly representing to be an official statement of the city must be created pursuant to this policy and be approved by the Mayor or the Mayor's designee.

2.3. The city's primary and predominant internet presence shall remain the website and no other website, blog or social media site shall characterize itself as such.

2.4. The person designated by the Mayor is responsible for the content and upkeep of any social media sites created pursuant to this policy.

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

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

- a. Open Records Policy
- b. Internet Use Policy
- c. IT Security Policy
- d. Ethics Policy
- e. Records Retention Policy

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

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

Comments not topically related to the particular social medium article being commented upon;

Comments in support of or opposition to political campaigns or ballot measures;

Profane language or content;

Content that promotes, fosters, or perpetuates discrimination on the basis of race, creed, color, age, religion, gender, marital status, status with regard to public assistance, national origin, physical or mental disability or sexual orientation;

Sexual content or links to sexual content;

Solicitations of commerce;

Conduct or encouragement of illegal activity;

Information that may tend to compromise the safety or security of the public or public systems; or

Content that violates a legal ownership interest of any other party.

2.9. The city will approach the use of social media tools, software, hardware and applications in a consistent, citywide manner. All new tools, software, hardware and applications must be approved by The Mayor or the Mayor's designee.

2.10. Administration of city social media sites.

The person designated by the Mayor will maintain a list of social media tools which are approved for use by city departments and staff.

The person designated by the Mayor will maintain a list of all city social media sites, including login and password information. Employees and officials will inform the person designated by the mayor of any new social media sites or administrative changes to existing sites.

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

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

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

SECTION 3. NON-CITY SOCIAL MEDIA SITES

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

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

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

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

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

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