



CITY OF TUPELO
EMPLOYEE HANDBOOK



City of Tupelo

Jason L. Shelton
Mayor

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Ward Seven

To Our Newest Team Member:

Welcome to the City of Tupelo's official family! You have joined over 450 professional men and women on our staff. Each of us take tremendous pride in our City, and we work every day to make it better.

On behalf of our colleagues, I welcome you to the City of Tupelo and wish you great success. I want to tell each of you that I look forward to working with you during the next four years!

We believe that each employee contributes directly to the City of Tupelo's growth and success, and we hope you will take pride in being a member of our All-America city.

This handbook was developed to describe some of the expectations of our employees and to outline the polices, programs, and benefits available to eligible employees. Please study this handbook well to familiarize yourself with the contents of the employee handbook as soon as possible, for it will answer many of your questions.

I look forward to meeting each of you personally as soon as possible. Until then, I join you in our efforts to make Tupelo the best city in America.

Sincerely,

CITY OF TUPELO

Jason L. Shelton
Mayor

JLS/sew

Table of Contents

Policy	Effective Date:	Revision Date:
INTRODUCTION		
010 Title Page	8/1/00	
020 Employee Welcome Message	8/1/00	
040 Introductory Statement	8/1/00	
051 Employee Acknowledgement Form	8/1/00	
EMPLOYMENT		
101 Nature of Employment	8/1/00	
102 Employee Relations	8/1/00	
103 Equal Employment Opportunity	8/1/00	
104 Business Ethics and Conduct	8/1/00	
105 Personal Relationships in the Workplace	8/1/00	
106 Employee Medical Examinations	8/1/00	
107 Immigration Law Compliance	8/1/00	
108 Conflicts of Interest	8/1/00	
110 Outside Employment	8/1/00	
114 Disability Accommodation	8/1/00	
116 Job Posting	7/18/00	
EMPLOYMENT STATUS & RECORDS		
201 Employment Categories	8/1/00	
202 Access to Personnel Files	8/1/00	
203 Employment Reference Checks	8/1/00	
204 Personnel Data Changes	8/1/00	
208 Employment Applications	8/1/00	
209 Performance Evaluation	8/1/00	
210 Job Descriptions	8/1/00	
EMPLOYEE BENEFIT PROGRAMS		
301 Employee Benefits	8/1/00	
303 Vacation Benefits	8/1/00	
305 Holidays	8/1/00	1/31/01
306 Workers' Compensation Insurance	8/1/00	
307 Sick Leave Benefits	8/1/00	
308 Time Off to Vote	8/1/00	
309 Bereavement Leave	8/1/00	
311 Jury Duty	8/1/00	
312 Witness Duty	8/1/00	
313 Benefits Continuation (COBRA)	8/1/00	
314 Educational Assistance	8/1/00	
316 Health Insurance	8/1/00	
317 Life Insurance	8/1/00	
TIMEKEEPING/PAYROLL		
401 Timekeeping	8/1/00	
403 Paydays	8/1/00	
405 Employment Termination	8/1/00	

408	Pay Advances	8/1/00
409	Administrative Pay Corrections	8/1/00
410	Pay Deductions and Setoffs	8/1/00

WORK CONDITIONS & HOURS

501	Safety	8/1/00
502	Work Schedules	8/1/00
504	Use of Phone and Mail Systems	8/1/00
505	Tobacco/Smoking	8/1/00
506	Meal Periods	8/1/00
507	Overtime/Compensatory Leave	8/1/00
508	Use of Equipment and Vehicles	8/1/00
510	Emergency Closings	8/1/00
512	Business Travel Expenses	8/1/00
514	Standby Policy	8/1/00
516	Computer and E-mail Usage	8/1/00
517	Internet Usage	8/1/00

LEAVES OF ABSENCE

601	Donation Of Leave	8/1/00
602	Family and Medical Leave	8/1/00
603	Personal Leave	8/1/00
605	Military Leave	8/1/00

EMPLOYEE CONDUCT & DISCIPLINARY ACTION

701	Employee Conduct and Work Rules	8/1/00
702	Drug and Alcohol Use	8/1/00
703	Sexual and Other Unlawful Harassment	8/1/00
704	Attendance and Punctuality	8/1/00
705	Personal Appearance	8/1/00
706	Return of Property	8/1/00
708	Resignation	8/1/00
710	Security Inspections	8/1/00
712	Solicitation	8/1/00
718	Problem Resolution	8/1/00

Index

(Policy number shown in brackets)

ABSENTEEISM

see Attendance and Punctuality [704]

ACCESS TO PERSONNEL FILES [202]

ADMINISTRATIVE PAY CORRECTIONS [409]

ADOPTION

see Family and Medical Leave [602]

ALCOHOL ABUSE

see Drug and Alcohol Use [702]

ATTENDANCE AND PUNCTUALITY [704]

BENEFITS CONTINUATION (COBRA) [313]

BEREAVEMENT LEAVE [309]
BUSINESS ETHICS AND CONDUCT [104]
BUSINESS TRAVEL EXPENSES [512]
CHILD CARE
 see Family and Medical Leave [602]
COMPANY PROPERTY
 see Return of Property [706]
COMPLAINT PROCEDURES
 see Problem Resolution [718]
COMPUTER AND E-MAIL USAGE [516]
CONFLICTS OF INTEREST [108]
DISABILITY ACCOMMODATION [114]
DISCIPLINE
 see Employee Conduct and Work Rules [701]
DISPUTE RESOLUTION
 see Problem Resolution [718]
DONATION OF LEAVE [601]
DRUG AND ALCOHOL USE [702]
EDUCATIONAL ASSISTANCE [314]
ELDERCARE
 see Family and Medical Leave [602]
ELECTRONIC COMMUNICATIONS
 see Internet Usage [517]
EMERGENCY CLOSINGS [510]
EMPLOYEE ACKNOWLEDGEMENT FORM [051]
EMPLOYEE BENEFITS [301]
EMPLOYEE CONDUCT AND WORK RULES [701]
EMPLOYEE INFORMATION
 see Personnel Data Changes [204]
EMPLOYEE MEDICAL EXAMINATIONS [106]
EMPLOYEE RELATIONS [102]
EMPLOYEE WELCOME MESSAGE [020]
EMPLOYMENT APPLICATIONS [208]
EMPLOYMENT CATEGORIES [201]
EMPLOYMENT REFERENCE CHECKS [203]
EMPLOYMENT TERMINATION [405]
EMPLOYMENT-AT-WILL
 see Employee Conduct and Work Rules [701]
EQUAL EMPLOYMENT OPPORTUNITY [103]
EVALUATION
 see Performance Evaluation [209]
FAMILY AND MEDICAL LEAVE [602]
FMLA
 see Family and Medical Leave [602]
GRIEVANCE PROCEDURES
 see Problem Resolution [718]
HEALTH INSURANCE [316]
HOLIDAYS [305]
IMMIGRATION LAW COMPLIANCE [107]
INTERNET USAGE [517]
INTRODUCTORY STATEMENT [040]

JOB DESCRIPTIONS [210]
JOB POSTING [116]
JOB REFERENCES
 see Employment Reference Checks [203]
JURY DUTY [311]
LATENESS
 see Attendance and Punctuality [704]
LIFE INSURANCE [317]
MEAL PERIODS [506]
MILITARY LEAVE [605]
MISCONDUCT
 see Employee Conduct and Work Rules [701]
MOONLIGHTING
 see Outside Employment [110]
NATURE OF EMPLOYMENT [101]
NETIQUETTE
 see Internet Usage [517]
OPEN DOOR POLICY
 see Problem Resolution [718]
OUTSIDE EMPLOYMENT [110]
OVERTIME/COMPENSATORY LEAVE [507]
PARENTAL LEAVE
 see Family and Medical Leave [602]
PATERNITY LEAVE
 see Family and Medical Leave [602]
PAY ADVANCES [408]
PAY DEDUCTIONS AND SETOFFS [410]
PAYDAYS [403]
PAYROLL
 see Timekeeping [401]
PERFORMANCE EVALUATION [209]
PERFORMANCE REVIEW
 see Performance Evaluation [209]
PERSONAL APPEARANCE [705]
PERSONAL CONDUCT
 see Employee Conduct and Work Rules [701]
PERSONAL LEAVE [603]
PERSONAL RELATIONSHIPS IN THE WORKPLACE [105]
PERSONNEL DATA CHANGES [204]
PROBLEM RESOLUTION [718]
PROPERTY
 see Return of Property [706]
REFERENCE CHECKS
 see Employment Reference Checks [203]
RESIGNATION [708]
RETURN OF PROPERTY [706]
REVIEW, EMPLOYEE PERFORMANCE
 see Performance Evaluation [209]
RULES OF CONDUCT
 see Employee Conduct and Work Rules [701]
SAFETY [501]

SECURITY INSPECTIONS [710]
SEXUAL AND OTHER UNLAWFUL HARASSMENT [703]
SICK LEAVE BENEFITS [307]
SOLICITATION [712]
STANDBY POLICY [514]
TARDINESS
 see Attendance and Punctuality [704]
TERMINATION OF EMPLOYMENT
 see Resignation [708]
TIME CARDS
 see Timekeeping [401]
TIME OFF TO VOTE [308]
TIMEKEEPING [401]
TITLE PAGE [010]
TOBACCO/SMOKING [505]
USE OF EQUIPMENT AND VEHICLES [508]
USE OF PHONE AND MAIL SYSTEMS [504]
VACATION BENEFITS [303]
VIRUS PROTECTION
 see Internet Usage [517]
VOLUNTARY RESIGNATION
 see Resignation [708]
WEB SITE
 see Internet Usage [517]
WITNESS DUTY [312]
WORK SCHEDULES [502]
WORKERS' COMPENSATION INSURANCE [306]
WORLD WIDE WEB
 see Internet Usage [517]

City of Tupelo, Mississippi

Employee Handbook

INTRODUCTORY STATEMENT

This handbook is designed to acquaint you with the City of Tupelo and to provide you with information about working conditions, employee benefits, and some of the policies affecting your employment. You should read, understand, and comply with all provisions of the handbook. It describes many of your responsibilities as an employee and outlines the programs developed by the City of Tupelo to benefit employees. One of our objectives is to provide a work environment that is conducive to both personal and professional growth.

This handbook is not a contract of employment, nor is it intended to create any property interest in continued employment with the City. In this regard, the City, through its Mayor, City Council and Department Heads, pursuant to state law, retains exclusive jurisdiction to exercise the customary functions of management including, but not limited to, sole discretion to discipline and dismiss employees; to determine the size and composition of the workforce; to establish, change and abolish policies, procedures, rules and regulations; and to further assign duties to employees in accordance with the needs and requirements as determined by the City and/or appropriate department head.

No employee handbook can anticipate every circumstance or question about policy. As the City of Tupelo continues to grow, the need may arise and the City reserves the right to revise, supplement, or rescind any policies or portion of the handbook from time to time as it deems appropriate, in its sole and absolute discretion. Employees will be notified of such changes to the handbook as they occur.

EMPLOYEE ACKNOWLEDGEMENT FORM

The employee handbook describes important information about the City of Tupelo, and I understand that I should consult the Human Resources Department regarding any questions not answered in the handbook. I have entered into my employment relationship with the City of Tupelo voluntarily and acknowledge that there is no specified length of employment. **Accordingly, either the City of Tupelo or I can terminate the relationship at will, with or without cause, at any time, so long as there is no violation of applicable federal or state law.**

Since the information, policies, and benefits described here are necessarily subject to change, I acknowledge that revisions to the handbook may occur. All such changes will be communicated through official notices, and I understand that revised information may supersede, modify, or eliminate existing policies. Only the Mayor and City Council of the City of Tupelo has the ability to adopt any revisions to the policies in this handbook.

Furthermore, I acknowledge that this handbook is neither a contract of employment nor a legal document. I have received the handbook, and I understand that it is my responsibility to read and comply with the policies contained in this handbook and any revisions made to it.

DATE:

EMPLOYEE'S NAME (PRINTED): _____

EMPLOYEE'S SIGNATURE: _____

DATE: _____

101 Nature of Employment

Effective Date: 08/01/00

This handbook is intended to provide employees with a general understanding of our personnel policies. Employees are encouraged to familiarize themselves with the contents of this handbook, for it will answer many common questions concerning employment with the City of Tupelo.

However, this handbook cannot anticipate every situation or answer every question about employment. It is not an employment contract and is not intended to create contractual obligations of any kind. **Neither the employee nor the City of Tupelo is bound to continue the employment relationship if either chooses, at its will, to end the relationship at any time.**

In order to retain necessary flexibility in the administration of policies and procedures, the City of Tupelo reserves the right to change, revise, or eliminate any of the policies and/or benefits described in this handbook. The only recognized deviations from the stated policies are those authorized and signed by the Mayor and City Council of the City of Tupelo.

102 Employee Relations

Effective Date: 08/01/00

The City of Tupelo believes that the work conditions, wages, and benefits it offers to its employees are competitive with those offered by other employers in this area and among other municipalities in the state. If employees have concerns about work conditions or compensation, they are strongly encouraged to voice these concerns openly and directly to their supervisors, the Human Resources Department or a member of management.

Our experience has shown that when employees deal openly and directly with supervisors, the work environment can be excellent, communications can be clear, and attitudes can be positive. We believe that the City of Tupelo amply demonstrates its commitment to employees by responding effectively to employee concerns.

103 Equal Employment Opportunity

Effective Date: 08/01/00

In order to provide equal employment and advancement opportunities to all individuals, employment decisions at the City of Tupelo will be based on merit, qualifications, and abilities. The City of Tupelo does not discriminate in employment opportunities or practices on the basis of race, color, religion, sex, national origin, age, veteran's status, disability, or any other characteristic protected by law.

The City of Tupelo will make reasonable accommodations for qualified individuals with known disabilities unless doing so would result in an undue hardship. This policy governs all aspects of employment, including selection, job assignment, compensation, discipline, termination, and access to benefits and training.

Employees with questions or concerns about any type of discrimination in the workplace are encouraged to bring these issues to the attention of their immediate supervisor or the Human Resources Department. Employees can raise concerns and make reports without fear of reprisal. Anyone found to be engaging in any type of unlawful discrimination will be subject to disciplinary action, up to and including termination of employment.

104 Business Ethics and Conduct

Effective Date: 08/01/00

The successful business operation and reputation of the City of Tupelo is built upon the principles of fair dealing and ethical conduct of our employees. Our reputation for integrity and excellence requires careful observance of the spirit and letter of all applicable laws and regulations, as well as a scrupulous regard for the highest standards of conduct and personal integrity.

The continued success of the City of Tupelo is dependent upon our citizens' trust and we are dedicated to preserving that trust. Employees owe a duty to the City of Tupelo and its citizens to act in a way that will merit the continued trust and confidence of the public.

The City of Tupelo will comply with all applicable laws and regulations and expects its officers and employees to conduct business in accordance with the letter, spirit, and intent of all relevant laws and to refrain from any illegal, dishonest, or unethical conduct.

In general, the use of good judgment, based on high ethical principles, will guide you with respect to lines of acceptable conduct. If a situation arises where it is difficult to determine the proper course of action, the matter should be discussed openly with your immediate supervisor and/or Department Head and, if necessary, with the Chief Operations Officer and/or the Mayor for advice and consultation.

Compliance with this policy of business ethics and conduct is the responsibility of every City of Tupelo employee.

105 Personal Relationships in the Workplace

Effective Date: 08/01/00

The employment of relatives or individuals involved in a dating relationship in the same area of an organization may cause serious conflicts and problems with favoritism and employee morale. In addition to claims of partiality in treatment at work, personal conflicts from outside the work environment can be carried over into day-to-day working relationships.

For purposes of this policy, a relative is defined as any person who is related by blood or marriage, or whose relationship with the employee is similar to that of persons who are related by blood or marriage. A dating relationship is defined as a relationship that may be reasonably expected to lead to the formation of a consensual "romantic" or sexual relationship. This policy applies to all employees without regard to the gender or sexual orientation of the individuals involved.

Relatives of current employees may not occupy a position that will be working directly for or supervising their relative. Individuals involved in a dating relationship with a current employee may also not occupy a position that will be working directly for or supervising the employee with whom they are involved in a dating relationship. The City of Tupelo also reserves the right to take prompt action if an actual or potential conflict of interest arises involving relatives or individuals involved in a dating relationship who occupy positions at any level (higher or lower) in the same line of authority that may affect the review of employment decisions.

If a relative relationship or dating relationship is established after employment between employees who are in a reporting situation described above, it is the responsibility and obligation of the supervisor involved in the relationship to disclose the existence of the relationship to management. The individuals concerned will be given the opportunity to decide who is to be transferred to another available position. If that decision is not made within thirty (30) calendar days, management will decide who is to be transferred or, if necessary, terminated from employment.

In other cases where a conflict or the potential for conflict arises because of the relationship between employees, even if there is no line of authority or reporting involved, the employees may be separated by reassignment or terminated from employment.

106 Employee Medical Examinations

Effective Date: 08/06/02

To help ensure that employees are able to perform their duties safely, medical examinations may be required.

After an offer has been made to an applicant who is applying for a regular full-time position or regular part-time, a medical examination will be performed at the City of Tupelo's expense by a health professional of the City of Tupelo's choice. The offer of employment and assignment to duties is contingent upon satisfactory completion of the exam.

In addition to a pre-employment medical examination, employees of the Tupelo Fire Department are required to undergo yearly medical and physical examinations based on standards established by each Department.

In the event an employee does not successfully complete his/her medical exams, the City, at its expense, may require an additional examination or further testing to determine the employee's fitness for employment.

Information on an employee's medical condition or history will be kept separate from other employee information and maintained confidentially. Access to this information will be limited to those who have a legitimate need to know.

107 Immigration Law Compliance

Effective Date: 08/01/00

The City of Tupelo is committed to employing only United States citizens and aliens who are authorized to work in the United States and does not unlawfully discriminate on the basis of citizenship or national origin.

In compliance with the Immigration Reform and Control Act of 1986, each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form I-9 and present documentation establishing identity and employment eligibility. Former employees who are rehired must also complete the form if they have not completed an I-9 with the City of Tupelo within the past three years, or if their previous I-9 is no longer retained or valid.

Employees with questions or seeking more information on immigration law issues are encouraged to contact the Human Resources Department. Employees may raise questions or complaints about immigration law compliance without fear of reprisal.

108 Conflicts of Interest

Effective Date: 08/01/00

Employees have an obligation to conduct business within guidelines that prohibit actual or potential conflicts of interest. This policy establishes only the framework within which the City of Tupelo wishes the business to operate. The purpose of these guidelines is to provide general direction so that employees can seek further clarification on issues related to the subject of acceptable standards of operation. Contact the Human Resources Department for more information or questions about conflicts of interest.

An actual or potential conflict of interest occurs when an employee is in a position to influence a decision that may result in a personal gain for that employee or for a relative as a result of the City of Tupelo's business dealings. For the purposes of this policy, a relative is a spouse, child or parent of a City employee.

No "presumption of guilt" is created by the mere existence of a relationship with outside firms. However, if employees have any influence on transactions involving purchases, contracts, or leases, it is imperative that they disclose to an officer of the City of Tupelo as soon as possible the existence of any actual or potential conflict of interest so that safeguards can be established to protect all parties.

Personal gain may result not only in cases where an employee or relative has a significant ownership in a firm with which the City of Tupelo does business, but also when an employee or relative receives any kickback, bribe, substantial gift, or special consideration as a result of any transaction or business dealings involving the City of Tupelo.

110 Outside Employment

Effective Date: 08/01/00

An employee may hold a job with another organization as long as he or she satisfactorily performs his or her job responsibilities with the City of Tupelo. All employees will be judged by the same performance standards and will be subject to the City of Tupelo's scheduling demands, regardless of any existing outside work requirements.

If the City of Tupelo determines that an employee's outside work interferes with performance or the ability to meet the requirements of the City of Tupelo as they are modified from time to time, the employee may be asked to terminate the outside employment if he or she wishes to remain with the City of Tupelo.

Employees with the City Police and Fire Departments should check with their respective department chief as to certain additional restrictions on outside employment.

Unless specifically authorized by state statute and local ordinance, employees may not utilize City-issued uniforms, equipment or vehicles for use in a non-City job.

Outside employment will present a conflict of interest if it has an adverse impact on the City of Tupelo. Please refer to Section 108, Conflicts of Interest, of this handbook.

114 Disability Accommodation

Effective Date: 08/01/00

The City of Tupelo is committed to complying fully with the Americans with Disabilities Act (ADA) and ensuring equal opportunity in employment for qualified persons with disabilities. All employment practices and activities are conducted on a non-discriminatory basis.

Hiring procedures have been reviewed and provide persons with disabilities meaningful employment opportunities. Pre-employment inquiries are made only regarding an applicant's ability to perform the duties of the position.

Reasonable accommodation is available to all disabled employees, where their disability affects the performance of job functions. All employment decisions are based on the merits of the situation in accordance with defined criteria, not the disability of the individual.

Qualified individuals with disabilities are entitled to equal pay and other forms of compensation as well as in job assignments, classifications, organizational structures, position descriptions, lines of progression, and seniority lists. Leave of all types will be available to all employees on an equal basis.

The City of Tupelo is also committed to not discriminating against any qualified employees or applicants because they are related to or associated with a person with a disability. The City will follow any state or local law that provides individuals with disabilities greater protection than the ADA.

This policy is neither exhaustive nor exclusive. The City of Tupelo is committed to taking all other actions necessary to ensure equal employment opportunity for persons with disabilities in accordance with the ADA and all other applicable federal, state, and local laws.

116 Job Posting

Effective Date: 06/05/01

The City of Tupelo provides employees an opportunity to indicate their interest in open positions and advance within the organization according to their skills and experience. In general, notices of all regular, full-time job openings are posted, although the City of Tupelo reserves its discretionary right to not post a particular opening.

Job openings will be posted on the employee bulletin board in each department. City employees are given 3 days to make application before the job is posted externally. Each job posting notice will include the dates of the posting period, job title, department, location, grade level, job summary, essential duties, and qualifications (required skills and abilities).

Job posting is a way to inform employees of openings and to identify qualified and interested applicants who might not otherwise be known to the hiring manager. Other recruiting sources may also be used to fill open positions in the best interest of the organization.

201 Employment Categories

Effective Date: 08/01/00

It is the intent of the City of Tupelo to clarify the definitions of employment classifications so that employees understand their employment status and benefit eligibility. These classifications do not guarantee employment for any specified period of time. Accordingly, the right to terminate the employment relationship at will at any time is retained by both the employee and the City of Tupelo.

Each employee is designated as either NONEXEMPT or EXEMPT from federal and state wage and hour laws. NONEXEMPT employees are entitled to overtime pay under the specific provisions of federal and state laws. EXEMPT employees are excluded from specific provisions of federal and state wage and hour laws. An employee's EXEMPT or NONEXEMPT classification may be changed only upon written notification by the City of Tupelo management.

In addition to the above categories, each employee will belong to one other employment category:

- ✓ REGULAR FULL-TIME employees are those who are not in a temporary status and who are regularly scheduled to work the City of Tupelo's full-time schedule. Generally, they are eligible for the City of Tupelo's benefit package, subject to the terms, conditions, and limitations of each benefits program.
- ✓ PART-TIME employees are those who are not assigned to a temporary or introductory status and who are regularly scheduled to work thirty (30) hours per week. While they do receive all legally mandated benefits (such as Social Security and workers' compensation insurance), they are ineligible for all of the City of Tupelo's other benefits programs.
- ✓ TEMPORARY employees are those who are hired as interim replacements, to temporarily supplement the work force, or to assist in the completion of a specific project. Employment assignments in this category are of a limited duration and shall not extend beyond one (1) year. Employment beyond any initially stated period does not in any way imply a change in employment status. Temporary employees retain that status unless and until notified of a change. While temporary employees receive all legally mandated benefits (such as workers' compensation insurance and Social Security), they are ineligible for all of the City of Tupelo's other benefits programs.
- ✓ SEASONAL employees are those employees who work full-time during a particular season. Other than Social Security and workers' compensation benefits, seasonal employees are ineligible for all the City of Tupelo's benefits package.

202 Access to Personnel Files

Effective Date: 08/01/00

The City of Tupelo maintains a personnel file on each employee. The personnel file includes such information as the employee's job application, resume, records of training, documentation of performance appraisals, salary increases, and other employment records.

Personnel files are the property of the City of Tupelo, and access to the information they contain is restricted. Generally, only management personnel of the City of Tupelo who have a legitimate reason to review information in a file are allowed to do so.

Employees who wish to review their own file should contact the Human Resources Department. With reasonable advance notice, employees may review their own personnel files in the City of Tupelo's offices and in the presence of an individual appointed by the City of Tupelo to maintain the files. An employee may file a written request with the Human Resources Department for a copy of his or her personnel file.

203 Employment Reference Checks

Effective Date: 08/01/00

To ensure that individuals who join the City of Tupelo are well qualified and have a strong potential to be productive and successful, the City of Tupelo strives to check the employment references of all applicants.

The Human Resources Department will respond in writing only to those reference check inquiries that are submitted in writing. Responses to such inquiries will confirm only dates of employment, wage rates, and position(s) held.

204 Personnel Data Changes

Effective Date: 08/01/00

It is the responsibility of each employee to promptly notify the City of Tupelo of any changes in personnel data. Personal mailing addresses, telephone numbers, number and names of dependents, individuals to be contacted in the event of an emergency, educational accomplishments, and other such status reports should be accurate and current at all times. If any personnel data has changed, notify the Human Resources Department.

208 Employment Applications

Effective Date: 08/01/00

The City of Tupelo relies upon the accuracy of information contained in the employment application, as well as the accuracy of other data presented throughout the hiring process and employment. Any misrepresentations, falsifications, or material omissions in any of this information or data may result in the exclusion of the individual from further consideration for employment or, if the person has been hired, termination of employment.

All employee applications are the property of the City of Tupelo and the City will strive to keep such applications confidential. Access to employee applications is restricted. Generally, only the Mayor, City management and the City Council pursuant to state law, who have a legitimate reason to review an employee application, are allowed to do so. The Human Resources Department will provide a daily log in which to register the name, date, and time of any person who accesses an employee application.

209 Performance Evaluation

Effective Date: 08/01/00

Supervisors and employees are strongly encouraged to discuss job performance and goals on an informal, day-to-day basis. Formal performance evaluations are conducted to provide both supervisors and employees the opportunity to discuss job tasks, identify and correct weaknesses, encourage and recognize strengths, and discuss positive, purposeful approaches for meeting goals.

Performance evaluations are scheduled approximately every twelve (12) months, coinciding with the anniversary of the employee's original date of hire with any increases in pay to begin with the next pay period. All employees must be evaluated each year.

Merit-based pay adjustments may be awarded by the City of Tupelo in an effort to recognize truly superior employee performance. The decision to award such an adjustment is dependent upon numerous factors, including the information documented by this formal performance evaluation process.

210 Job Descriptions

Effective Date: 08/01/00

The City of Tupelo makes every effort to create and maintain accurate job descriptions for all positions within the organization. Each description includes a job information section, a job summary section (giving a general overview of the job's purpose), an essential duties and responsibilities section, a supervisory responsibilities section, a qualifications section (including education and/or experience, language skills, mathematical skills, reasoning ability, and any certification required), a physical demands section, and a work environment section.

The City of Tupelo maintains job descriptions to aid in orienting new employees to their jobs, identifying the requirements of each position, establishing hiring criteria, setting standards for employee performance evaluations, and establishing a basis for making reasonable accommodations for individuals with disabilities.

The Human Resources Department prepares job descriptions when new positions are created. Existing job descriptions are also reviewed and revised in order to ensure that they are up to date. Job descriptions may also be rewritten periodically to reflect any changes in the position's duties and responsibilities. All employees will be expected to help ensure that their job descriptions are accurate and current, reflecting the work being done.

Employees should remember that job descriptions do not necessarily cover every task or duty that might be assigned, and that additional responsibilities may be assigned as necessary. Contact the Human Resources Department if you have any questions or concerns about your job description.

301 Employee Benefits

Effective Date: 08/01/00

Revision Date: 01/07/14

Eligible employees at the City of Tupelo are provided a wide range of benefits. A number of the programs (such as Social Security, workers' compensation and unemployment insurance) cover all employees in the manner prescribed by law.

Benefits eligibility is dependent upon a variety of factors, including employee classification. Your supervisor can identify the programs for which you are eligible. Details of many of these programs can be found elsewhere in the employee handbook.

The following benefit programs are available to eligible employees:

- ✓ Auto Mileage
- ✓ Auto, employer-owned
- ✓ Bereavement Leave
- ✓ Deferred Compensation Plan
- ✓ Educational Financial Assistance
- ✓ Educational Leave
- ✓ Family Leave
- ✓ Flexible Spending Plan
- ✓ Health Insurance
- ✓ Holidays
- ✓ Jury Duty Leave
- ✓ Life Insurance
- ✓ Medical Insurance
- ✓ Medical Leave
- ✓ Membership to Tupelo Aquatic Center
- ✓ Military Leave
- ✓ Pension Plan
- ✓ Personal Leave
- ✓ Sick Leave Benefits
- ✓ Tax-Sheltered Annuities
- ✓ Travel Allowances
- ✓ Uniforms (where appropriate)
- ✓ Vacation Benefits
- ✓ Voting Time Off

Some benefit programs require contributions from employees, but most are fully paid by the City of Tupelo. The benefit package for regular full-time employees represents an additional cost to the City of Tupelo of approximately twenty-six percent (26%) of wages.

303 Vacation Benefits

Effective Date: 08/01/00

Vacation time off with pay is available to eligible employees to provide opportunities for rest, relaxation, and personal pursuits. Employees in the following employment classification(s) are eligible to earn and use vacation time as described in this policy:

- ✓ Regular full-time employees

Initial eligibility for vacation time is one (1) year from the date an employee is hired by the City.

The amount of paid vacation time employees receive each year increases with the length of their employment as shown in the following schedule:

- ✓ Upon initial eligibility the employee is entitled to 80 hours of vacation each year.
- ✓ After 10 years of eligible service the employee is entitled to 120 hours of vacation each year.
- ✓ After 15 years of eligible service the employee is entitled to 160 hours of vacation each year.

In lieu of regularly scheduled holidays, the employees of the Emergency Service Division (ESD) of the City of Tupelo Fire Department shall receive vacation time as follows:

- ✓ Upon eligibility the ESD employee is entitled to 184 hours of vacation per year.
- ✓ After ten (10) years of eligible service, the ESD employee is entitled to 240 hours of vacation per year.
- ✓ After fifteen (15) years of eligible service, the ESD employee is entitled to 296 hours of service per year.

The length of eligible service is calculated on the basis of a "benefit year." This is the 12-month period that begins when the employee starts to earn vacation time. An employee's benefit year may be extended for any significant leave of absence except military leave of absence. Military leave has no effect on this calculation. (See individual leave of absence policies for more information.)

Once employees enter an eligible employment classification, they begin to earn paid vacation time according to the schedule. Earned vacation time is available for use in the year following its accrual.

Paid vacation time can be used in minimum increments of one hour. To take vacation, employees should request advance approval from their supervisors. Requests will be reviewed based on a number of factors, including business needs and staffing requirements.

Vacation time off is paid at the employee's base pay rate at the time of vacation. It does not include overtime or any special forms of compensation such as incentives, commissions, bonuses, or shift differentials.

As stated above, employees are encouraged to use available paid vacation time for rest, relaxation, and personal pursuits. In the event that available vacation is not used by the end of the benefit year, the unused vacation time shall be counted as creditable service for the purposes of the Public Employee's Retirement System as provided in Section 25-11-103 of the Mississippi Code of 1972, as amended.

Vacation time may not be carried over into the next benefit year nor can such time be accrued by employees.

Upon termination of employment, employees will be paid for unused vacation time that has been earned through the last day of work. However, if the City of Tupelo, in its sole discretion, terminates employment for cause, forfeiture of unused vacation time may result.

305 Holidays

Effective Date: 08/01/00

Revision Date: 01/31/01

Revision Date: 03/17/09

The City of Tupelo will grant holiday time off to all employees on the holidays listed below:

- ✓ New Year's Day (January 1)
- ✓ Martin Luther King, Jr. Day/Robert E. Lee's Birthday (third Monday in January)
- ✓ George Washington's Birthday (third Monday in February)
- ✓ Good Friday (Friday before Easter Sunday)
- ✓ Memorial Day (last Monday in May)
- ✓ Independence Day (July 4)
- ✓ Labor Day (first Monday in September)
- ✓ Veterans' Day (November 11)
- ✓ Thanksgiving (fourth Thursday in November)
- ✓ Christmas (December 25)

The City of Tupelo will grant paid holiday time off to all eligible employees immediately upon assignment to an eligible employment classification. Holiday pay will be calculated based on the employee's straight-time pay rate (as of the date of the holiday) times the number of hours the employee would otherwise have worked on that day. Eligible employee classification(s):

- ✓ All regular full-time and regular part-time employees (except employees of the Emergency Services Division of the Tupelo Fire Department)

An employee may utilize earned compensatory time or vacation days in lieu of working the last scheduled day immediately preceding and the first scheduled day immediately following a holiday.

Unless on authorized leave, employees must work the day before a holiday, the holiday if required, and the day after a holiday to receive holiday pay.

A recognized holiday that falls on a Saturday will be observed on the preceding Friday. A recognized holiday that falls on a Sunday will be observed on the following Monday.

If eligible nonexempt employees work on a recognized holiday, they will receive holiday pay plus wages at their straight-time rate for the hours worked on the holiday.

Paid time off for holidays will not be counted as hours worked for the purposes of determining overtime. **An employee must work in excess of 40 hours per week to be eligible for overtime pay.**

306 Workers' Compensation Insurance

Effective Date: 08/01/00

The City of Tupelo provides a comprehensive workers' compensation insurance program at no cost to employees. This program covers any injury or illness sustained in the course of employment that requires medical, surgical, or hospital treatment. Subject to applicable legal requirements, workers' compensation insurance provides benefits after a short waiting period or, if the employee is hospitalized, immediately.

Employees who sustain work-related injuries or illnesses should inform their supervisor immediately. No matter how minor an on-the-job injury may appear, it is important that it be reported immediately. This will enable an eligible employee to qualify for coverage as quickly as possible.

307 Sick Leave Benefits

Effective Date: 08/01/00

The City of Tupelo provides paid sick leave benefits to all eligible employees for periods of temporary absence due to illnesses or injuries. Eligible employee classification(s):

- ✓ Regular full-time employees

Eligible employees will accrue sick leave benefits at the rate of twelve (12) days per year (1 day for every full month of service). Sick leave benefits are calculated on the basis of a "benefit year," the twelve (12) month period that begins when the employee starts to earn sick leave benefits which is the date the employee begins work for the City.

Employees of the Emergency Services Division of the City of Tupelo Fire Department will accrue sick leave benefits at the rate of 11.2 hours per month.

Employees can request use of paid sick leave after completing a waiting period of one hundred eighty (180) calendar days from the date they become eligible to accrue sick leave benefits. Paid sick leave can be used in minimum increments of one-half of one hour. Eligible employees may only use sick leave benefits for an absence due to their own illness or injury, or may donate a portion of such leave to another City employee in accordance with the Donation of Leave policy found at Section 601 of this employee handbook.

Employees who are unable to report to work due to illness or injury should notify their direct supervisor before the scheduled start of their workday if possible. The direct supervisor must also be contacted on each additional day of absence. If an employee is absent for three (3) or more consecutive days due to illness or injury, a physician's statement must be provided verifying the disability and its beginning and expected ending dates. Such verification may be requested for other sick leave absences as well and may be required as a condition to receiving sick leave benefits. Before returning to work from a sick leave absence of three (3) calendar days or more, an employee must provide a physician's verification that he or she may safely return to work.

Sick leave benefits will be calculated based on the employee's base pay rate at the time of absence and will not include any special forms of compensation, such as incentives, commissions, bonuses, or shift differentials. As an additional condition of eligibility for sick leave benefits, an employee on an extended absence must apply for any other available compensation and benefits, such as workers' compensation. Sick leave benefits will be used to supplement any payments that an employee is eligible to receive from workers' compensation or the City of Tupelo-provided disability insurance programs. The combination of any such disability payments and sick leave benefits cannot exceed the employee's normal weekly earnings.

There is no limit to the number of days, which can be accumulated for sick leave. Sick leave benefits are intended solely to provide income protection in the event of illness or injury, and may not be used for any other absence. Unused sick leave benefits will not be paid to employees while they are employed or upon termination of employment; however, unused sick leave shall be counted as creditable services for the purposes of

the Public Employees' Retirement System as provided in Section 25-11-103 of the Mississippi Code of 1972, as amended.

308 Time Off to Vote

Effective Date: 08/01/00

The City of Tupelo encourages employees to fulfill their civic responsibilities by participating in elections. Generally, employees are able to find time to vote either before or after their regular work schedule. If employees are unable to vote in an election during their nonworking hours, the City of Tupelo will grant up to one (1) hour of paid time off to vote.

Employees should request time off to vote from their supervisor at least two working days prior to the election day. Advance notice is required so that the necessary time off can be scheduled at the beginning or end of the work shift, whichever provides the least disruption to the normal work schedule.

309 Bereavement Leave

Effective Date: 08/01/00

Employees who wish to take time off due to the death of an immediate family member should notify their supervisor immediately.

Up to three (3) days of paid bereavement leave will be provided to eligible employees in the following classification(s):

- ✓ Regular full-time employees

Bereavement pay is calculated based on the base pay rate at the time of absence.

Bereavement leave will normally be granted unless there are unusual business needs or staffing requirements. Employees may, with their supervisors' approval, use any available paid leave for additional time off as necessary.

For purposes of this policy, "immediate family" means spouse, child, stepchild, parent, stepparent, parent-in-law, sibling and grandparent.

311 Jury Duty

Effective Date: 08/01/00

The City of Tupelo encourages employees to fulfill their civic responsibilities by serving jury duty when required. Employees in an eligible classification may request up to two (2) weeks of paid jury duty leave over any two (2) year period.

Jury duty pay will be calculated on the employee's base pay rate times the number of hours the employee would otherwise have worked on the day of absence. Employee classifications that qualify for paid jury duty leave are:

- ✓ Regular full-time employees
- ✓ Regular part-time employees

If employees are required to serve jury duty beyond the period of paid jury duty leave, they may use any available paid time off (for example, vacation benefits) or may request an unpaid jury duty leave of absence.

When a City employee who has served as a juror receives jury pay for such service, the employee may have the option to turn in such pay to his supervisor as soon as such payment is received or keep the jury fee and take unpaid leave as permitted in Section 603 of this handbook.

Employees must show the jury duty summons to their supervisor as soon as possible so that the supervisor may make arrangements to accommodate their absence. Of course, employees are expected to report for work whenever the court schedule permits.

Either the City of Tupelo or the employee may request an excuse from jury duty if, in the City of Tupelo's judgment, the employee's absence would create serious operational difficulties.

The City of Tupelo will continue to provide health insurance benefits (on the same basis as before) for the full term of the jury duty absence.

Benefit accruals such as vacation, sick leave, or holiday benefits will be suspended if jury duty exceeds thirty (30) days and will resume upon return to active employment.

312 Witness Duty

Effective Date: 08/01/00

The City of Tupelo encourages employees to appear in court for witness duty when subpoenaed to do so.

If employees have been subpoenaed or otherwise requested to testify as witnesses by the City of Tupelo, they will receive paid time off for the entire period of witness duty. When an employee who has served as a witness receives witness fees for such services, the employee may have the option to turn in such pay to his/her supervisor as soon as such payment is received or keep the witness fees and take unpaid leave as permitted under Section 603 of this handbook.

The subpoena should be shown to the employee's supervisor immediately after it is received so that operating requirements can be adjusted, where necessary, to accommodate the employee's absence. The employee is expected to report for work whenever the court schedule permits.

Employees will be granted a maximum of eight (8) hours of paid time off to appear in court as a witness at the request of a party other than the City of Tupelo. Employees will be paid at their base rate and are free to use any remaining vacation leave to receive compensation for any period of witness duty absence that would otherwise be unpaid.

313 Benefits Continuation (COBRA)

Effective Date: 08/01/00

Revision Date: 12/04/01

The Federal Consolidated Omnibus Budget Reconciliation Act (COBRA) gives employees and their qualified beneficiaries the opportunity to continue health insurance coverage under the City of Tupelo's health plan when a "qualifying event" would normally result in the loss of eligibility. Some common qualifying events are resignation, termination of employment, retirement or death of an employee; a reduction in an employee's hours or a leave of absence; an employee's divorce or legal separation; and dependent child no longer meeting eligibility requirements.

Under COBRA, the employee or beneficiary pays the full cost of coverage at the City of Tupelo's group rates plus an administration fee. The City of Tupelo provides each eligible employee with a written notice describing rights granted under COBRA when the employee becomes eligible for coverage under the City of Tupelo's health insurance plan. The notice contains important information about the employee's rights and obligations.

314 Educational Assistance

Effective Date: 08/01/00

The City of Tupelo recognizes that the skills and knowledge of its employees are critical to the success of the organization. The educational assistance program encourages personal development through formal education so that employees can maintain and improve job-related skills or enhance their ability to compete for reasonably attainable jobs within the City of Tupelo.

The City of Tupelo will provide educational assistance to all eligible employees who have completed three hundred and sixty-five (365) calendar days of service in an eligible employment classification. Educational assistance shall include the cost of tuition and books only. To maintain eligibility employees must remain on the active payroll and be performing their job satisfactorily through completion of each course. Employees in the following employee classification(s) are eligible for educational assistance:

- ✓ Regular full-time employees

Individual courses or courses that are part of a degree, licensing, or certification program must be related to the employee's current job duties or a foreseeable-future position in the organization in order to be eligible for educational assistance. The City of Tupelo has the sole discretion to determine whether a course relates to an employee's current job duties or a foreseeable-future position. Educational assistance must be authorized by the employee's department head and the Personnel Director. Employees should contact the Human Resources Department for more information or questions about educational assistance.

While educational assistance is expected to enhance employees' performance and professional abilities, the City of Tupelo cannot guarantee that participation in formal education will entitle the employee to automatic advancement, a different job assignment, or pay increases.

The City of Tupelo invests in educational assistance to employees with the expectation that the investment be returned through enhanced job performance. However, if an employee does not receive a "C" average or above on his/her coursework and/or if the employee voluntarily separates from the City of Tupelo's employment within one year of the last educational assistance payment, the amount of the payment will be considered only a loan. Accordingly, the employee will be required to repay up to one hundred percent (100%) of the original educational assistance payment.

316 Health Insurance

Effective Date: 08/01/00

The City of Tupelo's health insurance plan provides employees and their dependents access to medical insurance benefits. Employees in the following employment classifications are eligible to participate in the health insurance plan:

- ✓ Regular full-time employees

Eligible employees may participate in the health insurance plan subject to all terms and conditions of the agreement between the City of Tupelo and the insurance carrier.

A change in employment classification that would result in loss of eligibility to participate in the health insurance plan may qualify an employee for benefits continuation under the Consolidated Omnibus Budget Reconciliation Act (COBRA). Refer to the Benefits Continuation (COBRA) policy, Section 313, for more information.

Details of the health insurance plan are described in the Summary Plan Description (SPD). An SPD and information on cost of coverage will be provided in advance of enrollment to eligible employees. Contact the Human Resources Department for more information about health insurance benefits.

317 Life Insurance

Effective Date: 08/01/00

Life insurance offers you and your family important financial protection. The City of Tupelo provides a basic life insurance plan for eligible employees.

Employees in the following employment classifications are eligible to participate in the life insurance plan:

- ✓ Regular full-time employees

Eligible employees may participate in the life insurance plan subject to all terms and conditions of the agreement between the City of Tupelo and the insurance carrier.

Details of the basic life insurance plan including benefit amounts are described in the Summary Plan Description provided to eligible employees. Contact the Human Resources Department for more information about life insurance benefits.

324 Employee Assistance Program

Effective Date: 02/17/04

The City of Tupelo cares about the health and well-being of its employees and recognizes that a variety of personal problems can disrupt their personal and work lives. While many employees solve their problems either on their own or with the help of family and friends, sometimes employees need professional assistance and advice.

Through the Employee Assistance Program (EAP), the City of Tupelo provides confidential access to professional counseling services for help in confronting such personal problems as alcohol and other substance abuse, marital and family difficulties, financial or legal troubles, and emotional distress. The EAP is available to all employees and their immediate family members offering problem assessment, short-term counseling, and referral to appropriate community, and private services.

The EAP is strictly confidential and is designed to safeguard your privacy and rights. Information given to the EAP counselor may be released only if requested by you in writing. All counselors are guided by a Professional Code of Ethics.

Personal information concerning employee participation in the EAP is maintained in a confidential manner. No information related to an employee's participation in the program is entered into the personnel file.

There is no cost for employees to consult with an EAP counselor. If further counseling is necessary, the EAP counselor will outline community and private services available. The counselor will also let employees know whether any costs associated with private services may be covered by their health insurance plan. Costs that are not covered are the responsibility of the employee.

Minor concerns can become major problems if you ignore them. No issue is too small or too large, and a professional counselor is available to help when you need it. Employees may call 662-377-3813 to contact an EAP counselor or the Human Resources Department.

401 Timekeeping

Effective Date: 08/06/02

Accurately recording time worked is the responsibility of every employee, whether exempt or nonexempt. Federal and state laws require the City of Tupelo to keep an accurate record of time worked in order to calculate employee pay and benefits. Time worked is all the time actually spent on the job performing assigned duties.

All employees should accurately record the time they begin and end their work, as well as the beginning and ending time of each meal period. They should also record the beginning and ending time of any split shift or departure from work for personal reasons. Overtime work must always be approved before it is performed.

Altering, falsifying, tampering with time records, or recording time on another employee's time record may result in disciplinary action, up to and including termination of employment.

Nonexempt employees should report to work no more than seven (7) minutes prior to their scheduled starting time nor stay more than seven (7) minutes after their scheduled stop time without expressed, prior authorization from their supervisor.

It is the employees' responsibility to sign their time records to certify the accuracy of all time recorded. The supervisor will review and then initial the time record before submitting it for payroll processing. In addition, if corrections or modifications are made to the time record, both the employee and the supervisor must verify the accuracy of the changes by initialing the time record.

403 Paydays

Effective Date: 08/01/00

With the exception of employees of the City of Tupelo Fire and Police Departments, who are paid monthly, all other municipal employees are paid biweekly on every other Friday. Each paycheck will include earnings for all work performed through the end of the previous payroll period.

In the event that a regularly scheduled payday falls on a day off such as a weekend or holiday, employees will receive pay on the last day of work before the regularly scheduled payday.

If a regular payday falls during an employee's vacation, the employee's paycheck will be available upon his or her return from vacation or the employee may pick his or her check up on the Friday of payday during the vacation.

405 Employment Termination

Effective Date: 08/01/00

Termination of employment is an inevitable part of personnel activity within any organization, and many of the reasons for termination are routine. Below are examples of some of the most common circumstances under which employment is terminated:

- ✓ Resignation - voluntary employment termination initiated by an employee.
- ✓ Discharge - involuntary employment termination initiated by the organization.
- ✓ Layoff - involuntary employment termination initiated by the organization for non-disciplinary reasons.
- ✓ Retirement - voluntary employment termination initiated by the employee meeting age, length of service, and any other criteria for retirement from the organization.

The City of Tupelo will strive to schedule exit interviews at the time of employment termination. The exit interview will afford an opportunity to discuss such issues as employee benefits, conversion privileges, repayment of outstanding debts to the City of Tupelo or return of City-owned property. Suggestions, complaints, and questions can also be voiced.

Since employment with the City of Tupelo is based on mutual consent, both the employee and the City of Tupelo have the right to terminate employment at will, with or without cause, at any time. Employees will receive their final pay in accordance with applicable state law.

Employee benefits will be affected by employment termination in the following manner: All accrued, vested benefits that are due and payable at termination will be paid. Some benefits may be continued at the employee's expense if the employee so chooses. The employee will be notified in writing of the benefits that may be continued and of the terms, conditions, and limitations of such continuance.

408 Pay Advances

Effective Date: 08/01/00

The City of Tupelo does not provide pay advances on unearned wages to employees.

409 Administrative Pay Corrections

Effective Date: 08/01/00

The City of Tupelo takes all reasonable steps to ensure that employees receive the correct amount of pay in each paycheck and that employees are paid promptly on the scheduled payday.

In the unlikely event that there is an error in the amount of pay, the employee should promptly bring the discrepancy to the attention of the Human Resources Department so that corrections can be made as quickly as possible but no later than twenty-four (24) hours after the error is reported.

410 Pay Deductions and Setoffs

Effective Date: 08/01/00

The law requires that the City of Tupelo make certain deductions from every employee's compensation. Among these are applicable federal, state, and local income taxes. The City of Tupelo also must deduct Social Security taxes on each employee's earnings up to a specified limit that is called the Social Security "wage base." The City of Tupelo matches the amount of Social Security taxes paid by each employee.

The City of Tupelo offers programs and benefits beyond those required by law. Eligible employees may voluntarily authorize deductions from their pay checks to cover the costs of participation in these programs.

Pay setoffs are pay deductions taken by the City of Tupelo, usually to help pay off a debt or obligation to the City of Tupelo or others.

If you have questions concerning why deductions were made from your pay check or how they were calculated, your supervisor can assist in having your questions answered.

501 Safety

Effective Date: 08/01/00

To assist in providing a safe and healthful work environment for employees, customers, and visitors, the City of Tupelo has established a workplace safety program. This program is a top priority for the City of Tupelo. A Safety Committee has responsibility for implementing, administering, monitoring, and evaluating the safety program. Its success depends on the alertness and personal commitment of all.

The City of Tupelo provides information to employees about workplace safety and health issues through regular internal communication channels such as supervisor-employee meetings, bulletin board postings, memos, or other written communications.

Employees and supervisors receive periodic workplace safety training. The training covers potential safety and health hazards and safe work practices and procedures to eliminate or minimize hazards.

Each employee is expected to obey safety rules and to exercise caution in all work activities. Employees must immediately report any unsafe condition to the appropriate supervisor. Employees who violate safety standards, who cause hazardous or dangerous situations, or who fail to report or, where appropriate, remedy such situations, may be subject to disciplinary action, up to and including termination of employment.

In the case of accidents that result in injury, regardless of how insignificant the injury may appear, employees should immediately notify the Safety Committee or the appropriate supervisor. Such reports are necessary to comply with laws and initiate insurance and workers' compensation benefits procedures.

502 Work Schedules

Effective Date: 08/01/00

The normal work schedule for all full-time regular employees is eight (8) hours a day, five (5) days a week.

The normal work schedule for all employees of the Emergency Services Division of the Fire Department is twenty-four (24) hours a day, 2-3 days a week. The normal work schedule for other Fire Department employees is eight (8) hours a day, five (5) days a week.

The normal work schedule for all employees of the Patrol Division of the Police Department is twelve (12) hours a day, 3-4 days a week. The normal work schedule for other police department employees is eight (8) hours a day, five (5) days a week.

Supervisors will advise employees of the times their schedules will normally begin and end. Staffing needs and operational demands may necessitate variations in starting and ending times, as well as variations in the total hours that may be scheduled each day and week.

504 Use of Phone and Mail Systems

Effective Date: 08/01/00

Personal use of telephones for local calls is discouraged and personal use of telephones for long-distance and toll calls is not permitted. Employees will be required to reimburse the City of Tupelo for any charges resulting from their personal use of the telephone.

The use of the City of Tupelo-paid postage for personal correspondence is not permitted. Employees will be required to reimburse the City of Tupelo for any charges resulting from their personal use of City-paid postage.

505 Tobacco/Smoking

Effective Date: 08/01/00

In keeping with the City of Tupelo's intent to provide a safe and healthful work environment, smoking is prohibited throughout the workplace and in all City vehicles. Because of the proven detrimental effect of tobacco use, the City of Tupelo is also committed to providing a tobacco-free environment in all City buildings and City vehicles.

1. Smoking and the use of tobacco in any form will not be permitted in City of Tupelo facilities or in City-owned vehicles.
2. This policy applies to all employees and visitors.
3. Employees found in violation of this policy will face disciplinary action up to and including termination.
4. Tobacco products include, but are not limited to, cigarettes, cigars, snuff, chewing tobacco, etc.
5. Appropriate signage indicating the City's smoke-free policy will be posted in all City buildings and vehicles.

This policy applies equally to all employees, customers, and visitors.

506 Meal Periods

Effective Date: 08/01/00

All full-time regular employees ✓ are provided with one meal period of sixty (60) minutes in length each workday although some employees may only be provided with thirty (30) minute meal periods due to specific work schedules. Supervisors will schedule meal periods to accommodate operating requirements. Employees will be relieved of all active responsibilities and restrictions during meal periods and will not be compensated for that time. Meal periods shall not be taken during the first two (2) hours or the last two (2) hours of the workday.

- ✓ While the provision of meal periods is intended to relieve employees of duty during this time, the nature of employment of public safety employees (police and fire departments) prohibits these employees from being relieved of all active responsibilities and restrictions during meal periods.

507 Overtime/Compensatory Leave

Effective Date: 08/01/00

When operating requirements or other needs cannot be met during regular working hours, non-exempt employees may be scheduled to work overtime which is considered any time in excess of forty (40) hours in a workweek, with the exception of the Tupelo Police and Fire Departments, the workweek for all regular employees is Monday through Sunday of each week. When possible, advance notification of these mandatory assignments will be provided. All overtime work must receive the department head's prior authorization. The reason(s) or condition(s) giving rise to the need for overtime work must also be documented by the department head and furnished to the payroll clerk. Overtime assignments will be distributed as equitably as practical to all employees qualified to perform the required work.

Overtime compensation is paid to all nonexempt employees in accordance with federal and state wage and hour restrictions. Overtime pay is based on actual hours worked. Time off on sick leave, vacation leave, or any leave of absence will not be considered hours worked for purposes of performing overtime calculations.

Failure to work scheduled overtime or overtime worked without prior authorization from the supervisor may result in disciplinary action, up to and including possible termination of employment.

In lieu of overtime compensation, compensatory leave may be granted an employee in the discretion of his/her department head. No more than two (2) days compensatory leave may be accumulated within a thirty (30) day period. All compensatory leave must be used within sixty (60) days from the date the compensatory leave was earned. Department heads must keep precise records of when compensatory leave is authorized and when it is utilized.

Special compensatory leave requirements may apply to member of the Tupelo Police and Fire Departments. Employees of these departments should consult their respective department chief concerning compensatory leave.

508 Use of Equipment and Vehicles

Effective Date: 08/01/00

Equipment and vehicles essential in accomplishing job duties are expensive and may be difficult to replace. When using City property, employees are expected to exercise care, perform required maintenance, and follow all operating instructions, safety standards, and guidelines.

Please notify the supervisor if any equipment, machines, tools, or vehicles appear to be damaged, defective, or in need of repair. Prompt reporting of damages, defects, and the need for repairs could prevent deterioration of equipment and possible injury to employees or others. The supervisor can answer any questions about an employee's responsibility for maintenance and care of equipment or vehicles used on the job.

Whenever in the opinion of management and /or supervisory personnel an employee has been guilty of improper, careless, negligent, destructive, or unsafe use or operation of equipment or vehicles, as well as excessive and/or avoidable traffic and parking violations, the said employee may be disciplined, in the discretion of the City, up to and including termination of employment. Payment of traffic and parking fines are the sole responsibility of the employee who has been charged with such violations.

Employees may not use City owned or issued equipment or vehicles for personal use.

510 Emergency Closings

Effective Date: 08/01/00

At times, emergencies such as severe weather, fires, power failures, or earthquakes, can disrupt City operations. In extreme cases, these circumstances may require the closing of a work facility. In the event that such an emergency occurs during nonworking hours, the Mayor will contact local radio and television stations as soon as possible and request broadcast notification of the closing.

When operations are officially closed due to emergency conditions, the time off from scheduled work will be paid. Employees in essential operations (Water and Light, Police, Fire and Public Works departments) may be asked to work on a day when operations are officially closed. In these circumstances, non-exempt employees who work will receive overtime pay.

512 Business Travel Expenses

Effective Date: 08/01/00

The City of Tupelo will reimburse employees for reasonable business travel expenses incurred while on assignments away from the normal work location. All business travel must be approved in advance by the employee's department head and the Chief Financial Officer.

Employees whose travel plans have been approved are responsible for making their own travel arrangements.

Expenses that generally will be reimbursed include the following:

- ✓ Airfare or train fare for travel in coach or economy class or the lowest available fare.
- ✓ Car rental fees, only for compact or mid-sized cars. Car rentals should be used only when City vehicles are not available. City employees may be reimbursed for mileage at the rate allowed by state law. The Mayor or Chief Operations Officer will approve all requests for motor vehicle rentals.
- ✓ Fares for shuttle or airport bus service, where available; cost of public transportation for ground travel.
- ✓ Taxi fares.
- ✓ Mileage costs for use of personal cars, only when less expensive transportation is not available.
- ✓ Costs of meals will be reimbursed at a per diem rate as set by the Mississippi Department of Finance and Administration. The Department of Finance and Administration sets a maximum daily expenditure annually for such meals. Meals will only be reimbursed for overnight travel.
- ✓ Tips not exceeding 15% of the total cost of the meal or 10% of a taxi fare.
- ✓ Charges for telephone calls, fax and similar services required for business purposes.

Employees who are involved in an accident while traveling on City business must promptly report the incident to their immediate supervisor. Vehicles owned, leased, or rented by the City of Tupelo may not be used for personal use without prior approval by the Department Head

Cash advances to cover reasonable anticipated expenses may be made to employees, after travel has been approved by the employee's Department Head and the Chief Financial Officer. The Chief Financial Officer shall approve all travel advances for department heads. Employees should submit a written request to their department head when travel advances are needed.

With prior approval, employees on business travel may be accompanied by a family member or friend, when the presence of a companion will not interfere with successful completion of business objectives. The City will only reimburse for a single room rate and for the employee's meals only. Generally, employees are also permitted to combine personal travel with business travel, as long as time away from work is approved. Additional expenses arising from such non-business travel are the responsibility of the employee.

When travel is completed, employees should submit completed travel expense reports within five (5) days to their department head. Reports should be accompanied by receipts for all individual expenses. Credit card receipts are not acceptable for reimbursement purposes. For those employees who do not submit completed travel expense reports within five (5) days after their travel is completed, the City may deduct the full amount of the travel expense from the employee's paycheck.

Employees should contact their supervisor for guidance and assistance on procedures related to travel arrangements, travel advances, expense reports, reimbursement for specific expenses, or any other business travel issues.

Abuse of this business travel expenses policy, including falsifying expense reports to reflect costs not incurred by the employee, can be grounds for disciplinary action, up to and including termination of employment.

514 Standby Policy

Effective Date: 08/01/00

It is the general policy of the City of Tupelo that all work by employees shall be completed, to the extent possible, during the normal workday. Eight (8) hours shall constitute a normal day's work for all employees. Forty (40) hours shall constitute a normal workweek and such workweek shall begin on Monday and end on Friday for most employees. However, due to many essential services provided by the City to its citizens, a standby policy is necessary to address potential disruptions or problems with services as they arise during the day or night, on weekends and on holidays.

It is the responsibility of City Department Heads to determine standby duty requirements and assignments. A standby duty roster shall be posted within a department in advance as soon as practicable.

Employees on standby duty must be readily available to answer trouble calls after normal working hours and on weekends and holidays. Employees assigned to standby duty shall abide by all City of Tupelo rules, regulations, policies and procedures. If an employee fails to abide by the City's standby policy or is not readily available for standby duty, he or she shall forfeit his or her standby pay and may be subject to disciplinary action.

An employee who is assigned to standby duty shall be compensated eight (8) hours straight time pay for each period consisting of seven (7) days on standby. This time shall not be counted as time worked for purposes of calculating overtime. This pay shall be in addition to that for time worked when called out. Determination as to the rate of pay for time worked other than regular hours shall be determined as follows:

1. Scheduled work performed during irregular working hours when operating requirements or other needs cannot be met during regular working hours shall be paid at an overtime rate to the extent the employee has actually worked in excess of forty (40) hours during the given workweek. Sick leave, vacation, holidays or any other leave of absence will not be considered hours worked for the purpose of calculating overtime pay for scheduled work performed during irregular hours. Exempt employees will not receive overtime pay for scheduled work performed during irregular hours.
2. Unscheduled emergency work other than regular hours worked will be paid at an overtime hourly rate on the basis of forty (40) hours worked within the workweek as defined herein with sick leave, vacation, and/or holiday leave considered as hours worked. With the exception of Department Heads and exempt ✓ employees, nonexempt employees will receive overtime pay for unscheduled emergency work.

The City of Tupelo defines a standby crew as follows:

1. Water and Sewer Department - Supervisor, Operator, and Laborer (crew of three).

2. Electric Department - Supervisor, Lineman and Helper (crew of three).
 3. Public Services Department - Supervisor, Operator and Laborer (crew of three).
 4. Park and Recreation Department - Supervisor, Operator and Laborer (crew of three).
- ✓ Certain exempt employees who are defined as working foreman may receive overtime compensation.

516 Computer and E-mail Usage

Effective Date: 08/01/00

Computers, computer files, the e-mail system, and software furnished to employees are the City of Tupelo property intended for business use only. Employees should not use a password, access a file, or retrieve any stored communication without authorization. To ensure compliance with this policy, computer and e-mail usage may be monitored.

The City of Tupelo strives to maintain a workplace free of harassment and sensitive to the diversity of its employees. Therefore, the City of Tupelo prohibits the use of computers and the e-mail system in ways that are disruptive, offensive to others, or harmful to morale.

For example, the display or transmission of sexually explicit images, messages, and cartoons is not allowed. Other such misuse includes, but is not limited to, ethnic slurs, racial comments, off-color jokes, or anything that may be construed as harassment or showing disrespect for others.

The City of Tupelo purchases and licenses the use of various computer software for business purposes and does not own the copyright to this software or its related documentation. Unless authorized by the software developer, the City of Tupelo does not have the right to reproduce such software for use on more than one computer.

Employees may only use software on local area networks or on multiple machines according to the software license agreement. The City of Tupelo prohibits the illegal duplication of software and its related documentation. Employees may not utilize personal software in City computer hardware.

Employees should notify their immediate supervisor, the Data Processing Manager or any member of management upon learning of violations of this policy. Employees who violate this policy will be subject to disciplinary action, up to and including termination of employment.

517 Internet Usage

Effective Date: 08/01/00

Internet access to global electronic information resources on the World Wide Web is provided by the City of Tupelo to assist employees in obtaining work-related data and technology. The following guidelines have been established to help ensure responsible and productive Internet usage. All Internet usage is limited to job-related activities. Personal use of the Internet is not permitted.

All Internet data that is composed, transmitted, or received via our computer communications systems is considered to be part of the official records of the City of Tupelo and, as such, is subject to disclosure to law enforcement or other third parties. Consequently, employees should always ensure that the business information contained in Internet e-mail messages and other transmissions is accurate, appropriate, ethical, and lawful.

The equipment, services, and technology provided to access the Internet remain at all times the property of the City of Tupelo. As such, the City of Tupelo reserves the right to monitor Internet traffic, and retrieve and read any data composed, sent, or received through our online connections and stored in our computer systems.

Data that is composed, transmitted, accessed, or received via the Internet must not contain content that could be considered discriminatory, offensive, obscene, threatening, harassing, intimidating, or disruptive to any employee or other person. Examples of unacceptable content may include, but are not limited to, sexual comments or images, racial slurs, gender-specific comments, or any other comments or images that could reasonably offend someone on the basis of race, age, sex, religious or political beliefs, national origin, disability, sexual orientation, or any other characteristic protected by law.

The unauthorized use, installation, copying, or distribution of copyrighted, trademarked, or patented material on the Internet is expressly prohibited. As a general rule, if an employee did not create material, does not own the rights to it, or has not gotten authorization for its use, it should not be put on the Internet. Employees are also responsible for ensuring that the person sending any material over the Internet has the appropriate distribution rights.

Abuse of the Internet access provided by the City of Tupelo in violation of law or the City of Tupelo policies will result in disciplinary action, up to and including termination of employment. Employees may also be held personally liable for any violations of this policy. The following behaviors are examples of previously stated or additional actions and activities that are prohibited and can result in disciplinary action:

- ✓ Sending or posting discriminatory, harassing, or threatening messages or images
- ✓ Using the organization's time and resources for personal gain
- ✓ Stealing, using, or disclosing someone else's code or password without authorization
- ✓ Copying, pirating, or downloading software and electronic files without permission

- ✓ Violating copyright law
- ✓ Failing to observe licensing agreements
- ✓ Engaging in unauthorized transactions that may incur a cost to the organization or initiate unwanted Internet services and transmissions
- ✓ Sending or posting messages or material that could damage the organization's image or reputation
- ✓ Participating in the viewing or exchange of pornography or obscene materials
- ✓ Sending or posting messages that defame or slander other individuals
- ✓ Attempting to break into the computer system of another organization or person
- ✓ Refusing to cooperate with a security investigation
- ✓ Sending or posting chain letters, solicitations, or advertisements not related to business purposes or activities
- ✓ Using the Internet for political causes or activities, religious activities, or any sort of gambling
- ✓ Jeopardizing the security of the organization's electronic communications systems
- ✓ Sending or posting messages that disparage another organization's products or services
- ✓ Passing off personal views as representing those of the organization
- ✓ Sending anonymous e-mail messages
- ✓ Engaging in any other illegal activities

522 Workplace Violence Prevention

Effective Date: 02/17/04

The City of Tupelo is committed to preventing workplace violence and to maintaining a safe work environment. Given the increasing violence in society in general, the City of Tupelo has adopted the following guidelines to deal with intimidation, harassment, or other threats of or actual violence that may occur during business hours or on its premises.

Zero Tolerance. The City of Tupelo has a zero tolerance policy for violence in the workplace. All employees should be treated with courtesy and respect at all times. Employees are expected to refrain from fighting, "horseplay", or other conduct that may be dangerous to others. Conduct that threatens, intimidates, or coerces another employee or a member of the public will not be tolerated. This prohibition includes all acts of harassment, including harassment that is based on an individual's sex, race, age or any characteristic protected by federal, state or local laws.

Weapons. The City of Tupelo specifically prohibits the possession of firearms, weapons and other hazardous devices or substances while on city premises without proper authorization. This ban includes transporting a weapon in a vehicle during working hours, keeping a weapon in a vehicle parked on city property, or carrying a weapon while performing city services off the city's business premises without proper authorization.

Reporting Violence. All threats of or actual violence, both direct and indirect, should be reported as soon as possible to a supervisor or another member of management. Employees are encouraged to report any indication that a coworker is in trouble. When reporting a threat of violence, you should be as specific and detailed as possible. All suspicious individuals or activities should also be reported as soon as possible to a supervisor or other member of management. Do not place yourself in peril. If you see or hear a commotion or disturbance near your workstation, do not try to intervene or see what is happening. All reports will be investigated as soon as possible and will be kept confidential.

Consequences. Anyone determined to be responsible for threats of or-actual violence or other conduct that is in violation of these guidelines will be subject to prompt disciplinary action up to and including termination of employment.

Training. As part of its commitment to preventing workplace violence, the City of Tupelo has established mandatory training programs for all employees. Training will be included as part of the orientation process; thereafter, annual refresher training will be provided throughout the year. Failure to attend training sessions may subject an employee to suspension without pay until the training is completed.

Incident Management. In the event of a violent workplace incident that affects, or has the potential to affect, the mental health of the workforce, the City will provide initial counseling and support services to its employees and their immediate family members.

601 Donation Of Leave

Effective Date: 08/01/00

Revision Date: 12/04/01

Any City of Tupelo employee may donate a portion of his or her earned personal leave, vacation and/or sick leave to another employee who is suffering from a catastrophic illness or injury, or to another employee who has a member of his or her immediate family who is suffering from a catastrophic illness or injury, in accordance with the following:

1. The employee donating the leave (the "donor employee") shall designate the employee who is to receive the leave (the "recipient employee") and the amount of earned vacation and/or sick leave that is to be donated, and shall notify the donor employee's department head of his or her designation. The donor employee's department head shall then notify the recipient employee's department head of the amount of leave that has been donated by the donor employee to the recipient employee. The recipient employee's department head must receive approval from the Human Resources Department for the donated leave.
2. The maximum amount of earned leave that an employee may donate to any other employee may not exceed a number of days which would leave the donor employee fewer than seven (7) days of vacation leave. The maximum amount of earned sick leave an employee may donate to any other employee may not exceed fifty percent (50%) of the earned sick leave of the donor employee. An employee who retires from employment with the City of Tupelo may donate all accrued vacation and sick leave.
3. An employee must have exhausted all of his or her earned vacation and sick leave before he or she will be eligible to receive any leave donated by another employee.
4. Before an employee may receive donated leave, he or she must provide his or her Department Head and the Human Resources Department with a physician's statement that states the beginning date of the catastrophic illness or injury, a description of the illness or injury, a prognosis for recovery and an anticipated date that the recipient employee will be able to return to work.
5. If the total amount of leave donated to any employee is not used by the recipient employee, the donated leave will be returned to the donor employees on a pro rata basis, based on the ratio of the number of days of leave donated by each donor employee to the total number of days of leave donated by all employees.
6. For purposes of this policy, "immediate family" means spouse, child, stepchild, parent, stepparent, parent-in-law or sibling.

602 Family and Medical Leave

Effective Date: 08/01/00

Revision Date: 12/04/01

Under the Family and Medical Leave Act (FMLA), the City of Tupelo provides unpaid family and/or medical leave to eligible employees for up to a total of twelve (12) workweeks during a twelve-month period for one or more of the following:

- ✓ The birth of a child and in order to care for the newborn;
- ✓ The adoption or placement of a child for foster care with the employee;
- ✓ To care for a child, spouse, or parent with a serious health condition;
- ✓ Because of the employee's own serious health condition that makes the employee unable to perform the essential functions of his or her position.

In general, leaves of absence granted under this policy are unpaid leaves of absence. Absence based on the employee's own serious health condition may qualify as paid absence under the City's sick leave plan. Additionally, employees are required to use accrued sick leave, personal days, holidays and vacation during a leave subject to the FMLA.

1. Eligible employees. Family/medical leave is available to all regular full-time and part-time employees who have completed at least twelve (12) months of service with the City and have worked a minimum of 1,250 hours for the City in the twelve (12)-month period immediately preceding the commencement of the leave.
2. Leave duration. Eligible employees are entitled to up to a total of twelve (12) workweeks of leave during a twelve (12)-month period. The twelve (12)-month period is measured backward from the date an employee uses any FMLA leave. Thus, each time an employee takes FMLA leave, the remaining leave entitlement would be any balance of the twelve (12) weeks that has not been used during the immediately preceding twelve (12) months. All FMLA leave will run concurrently with other similar leaves mandated by law, and all vacation, personal leave, and sick leave used during the leave will be included as part of the twelve (12) week period provided by this policy. Any combination of medical and family leave may not exceed the maximum limit of twelve(12) weeks for any employee.
3. Leave conditions. The following conditions are required under the FMLA:
 - ✓ Employee notice requirements. Employees requesting FMLA leave must provide at least thirty (30) days' advance notice before leave is to begin, or if the need for leave is unanticipated, the employee should provide as much advance notice as practicable; normally, notice for unanticipated leave must be given within two (2) business days of when the need for the leave becomes known. Leave of absence request forms may be obtained from the personnel department. For an employee's own serious health condition or that of a family member, an employee on leave must notify his or her supervisor every thirty (30) days of the status of the condition and intent to return to work. Employees must provide the City two (2) days' advance notice of their intent to return to work. In all cases,

when a decision is made by the employee not to return to work, the employee must notify the City immediately.

- ✓ Birth of a child and in order to care for the newborn; adoption; placement of a foster child. Unless otherwise provided by law, leave for these purposes must be taken in consecutive weeks and completed within the twelve (12)-month period following the birth or placement of the child with the employee.
 - ✓ Leave to care for a child, spouse, or parent with a serious health condition or the employee's own serious health condition. For purposes of this policy, a serious health condition entitling an employee to FMLA leave means an illness, injury, impairment, or physical or mental condition that involves in-patient care (including any period of incapacity, or continuing treatment by a health care provider). Employees may take leave for these purposes on a consecutive basis or intermittently, or the employee may request to be placed on a reduced work week or reduced workdays. An employee must request a leave anytime he or she is absent or expects to be absent due to his or her own serious health condition for more than three (3) consecutive work days.
 - ✓ Nonconsecutive periods of leave. If an employee requests an intermittent or reduced schedule leave due to a serious health condition (either his or her own or that of a covered family member, *i.e.* child, spouse or parent), the City may require the employee to transfer temporarily to an alternative position for which the employee is qualified to better accommodate the recurring periods of leave the employee will require. Employees transferred under such circumstances will receive equivalent pay and benefits. Employees requesting intermittent or reduced-schedule leaves for planning medical treatment for the employee or a covered family member must make a reasonable effort to schedule the treatment so as not to disrupt unduly the City's operations.
4. Request for leave. When possible, employees should submit a leave of absence request form to their supervisor. When the need for leave is unanticipated, verbal notice to supervisor is sufficient. Once a request for leave is received, the City will send the employee a written response to the leave request.
 5. Certification requirements. The City requires certification from a health care provider substantiating the employee's leave request anytime an employee expects to be or is absent for reasons that qualify for medical leave under the FMLA. When an employee foresees the need for leave and has provided at least thirty (30) days' notice, the employee should provide such certification before the leave begins. When this is not possible, the employee must provide the certification within fifteen (15) days of the City's request for certification. Failure to provide certification on a timely basis may delay or result in denial of the leave.

Where the leave is for the employee's own serious health condition, the City requires medical certification indicating that the employee can return to work and perform the essential functions of his or her position, with or without reasonable accommodation. Where the leave is for the serious health condition of an employee's child, spouse, or parent, the employee must provide the City with medical certification, which

substantiates that an employee is needed to care for a family member. The City will consider making a reasonable accommodation for any disability an employee may have where required by law and which will not cause undue hardship. Medical certification will also be required from any employee who claims he or she is unable to return to work at the scheduled conclusion of a leave or who request a leave extension. The City has no obligation to extend an employee's FMLA leave beyond the twelve (12) week period but retains the discretion to do so.

6. Use of accrued leave. Employees on an approved family/medical leave will be required to use all accrued paid sick leave, personal days, holidays and vacation (or time-not-worked benefits). Workers' compensation leave may be counted against an employee's FMLA leave if the work related illness or injury meets FMLA's definition of a "serious health condition" and if the FMLA leave entitlement is properly designated by the City at the beginning of the absence. Employees on family/medical leave will be required to exhaust all applicable pay for time-not-worked benefits; thereafter, the remainder of the leave will be unpaid. For purposes of counting the FMLA leave twelve (12) week entitlement, all FMLA leave will run concurrently with other applicable law-mandated leaves, if applicable.
7. Employment protection. An eligible employee who takes FMLA-protected leave is entitled to return to his or her former job or to an equivalent job with equivalent benefits, pay, and other terms and conditions of employment. However, no employee is entitled under this policy to any right, benefit, or position other than that to which the employee would have been entitled had he or she not taken leave. Thus, for example, if a layoff or reduction in force or some extenuating circumstance or business condition arises that affects the employee's position, reinstatement may not be possible. Exceptions may also apply for certain highly compensated, "key" employees under certain conditions.
8. Benefits continuation while on statutory leave. During a covered family/medical leave, the City will continue to provide its normal health insurance coverage at the level and under the conditions coverage would have been provided had the employee been continuously employed. Normal employee contributions for group health benefits, as well as for any voluntary benefits, will be deducted from any payments made to the employee while on leave. If the employee has exhausted all pay for time-not-worked benefits and his or her leave becomes unpaid, the City will contact the employee and review the available options for continuation for such benefits. If an employee defaults on payment of health care premiums or fails to return from unpaid FMLA leave, the employer may recoup the expense of health benefits which were maintained during the leave unless the failure to return was based upon the continuation, recurrence or onset of a serious health condition of the employee or family member which would ordinarily qualify the employee for an FMLA leave or for a reason beyond the employee's control. To the extent recovery is allowed, the City will recover the cost of unpaid health care premiums through a payroll deduction from any sums due to the employee provided such deductions do not violate applicable federal or state laws. Alternatively, the employer may initiate legal action against the employee to recover such cost.
9. Both spouses employed by the City. If both spouses are employed by the City,

they may not take more than twenty-four (24) weeks of leave in the aggregate for birth or care of a newborn, for the adoption or foster care placement of a child, or for the care of a parent.

All questions about leaves of absence should be directed to the City Human Resources Department. Employees should contact their supervisor or the City Human Resources Department for leave of absence request and medical certification forms.

603 Personal Leave

Effective Date: 08/01/00

The City of Tupelo provides leaves of absence without pay to eligible employees who wish to take time off from work duties to fulfill personal obligations. Employees in the following employment classification(s) are eligible to request personal leave as described in this policy:

- ✓ Regular full-time employees

Personal leave may be granted for a period of up to six (6) calendar days every one (1) year. If this initial period of leave proves insufficient, consideration will be given to a written request for a single extension of no more than thirty (30) calendar days. With the supervisor's approval, an employee may take any available sick leave or vacation leave as part of the approved period of leave.

Requests for personal leave will be evaluated based on a number of factors, including anticipated work load requirements and staffing considerations during the proposed period of absence.

Subject to the terms, conditions, and limitations of the applicable plans, health insurance benefits will be provided by the City of Tupelo for the full period of the approved personal leave. When the employee returns from personal leave, benefits will again be provided by the City of Tupelo according to the applicable plans.

Benefit accruals, such as vacation, sick leave, or holiday benefits, will be suspended during the leave and will resume upon return to active employment.

If an employee fails to report to work promptly at the expiration of the approved leave period, the City of Tupelo will assume the employee has resigned.

605 Military Leave

Effective Date: 06/02/02

1. Reservists and Members of the National Guard: Most employees serving in the Reserve or National Guard may be granted military leave to enable them to attend certain types of training as Reservists or Guard members, pursuant to Section 33-21-21 of the Mississippi Code Annotated (1972, as amended) and 38 U.S.C.A. Section 4301, *et seq.* Employees taking leave for military reasons are expected to give reasonable notice of their need for leave, and to show their orders to their immediate supervisor as soon as they receive the orders. An employee who fails to provide reasonable notice of the need for military leave risks not being reemployed, unless providing reasonable notice was impossible, unreasonable or precluded by military considerations.

Military leave may be granted as listed in the following two sections, subject to the requirements provided below:

- a. Leave for periods not to exceed one hundred twenty (120) hours will be provided without loss of pay, time, annual leave, or efficiency rating until relieved from duty.
- b. Leave for certain periods in excess of fifteen (15) days will be provided without loss of pay, time, annual leave, or efficiency rating until relieved from duty.

An employee taking military leave may be restored to the position held before leave or a position of equivalent status, seniority and pay, provided that the employee:

- a. Received a certificate of satisfactory completion of service when discharged or released from the armed forces,
- b. Is still qualified to perform the duties of such position, and,
- c. Has applied for re-employment within ninety (90) days after the employee was relieved from such training and service or released from hospitalization for a period of not more the one (1) year for causes attributable to such services).

At the end of active duty employees are required to report for work within the applicable time period, depending on length of leave, and may be able to return to their former job, a job equal in status and pay, or a job to which the employee may be entitled under Section 33-1-21, *et seq.* of the Mississippi Code Annotated (1972, as amended) and 38 U.S.C.A. Section 4301, *et seq.*

Upon reemployment, a returning uniformed service member may be entitled to all seniority-based benefits or rights to such benefits that he or she would have accrued if he or she had remained employed. A returning uniformed service member may also be entitled to all non-seniority benefits and rights to benefits in the same manner as any employee on a leave of absence according to the City's policies in place at the time the

leave began or that were implemented while the employee was on leave.

2. Military Service in the Armed Forces: Generally, employees who leave their jobs to enter the armed forces, whether voluntarily or because of a draft, may be entitled to return to their old jobs or jobs comparable in status and pay when they are discharged from the service. To be eligible for this reinstatement, the returning employee must have been honorably discharged or been rejected for enlistment; have served no more than five (5) years; and reapply within the applicable time period, depending on the length of leave (unless delayed for medical reasons).

Adopted 4/2/02

701 Employee Conduct and Work Rules

Effective Date: 08/01/00

To ensure orderly operations and provide the best possible work environment, the City of Tupelo expects employees to follow rules of conduct that will protect the interests and safety of all employees and the organization.

It is not possible to list all the forms of behavior that are considered unacceptable in the workplace. The following are examples of infractions of rules of conduct that may result in disciplinary action, up to and including termination of employment:

- ✓ Theft or inappropriate removal or possession of property
- ✓ Falsification of timekeeping records
- ✓ Working under the influence of alcohol or illegal drugs
- ✓ Possession, distribution, sale, transfer, or use of alcohol or illegal drugs in the workplace, while on duty, or while operating employer-owned vehicles or equipment
- ✓ Fighting or threatening violence in the workplace
- ✓ Boisterous or disruptive activity in the workplace
- ✓ Negligence or improper conduct leading to damage of employer-owned or customer-owned property
- ✓ Insubordination or other disrespectful conduct
- ✓ Violation of safety or health rules
- ✓ Smoking in prohibited areas and use of tobacco products
- ✓ Sexual or other unlawful or unwelcome harassment
- ✓ Possession of dangerous or unauthorized materials, such as explosives or firearms, in the workplace
- ✓ Excessive absenteeism or any absence without notice
- ✓ Unauthorized absence from work station during the workday
- ✓ Unauthorized use of telephones, mail system, or other employer-owned equipment
- ✓ Unauthorized use of the Internet and E-mail systems
- ✓ Violation of personnel policies
- ✓ Unsatisfactory performance or conduct
- ✓ Unauthorized use of overtime

Employment with the City of Tupelo is at the mutual consent of the City of Tupelo and the employee, and either party may terminate that relationship at any time, with or without cause, and with or without advance notice.

702 Drug and Alcohol Use

Effective Date: 08/01/00

It is the City of Tupelo's desire to provide a drug-free, healthful, and safe workplace. To promote this goal, employees are required to report to work in appropriate mental and physical condition to perform their jobs in a satisfactory manner.

While on the City of Tupelo premises and while conducting business-related activities off the City of Tupelo premises, no employee may use, possess, distribute, sell, or be under the influence of alcohol or illegal drugs. The legal use of prescribed drugs is permitted on the job only if it does not impair an employee's ability to perform the essential functions of the job effectively and in a safe manner that does not endanger other individuals in the workplace.

Violations of this policy may lead to disciplinary action, up to and including immediate termination of employment, and/or required participation in a substance abuse rehabilitation or treatment program. Such violations may also have legal consequences.

The City of Tupelo has formulated a separate Drug and Alcohol Testing Policy for all employees and a separate Drug and Alcohol Policy for Employees with Commercial Driver's Licenses, which are included in this handbook as Appendix "A" and "B", respectively. Employees will be asked to sign an acknowledgement form indicating that they have received a copy of the drug testing policy.

Employees with questions on this policy or issues related to drug or alcohol use in the workplace should raise their concerns with their supervisor or the Human Resources Department without fear of reprisal.

703 Sexual and Other Unlawful Harassment

Effective Date: 08/01/00

The City of Tupelo is committed to providing a work environment that is free from all forms of discrimination and conduct that can be considered harassing, coercive, or disruptive, including sexual harassment. Actions, words, jokes, or comments based on an individual's sex, race, color, national origin, age, religion, disability, sexual orientation, or any other legally protected characteristic will not be tolerated. The City of Tupelo provides ongoing sexual harassment training to ensure you the opportunity to work in an environment free of sexual and other unlawful harassment.

Sexual harassment is defined as unwanted sexual advances, or visual, verbal, or physical conduct of a sexual nature. This definition includes many forms of offensive behavior and includes gender-based harassment of a person of the same sex as the harasser. The following is a partial list of sexual harassment examples:

- ✓ Unwanted sexual advances.
- ✓ Offering employment benefits in exchange for sexual favors.
- ✓ Making or threatening reprisals after a negative response to sexual advances.
- ✓ Visual conduct that includes leering, making sexual gestures, or displaying of sexually suggestive objects or pictures, cartoons or posters.
- ✓ Verbal conduct that includes making or using derogatory comments, epithets, slurs, or jokes.
- ✓ Verbal sexual advances or propositions.
- ✓ Verbal abuse of a sexual nature, graphic verbal commentaries about an individual's body, sexually degrading words used to describe an individual, or suggestive or obscene letters, notes, or invitations.
- ✓ Physical conduct that includes touching, assaulting, or impeding or blocking movements.

Unwelcome sexual advances (either verbal or physical), requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

1. submission to such conduct is made either explicitly or implicitly a term or condition of employment;
2. submission or rejection of the conduct is used as a basis for making employment decisions; or,
3. the conduct has the purpose or effect of interfering with work performance or creating an intimidating, hostile, or offensive work environment.

If you experience or witness sexual or other unlawful harassment in the workplace, report it immediately to your supervisor or department head. If the supervisor or department head is unavailable or you believe it would be inappropriate to contact that person, you should immediately contact the Mayor or the Mayor's designee.. You can raise concerns and make reports without fear of reprisal or retaliation.

704 Attendance and Punctuality

Effective Date: 08/01/00

To maintain a safe and productive work environment, the City of Tupelo expects employees to be reliable and to be punctual in reporting for scheduled work. Absenteeism and tardiness place a burden on other employees and on the City of Tupelo. In the rare instances when employees cannot avoid being late to work or are unable to work as scheduled, they should notify their supervisor as soon as possible in advance of the anticipated tardiness or absence.

Poor attendance and excessive tardiness are disruptive. Either may lead to disciplinary action, up to and including termination of employment.

In the event the employee is a female and is uncomfortable reporting the matter to a male supervisor or department head, a female City employee will be designated by the Mayor to serve as a sexual harassment contact representative. Likewise, the Mayor will designate a male City employee to serve as a sexual harassment contact representative in the event an employee is a male and is uncomfortable reporting a sexual harassment matter to a female supervisor or department head.

All allegations of sexual harassment will be quickly and discreetly investigated. To the extent possible, your confidentiality and that of any witnesses and the alleged harasser will be protected against unnecessary disclosure. When the investigation is completed, you will be informed of the outcome of the investigation.

Any supervisor or department head who becomes aware of possible sexual or other unlawful harassment must immediately advise the Mayor or the Mayor's designee so it can be investigated in a timely and confidential manner. Anyone engaging in sexual or other unlawful harassment will be subject to disciplinary action, up to and including termination of employment.

705 Personal Appearance

Effective Date: 08/01/00

Dress, grooming, and personal cleanliness standards contribute to the morale of all employees and affect the business image the City of Tupelo presents to customers and visitors.

During business hours or when representing the City of Tupelo, you are expected to present a clean, neat, and tasteful appearance. You should dress and groom yourself according to the requirements of your position and accepted social standards. Certain employees are required to wear uniforms. City-issued uniforms should only be worn by an employee during working or on-duty hours and should not be worn at unofficial events or for outside employment. Employees should not wear jeans, shorts or flip-flops to work.

Your supervisor or department head is responsible for establishing a reasonable dress code appropriate to the job you perform. If your supervisor feels your personal appearance is inappropriate, you may be asked to leave the workplace until you are properly dressed or groomed. Under such circumstance, you will not be compensated for the time away from work. Consult your supervisor if you have questions as to what constitutes appropriate appearance. Where necessary, reasonable accommodation may be made to a person with a disability.

706 Return of Property

Effective Date: 08/01/00

Employees are responsible for all the City of Tupelo property, materials, or written information issued to them or in their possession or control. Employees must return all the City of Tupelo property immediately upon request or upon termination of employment. Where permitted by applicable laws, the City of Tupelo may withhold from the employee's check or final paycheck the cost of any items that are not returned when required. The City of Tupelo may also take all action deemed appropriate to recover or protect its property.

708 Resignation

Effective Date: 08/01/00

Resignation is a voluntary act initiated by the employee to terminate employment with the City of Tupelo. Although advance notice is not required, the City of Tupelo requests at least two (2) weeks' written resignation notice from all employees.

Prior to an employee's departure, the City will strive to schedule an exit interview to discuss the reasons for resignation and the effect of the resignation on benefits.

710 Security Inspections

Effective Date: 08/01/00

The City of Tupelo wishes to maintain a work environment that is free of illegal drugs, alcohol, firearms, explosives, or other improper materials. To this end, the City of Tupelo prohibits the possession, transfer, sale, or use of such materials on its premises. The City of Tupelo requires the cooperation of all employees in administering this policy.

Desks, lockers, and other storage devices may be provided for the convenience of employees but remain the sole property of the City of Tupelo. Accordingly, they, as well as any articles found within them, can be inspected by any agent or representative of the City of Tupelo at any time, either with or without prior notice.

The City of Tupelo likewise wishes to discourage theft or unauthorized possession of the property of employees, the City of Tupelo, visitors, and customers. To facilitate enforcement of this policy, the City of Tupelo or its representative may inspect not only desks and lockers but also persons entering and/or leaving the premises and any packages or other belongings. Any employee who wishes to avoid inspection of any articles or materials should not bring such items onto the City of Tupelo's premises.

712 Solicitation

Effective Date: 08/01/00

In an effort to ensure a productive and harmonious work environment, persons not employed by the City of Tupelo may not solicit or distribute literature in the workplace at any time for any purpose.

The City of Tupelo recognizes that employees may have interests in events and organizations outside the workplace. However, employees may not solicit or distribute literature concerning these activities during working time. (Working time does not include lunch periods, or any other periods in which employees are not on duty). Employees shall not solicit or distribute literature in the name of the City of Tupelo.

Examples of impermissible forms of solicitation include:

- ✓ The collection of money, goods, or gifts for community groups
- ✓ The collection of money, goods, or gifts for religious groups
- ✓ The collection of money, goods, or gifts for political groups
- ✓ The collection of money, goods, or gifts for charitable groups
- ✓ The sale of goods, services, or subscriptions outside the scope of official organization business
- ✓ The circulation of petitions
- ✓ The distribution of literature not approved by the employer
- ✓ The solicitation of memberships, fees, or dues

In addition, the posting of written solicitations on company bulletin boards is prohibited. Bulletin boards are reserved for official organization communications on such items as:

- ✓ Affirmative Action statement
- ✓ Employee announcements
- ✓ Internal memoranda
- ✓ Job openings
- ✓ Organization announcements
- ✓ Payday notice
- ✓ Workers' compensation insurance information
- ✓ State disability insurance/unemployment insurance information
- ✓ Union activity

718 Problem Resolution

Effective Date: 08/01/00

The City of Tupelo is committed to providing the best possible working conditions for its employees. Part of this commitment is encouraging an open and frank atmosphere in which any problem, complaint, suggestion, or question receives a timely response from City of Tupelo supervisors and management.

The City of Tupelo strives to ensure fair and honest treatment of all employees. Supervisors, managers, and employees are expected to treat each other with mutual respect. Employees are encouraged to offer positive and constructive criticism.

If employees disagree with established rules of conduct, policies, or practices, they can express their concern through the problem resolution procedure. No employee will be penalized, formally or informally, for voicing a complaint with the City of Tupelo in a reasonable, business-like manner, or for using the problem resolution procedure.

If a situation occurs when an employee believes that a condition of employment or a decision affecting him/her is unjust or inequitable, he/she is encouraged to make use of the following steps. The employee may discontinue the procedure at any step.

1. Employee presents problem to immediate supervisor within ten (10) calendar days after incident occurs.
2. Supervisor responds to problem in writing within ten (10) calendar days, after consulting with appropriate management, when necessary. Supervisor prepares a written summary of the problem and proposed resolution which is placed in the employee's personnel file.
3. If the employee is not satisfied with the supervisor's decision, the employee may appeal in writing to his or her Department Head within ten (10) calendar days of the date of the initial decision. The Department Head will, within ten (10) calendar days, confer with the employee, the supervisor or any other member of management deemed appropriate, investigate the issues, and communicate a decision in writing to all parties involved.
4. If the employee is not satisfied with the Department Head's decision, he/she may appeal in writing to the Mayor or the Mayor's designee. The timeliness requirement and procedures are the same as in Step 3. The Mayor or the Mayor's designee will take the steps necessary to review and investigate the problem and will then issue a decision in writing to all parties involved. The Mayor, in his/her discretion, may appoint a hearing officer, who will conduct a hearing on the issues presented by the aggrieved employee. The hearing officer will give sufficient notice to all parties. The employee shall be given an opportunity to present his/her justification or evidence in support of his/her grievance, including the right to testify or to present testimony in his/her behalf. The hearing officer will prepare a written report and a recommendation for resolution which will be forwarded to the Mayor. The Mayor will issue a final decision in writing to all parties involved within ten days of receiving the hearing

officer's report. The Mayor's decision is final, and there will be no further right to appeal.

Any reference to or rights granted to an "employee" by this policy will also apply to "supervisors," "department heads," and other members of management.

Not every problem can be resolved to everyone's total satisfaction, but only through understanding and discussion of mutual problems can employees and management develop confidence in each other. This confidence is important to the operation of an efficient and harmonious work environment, and helps to ensure everyone's job security.