

# CITY OF TUPELO MISSISSIPPI



## EMPLOYEE POLICIES AND PROCEDURES HANDBOOK

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REVISED AND ADOPTED \_\_\_\_\_

Most recent update: 11/21/2023



<b>City of Tupelo Employee Handbook</b>	<b>Policy#</b>	
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	<b>Supersedes:</b>	

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<b>City of Tupelo Employee Handbook</b>	<b>Policy#</b>	<b>101</b>
Section 1 Employment	<b>Effective Date:</b>	<b>1/1/19</b>
101 Nature of Employment	<b>Supersedes:</b>	

## **SECTION 1 EMPLOYMENT**

### **101 Nature of Employment**

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, 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 with the City of Tupelo. If there are any questions concerning eligibility for a particular benefit, or the applicability of a policy or practice, please direct those questions to the Human Resources Department.

This handbook is not an employment contract and is not intended to create contractual obligations of any kind. Employment with the City of Tupelo is on an “at-will” basis, except as otherwise stated herein. This means that an employee has the right to separate from the City of Tupelo employment at any time, for any reason, with or without notice, with or without cause; likewise, the City of Tupelo has the right to separate from an employee at any time, for any reason, with or without notice, with or without cause.

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.



<b>City of Tupelo Employee Handbook</b>	<b>Policy#</b>	<b>102</b>
Section 1 Employment	<b>Effective Date:</b>	<b>1/1/19</b>
102 Employee Relations	<b>Supersedes:</b>	

## **102 Employee Relations**

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.

It has been proven that when employees deal openly and directly with supervisors, the work environment can be excellent, communications can be clear, and attitudes can be positive. The City of Tupelo amply demonstrates its commitment to employees by responding effectively to employee concerns.



<b>City of Tupelo Employee Handbook</b>	<b>Policy#</b>	<b>103</b>
Section 1 Employment	<b>Effective Date:</b>	<b>1/1/19</b>
103 Equal Employment Opportunity Employer	<b>Supersedes:</b>	

## **103 Equal Employment Opportunity Employer**

The City of Tupelo is an equal opportunity employer and complies with all applicable federal, state, and local fair employment practices law. The City of Tupelo strictly prohibits and does not tolerate discrimination against employees, applicants, or any other covered persons because of race, color, religion, creed, national origin or ancestry, ethnicity, sex (including pregnancy), gender, age, physical or mental disability, citizenship, past, current, or prospective service in the uniformed services, genetic information, or any other characteristic protected under applicable federal, state, or local law. All City of Tupelo employees, other workers, and representatives are prohibited from engaging in unlawful discrimination. This policy applies to all terms and conditions of employment, including, but not limited to, hiring, training, promotion, discipline, compensation, benefits, and termination of employment.

The City of Tupelo complies with the Americans with Disabilities Act (ADA), as amended by the ADA Amendments Act, and all applicable state or local law. Consistent with those requirements, the City of Tupelo will reasonably accommodate qualified individuals with a disability if such accommodation would allow the individual to perform the essential functions of the job, unless doing so would create an undue hardship. If an accommodation is needed, refer any such request to the Human Resources Department.

### **COMPLAINT PROCEDURE**

If an employee is subjected to any conduct that is believed to violate this policy, the employee must promptly notify his/her direct supervisor as soon as possible following the offending conduct. If a satisfactory response is not received within five (5) business days after reporting any incident of what was perceived to be discriminatory conduct, please immediately contact the Human Resources Department. These individuals will ensure that a prompt investigation is conducted.

The complaint should be as detailed as possible, including the names of all individuals involved and any witnesses. The City of Tupelo will directly and thoroughly investigate the facts and circumstances of all claims of perceived discrimination and will take prompt corrective action, if appropriate.

Additionally, any manager or supervisor who observes discriminatory conduct must report the conduct to Human Resources Department so that an investigation can be made and corrective action taken, if appropriate.

### **NO RETALIATION**

No one will be subject to, and the City of Tupelo prohibits, any form of discipline, reprisal, intimidation, or retaliation for good faith reports or complaints of incidents of discrimination of any kind, pursuing any discrimination claim, or cooperating in related investigations.



<b>City of Tupelo Employee Handbook</b>	<b>Policy#</b>	<b>103</b>
Section 1 Employment	<b>Effective Date:</b>	<b>1/1/19</b>
103 Equal Employment Opportunity Employer	<b>Supersedes:</b>	

The City of Tupelo is committed to enforcing this policy against all forms of discrimination. However, the effectiveness of our efforts depends largely on employees telling us about inappropriate workplace conduct. If employees feel that they or someone else may have been subjected to conduct that violates this policy, they should report it immediately to the Human Resources Department or to their immediate supervisor. If employees do not report discriminatory conduct, the City of Tupelo may not become aware of a possible violation of this policy and may not be able to take appropriate corrective action.

**VIOLATIONS OF THIS POLICY**

Any employee, regardless of position or title, whom the Human Resources Department determines has subjected an individual to discrimination or retaliation in violation of this policy will be subject to discipline, up to and including termination of employment.

**ADMINISTRATION OF THIS POLICY**

The Human Resources Department is responsible for the administration of this policy. Any questions regarding this policy or questions about discrimination, accommodations, or retaliation that are not addressed in this policy, please contact the Human Resources Department.



<b>City of Tupelo Employee Handbook</b>	<b>Policy#</b>	<b>104</b>
Section 1 Employment	<b>Effective Date:</b>	<b>1/1/19</b>
104 Immigration Law Compliance	<b>Supersedes:</b>	

## 104 Immigration Law Compliance

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.

Every employee of the City of Tupelo must adhere to all aspects of this policy. Failure to comply with IRCA may subject the City of Tupelo and any responsible individuals to civil monetary or criminal penalties. Violations of this policy may be grounds for employee discipline, up to and including termination of employment.

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.





<b>City of Tupelo Employee Handbook</b>	<b>Policy#</b>	<b>105</b>
Section 1 Employment	<b>Effective Date:</b>	<b>1/1/19</b>
105 Employee Medical Examinations	<b>Supersedes:</b>	

## **105 Employee Medical Examinations**

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 parttime, 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 Police and Fire Departments 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.



<b>City of Tupelo Employee Handbook</b>	<b>Policy#</b>	<b>106</b>
Section 1 Employment	<b>Effective Date:</b>	<b>1/1/19</b>
106 Employment Applications	<b>Supersedes:</b>	

## **106 Employment Applications**

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.



<b>City of Tupelo Employee Handbook</b>	<b>Policy#</b>	<b>107</b>
Section 1 Employment	<b>Effective Date:</b>	<b>1/1/19</b>
107 Hiring	<b>Supersedes:</b>	

## 107 Hiring

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. 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. If positions are not filled internally after posting for five days, notices of all regular, full-time job openings are posted on the City’s official website, although the City of Tupelo reserves its discretionary right to not post a particular opening.

The job postings will include requirements for the positions available. Any examination required for a job posting will be job-related and seek to fairly measure the relative merit and fitness of the applicant. Candidates who are determined to be eligible by the Human Resources Department will be placed on an eligibility list for employment consideration by the City for up to one year. As vacancies in a job occur, department heads will select from the eligible candidates on file.

Other recruiting sources may also be used to fill open positions in the best interest of the organization.



<b>City of Tupelo Employee Handbook</b>	<b>Policy#</b>	<b>108</b>
Section 1 Employment	<b>Effective Date:</b>	<b>1/1/19</b>
108 Conflicts of Interest	<b>Supersedes:</b>	

## 108 Conflicts of Interest

The City of Tupelo’s success depends on the hard work, dedication, and integrity of its employees. Because of a mutual dependency existing between employer and employee, all employees are expected to devote their energies and loyalties to the City.

Employees have an obligation to conduct business within guidelines that prohibit actual or potential conflicts of interest provided by this policy manual as establishing the framework within which the City of Tupelo strives to conduct its business. 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, or any other person with such a close bond as to suggest a conflict of interest.

There is no presumption of guilt 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 as soon as possible to an officer of the City of Tupelo 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.



<b>City of Tupelo Employee Handbook</b>	<b>Policy#</b>	<b>109</b>
Section 1 Employment	<b>Effective Date:</b>	<b>1/1/19</b>
109 Disability Accommodation	<b>Supersedes:</b>	

## **109 Disability Accommodation**

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.

### **Supporting Information**

The City of Tupelo may ask for additional information about the disability and the accommodation requested. If the employee fails to provide the requested information, the request for an accommodation may be denied.

### **Determinations**

The City of Tupelo makes determinations about disability accommodations on a case-by-case basis considering various factors and based on an individualized assessment in each situation.

The City of Tupelo strives to make determinations on disability accommodation requests expeditiously and will inform the individual once a determination has been made. Any questions about an accommodation request made should be directed to the Human Resources Department.



<b>City of Tupelo Employee Handbook</b>	<b>Policy#</b>	<b>109</b>
Section 1 Employment	<b>Effective Date:</b>	<b>1/1/19</b>
109 Disability Accommodation	<b>Supersedes:</b>	

### **No Retaliation**

Individuals will not be retaliated against for requesting an accommodation in good faith. The City of Tupelo expressly prohibits any form of discipline, reprisal, intimidation, or retaliation against any individual for requesting an accommodation in good faith.

The City of Tupelo is committed to enforcing this policy and prohibiting retaliation against employees and applicants who request an accommodation in good faith. However, the effectiveness of our efforts depends largely on individuals telling us about inappropriate workplace conduct. If employees or applicants feel that they or someone else may have been subjected to conduct that violates this policy, they should report it immediately to the Human Resources Department. If employees do not report retaliatory conduct, the City of Tupelo may not become aware of a possible violation of this policy and may not be able to take appropriate corrective action.

### **Administration of this Policy**

The Human Resources Department is responsible for the administration of this policy. Any questions regarding this policy or questions about religious accommodations that are not addressed in this policy should be directed to the Human Resources Department.



<b>City of Tupelo Employee Handbook</b>	<b>Policy#</b>	<b>110</b>
Section 1 Employment	<b>Effective Date:</b>	<b>1/1/19</b>
110 Religious Accommodation	<b>Supersedes:</b>	

## **110 Religious Accommodation**

### **Requesting a Religious Accommodation**

If an employee believes an accommodation is needed because of religious beliefs or practices or lack thereof, a request orally or in writing for an accommodation should be submitted to the Human Resources Department. The City of Tupelo encourages employees to make their request in writing and to include relevant information, such as:

- A description of the accommodation requested.
- The reason for an accommodation.
- How the accommodation will help resolve the conflict between the religious beliefs or practices or lack thereof and one or more of the work requirements.

After receiving the oral or written request, the City of Tupelo will engage in a dialogue with the employee to explore potential accommodations that could resolve the conflict between the religious beliefs and practices and one or more of the work requirements. The City of Tupelo encourages employees to suggest specific reasonable accommodations that would resolve any such conflict. However, the City of Tupelo is not required to make the specific accommodation requested and may provide an alternative, effective accommodation, to the extent any accommodation can be made without imposing an undue hardship on the City of Tupelo.

### **Supporting Information**

The City of Tupelo may ask for additional information about the religious practices or beliefs and the accommodation requested. If the employee fails to provide the requested information, the request for an accommodation may be denied.

### **Determinations**

The City of Tupelo makes determinations about religious accommodations on a case-by-case basis considering various factors and based on an individualized assessment in each situation.

The City of Tupelo strives to make determinations on religious accommodation requests expeditiously and will inform the individual once a determination has been made. Any questions about an accommodation request made should be directed to the Human Resources Department.



<b>City of Tupelo Employee Handbook</b>	<b>Policy#</b>	<b>110</b>
Section 1 Employment	<b>Effective Date:</b>	<b>1/1/19</b>
109110 Religious Accommodation	<b>Supersedes:</b>	

## **No Retaliation**

Individuals will not be retaliated against for requesting an accommodation in good faith. The City of Tupelo expressly prohibits any form of discipline, reprisal, intimidation, or retaliation against any individual for requesting an accommodation in good faith.

The City of Tupelo is committed to enforcing this policy and prohibiting retaliation against employees and applicants who request an accommodation in good faith. However, the effectiveness of our efforts depends largely on individuals telling us about inappropriate workplace conduct. If employees or applicants feel that they or someone else may have been subjected to conduct that violates this policy, they should report it immediately to the Human Resources Department. If employees do not report retaliatory conduct, the City of Tupelo may not become aware of a possible violation of this policy and may not be able to take appropriate corrective action.

## **Administration of this Policy**

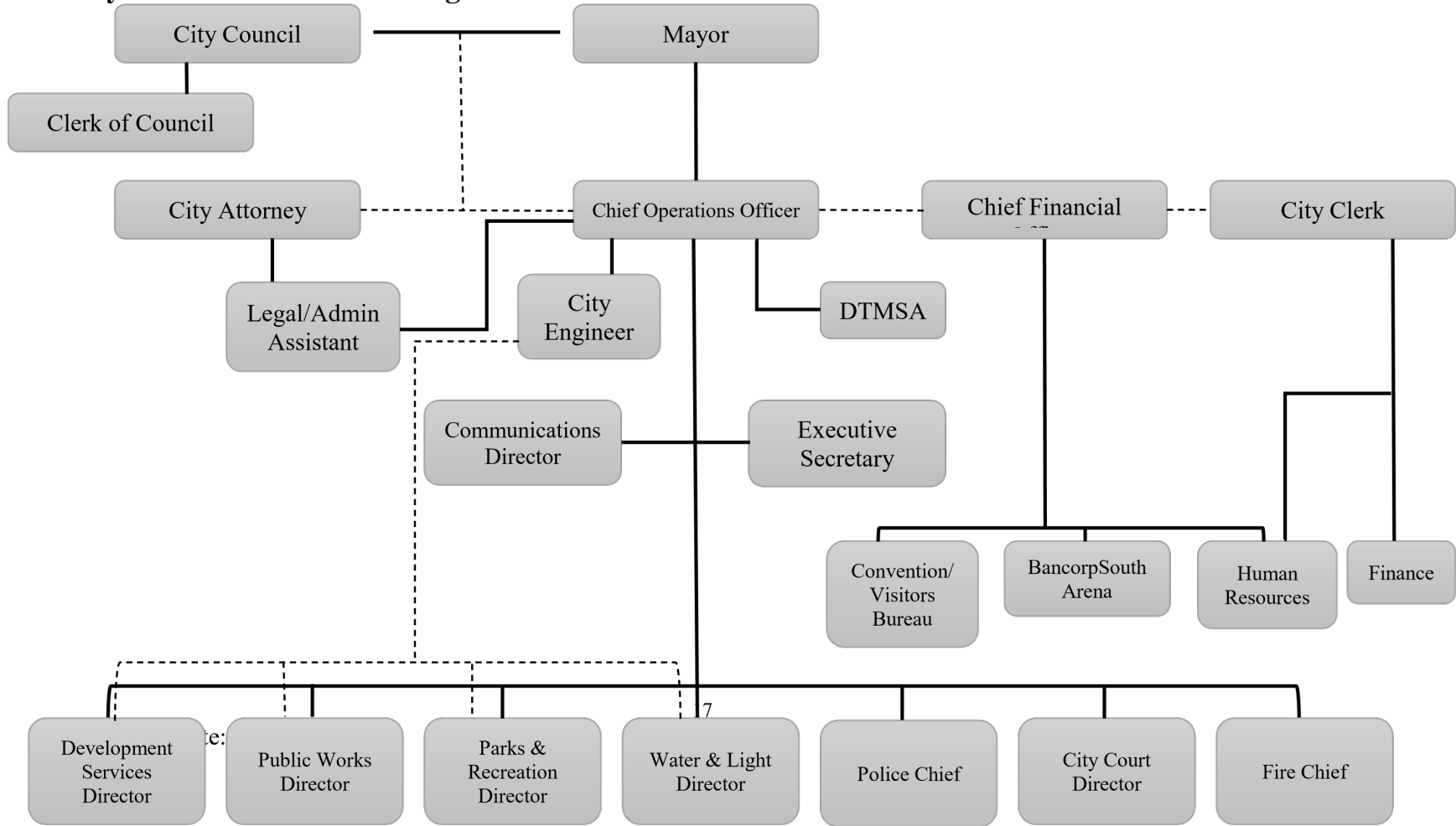
The Human Resources Department is responsible for the administration of this policy. Any questions regarding this policy or questions about religious accommodations that are not addressed in this policy should be directed to the Human Resources Department.





<b>City of Tupelo Employee Handbook</b>	<b>Policy#</b>	<b>111</b>
Section 1 Employment	<b>Effective Date:</b>	<b>1/1/19</b>
111 City Hall Administration Organizational Chart	<b>Supersedes:</b>	

### 111 City Hall Administration Organizational Chart



<b>City of Tupelo Employee Handbook</b>	<b>Policy#</b>	<b>201</b>
Section 2 Employment Status & Records	<b>Effective Date:</b>	<b>1/1/19</b>
201 Employment Categories	<b>Supersedes:</b>	

## **SECTION 2 EMPLOYMENT STATUS & RECORDS**

### **201 Employment Categories**

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 twenty (20) hours or more per week. While they do receive all legally mandated benefits (such as Social Security and workers' compensation insurance), they may also be eligible for other benefits programs (such as PERS, Health Insurance and Paid Holidays), but not eligible for Vacation Benefits.

**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 any the City of Tupelo's benefits package.



<b>City of Tupelo Employee Handbook</b>	<b>Policy#</b>	<b>202</b>
Section 2 Employment Status & Records	<b>Effective Date:</b>	<b>1/1/19</b>
202 Access to Personnel Files	<b>Supersedes:</b>	

## 202 Access to Personnel Files

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.

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.

<b>City of Tupelo Employee Handbook</b>	<b>Policy#</b>	<b>203</b>
Section 2 Employment Status & Records	<b>Effective Date:</b>	<b>1/1/19</b>
203 Employment Reference Checks	<b>Supersedes:</b>	

## **203 Employment Reference Checks**

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.

For external requests, 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.

A response by the Human Resources Department to a reference check inquiry will be the only official reference made by the City of Tupelo. Any response to a reference check inquiry made by a City of Tupelo employee, other than by a member of the Human Resources Department within the boundaries stated herein, will not be regarded as an official response by the City of Tupelo.



<b>City of Tupelo Employee Handbook</b>	<b>Policy#</b>	<b>204</b>
Section 2 Employment Status & Records	<b>Effective Date:</b>	<b>1/1/19</b>
204 Job Descriptions	<b>Supersedes:</b>	

## 204 Job Descriptions

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 with any questions or concerns about job description.



<b>City of Tupelo Employee Handbook</b>	<b>Policy#</b>	<b>205</b>
Section 2 Employment Status & Records	<b>Effective Date:</b>	<b>1/1/19</b>
205 Date of Hire/Seniority	<b>Supersedes:</b>	

## **205 Date of Hire/Seniority**

Each employee will accrue seniority as of the official date of hire. Employees automatically lose their seniority upon termination of continuous employment with the City. When and if an employee is rehired, the most recent date of rehire will become the date of hire for the purpose of seniority. Continuous employment is defined as a period of employment that has not been interrupted by a voluntary or involuntary relief from employment other than a separation from which an employee is eligible for reinstatement.



<b>City of Tupelo Employee Handbook</b>	<b>Policy#</b>	<b>206</b>
Section 2 Employment Status & Records	<b>Effective Date:</b>	<b>1/1/19</b>
206 Performance Evaluation	<b>Supersedes:</b>	

## 206 Performance Evaluation

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 may be scheduled approximately every twelve (12) months, coinciding with the anniversary of the employee's original date of hire with any adjustment in pay to begin with the next pay period. The decision to award such an adjustment is dependent upon numerous factors, including the information documented by this formal performance evaluation process.

<b>City of Tupelo Employee Handbook</b>	<b>Policy#</b>	<b>207</b>
Section 2 Employment Status & Records	<b>Effective Date:</b>	<b>1/1/19</b>
207 Outside Employment	<b>Supersedes:</b>	

## **207 Outside Employment**

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 chooses to remain employed with the City of Tupelo.

Employees with the City Police and Fire Departments should check with their respective department chiefs 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 unless approved by City Council.

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





<b>City of Tupelo Employee Handbook</b>	<b>Policy#</b>	<b>208</b>
Section 2 Employment Status & Records	<b>Effective Date:</b>	<b>1/1/19</b>
208 Employment Separation	<b>Supersedes:</b>	

## 208 Employment Separation

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

- **Resignation** - 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.
- **Discharge** - involuntary employment termination initiated by the organization.
- **Layoff** - involuntary employment termination initiated by the organization for nondisciplinary 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.

<b>City of Tupelo Employee Handbook</b>	<b>Policy#</b>	<b>208</b>
Section 2 Employment Status & Records	<b>Effective Date:</b>	<b>1/1/19</b>
209 Discipline	<b>Supersedes:</b>	

## **209 Discipline**

The City of Tupelo practices progressive discipline when addressing employees' behavior that is not consistent with the City's policies and procedures. An employee will be given notice, either verbal or written, of the inconsistent behavior and an opportunity to correct the behavior. However, not all behavior may be deemed correctable, and certain behavior may be deemed too severe for corrective measures, thereby requiring other more appropriate disciplinary actions which may include termination.

Documentation of disciplinary actions will be kept on file with the Human Resources Department.



<b>City of Tupelo Employee Handbook</b>	<b>Policy#</b>	<b>210</b>
Section 2 Employment Status & Records	<b>Effective Date:</b>	<b>1/1/19</b>
210 Return of Property	<b>Supersedes:</b>	

## **210 Return of Property**

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.

Supervisors will be responsible for returning an employee's personal property remaining behind after termination of employment.

<b>City of Tupelo Employee Handbook</b>	<b>Policy#</b>	<b>301</b>
Section 3 Employee Benefit Programs	<b>Effective Date:</b>	<b>1/1/19</b>
301 Employee Benefits	<b>Supersedes:</b>	

## **SECTION 3 EMPLOYEE BENEFIT PROGRAMS**

### **301 Employee Benefits**

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. The employee's supervisor can identify the eligible programs. 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
- Family and Medical Leave
- Flexible Spending Plan
- Health Insurance
- Holidays
- Jury Duty Leave
- Life Insurance
- Medical Insurance
- Military Leave
- Personal Leave
- Public Employees Retirement System (PERS)
- Sick Leave Benefits
- Travel Allowances
- Tupelo Aquatic Center
- Uniforms (where appropriate)
- Vacation Benefits
- Voting Time Off (when necessary)

For information about what benefits an employee may be entitled, please contact the department supervisor. Some benefit programs require monetary contributions from employees, but many are fully paid by the City of Tupelo.



<b>City of Tupelo Employee Handbook</b>	<b>Policy#</b>	<b>302</b>
Section 3 Employee Benefit Programs	<b>Effective Date:</b>	<b>1/1/19</b>
302 Bereavement Leave	<b>Supersedes:</b>	

### **302 Bereavement Leave**

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

Regular full-time employees will receive up to three (3) days of paid bereavement leave

Members of the Fire Department will receive twenty-four (24) work hours of paid bereavement leave due to the nature of the shift work.

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, mother, father, mother-in-law, father-in-law, children, sister, brother, daughter-in-law, son-in-law, brother-in-law, sister-in-law, grandparents, and grandchildren. Current step-grandparents, stepchildren, stepfather, stepmother, stepfather-in-law, niece nephew, or cousin, who resides in your household or over whom you are a court appointed guardian or conservator might also be treated as "immediate family."



<b>City of Tupelo Employee Handbook</b>	<b>Policy#</b>	<b>303</b>
Section 3 Employee Benefit Programs	<b>Effective Date:</b>	<b>1/1/19</b>
303 Family and Medical Leave	<b>Supersedes:</b>	

## 303 Family and Medical Leave

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 son or daughter and in order to care for that son or daughter (leave to be completed within one year of the child’s birth);
- the placement of a son or daughter with you for adoption or foster care and in order to care for the newly placed son or daughter (leave to be completed within one year of the child’s placement);
- to care for a spouse, son, daughter, or parent with a serious health condition;
- to care for your own serious health condition, which renders you unable to perform any of the essential functions of your position; or
- a qualifying exigency of a spouse, son, daughter, or parent who is a military member on covered active duty or called to covered active duty status (or has been notified of an impending call or order to covered active duty).

### Both Spouses Employed by the City of Tupelo

Spouses who are both employed by the City of Tupelo and eligible for FMLA leave may be limited to a:

- Combined total of 12 weeks of leave during the 12-month period if leave is requested:
  - for the birth of a son or daughter and in order to care for that son or daughter;
  - for the placement of a son or daughter with the employee for adoption or foster care and in order to care for the newly placed son or daughter; or
  - to care for an employee’s parent with a serious health condition.
- Combined total of 26 weeks in a single 12-month period if the leave is either for:
  - military caregiver leave; or
  - a combination of military caregiver leave and leave for other FMLA-qualifying reasons.

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 leave, 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.



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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



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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 twenty-four (24) 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





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would have been entitled had him or her 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.

All questions about leaves of absence should be directed to the Human Resources Department.



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Section 3 Employee Benefit Programs	<b>Effective Date:</b>	<b>4/1/20</b>
<b>303A EFMLEA</b>	<b>Supersedes:</b>	

## **303A Emergency Family and Medical Leave Expansion Act**

To comply with the Families First Coronavirus Response Act (FFCRA) and to assist employees affected by the COVID-19 outbreak with job-protected leave under the Emergency Family and Medical Leave Expansion Act (EFMLEA) where applicable. This policy will be in effect from April 1, 2020, until December 31, 20 20. Our existing FMLA leave policy still applies to all other FMLA-qualifying reasons for leave outside of this policy.

### **Employee Eligibility**

Under EFMLEA, all current employees who have been employed with the City of Tupelo for at least 30 days and are actively scheduled for work are eligible for leave under this policy.

Employees laid off or otherwise terminated on or after March 1, 2020, who are rehired on or before December 31, 2020, are eligible for leave upon reinstatement if they had previously been employed with the City of Tupelo for 30 or more of the 60 calendar days prior to their layoff or termination.

### **Reason for Leave**

Eligible employees who are unable to work (or telework) due to a need to care for their child when a school or place of care has been closed, or when the regular childcare provider is unavailable due to a public health emergency with respect to COVID-19.

### **Definitions**

"Child" means a biological, adopted or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis, who is:

- Under 18 years of age.
- 18 or older and incapable of self-care because of a mental or physical disability.

"Childcare provider" means a provider who receives compensation for providing childcare services on a regular basis, including:

- A center-based childcare provider.
- A group home childcare provider.
- A family childcare provider (one individual who provides childcare services for fewer than 24 hours per day, as the sole caregiver, and in a private residence).
- Other licensed provider of childcare services for compensation.
- A childcare provider that is 18 years of age or older who provides childcare services to children who are either the grandchild, great grandchild , sibling {if such provider lives in a separate residence), niece or nephew of such provider, at the direction of the parent.



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<b>303A EFMLEA</b>	<b>Supersedes:</b>	

### **Duration of Leave**

Employees will have up to 12 weeks of leave to use from April 1, 2020, through December 31, 2020, for the purposes stated above. This time is included in and not in addition to the total FMLA leave entitlement of 12 weeks in a 12-month period.

For example, if an employee has already taken 6 weeks of FMLA leave, that employee would be eligible for another 6 weeks of FMLA leave under this policy.

### **Increments & Intermittent Use of Leave**

Employees may take expanded FMLA leave intermittently and in any increment agreed to with their manager. For example, an employee may only need 4 hours per day of leave to care for his or her child or may only need to do so on Tuesdays and Thursdays. Managers and employees are expected to be flexible in scheduling wherever possible.

### **Pay During Leave**

Leave will be unpaid for the first 10 days of leave; however, employees may use accrued paid vacation or personal leave during this time. The employee may also elect to use the paid leave provided under the Emergency Paid Sick Leave Act, as further explained below.

After the first 10 days, employees will be required to use any accrued vacation or personal paid leave for the number of hours the employee would otherwise be scheduled to work. Should an employee's accrued company paid leave exhaust, any additional leave taken will be paid at two-thirds of an employee's regular rate of pay. Pay will not exceed \$200 per day and \$10,000 in total, or \$12,000 in total if using emergency paid sick leave for the first two weeks. Any unused portion of this pay will not carry over to the next year.

For employees with varying hours, one of two methods for computing the number of hours paid will be used:

- If the employee has worked 6 months or more, the average number of hours that the employee was scheduled per day over the 6-month period ending on the date on which the employee takes leave, including hours for which the employee took leave of any type.
- If the employee has worked less than 6 months, the expected number of hours to be scheduled per day at the time of hire.

### **Employee Status and Benefits During Leave**

While an employee is on leave, the company will continue the employee's health benefits during the leave period at the same level and under the same conditions as if the employee had continued to work. While on paid leave, the employer will continue to make payroll deductions to collect the employee's share of the premium. During any unpaid portions of leave, the employee must continue to make this payment per instructions from the HR department.



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<b>303A EFMLEA</b>	<b>Supersedes:</b>	

If the employee contributes to a life insurance or disability plan, the employer will continue making payroll deductions while the employee is on paid leave. During any portion of unpaid leave, the employee may request continuation of such benefits and pay his or her portion of the premiums, or the employer may elect to maintain such benefits during the leave and pay the employee's share of the premium payments. If the employee does not continue these payments, the employer may discontinue coverage during the leave. If the employer maintains coverage, the employer may recover the costs incurred for paying the employee's share of any premiums, whether or not the employee returns to work.

### **Procedure for Requesting Leave**

All employees requesting FMLA leave must provide written notice of the need for leave to the HR manager as soon as practicable. Verbal notice will otherwise be accepted until written notice can be provided.

Notice of the need for leave must include:

- The name and age of the child or children being care for.
- The name of the school, place of care, or childcare provider that closed or became unavailable due to COVID-19 reasons.
- A statement representing that no other suitable person is available to care for the child or children during the period of requested leave. For children over the age of 14, a statement indicating the special circumstances that require the employee to provide care during daylight hours.

On a basis that does not discriminate against employees on FMLA leave, the company may require an employee on FMLA leave to report periodically on the employee's status and intent to return to work.

### **Employee Status After Leave**

Generally, an employee who takes FMLA leave will be able to return to the same position or a position with equivalent status, pay, benefits and other employment terms. The company may choose to exempt certain key employees from this requirement and not return them to the same or similar position when doing so will cause substantial and grievous economic injury to business operations . Key employees will be given written notice at the time FMLA leave is requested of their status as a key employee.

Please contact the HR department with any questions.



EMERGENCY PAID SICK LEAVE AND EMERGENCY FMLA REQUEST FORM

Employee Name	Employee ID Number	Date
Title	Supervisor	Department
Leave Start Date	Leave End Date	Total Hours Requested

I CERTIFY THAT AM UNABLE TO WORK (OR TELEWORK) FOR THE FOLLOWING REASON:

I am subject to a **federal, state, or local quarantine or isolation** order related to COVID-19 that specifically prevents me from working.  
Name of the government entity issuing the order:

I have been **advised by a health care provider to self-quarantine** because of concerns related to COVID-19. Name of the advising healthcare provider:

I have **symptoms of COVID-19** and I am seeking (or have sought) a diagnosis.

I am **caring for another individual** who is subject to quarantine or has been advised by a health care provider to self-quarantine related to COVID-19. Name of person I am caring for and our relationship:

Name of the government entity issuing the order: **OR**

Name of the advising healthcare provider:

I **need to care for my child(ren)** because their school or childcare provider is closed or unavailable because of COVID-19. I **certify that no other suitable person is available to care for the child(ren) during the period of requested leave.** If listed child is over 14, I further certify that there are special circumstances that require me to provide care for them.

Name(s) and age(s) of child(ren):

Name of closed school(s) or place(s) of care:

I am experiencing **other conditions substantially similar** to COVID-19 as specified by the Department of Health and Human Services.

**I certify that the above information is truthful and understand that misrepresenting my need for leave is grounds for discipline, up to and including termination.**

Employee Signature: \_\_\_\_\_

If signing electronically, please type your full name, followed by "e-signed."



<b>City of Tupelo Employee Handbook</b>	<b>Policy#</b>	<b>304</b>
Section 3 Employee Benefit Programs	<b>Effective Date:</b>	<b>1/1/19</b>
304 Employee Insurance Plans	<b>Supersedes:</b>	

## 304 Employee Insurance Plans

### WORKERS' COMPENSATION INSURANCE

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.

### HEALTH INSURANCE

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
- Part-time employees working more than 30 hours

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).

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.

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 (for reasons other than gross misconduct).
- Death of an employee.
- Reduction in an employee's hours or a leave of absence.
- Employee's divorce or legal separation.
- Dependent child no longer meeting eligibility requirements.



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A qualified beneficiary is an individual who, on the day before a qualifying event, was covered under a group health plan because the individual was:

- A covered employee.
- The spouse of a covered employee.
- The dependent child of a covered employee.

Under COBRA, the employee or other beneficiary pays the full cost of coverage at the City of Tupelo's group rates plus an administration fee. The period of coverage continuation is subject to the qualifying event. 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. Contact the Human Resources Department with any questions concerning benefits under COBRA.

#### LIFE INSURANCE

Life insurance offers an employee and their 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.



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Section 3 Employee Benefit Programs	<b>Effective Date:</b>	<b>1/1/19</b>
305 Holidays	<b>Supersedes:</b>	

## 305 Holidays

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)
- \* Presidents' Day (third Monday in February)
- \* Good Friday (Friday before Easter)
- \* 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 straighttime 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.**





<b>City of Tupelo Employee Handbook</b>	<b>Policy#</b>	<b>306</b>
Section 3 Employee Benefit Programs	<b>Effective Date:</b>	<b>1/1/19</b>
306 Jury Duty	<b>Supersedes:</b>	

## 306 Jury Duty

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 and/or sick leave) 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 315 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.



<b>City of Tupelo Employee Handbook</b>	<b>Policy#</b>	<b>307</b>
Section 3 Employee Benefit Programs	<b>Effective Date:</b>	<b>1/1/19</b>
307 Military Leave	<b>Supersedes:</b>	

## 307 Military Leave

(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 than 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.



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Section 3 Employee Benefit Programs	<b>Effective Date:</b>	<b>1/1/19</b>
307 Military Leave	<b>Supersedes:</b>	

(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).



<b>City of Tupelo Employee Handbook</b>	<b>Policy#</b>	<b>308</b>
Section 3 Employee Benefit Programs	<b>Effective Date:</b>	<b>1/1/19</b>
308 Personal Leave	<b>Supersedes:</b>	

### **308 Personal Leave**

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. Regular full-time employees are eligible to request personal leave as described in this policy:

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.



<b>City of Tupelo Employee Handbook</b>	<b>Policy#</b>	<b>309</b>
<b>Section 3 Employee Benefit Programs</b>	<b>Effective Date:</b>	<b>1/1/19</b>
309 Sick Leave Benefits	<b>Supersedes:</b>	

### **309 Sick Leave Benefits**

The City of Tupelo provides paid sick leave benefits to all eligible employees for periods of temporary absence due to illnesses or injuries. Regular full-time employees are the eligible employee classification

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-quarter of one hour. Eligible employees may 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. For the purpose of this policy, a “dependent family member” means any person related by blood or marriage to a City of Tupelo employee who lives in the employee’s household and depends on the employee for care.

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. 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.



<b>City of Tupelo Employee Handbook</b>	<b>Policy#</b>	<b>309A</b>
Section 3 Employee Benefit Programs	<b>Effective Date:</b>	<b>04/01/20</b>
309A Emergency Paid Sick Leave Act309 Sick Leave Benefits	<b>Supersedes:</b>	

## 309A Emergency Paid Sick Leave Act (EPSLA)

To comply with the Families First Coronavirus Response Act (FFCRA) and to assist employees affected by the COVID-19 outbreak with sick pay under the Emergency Paid Sick Leave Act (EPSLA) where applicable. This policy will be in effect from April 1, 2020, until December 31, 2020.

### Eligibility

All current full- and part-time employees currently scheduled but unable to work (or telework) due to one of the following reasons for leave:

1. The employee is subject to a federal, state or local quarantine or isolation order related to COVID-19.
2. The employee has been advised by a health care provider to self-quarantine due to concerns related to COVID-19.
3. The employee is experiencing symptoms of COVID-19 and seeking a medical diagnosis.
4. The employee is caring for an individual who is subject to either number 1 or 2 above.
5. The employee is caring for his or her child if the school or place of care of the child has been closed, or the childcare provider of such child is unavailable, due to COVID-19 precautions.
6. The employee is experiencing any other substantially similar condition specified by the secretary of health and human services in consultation with the secretary of the treasury and the secretary of labor.

### Definitions

"Child" means a biological, adopted or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis, who is:

- Under 18 years of age.
- 18 or older and incapable of self-care because of a mental or physical disability.

"Individual" means an immediate family member, roommate or similar person with whom the employee has a relationship that creates an expectation that the employee would care for the person if he or she self-quarantined or was quarantined.

Additionally, the individual being cared for must: a) be subject to a federal, state or local quarantine or isolation order as described above; or b) have been advised by a health care provider to self-quarantine based on a belief that he or she has COVID-19, may have COVID-19 or is particularly vulnerable to COVID-19.



<b>City of Tupelo Employee Handbook</b>	<b>Policy#</b>	<b>309A</b>
Section 3 Employee Benefit Programs	<b>Effective Date:</b>	<b>04/01/20</b>
309A Emergency Paid Sick Leave Act309 Sick Leave Benefits	<b>Supersedes:</b>	

### **Amount of Paid Sick Leave**

All eligible full-time employees will have up to 80 hours of paid sick leave available to use for the qualifying reasons above. Eligible part-time employees are entitled to the number of hours worked, on average, over a two-week period.

For employees with varying hours, one of two methods for computing the number of hours paid will be used:

- If the employee has worked 6 months or more, the average number of hours that the employee was scheduled per day over the 6-month period ending on the date on which the employee takes leave, including hours for which the employee took leave of any type.
- If the employee has worked less than 6 months, the expected number of hours to be scheduled per day at the time of hire.

### **Increments and Intermittent Use of Leave**

When working from home, employees may take emergency paid sick leave intermittently and in any increment agreed to with their manager. As in the example for FMLA leave, an employee may only need 4 hours per day of leave to care for his or her child or may only need to do so on Tuesdays and Thursdays. Managers and employees are expected to be flexible in scheduling wherever possible.

For those not teleworking and currently working onsite, an employee may only take intermittent leave for reason 5 above, to care for his or her child when the school or place of care is closed, or the caregiver is unavailable due to COVID-19-related reasons. Per the regulations, as all other reasons for emergency paid sick leave could potentially expose an employee or others in the workplace to the virus, employees must either use the full amount of paid sick leave or use it in full-day increments until the reason for leave is over and it is safe for the employee to return to work.

### **Rate of Pay**

Emergency sick leave will be paid at the employee's regular rate of pay, or minimum wage, whichever is greater, for leave taken for reasons 1-3 above. Employees taking leave for reasons 4-6 will be compensated at two-thirds their regular rate of pay, or two-thirds of the applicable federal or state minimum wage, whichever is greater. Pay will not exceed:

- \$511 per day and \$5,110 in total for leave taken for reasons 1-3 above.
- \$200 per day and \$2,000 in total for leave taken for reasons 4-6 above.

### **Interaction with Other Paid Leave**

The employee may use emergency paid sick leave under this policy before using any other accrued paid time off for the qualifying reasons stated above.



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Employees on expanded FMLA leave under this policy may use emergency paid sick leave concurrently with that leave. Emergency paid sick leave may also be used when an employee is on leave under traditional FMLA for his or her own COVID-19-related serious health condition or to care for a qualified family member with such a condition.

### **Procedure for Requesting Emergency Paid Sick Leave**

Employees must notify their manager or the HR manager of the need and specific reason for leave under this policy. A form will be provided to all employees on the company intranet and/or in a manner accessible to all. Verbal notification will be accepted until practicable to provide written notice.

Documentation supporting the need for leave must be included with the leave request form, such as:

- A copy of the federal, state or local quarantine or isolation order related to COVID-19 applicable to the employee or the name of the government entity that issued the order.
- Written documentation by a health care provider advising the employee to self-quarantine due to concerns related to COVID-19 or the name of the provider who advised the employee.
- The name and relation of the individual the employee is taking leave to care for who is subject to a quarantine or isolation order or is advised to self-quarantine.
- The name and age of the child or children being cared for; the name of the school, place of care, or childcare provider that closed or became unavailable; and a statement that no other suitable person is available to care for the child during the period of requested leave.
- For children over age 14, a statement indicating the special circumstances that require the employee to provide care during daylight hours.

Once emergency paid sick leave has begun, the employee and his or her manager must determine reasonable procedures for the employee to report periodically on the employee's status and intent to continue to receive paid sick time.

### **Carryover**

Paid emergency sick leave under this policy will not be provided beyond December 31, 2020. Any unused paid sick leave will not carry over to the next year or be paid out to employees.

### **Job Protections**

No employee who appropriately utilizes emergency paid sick leave under this policy will be discharged, disciplined or discriminated against for work time missed due to this leave.

Please contact the HR department with any questions.





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Section 3 Employee Benefit Programs	<b>Effective Date:</b>	<b>1/1/19</b>
310 Business Travel Expenses 309 Sick Leave Benefits	<b>Supersedes:</b>	

## 310 Business Travel Expenses

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, if there is no other ground transportation available. Employees will be reimbursed for ground transportation expenses only if the least expensive transportation is used. Such determination shall rest with the Chief Financial Officer.

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.



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310 Business Travel Expenses 309 Sick Leave Benefits	<b>Supersedes:</b>	

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 nonbusiness 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.



<b>City of Tupelo Employee Handbook</b>	<b>Policy#</b>	<b>311</b>
Section 3 Employee Benefit Programs	<b>Effective Date:</b>	<b>1/1/19</b>
311 Vacation Benefits	<b>Supersedes:</b>	

### **311 Vacation Benefits**

Vacation time off with pay is available to eligible employees who are Regular full-time employees to provide opportunities for rest, relaxation, and personal pursuits.

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.

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.



<b>City of Tupelo Employee Handbook</b>	<b>Policy#</b>	<b>311</b>
Section 3 Employee Benefit Programs	<b>Effective Date:</b>	<b>1/1/19</b>
311 Vacation Benefits	<b>Supersedes:</b>	

Vacation time may not be carried over into the next benefit year nor can such time be accrued by employees. Vacation time off is paid at the employee's base pay rate at the time of vacation. After the current benefit year, unused vacation time will roll over to accrue as sick leave in accordance with Section 309.

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.



<b>City of Tupelo Employee Handbook</b>	<b>Policy#</b>	<b>312</b>
Section 3 Employee Benefit Programs	<b>Effective Date:</b>	<b>1/1/19</b>
312 Voting and Elections	<b>Supersedes:</b>	

### **312 Voting and Elections**

The City of Tupelo encourages employees to fulfill their civic responsibilities by participating in elections. State law requires that employers provide their employees with time to vote when necessary. Generally with polls open from 7:00 a.m. till 7:00 p.m., employees are able to find time to vote either before or after their regular work schedule. In the event that an employee is unable to vote during these times, notify the direct supervisor to make an exception for time 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.

As required by state law, no City of Tupelo employee may be allowed any vacation or leave of absence at the expense of the City of Tupelo to render any service or services for or against any candidate or group of candidates, or to take any active part in any election campaign whatsoever. No City of Tupelo employee is allowed to direct or coerce, directly or indirectly, any employee to vote or not to vote for any particular person or group of persons in any election, or to discharge or to threaten to discharge any such employee, or to increase or decrease the salary or wages of an employee, or otherwise promote or demote the employee, because of his or her vote or failure to vote for any particular candidate or group of candidates. No City of Tupelo employee having the authority to employ or discharge other employees, may make any statement public or private, or give out or circulate any report or statement, calculated to intimidate or coerce or otherwise influence any vote of an employee

A violation of this policy may be grounds for employee discipline, up to and including termination of employment.



<b>City of Tupelo Employee Handbook</b>	<b>Policy#</b>	<b>313</b>
Section 3 Employee Benefit Programs	<b>Effective Date:</b>	
313 Employee Assistance Program	<b>Supersedes:</b>	<b>1/1/19</b>

### **313 Employee Assistance Program**

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, shortterm counseling, and referral to appropriate community, and private services.

The EAP is strictly confidential and is designed to safeguard privacy and rights, information given to the EAP counselor may be released only if requested by the employee 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 who 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 employees.

Minor concerns can become major problems if ignored. No issue is too small or too large, and a professional counselor is available to help needed.

Employees may call 662-377-3813 to contact an EAP counselor or the Human Resources Department.



<b>City of Tupelo Employee Handbook</b>	<b>Policy#</b>	<b>314</b>
Section 3 Employee Benefit Programs	<b>Effective Date:</b>	
314 Witness Duty Leave	<b>Supersedes:</b>	<b>1/1/19</b>

### **314 Witness Duty Leave**

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.



<b>City of Tupelo Employee Handbook</b>	<b>Policy#</b>	<b>315</b>
Section 3 Employee Benefit Programs	<b>Effective Date:</b>	<b>2/8/2023</b>
315 Donation of Leave	<b>Supersedes:</b>	<b>1/1/2019</b>

### 315 Donation of Leave

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 Personnel 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 That seeks to receive donated leave due to their own catastrophic illness or injury must have exhausted all of his or her earned vacation, sick, and compensatory leave before he or she will be eligible to receive any leave donated by another employee. An employee that seeks to receive donated leave due to catastrophic illness and injury of a member of the employee's immediate family, must have only exhausted all of his or her earned vacation and compensatory leave before he or she is 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 the purposes of this policy, "catastrophic illness or injury" shall mean a life-threatening injury or illness of the employee or a member of the employee's immediate family. Which totally incapacitated the employee from work, as verified by a licensed physician, and forced the employee to exhaust all leave time earned by that employee, resulting in the loss of compensation from the City of Tupelo for the employee. Conditions that are short-term in nature, including, but not limited





<b>City of Tupelo Employee Handbook</b>	<b>Policy#</b>	<b>315</b>
Section 3 Employee Benefit Programs	<b>Effective Date:</b>	<b>2/8/2023</b>
315 Donation of Leave	<b>Supersedes:</b>	<b>1/1/2019</b>

to, common illnesses such as influenza and measles, and common injuries, are not catastrophic. Chronic illnesses or injuries, such

7. as cancer or major surgery, which result in intermittent absence from work and which are long-term in nature and require long recuperation periods may be considered catastrophic.
8. For purposes of this policy, "immediate family" shall mean the employee's spouse, child, stepchild, parent, stepparent, parent-in-law, sibling, or legal dependent..



<b>City of Tupelo Employee Handbook</b>	<b>Policy#</b>	<b>316</b>
Section 3 Employee Benefit Programs	<b>Effective Date:</b>	<b>2/8/2023</b>
<b>316 Compensation and Benefits Paid to Police Officers and Firefighters Injured in the Line of Duty</b>	<b>Supersedes:</b>	<b>1/1/2019</b>

## **316 Compensation and Benefits Paid to Police Officers and Firefighters Injured in the Line of Duty**

In the event that any certified part-time or full-time police officer or firefighter experiences a qualifying event that shall cause that employee to be physically unable to perform the duties of his or her employment, the City of Tupelo shall continue to pay all or a portion of that employee’s regular compensation and related benefits pursuant to the terms contained herein.

A qualifying event shall be defined as an accidental injury sustained by a certified part-time or full-time law enforcement officer or firefighter as a result of a single incident, and who, while in the line of duty and actively engaged in protecting the lives and property of the citizens of the City of Tupelo in the performance of the individual’s duties, sustains a catastrophic injury rendering that employee unable to perform the duties of the individual’s employment. Chronic or repetitive injuries, injuries caused by the employee’s own negligence, a preexisting temporary or permanent disability, an injury contributed to by any penal or employment policy violation committed by the employee or any intentional, self-inflicted injury by the employee shall not covered.

Before an event may be considered as qualifying, the employee must:

- a. Provide his or her department head with a physician’s statement that states the beginning date of the injury, a description of the injury, a prognosis for recovery and an anticipated date the recipient employee will be able to return to work;
- b. Be receiving temporary total or partial disability benefits from worker’s compensation insurance;
- c. Apply for and ultimately be awarded disability benefits from the Law Enforcement and Fire Fighters Disability Benefits Trust Fund as administered by the Office of the Attorney General of the State of Mississippi pursuant to Miss. Code Ann. § 45-2-21 (1972, as amended)<sup>1</sup>; and
- d. Receive approval of the catastrophic nature of the injury by the individual’s department head.

Upon the individual meeting the above requirements, the City of Tupelo shall pay up to the injured employee’s regular compensation and related benefits until such time as the employee is physically able to perform the duties of his or her employment, retires on disability retirement allowance, reaches maximum medical recovery for worker’s compensation purposes, or one year from the date of application for this benefit, whichever occurs first. The City Council of the City of Tupelo may extend the additional compensation benefits for up to one (1) additional year.

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<sup>1</sup> The unavailability of funds through the Law Enforcement and Fire Fighters Disability Trust Fund shall not prevent a qualified employee from receiving benefits under this policy if it is determined by the mayor or the mayor’s designee that but for the unavailability of funds, the employee would have received benefits from the Trust Fund.



<b>City of Tupelo Employee Handbook</b>	<b>Policy#</b>	<b>316</b>
Section 3 Employee Benefit Programs	<b>Effective Date:</b>	<b>2/8/2023</b>
<b>316 Compensation and Benefits Paid to Police Officers and Firefighters Injured in the Line of Duty</b>	<b>Supersedes:</b>	<b>1/1/2019</b>

The City of Tupelo Human Resources Department will be responsible for administering the policy. *The mayor or his designee shall hear all appeals from the department head's decision. Eligibility determinations must be approved by the City Council prior to any payment of benefits.*

The maximum portion of the injured employee's regular compensation continued to be paid by the City of Tupelo is the difference between the total amount that the injured worker is receiving from worker's compensation benefits and disability benefits from the trust fund created under Miss. Code Ann. § 45-2-21 and the amount of the employee's regular compensation.

At such time as the injured employee is no longer receiving disability benefits from the trust fund created under § 45-2-21, the City of Tupelo will pay the difference between the total amount that the injured worker is receiving from worker's compensation and the amount of the employee's regular compensation, subject to the earlier limitations set forth in Section 5 above.

The employee will not be eligible for donated leave until all additional benefits under Employment Policy 325 have been exhausted.



<b>City of Tupelo Employee Handbook</b>	<b>Policy#</b>	<b>317</b>
Section 3 Employee Benefits Programs	<b>Effective Date:</b>	<b>6/6/2023</b>
317 Professional Development	<b>Supersedes:</b>	<b>1/1/2019</b>

## 317 Professional Development

From time to time, employees may seek to undergo skills training or obtain or renew certain licenses and/or certifications in order to sufficiently perform the necessary duties of their employment. These advancement opportunities need not only enhance their contributions to the City of Tupelo, but may also be an investment into the employee’s career and long-term future.

Whenever an employee seeks to receive training, certification and/or licensing in order to perform the necessary duties of their employment, the City of Tupelo may cover the costs of such training, certification and/or licensing in most circumstances. In order for the costs associated with an employee’s training, license or certification to be covered and/or reimbursed by the City, such training, license or certification must meet the following qualifications:

- The person seeking such training, licensure or certification must be presently employed by the City of Tupelo or must have received an offer of employment from the Human Resources Department; such offer of employment must be contingent upon the person’s attainment of such training, licensure or certification.
- The training, licensure or certification must receive approval from the current employee’s department head prior to incurring any costs associated with such opportunity.
- The training, licensure or certification sought must be necessary to allow the employee to perform a necessary function of their job.

### Eligible Expenses

The costs eligible for coverage and/or reimbursement under this policy include, but are not limited to the attendance at seminars, educational and training courses or webinars, professional certification courses, membership fees to professional organizations and fees and costs associated with obtaining a license to operate a certain class of commercial motor vehicles.

Upon satisfactory completion of the training and/or coursework mentioned above, the employee must provide documentation to support the completion. Such documentation shall be retained in the employee’s official records of employment.

### Payback Requirements

In some situations, at the discretion of the employee’s department head and in conjunction with the Mayor or the Mayor’s designee, certain employees may be required to sign a written agreement to remain employed with the City of Tupelo for one-year from the most recent date in which the City incurred any costs associated with that employee’s training, licensure or certification. If the employee terminates their employment within that year, he or she will be required to reimburse the City of Tupelo for the costs of such training, license or certification, including any ancillary costs. The failure to sign such agreement does not relieve the employee of the obligations contained in this policy.

This policy shall apply on an equal basis given the nature of the employee’s job functions, the aggregated costs incurred by the City to provide such training and the availability of an equally qualified successor.



<b>City of Tupelo Employee Handbook</b>	<b>Policy#</b>	<b>401</b>
Section 4 Payroll Information	<b>Effective Date:</b>	<b>1/1/19</b>
401 Timekeeping	<b>Supersedes:</b>	

## SECTION 4 PAYROLL INFORMATION

### 401 Timekeeping

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. The City of Tupelo designates each employee as either exempt or nonexempt in compliance with applicable federal, state, and local law. Accurately recording time worked is the responsibility of every employee, whether exempt or nonexempt.

**Exempt Employees.** Employees who are designated as exempt are paid a fixed salary and are not entitled to overtime pay.

**Nonexempt Employees.** Employees who are designated as nonexempt are entitled to overtime pay at a rate of one and one-half times their regular rate of pay for all hours worked over forty (40) in a work week, as required by applicable federal, state, and local law. Nonexempt employees should report to work no more than fifteen (15) minutes prior to their scheduled starting time nor stay more than fifteen (15) minutes after their scheduled stop time without express prior authorization from their supervisor. Overtime work must always be approved before it is performed.

Employees will receive their specific work schedule from their direct supervisor. 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. Additionally, the beginning and ending time of any split shift or departure from work for personal reasons should be recorded.

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.

Time records should be signed by each employee certifying the accuracy of all time recorded. The supervisor will review and initial the time record before submitting it for payroll processing. If corrections or modifications are necessary, both the employee and the supervisor must attest to the accuracy of the changes by initialing the time record.



<b>City of Tupelo Employee Handbook</b>	<b>Policy#</b>	<b>402</b>
Section 4 Payroll Information	<b>Effective Date:</b>	<b>1/1/19</b>
402 Work Schedules	<b>Supersedes:</b>	

## 402 Work Schedules

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.



<b>City of Tupelo Employee Handbook</b>	<b>Policy#</b>	<b>403</b>
Section 4 Payroll Information	<b>Effective Date:</b>	<b>1/1/19</b>
403 Breaks	<b>Supersedes:</b>	

## **403 Breaks**

### **Meal Periods**

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.

### **Lactation Breaks.**

In accordance with the FLSA and 29 U.S.C. § 207(r), all nonexempt employees who are nursing mothers are eligible to take reasonable breaks under this policy to express breast milk for up to one year after the birth of the employee's child. The City of Tupelo encourages all eligible employees who intend to take breaks under this policy to notify their supervisor of their intent and reasonable accommodations will be made.

Eligible employees may take a reasonable amount of break time to accommodate the employee's need to express breast milk for the employee's nursing child. Please contact the Human Resources department for information about the designated location for lactation breaks in closest proximity to the work area.

Lactation breaks under this policy are paid. Employees who are required to record time the City of Tupelo's timekeeping policy must accurately record the start and end of lactation breaks on their time sheets in and out for their lactation breaks in accordance with the City of Tupelo's timekeeping policy. Uninterrupted lactation breaks do not count as hours worked.

Exempt employees may be provided break time with pay when necessary to comply with state and federal wage and hour laws.



<b>City of Tupelo Employee Handbook</b>	<b>Policy#</b>	<b>404</b>
Section 4 Payroll Information	<b>Effective Date:</b>	<b>1/1/19</b>
404 Overtime/Compensatory Leave	<b>Supersedes:</b>	

## 404 Overtime/Compensatory Leave

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. Employees of the Tupelo Police and Fire Departments work periods are different subject to the Fair Labor Standards Act, Section 7(k). Police and fire employees should familiarize themselves with FLSA Section 7(k).

When possible, advance notification of these mandatory assignments that exceed a forty (40) hour workweek 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. Compensatory leave will be granted for overtime hours worked at the rate of one and one half (1½) hours for every hour worked. Employees not engaged in public safety activities may accrue no more than two hundred and forty (240) hours of compensatory leave within a twelve (12) month period. Employees engaged in public safety activities may accrue no more than four-hundred eighty (480) hours of compensatory leave. All compensatory leave must be used before vacation and annual leave can be used. Department heads must keep precise records of when compensatory leave is authorized and when it is utilized.

An employee will be permitted to use compensatory time within a reasonable period on the date requested unless it is determined by the department head that doing so would unduly disrupt the operation of the department.





<b>City of Tupelo Employee Handbook</b>	<b>Policy#</b>	<b>405</b>
Section 4 Payroll Information	<b>Effective Date:</b>	<b>1/1/19</b>
405 Paychecks	<b>Supersedes:</b>	

## **405 Paychecks**

### **Paydays.**

With the exception of employees of the City of Tupelo Fire Department, paid every nineteen (19) days, and certain existing positions paid monthly, all other municipal employees can choose to be paid biweekly on every other Friday or monthly. 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.

Employees enrolled in direct deposit will have their pay deposited in their designated account on payday. For all other employees, paychecks will either be delivered to employees by their supervisor or mailed to the employee's home address on file with the Human Resources department. If direct deposit or pay check is not received, please notify the Budget and Accounting Department immediately.

Each paycheck will include earnings for all work performed through the end of the previous payroll period. Employees should review their pay checks for errors. If an error is found, a report should be made to the Budget and Accounting Department immediately. If there has been an erroneous overpayment or underpayment, the City of Tupelo will correct it as soon as possible.

### **Payroll Deductions.**

The City of Tupelo is required by law to make certain deductions from an employee's pay each pay period, including:

- Federal and state income taxes
- Social Security (FICA) taxes
- Medicare
- PERS
- Deductions required by wage garnishment or child support orders

The City of Tupelo may also deduct from an employee's pay the portion of health/dental/life insurance premiums and voluntary contributions to a retirement/pension plan.

No other deductions will be made.

All deductions from pay will be identified on the pay stub. With questions about any deductions from pay, or if believed to be improper deductions, please report the concern to the Budget and Accounting Department immediately.



<b>City of Tupelo Employee Handbook</b>	<b>Policy#</b>	<b>405</b>
Section 4 Payroll Information	<b>Effective Date:</b>	<b>1/1/19</b>
405 Paychecks	<b>Supersedes:</b>	

**Pay Advances.**

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

**Administrative Pay Corrections**

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 Budget and Accounting Department so that corrections can be made as quickly as possible but no later than twenty-four (24) hours after the error is reported.



<b>City of Tupelo Employee Handbook</b>	<b>Policy#</b>	<b>501</b>
Section 5 City Employment Policies	<b>Effective Date:</b>	<b>1/1/19</b>
501 Safety	<b>Supersedes:</b>	

## **SECTION 5 CITY EMPLOYMENT POLICIES**

### **501 Safety**

The City of Tupelo is committed to providing a safe and healthful work environment for employees, customers, and visitors. As a top priority, the City of Tupelo has established a workplace safety program. 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.



<b>City of Tupelo Employee Handbook</b>	<b>Policy#</b>	<b>502</b>
Section 5 City Employment Policies	<b>Effective Date:</b>	<b>12/1/2020</b>
502 Use of Equipment and Vehicles	<b>Supersedes:</b>	<b>1/1/2019</b>

## 502 Use of Equipment and Vehicles

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.

City owned vehicles may be issued to any employee of the City of Tupelo at the discretion of the Mayor or the Mayor's designee when it is determined that a vehicle is necessary to allow the Employee to discharge their daily work functions. A City owned vehicle should only be used for work related purposes. A City owned vehicle shall never be used for personal use during work hours or non-work hours. A personal use of a city owned vehicle includes but is not limited to: using a City vehicle for any business or purpose outside of the employee's designated job function, allowing any person not employed by the City of Tupelo to operate a city vehicle, and otherwise using the city vehicle for the sole benefit of the employee.

A City owned vehicle may be taken home by a City employee when it is determined to be in furtherance of official city business. The Mayor or the Mayor's designee must maintain an updated list of any employee that has been assigned a take-home vehicle. This list should contain: the employee's name; their assigned vehicle; a description of the vehicle containing its make, model, manufacturing year, and VIN. Employees assigned take home vehicles shall obtain from the Human Resources Department and process any required payroll income tax forms.

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.



<b>City of Tupelo Employee Handbook</b>	<b>Policy#</b>	<b>503</b>
Section 5 City Employment Policies	<b>Effective Date:</b>	<b>7/21/20</b>
503 Emergency Closings	<b>Supersedes:</b>	<b>1/1/2019</b>

## 503 Emergency Closings

At times, emergencies such as severe weather, fires, power failures, or earthquakes, public health infectious disease outbreaks/pandemics can disrupt City operations. In extreme cases, these circumstances may require the limiting of operations or closing of a work facility.

In the event that such an emergency occurs during nonworking hours, the Mayor or the Mayor’s representative will contact local radio and television stations as soon as possible and request broadcast notification of the closing.

All city employees are considered essential critical infrastructure workers.

When operations are officially limited or facilities closed due to emergency conditions for a period of less than seven (7) days, the time off from scheduled work will be paid administrative leave. Employees in certain operations (e.g. support of command and control; restoration of utility services; debris removal and protection of public streets, easements, properties; facilities; equipment; public safety; communications; or any other necessary response activities) may be asked to work on a day when operations are officially limited or closed. In these circumstances, non-exempt employees who work will receive overtime pay.

When operations are officially closed or limited due to the specific nature of the emergency conditions (e.g. pandemic) for a period of greater than seven (7) days, non-exempt employees who work will be paid at their regular rate of pay. Department heads will schedule work in a manner to utilize all non-exempt workers in accordance with emergency-specific health and safety guidelines established by federal, state and local authorities for essential critical infrastructure workers during the emergency. These measures include, but are not limited to, telework, rotating shifts or crews, longer workdays or work-weeks split between shifts or crews, and assignment of different job functions.

Effective at the beginning of the shift on July 22, 2020, for COVID-19 related matters, please refer to Policies 303, 303A, and 309A in this manual.



<b>City of Tupelo Employee Handbook</b>	<b>Policy#</b>	<b>504</b>
Section 5 City Employment Policies	<b>Effective Date:</b>	<b>1/1/19</b>
504 Standby Policy	<b>Supersedes:</b>	

## 504 Standby Policy

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 most 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/Crew Leader and Operator/Laborer (crew of two).
- (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.



<b>City of Tupelo Employee Handbook</b>	<b>Policy#</b>	<b>505</b>
Section 5 City Employment Policies	<b>Effective Date:</b>	<b>1/1/19</b>
505 Use of Phone and Mail Systems	<b>Supersedes:</b>	

## 505 Use of Phone and Mail Systems

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.

### CITY-ISSUED CELL PHONES AND DEVICES

This policy applies to any City-issued device that makes or receives phone calls, leaves messages, sends text messages, surfs the internet or downloads and allows for reading and responding to email.

City-issued cell phones are to be used by the assigned employee(s) only. Allowing family members, friends, etc. to use City equipment is prohibited.

City-issued cell phones shall not be used in any illegal, illicit or offensive manner at any time. This includes the use of offensive ring tones, saving or displaying offensive pictures and/or receiving or sending offensive material.

All City-issued cell phones are the property of the City of Tupelo. Employees must comply with any request by the City of Tupelo to make their City-issued cell phone available for any reason, including upgrades, replacement or inspection. All data and communication contained within the device, whether personal or business-related, is subject to review at any time. Employees leaving employment of the City of Tupelo for any reason must turn in the City-issued cell phones immediately.

Employees who violate this policy will be subject to disciplinary action, up to and including termination.

### USE OF CELL PHONES AND OTHER DEVICES IN CITY VEHICLES

This policy applies to any personal or City-issued device that makes or receives phone calls, leaves messages, sends text messages, surfs the internet or downloads and allows for the reading and responding to email whether the device is City-issued or personally owned.

Any City of Tupelo employee who drives a City vehicle is prohibited from using a City-issued or personal cell phone or other device while driving unless it is being operated through the vehicle's "hands-free" system.

This prohibition includes receiving or placing calls, text messaging, surfing the Internet, receiving or responding to email, checking for phone messages, or any other purpose related to employment or any other personally-related activity not named herein while driving. Employees who violate this policy will be subject to disciplinary action, up to and including termination.



<b>City of Tupelo Employee Handbook</b>	<b>Policy#</b>	<b>601</b>
Section 6 – Employee Conduct	<b>Effective Date:</b>	<b>1/1/19</b>
601 Business Ethics and Conduct	<b>Supersedes:</b>	

## **SECTION 6 – EMPLOYEE CONDUCT**

### **601 Business Ethics and Conduct**

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 an employee 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 an 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.





<b>City of Tupelo Employee Handbook</b>	<b>Policy#</b>	<b>602</b>
Section 6 – Employee Conduct	<b>Effective Date:</b>	<b>1/1/19</b>
602 Employee Conduct and Work Rules	<b>Supersedes:</b>	

## 602 Employee Conduct and Work Rules

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.



<b>City of Tupelo Employee Handbook</b>	<b>Policy#</b>	<b>603</b>
Section 6 – Employee Conduct	<b>Effective Date:</b>	<b>1/1/19</b>
603 Computer and E-mail Usage	<b>Supersedes:</b>	

## **603 Computer and E-mail Usage**

Computers, computer files, the e-mail system, and software furnished to employees are 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.



<b>City of Tupelo Employee Handbook</b>	<b>Policy#</b>	<b>604</b>
Section 6 – Employee Conduct	<b>Effective Date:</b>	<b>1/1/19</b>
604 Internet Usage	<b>Supersedes:</b>	

## 604 Internet Usage

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



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- 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



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Section 6 – Employee Conduct	<b>Effective Date:</b>	<b>1/1/19</b>
605 Social Media Policy	<b>Supersedes:</b>	

## 605 Social Media Policy

### 1. PURPOSE

1.1 City of Tupelo departments may use social media tools such as Facebook, Twitter, and YouTube to reach a broader audience. While the city’s website ([www.tupeloms.gov](http://www.tupeloms.gov)) is the City’s primary Internet presence, the City recognizes that, when used appropriately, social media may be useful in furthering the goals of the City and the missions of its departments.

1.2 This policy provides standards, and procedures for the use of social media sites. All official City presences on social media sites or services are considered extensions of the City’s information networks and are governed by the responsibilities set forth in this and related policies and procedures. Violations of this policy shall be considered misconduct and may result in discipline up to and including indefinite suspension/termination.

1.3 Additionally, the City recognizes that many City employees use social media tools such as Facebook in their personal lives. Therefore, this policy provides guidelines for City employees when they communicate on social media sites as a private citizen.

### 2. OBJECTIVE

2.1 To maintain the integrity of the City’s presence in social media and to ensure that social media is used appropriately and within City guidelines and policies.

### 3. DEFINITIONS

**City Social Media Sites** – Those pages, sections or posting locations in social media websites established or maintained by an employee of the City authorized to do so as part of the employee’s job and that are used to communicate with the public on City business.

**Social Media** – Internet-based technology communications tools with a focus on immediacy, interactivity, user participation, and information sharing. These venues include social networking sites, forums, weblogs (blogs, vlogs, and microblogs), online chat sites, and video/photo posting sites or any other such similar output or format. Examples include Facebook, Twitter, and YouTube.

**Social Media Administrators** – City employees expressly designated by their department directors to maintain oversight of their department’s social media sites. A social media administrator’s authority is limited to actions that directly reflect guidance from the social media administrator’s departmental director and the policies and procedures of the social media administrator’s department and the City.

### 4. SCOPE



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4.1 This policy applies to all City employees, including contract employees and volunteers for the City of Tupelo when working with social media tools on behalf of the City and applies to the extent specified herein with regard to personal social media sites; provided, however, that this executive order does not apply to social media sites of the City’s elected officials used solely for campaign or personal purposes.

**5. RESPONSIBILITIES**

5.1 Each department head is responsible for implementing the provisions of this policy and designating a social media administrator.

5.2 Each departmental social media administrator is responsible for oversight of the department’s social media tools and shall:

5.2.1 Review all requests to establish official City departmental social media sites and recommend approval or denial to the Mayor’s Communications Office. Social media administrators shall review social media sites or tools that have already been established in their departments to ensure that they are in compliance with this policy and shall submit a request for approval of such sites in accordance with Subsection 6.4 of this executive order.

5.2.2 Ensure the department’s social media sites are regularly maintained and kept current.

5.2.3 Review information posted to the department’s social media sites to ensure the content is appropriate, professional, and consistent with the City’s policies and the purpose for which the site exists. Frequent review of sites that provide opportunity for comment or other interaction is essential.

5.2.4 Keep the department’s director informed of the department’s social networking tools and activities.

5.3 City employees whose official duties include creating or posting information to a City social media site are responsible for ensuring that such information is accurate, professionally presented, respectful, relevant, and on topic with the department’s mission. Care must be taken to ensure that grammar and spelling are correct. Mistakes must be corrected quickly.

**6. GENERAL GOVERNANCE AND OVERSIGHT OF CITY SOCIAL MEDIA SITES**

6.1 City social media sites may contain information that represents or appears to represent the City’s position on policy issues or other matters affecting City business and/or the positions of the City’s leaders. Thus, the Mayor’s Communications Office has general oversight of all City social media sites. In disaster or emergency situations, the Mayor’s Communications Office may assume control of departmental social media to ensure that communications are managed appropriately.

6.2 Each departmental social media site must be initiated by the department head. The department’s social media administrator is responsible for submitting the request to the Mayor’s Communications Office. Requests to establish departmental social media sites must contain an explanation of the business necessity



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for establishing such a site. Requests shall be made in the format found in Appendix A. A department may have more than one social media site upon a showing that multiple sites will accomplish the City’s goals in the use of social media.

6.3 For social media sites and tools in existence at the time this executive order is promulgated, departmental social media administrators shall submit a request for approval for each of their department’s social media sites and tools to the Mayor’s Communications Office. Such requests must be submitted within 90 days of the date this Executive Order is promulgated unless an extension is approved in writing by the Mayor’s Communications Office.

6.4 Persons responsible for setting up or maintaining City social media sites shall provide each administrator’s access, login, and password information to the following: their departmental social media administrator, their departmental Information Technology Department Security Administrator, and the Mayor’s Communications Office. Any changes in administrator access, login or password information must be reported immediately to all such personnel.

6.4.1 Social media administrators and City employees authorized as part of their official duties to post information, make comments, and send messages to the public on their department’s Facebook page shall set up a Facebook account to facilitate transparency in communications.

6.4.2 Such Facebook account shall:

6.4.2.1 Contain the administrator’s or employee’s name.

6.4.2.2 Be created using the administrator or employee’s City email address.

6.4.2.3 Be set up so that the page does not allow “wall posts” or “friending” the administrator or employee.

6.4.2.4 Be used solely for City business in connection with their department’s Facebook page, and shall not allow comments or “friending” the administrator or employee.

6.4.2.5 Comply with section 7.0 of this policy.

## **7. DESIGN AND CONTENT OF CITY SOCIAL MEDIA SITES**

7.1 Design elements (logos, background, images) should be appropriate to the subject matter and consistent with the City’s design guidelines.

7.2 Social media sites must contain a link to both the City website ([www.tupeloms.gov](http://www.tupeloms.gov)), and the City departmental website. Each City and departmental website shall contain a clear statement of the purpose and subject matter of social media sites.



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7.3 Departments will use proper grammar and where possible, avoid jargon. Social media tools are often more casual than most communication tools but all City social media, such as Facebook and Twitter, shall represent the City appropriately and professionally.

7.4 The following statement shall be included on each departmental social media site following the City department or program description of the purpose of the social media site or tool:

7.4.1 [Insert name of department or program] is a department [or program] of the City of Tupelo, [www.tupeloms.gov](http://www.tupeloms.gov). This site is intended to serve as a mechanism for communication between the public and [department/program] on the listed topics. Following or “friending” persons or organizations is not an endorsement by the City and is only intended as a means of communication. All content of this site and all comments submitted to this page and its list of fans are public and are subject to disclosure pursuant to the Mississippi Public Records Law. Public records requests must be directed to the City of Tupelo’s Communications Director.

7.4.2 Departments may use a departmental logo in their social media tools. Where appropriate for a particular site, social media pages will include the City’s logo. Page names should be descriptive of the department/division. City departments will create “pages” in Facebook, rather than “groups.” For “type” description, “government” will be used.

7.4.3 Departmental Twitter account biographies will read “[City of Tupelo, Department name]” and contain a link to the department’s website. Where possible, departmental user names should begin with Tupelo or TUP (Tupelo Police, TUPWLD, for example). The department’s social media site shall contain the following statement: “When the City ‘follows’ or ‘friends’ a third party Twitter account, it is only for the purpose of facilitating communications and does not imply City endorsement of any such account.”

7.4.4 All content-sharing activities, such as video-sharing, shall be in good taste, appropriate, and consistent with the City’s policies.

7.5 Comments from the public are allowed on the City’s social media sites and shall be monitored daily to ensure the comments meet certain criteria; the City’s social media sites must be structured narrowly to focus discussions on a particular interest of the City rather than creating a “public forum.” Social media web sites that allow comments must contain the following text on the social media site or must include a link to the location on the departmental website containing the following text:

7.5.1 “Comments. The purpose of this site is to present matters of public interest in the City of Tupelo, Mississippi. We encourage you to submit comments, but please note that this is not a public forum.”

7.5.2 “Comments posted to this page will be monitored. The City reserves the right to delete comments that: contain false information, obscene language or sexual content, threaten or defame any person or organization, support or oppose political candidates, political organizations or ballot propositions, promote illegal activity, commercial services or products, infringe on copyrights or trademarks or are not topically related to the particular posting.”





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7.6 Information that is proprietary, subject to the attorney-client privilege or state or federal privacy laws, and information not subject to disclosure under the Mississippi Public Records Law shall not be posted on any City social media site. Each department’s social media administrator shall be responsible for ensuring compliance with this rule.

## 8. SECURITY AND PRIVACY

8.1 Applications (such as streaming video, music, photos, and subscriptions to RSS feeds) that may be useful to a City social media site’s mission can cause clutter and security risks. An application should only be used to serve a City purpose and add to the user experience, and only if it comes from a trusted source and has gone through the approval process outlined in Section 6 of this Executive Order. An application may be removed at any time if it causes a security breach or contains a virus.

## 9. RECORDS RETENTION AND PUBLIC INFORMATION

9.1 Records Retention. Each City department has a schedule and policy for retention of its records that complies with the State of Mississippi Department of Archives and History, Local Government Records Office General Schedules as well as the City’s Open Records Resolution. The retention period for a record depends on the content of that record, regardless of the medium in which it is maintained. Departments maintaining a City social media site or using social media tools shall preserve records on a City server for the required retention period in a format that preserves the integrity of the original record and is easily accessible. Further, departments will destroy, transfer, or otherwise dispose of records in accordance with records disposition schedules.

9.2 Open Records. Content in City social media, including a list of subscribers and posted communications, is public record. The department maintaining the site is responsible for responding completely and accurately to any public information requests for information on social media. Content shall be maintained in an accessible format so that it can be produced in response to a request. Difficulty in accessing the information does not excuse compliance with the MPRL. Users of City social media sites shall be notified that public information requests must be directed to the relevant departmental public information officer.

## 10. APPROPRIATE EMPLOYEE USE OF SOCIAL MEDIA

10.1 All City employees should understand the perception of their City association in online social networks. If an employee identifies himself/herself as a City employee or has a public facing position for which their City association is known to the general public, they must ensure that their profile and related content is consistent with how they wish to present themselves as a City professional, appropriate with the public trust associated with their position, and conforming to existing standards in the City policies.

10.2 Any employee posting on a publicly accessible site is expected to maintain a positive online image that is consistent with the City’s goals and objectives. Employees may be subject to disciplinary action for internet postings that are inconsistent with the interest of the City or demonstrate disloyalty to the goals and objectives of the City.



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10.3 Consistent with the City’s policies on use of the City’s telephone and email systems, incidental and occasional personal use of social media is permitted during work hours provided it is very limited in duration and does not have a detrimental effect on employee productivity.

10.4 City resources, work time, social media tools, and a City employee’s official position shall not be used for personal profit or business interests or to participate in political activity. For example, a building inspector may not use the City’s logo (or its likeness), email, or work time to promote a side business as a plumber.

10.5 Personal or business venture social media account names shall not be tied to the City. For example, CityofTupeloCop would not be an appropriate personal account name.

10.6 If commenting on City business, employees should use a disclaimer which establishes that their comments represent their own opinions and do not represent those of the City of Tupelo.

10.7 Employees may not attribute personal statements or opinions to the City when engaging in private blogging or postings on social media sites.

10.8 Employees, City contract employees, and City volunteers shall not use their City email account or password in conjunction with a personal social networking site.

10.9 City employees, contract employees for the City, and City volunteers shall not post images, files, or text depicting City property, equipment, or personnel in any manner that would adversely affect the reputation of the City or a City department.

10.10 The following guidelines apply to personal communications using various forms of social media.

10.10.1 Use common sense when using social media sites. Remember that what is posted is public, may be public for a long time, and may spread to large audiences. Refrain from posting information that would not be acceptable for a supervisor or other employees to read or embarrass the City of Tupelo when seen in the newspaper or on television.

10.10.2 Employees are expected to use good judgement when posting photos, videos, or comments to their personal social media sites. They should not post any images, videos, files, or text that would adversely affect the reputation of the City or a City department.

10.10.3 Refrain from expounding rumors and/or speculation with regard to any issue within the scope of the City’s purview. Do not inject personal opinion on any issues involving the City on social media in capacity as a City employee.



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10.10.4 The City expects its employees to be truthful, courteous, and respectful toward supervisors, coworkers, citizens, customers, and other persons associated with the City. Employees shall not engage in name-calling or personal attacks or other such demeaning behavior.

## **11. USE OF SOCIAL MEDIA BY CITY BOARDS AND COMMISSIONS**

11.1 Boards or commissions that wish to initiate the use of official social media sites should do so by formal action of the board or commission and must follow requirements for approval and governance outlined in this policy.



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Section 6 – Employee Conduct	<b>Effective Date:</b>	<b>1/1/19</b>
606 Media Relations Policy	<b>Supersedes:</b>	

## 606 Media Relations Policy

Summary/Purpose: To ensure accurate and consistent communication to all media.

In order to ensure all messages from the City of Tupelo are presented accurately and consistently, the Director of Communications is responsible for conducting and/or coordinating all contact with media (including print, broadcast, online, documentary, network television and other types of media outlets). This includes but is not limited to:

- Official City statements, announcements and activities;
- The writing and distribution of press releases;
- Formal and informal efforts to place stories in media outlets (including print, broadcast, and online);
- The posting of City news or stories on department or center websites;
- Release of official statements or information to the general public through mass media or social media (including but not limited to information about emergencies, crimes, controversies, official positions on issues involving the City and other events to which the press has reasonable claim).
- All media contacts for official City information or for departmental expertise (whether initiated by the media or the City department).



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607 Tobacco/Smoking	<b>Supersedes:</b>	

## **607 Tobacco/Smoking**

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, electronic “vape” smoking devices, etc.
5. Appropriate signage indicating the City's smoke-free policy will be posted in all City buildings and vehicles.



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Section 6 – Employee Conduct	<b>Effective Date:</b>	<b>11/21/2023</b>
608 Drug and Alcohol Use-Free Workplace	<b>Supersedes:</b>	<b>1/1/2019</b>

## **608 Drug and Alcohol Use-Free Workplace**

The employees of the City of Tupelo carry out duties and job functions ranging from law enforcement, security, firefighting, operation of vehicles and equipment and daily interaction with fellow employees and all ages of the general public which directly or incidentally affect public health or safety. It is the City of Tupelo's desire to provide a drug-free, healthful, and safe workplace. To promote this goal, all employees are required to report to work in an appropriate mental and physical condition necessary to perform the duties and functions of their employment with the City of Tupelo.

Employees shall not manufacture, sell, distribute, solicitate, possess with intent to sell or distribute, or use alcohol or any other drug, while on duty and whether on or off any premises owned or occupied by the City of Tupelo, subject to the provisions contained in this Policy. The legal use of medically prescribed drugs, except as provided in Policy 608.1, is permitted while the employee is on-duty only if it does not impair an employee's ability to perform the essential functions of the job and does not endanger other individuals in the workplace or the general public.

To enforce this policy, all employees of the City of Tupelo are subject to the Drug and Alcohol Testing Program contained in policy 608.2. If an employee tests positive for any alcohol, drug or other substance in violation of this policy, or any other employment policy, the employee shall experience disciplinary action, up to immediate termination of employment, and/or required participation in a substance abuse rehabilitation or treatment program. Such violations may also have legal consequences in accordance with the laws of the State of Mississippi and the United States of America. As a part of this policy, employees shall notify the City of Tupelo of any criminal drug statute conviction for a violation occurring in the workplace no later than 5-days after the conviction.

Employees are hereby noticed of the Drug-Free Workplace Workers' Compensation Premium Reduction Act contained in Miss. Code Ann. § 71-3-201 et seq. (1972, as amended), the Federal Drug-Free Workplace Act contained in 41 U.S.C.A. § 8102, et seq., and the existence of all rights, privileges, and obligations contained in the aforesaid code sections. All records, documents and communications made by and between the City of Tupelo and an employee related to the Drug-Free Workplace Policy shall be maintained confidentially unless otherwise compelled by law to produce those records, documents or communications.

### **608.1 Medical Cannabis**

In accordance with the terms of the Mississippi Medical Cannabis Act (Miss. Code Ann. § 41-137-1, et seq.), the City of Tupelo is in no way obligated to allow the use, ingestion, or possession of medical cannabis or any medical cannabis product by employees while employed by the City of Tupelo; nor is the City of Tupelo prohibited from refusing to hire, discharging, disciplining, or otherwise taking an adverse employment action against an individual with respect to hiring, discharging, tenure, terms, conditions, or privileges of employment as a result, in whole or in part, of that individual's use of medical cannabis or any medical cannabis product, regardless of the individual's impairment or lack of impairment resulting from the medical use of medical cannabis.

All employees of the City of Tupelo are prohibited from possessing, smoking, ingesting, or otherwise engaging in the use of, or being under the influence of, medical cannabis, regardless of form or characteristic, while on duty or on any premises owned or occupied by the City of Tupelo. Any employee



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having participated in a properly issued drug screening test in accordance with Policy 608.2, and is shown to have the presence of any medical cannabis-related intoxicant (including, but not limited to, THC) in their system, shall be in violation of this policy. Employees who violate the drug-free workplace policy remain subject to disciplinary action, up to termination of employment.

## **608.2 Drug and Alcohol Testing**

The City of Tupelo finds that, as a matter of policy, employees shall not possess, use or sell illegal drugs and should not be under the influence of any intoxicating substance while on duty. To enforce the City’s policies concerning the possession and use of drugs and alcohol by employees and candidates for employment, the City of Tupelo shall conduct random and routine testing for the presence of drugs and alcohol. This policy is implemented in accordance with Miss. Code Ann. § 71-7-1 et seq., otherwise known as the Mississippi Drug and Alcohol Testing Act. Employees of the City of Tupelo are hereby advised of their rights and obligations contained in the Act.

### **Circumstances Under Which Testing Will Occur**

The following is a description of the circumstances under which City of Tupelo employees will be required to undergo drug and alcohol testing:

- a. The City of Tupelo will require all applicants for employment to undergo a post-offer, pre-employment fitness for duty medical examination to determine each employee’s physical and mental readiness to perform the essential functions of the job. As a part of this medical examination, a drug and alcohol test will be conducted to ensure that each employee is able to perform the essential functions of the job. Refusal to submit to the test will be grounds for withdrawal of the offer of employment. A confirmed positive test result will also be grounds for the withdrawal of any offer of employment or termination if results are obtained after the first day of employment.
- b. The City of Tupelo will allow reasonable suspicion drug and alcohol testing based on a belief that an employee is using or has used drugs and/or alcohol in violation of the policies of the City of Tupelo. Reasonable belief under this policy that an employee is using or has used drugs and/or alcohol in violation of the policies of the City of Tupelo will be drawn from specific objective and articulable facts and reasonable inferences drawn from those facts in light of experience. And may be based upon, among other things, the following:
  - a. Observable phenomena, such as direct observation of drug and alcohol use and/or symptoms or manifestations of being under the influence of a drug or alcohol;
  - b. Abnormal conduct or erratic behavior while at work, excessive or pattern absenteeism, excessive tardiness, or marked deterioration in work performance;
  - c. A report of drug use provided by reliable and credible sources and which has been independently corroborated;
  - d. Evidence that an individual has tampered with a drug and alcohol test during his employment with the City of Tupelo;
  - e. Information that an employee is involved in the use, possession, sale, solicitation or transfer of drugs or alcohol while performing any job, duty, task or assignment related to their employment with the City of Tupelo, whether on premises or not.



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- c. The City of Tupelo, through an independent provider, will conduct random, neutral selection drug and alcohol tests which shall be required of all employees.
- d. The City of Tupelo, through an independent provider, may also require an employee to be tested for the presence of drugs and/or alcohol in the event that there is an on-the-job accident or incident that results in actual or potential damage to any property or harm to any person. The employee shall be required to be available for testing immediately following the accident/incident and for the next 32-hours immediately after the accident/incident and shall refrain from the use of drugs and alcohol until testing is complete.

**Substances Tested For**

The City of Tupelo may test employees for the presence of alcohol, marijuana, tetrahydrocannabinol (THC), cocaine, amphetamines, opiates, phencyclidine (PCP or Angel Dust), and/or any other substance having psychological and/or physiological effects on a human being, including controlled dangerous substances and controlled substance analogs or volatile substances, which through its deliberate introduction into the body, may impair a person’s ability to perform any task, assignment, duty or function of their employment. The City of Tupelo reserves the right to add additional substances to the testing protocol on a determination that the best interest of the City of Tupelo will be served. The addition of a substance or substances to the testing protocol will only be done following a thirty (30) day employee notification period.

**Effect of a Positive Drug and/or Alcohol Test Result**

Any employee who has a positive test result for any of the substances listed above, or who otherwise violates any provision contained in this policy, will experience disciplinary action, up to immediate termination of employment. An employee who refuses to submit to drug and alcohol testing administered in accordance with this policy shall be immediately terminated. Employees that have a positive test result for any of the substances listed above, and in lieu of termination or other disciplinary actions, may be granted an opportunity to take part in a drug and alcohol abuse rehabilitation program in accordance with Policy 608.3 contained herein.

**Drug and Alcohol Testing Procedures**

The City of Tupelo will contract with a provider to conduct drug and alcohol testing under this policy. The provider will conduct all of the tests required under this policy to include specimen collection, chain of custody procedures, obtaining necessary laboratory results, medical review officer services, and any other services incident to the drug and alcohol testing program. Testing will conform to scientifically accepted analytical standards to confirm the presence of drugs or alcohol and the level of drugs or alcohol in the employee’s system.

Employees and job applicants identified under this policy to be alcohol/drug tested shall be allowed to provide notice to the City of Tupelo, through the provider, of currently or recently used prescription or non-prescription drugs at the time of the taking of the specimen.





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### **Confidentiality**

All information, interviews, reports, statements, memoranda and test results, written or otherwise, received by the City of Tupelo or the provider on its behalf, through its drug and alcohol testing program are confidential communications under certain circumstances as allowed by the Mississippi Drug and Alcohol Testing Act.

All information obtained, however, shall be the property of the City of Tupelo. The City of Tupelo will not release to any person other than the employee or job applicant, information related to drug and alcohol test results unless:

- a. The job applicant has expressly, in writing, granted permission for the employer to release such information;
- b. It is necessary to introduce a positive confirmed test result into an administrative or judicial proceeding where the information is relevant to the hearing or proceeding;
- c. The information must be disclosed to a federal or state agency or other unit of the state or United States government as required under law, regulation or order, or in accordance with compliance requirements of a state or federal government contract;
- d. Disclosed to a drug abuse rehabilitation program for the purpose of evaluation or treatment of an employee; or
- e. There is a risk to public health or safety that can be minimized or prevented by the release of such information.

### **Contesting a Test Result**

An Employee who receives a confirmed drug and/or test result may contest the validity of that result or explain it. An employee who has a confirmed positive test result will be informed in writing and informed of those disciplinary actions to be taken against the employee. The employee has ten (10) working days from the date they receive the written notice to submit a written explanation as to why the test result is invalid, or explain the circumstances causing the confirmed test. As a part of their response, the employee may request a retest of the original specimen at his or her own expense. If the employee fails to submit a timely written explanation, the test will be considered final, and the employee may be subject to disciplinary action. If the employee's timely written explanation 1) fails to prove that a prescribed drug was taken as directed and 2) fails to prove the prescribed drug taken as directed did not result in impairment while on duty, the employee's timely explanation will be deemed as unsatisfactory.

### **608.3 Employee Assistance Program**

Any employee of the City of Tupelo that feels that he or she has developed an addiction or dependence on alcohol or drugs is encouraged to seek assistance. All requests for assistance will be confidential. Requests for assistance may be made directly to the Human Resources Director. Employees seeking assistance will be referred to substance abuse assistance/rehabilitation programs made available through the City of Tupelo Employee Assistance Program. An employee's participation in this program is at the discretion of the Human Resources Director which 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.



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Section 6 – Employee Conduct	<b>Effective Date:</b>	<b>1/1/19</b>
609 Unlawful Harassment	<b>Supersedes:</b>	

## 609 Unlawful Harassment

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 the opportunity to work in an environment free of sexual and other unlawful harassment.

Unlawful harassment based on protected classes can occur in various ways in the workplace. Supervisors must take action if they observe or otherwise become aware of conduct in the workplace that may be viewed as harassing even if it seems harmless. Conduct that is severe or pervasive can amount to unlawful harassment, whether or not the supervisor subjectively perceived it to be so. No form of sexual or other type of harassment based on a protected class will be tolerated in our workplace.

### SEXUAL HARASSMENT

Sexual harassment and harassment based on an employee's sex or gender are strictly prohibited. Sexual harassment can occur in various ways, including conduct that is:

- Verbal. Sexual harassment can occur through verbal conduct such as derogatory statements, sexually-related comments or jokes, or requests for sexual favors.
- Physical. Sexual harassment can occur through improper touching, inappropriate physical contact, or assault.
- Visual. Sexual harassment can occur through visual means, such as displaying sexually suggestive posters, cartoons or drawings, leering, sending inappropriate adult-themed gifts, or making sexual gestures.

Sexual harassment can occur between individuals of the opposite sex and of the same sex.

### OTHER TYPES OF HARASSMENT

Harassment based on other protected classes is strictly prohibited. Like sexual harassment, harassment on the basis of protected characteristics can occur in various ways, including conduct that is verbal, physical, or visual. For example, the following types of behavior may be regarded as harassment if they are sufficiently severe or pervasive, whether or not the supervisor subjectively perceived it to be so, and are strictly prohibited:

- Continually teasing an older colleague about his age and excluding him from work-related activities and functions because of his age.
- Using racial slurs in the workplace.
- Repeatedly mocking an employee's religious headwear.



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609 Unlawful Harassment	<b>Supersedes:</b>	

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 sexual or other unlawful harassment in the workplace is experienced or witnessed, report it immediately to the supervisor or department head. If the supervisor or department head is unavailable or it is believed to be inappropriate to contact that person, immediately contact the Mayor or the Mayor's designee. Concerns can be raised and reports may be made without fear of reprisal or retaliation.

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, confidentiality of the employee making the allegation, any witnesses, and the alleged harasser will be protected against unnecessary disclosure. When the investigation is completed, parties 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.



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610 Attendance and Punctuality	<b>Supersedes:</b>	

## **610 Attendance and Punctuality**

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.



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Section 6 – Employee Conduct	<b>Effective Date:</b>	<b>1/1/19</b>
611 Personal Appearance	<b>Supersedes:</b>	

## **611 Personal Appearance**

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, employees are expected to present a clean, neat, and tasteful appearance. Employees should dress and groom according to the requirements of the 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.

The supervisor or department head is responsible for establishing a reasonable dress code appropriate to the job performance. If a supervisor feels an employee’s personal appearance is inappropriate, the employee may be asked to leave the workplace until properly dressed or groomed. Under such circumstance, the employee will not be compensated for the time away from work. Consult the immediate supervisor with questions as to what constitutes appropriate appearance. Where necessary, reasonable accommodation may be made to a person with a disability.



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Section 6 – Employee Conduct	<b>Effective Date:</b>	<b>1/1/19</b>
612 Personal Relationships in the Workplace	<b>Supersedes:</b>	

## **612 Personal Relationships in the Workplace**

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 relative may include any of the following relationships: spouse, domestic partner, parent, son or daughter, brother or sister, grandparent or grandchild, aunt or uncle, niece or nephew, cousin, step, half, or in-law relation, or any other person with such a close bond as to suggest conflict in the employment relationship

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. Nor shall individuals involved in a dating relationship with a current employee 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 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.



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Section 6 – Employee Conduct	<b>Effective Date:</b>	<b>1/1/19</b>
613 Workplace Violence	<b>Supersedes:</b>	

## 613 Workplace Violence

### **The City of Tupelo Prohibits and Will Not Tolerate Workplace Violence**

The City of Tupelo prohibits and will not tolerate any form of workplace violence by an employee, supervisor, or third party, including visitors at the workplace and at employer-sponsored events.

### **Prohibited Conduct**

For purposes of this policy, workplace violence includes:

- Making threatening remarks (written or verbal).
- Aggressive or hostile acts such as shouting, using profanity, throwing objects at another person, fighting, or intentionally damaging a coworker’s property.
- Bullying, intimidating, or harassing another person (for example, making obscene phone calls or using threatening body language or gestures, such as standing close to someone or shaking your fist at them).
- Behavior that causes another person emotional distress or creates a reasonable fear of injury, such as stalking.
- Assault.

This list is illustrative only and not exhaustive. No form of workplace violence will be tolerated.

### **Complaint Procedure**

If conduct believed to violate this policy is witnessed or are subjected to any, an employee must speak to, write, or otherwise contact the direct supervisor or, if the conduct involves the direct supervisor, the next level above the direct supervisor as soon as possible.

The complaint should be as detailed as possible, including the names of all individuals involved and any witnesses. The City of Tupelo will directly and thoroughly investigate all complaints of workplace violence and will take prompt corrective action, including discipline, if appropriate. The City of Tupelo reserves the right to contact law enforcement, if appropriate. To the extent permitted by law, the City of Tupelo reserves the right to seek a restraining order to prevent workplace violence against an employee.

If there is awareness of an imminent violent act or threat of an imminent violent act, immediately contact appropriate law enforcement, then contact the Human Resources Department of the City of Tupelo.



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Section 6 – Employee Conduct	<b>Effective Date:</b>	<b>1/1/19</b>
614 Weapons	<b>Supersedes:</b>	

## **614 Weapons**

### **The City of Tupelo Prohibits Weapons at the Workplace**

The City of Tupelo prohibits all employees from possessing any weapons of any kind at the workplace while engaged in activities for City of Tupelo and City of Tupelo sponsored events unless specifically allowed by law. For purposes of this policy, the workplace is defined to include City of Tupelo’s buildings, outdoor areas, and parking lots.

Weapons include:

- Guns.
- Knives.
- Mace.
- Explosives.
- Any item with the potential to inflict harm that has no common purpose.

For purposes of this policy, the workplace is defined to include the City of Tupelo's buildings and outdoor areas. An employee may store a firearm for which the employee has a valid permit or is legally authorized to carry in a locked personal vehicle while parked in the City of Tupelo's parking areas. The firearm must be hidden from plain view or locked within a case in the vehicle.

Employees may not transport or store any firearms in employer-owned vehicles, even if the employee has a valid permit or is legally authorized to carry a firearm.

An employee who is prohibited by state or federal law from possessing or carrying a firearm may not store any firearm in their vehicle while parked in the City of Tupelo's parking areas.





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Section 6 – Employee Conduct	<b>Effective Date:</b>	<b>1/1/19</b>
615 Security Inspections	<b>Supersedes:</b>	

## 615 Security Inspections

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.



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Section 6 – Employee Conduct	<b>Effective Date:</b>	<b>1/1/19</b>
616 Solicitation	<b>Supersedes:</b>	

## 616 Solicitation

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:

- EEO or 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



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Section 6 – Employee Conduct	<b>Effective Date:</b>	<b>1/1/19</b>
617 Problem Resolution	<b>Supersedes:</b>	

## 617 Problem Resolution

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.



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617 Problem Resolution	<b>Supersedes:</b>	

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.