

RESOLUTION NO. 2020-37

A RESOLUTION TO AUTHORIZE AMENDMENTS TO THE WEAKLEY COUNTY PERSONNEL HANDBOOK

WHEREAS, the Tennessee General Assembly adopted Public Chapter 361 on July 1, 1997, this Chapter requires all Tennessee counties to adopt personnel policies; and

WHEREAS, Weakley County complied with Public Chapter 361; and

WHEREAS, the last published personnel handbook was approved and printed in November 2014, the Weakley County Financial Management Committee has made amendments to this personnel handbook; and

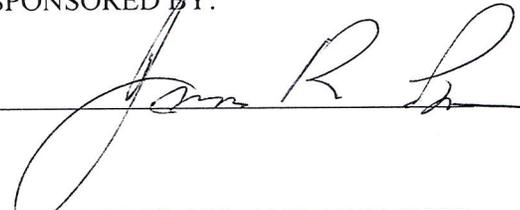
NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Weakley County, Tennessee, assembled in regular session on this the 21st day of January, 2020, that Appendix A as attached be adopted as the Weakley County Personnel Handbook.

NOW, THEREFORE BE IT FURTHER RESOLVED, that all resolutions of the Board of County Commissioners of Weakley County, Tennessee, which are in conflict with this resolution are hereby repealed.

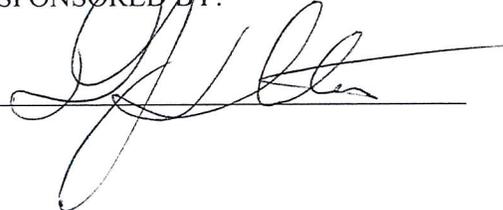
NOW, THEREFORE BE IT FURTHER RESOLVED, that this resolution take effect from and after its passage, the public welfare requiring it. This resolution shall be spread upon the minutes of the Board of County Commissioners.

PURSUANT TO THE RULES OF THE COMMISSION, THIS RESOLUTION IS SPONSORED BY THE FOLLOWING MEMBERS OF THE WEAKLEY COUNTY COMMISSION:

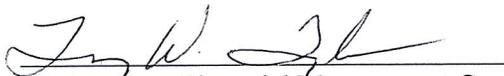
SPONSORED BY:



SPONSORED BY:



ACKNOWLEDGED AND APPROVED:



Chairperson, Financial Management Committee

Motion made by Commissioner Doster that the foregoing resolution be adopted:

Motion seconded by Commissioner Donaldson.

Upon being put to a voice vote, Motion carried by a vote of

15 Yeas, 0 Nays, 0 Passed, and 3 Absent.

ATTESTED:



Kim Hughey, County Clerk

APPROVED:



Jake Bynum, Chairperson, County Mayor

This the 21st day of January, 2020.

Weakley County, Tennessee



Personnel Handbook

Adopted January 21, 2020



RESOLUTION NO. 2020-37

ADOPTED BY THE
WEAKLEY COUNTY BOARD OF COMMISSIONERS
January 21, 2020

WEAKLEY COUNTY MAYOR

Jake Bynum

REVIEWING ATTORNEY

Allison Whittedge

Weakley County Department of Finance, Revisionist

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FOREWORD

Welcome, Employees of Weakley County.

You are now a part of our County Government. The progress this County makes depends on our employees. We are glad you have chosen Weakley County to build your future and career.

You will want to know more about your job and your benefits. That is the purpose of this handbook - to help you become more acquainted with your employer; to briefly explain your benefits and what you should do to obtain them; and to prevent questions and problems before they arise.

The purpose of this handbook is to provide employees with a general understanding of the personnel policies of Weakley County Government. However, it cannot anticipate every situation or answer every question about employment. Neither this handbook, nor any provision in it, constitutes a contract of employment or any other type of contract.

Should the wording, or the absence of wording, in a particular policy lead to a conflict with accepted procedures or practices, Weakley County is not restricted to that policy. It should also be noted that no policy in this handbook entitles an employee to disregard the legal directives of his or her supervisor or department head. Weakley County must have flexibility in the administration of its policies and procedures, and reserves the right to change or revise policies without notice when deemed necessary. It is the employee's responsibility to remain abreast of periodic updates to the policy.

It is to your advantage to read this handbook carefully and to keep it handy for future use. If, from time to time, questions arise that are not covered in this handbook, feel free to ask your supervisor for assistance.

The personnel policies in this handbook supersede and replace all prior manuals and handbooks.

This handbook does not apply to the employees of Weakley County Schools, except in those instances where the Weakley County Board of Education's policies specifically incorporate, by reference, a policy herein or otherwise indicate that this County policy controls. Certified teaching personnel are under individual contract and both certified and classified personnel of the school system are governed by the policies of the Weakley County Board of Education.

BASIC OBJECTIVES

The purpose of this handbook, and its policies, is to bring into the service of Weakley County a high degree of understanding, cooperation, efficiency, and unity. This is aided by a systematic application of good procedures in personnel administration. This handbook also provides a uniform policy for all employees, with the accompanying benefits of such a program. The fundamental objectives of good personnel administration, which is aided by these policies are:

1. To promote and increase efficiency and responsiveness to the public and economy in Weakley County.
2. To provide fair and equal opportunity to all qualified citizens to enter Weakley County employment on the basis of demonstrated merit and fitness as ascertained through fair and practical methods of selection.
3. To develop a program of recruitment and advancement that will make Weakley County service attractive as a career and encourage each employee to render his or her best service.
4. To establish and promote high morale among Weakley County employees by providing good working relationships, a uniform personnel policy, opportunity for advancement, and consideration for employees needs and desires.

EMPLOYEE CLASSIFICATIONS

All full-time, part-time, and temporary employees of Weakley County Government are considered employees-at-will. Just as an employee has the right to resign from his or her position at any time, Weakley County reserves the right to terminate employment at any time, for any lawful reason, with or without cause, and without prior notice.

The three employee classifications for Weakley County Government are as follows:

1. **Full-Time Regular:** A full-time position is one that must be approved as such by the Weakley County Commission and be regularly scheduled to work a minimum of 30 hours each work week. Employees classified as regular, full-time employees regularly scheduled to work less than 40 hours a week may have certain paid leave benefits prorated accordingly.
2. **Part-Time/Variable Hour:** A part-time or variable hour position is one that is generally scheduled for less than 30 hours a week. It has not been approved as a full-time position by the Weakley County Commission and therefore is not eligible for any employee benefits for which full-time employment is required. For business needs, a part-time or variable hour employee may occasionally be scheduled for 30 or more hours in a work week without changing his or her variable hour status.

3. **Temporary/Seasonal:** A temporary or seasonal position is one in which the employee will work for a specified period of time, usually for less than six months, or will work until a particular task or assignment is completed. There are no limits to the number of hours a temporary employee may work; however, overtime must be paid when those hours exceed 40 in a week unless he or she is employed in certain employment categories for which overtime pay is not required by the Fair Labor Standards Act. Temporary or seasonal employees are not entitled to benefits.

EMPLOYMENT STATUS

There are three categories of Employment Status in Weakley County Government.

1. **Active Status:** This category includes all employees who are working a regular schedule. Employees in active status must be able to work and cannot be on any form of leave of absence. The use of available vacation or sick time does not preclude an employee from being on active status except when such time is used to supplement income during a leave of absence.
2. **Inactive Status:** An employee who is on any recognized leave of absence or is suspended from work for disciplinary reasons is considered to be inactive. All personal, medical, military, and worker's compensation leaves are included in this category and begin on the first day the employee does not report to work as scheduled.
3. **Terminated:** Individuals in this category have ended their employment with Weakley County Government by means of resignation, retirement, death, or discharge. The date of termination is the first calendar day after the last day worked, unless otherwise decided by the responsible department head or elected official. Employees of Weakley County Government and Weakley County Board of Education who are involuntarily terminated are generally not eligible for rehire with the County, with the exception of employees who are terminated for reasons unrelated to job performance, such as reduction in force or other such reasons as deemed appropriate at the sole discretion of the County Mayor or responsible county official.

PERSONNEL FILES

An individual personnel/payroll file will be maintained on each employee. It is the responsibility of each employee to provide accurate information to the employer. Employees are also responsible for reporting to the employer any change in the

information that they have previously provided. All personnel/payroll files are to be kept centrally located in the Department of Finance. Personnel/payroll files are considered public records with the exception of limited personal information that may be redacted pursuant to the Tennessee Public Records Act.

IMMIGRATION PAPERS

In 1986, the United States Congress passed the Immigration Reform and Control Act, which requires completion of a Form I-9 for all employees. Any employee who has not completed a Form I-9 for the purposes of complying with the Act must tell his or her hiring authority immediately. Upon initial employment, all employees are required to attest that they are lawfully eligible to work in the United States. Employees are further required to supply to the employer copies of documents proving this eligibility.

TIME RECORDS/PAY PROCEDURES

The departments of Weakley County have different paydays and pay periods. Employees will be informed by the department head and/or supervisor of the specific payday applicable to that department. Employees are required to record their hours on the forms provided for this purpose, and at the end of the payroll period, sign and forward them to the supervisor for review and processing. The time sheet shall show sick leave, holiday leave, and vacation time, if applicable. Employees and supervisors are responsible for ensuring that hours worked and leave time are recorded accurately. Falsifying time records is a crime under T.C.A. § 39-16-504.

The workweek for Weakley County employees begins at 12:01 A.M. on Sunday and ends at 12:00 A.M. (midnight) on Saturday each week. The regular workweek for Weakley County employees is forty (40) hours, except certain law enforcement employees for whom a different work schedule is permissible under the Fair Labor Standards Act. Employees who are paid on an hourly basis will receive compensation at their regular rate of pay for all hours worked, up to and including 40, in the workweek. All employees will have their payroll disbursed over 12 monthly pay periods, excluding highway department employees, who will be paid bi-weekly.

OVERTIME

The eight (8) hour day and forty (40) hour week will be used for determining overtime pay rates as well as the accrual and usage of sick and vacation pay. An employee's hourly rate of pay is determined by dividing the annual salary by 2,080 hours.

In accordance with federal wage and hour laws, non-exempt employees (with the exception of law enforcement and public safety personnel) are eligible for overtime compensation (or compensatory time as outlined below) for all hours worked over forty (40) in a workweek. Only hours actually worked will be considered in calculating overtime and compensatory time. The amount of payment for each hour of overtime is calculated by multiplying the hourly rate of pay by 1.5. Certain executive, professional, and administrative employees are considered to be exempt under federal wage and hour laws and are therefore not eligible for overtime compensation.

Law enforcement and certain public safety employees have their overtime calculated by a different formula and should check with their responsible elected official or department head to determine when they are eligible for overtime compensation.

No employee shall work any hours in excess of forty (40) per week without the prior consent of the responsible elected official or department head. Employees may be subject to discipline for incurring unapproved overtime.

COMPENSATORY TIME

A department head or elected official may elect to offer compensatory time in lieu of overtime pay. In this event, employees who are required to work over forty (40) hours per week may elect to receive compensatory time off in lieu of overtime pay. The election of compensatory time is voluntary and offered during the initial orientation process for employees in departments in which compensatory time is allowed. Employees may change their voluntary election each June, prior to the beginning of a new fiscal year. Employees who accept compensatory time in lieu of overtime pay will sign the compensatory time agreement attached as Exhibit A to these policies. Absent an agreement by the employee, employees may not be required to receive compensatory time in lieu of overtime pay. Such compensatory time shall be earned at a rate of one and one-half hours for each hour worked over forty hours in a week. With the exception of law enforcement and public safety employees, no employee may accrue more than 240 hours of compensatory time. Law enforcement and public safety employees may accrue up to 480 hours of comp time. The use of compensatory time is subject to approval by the department head or elected official. Employees must use their accrued compensatory time, and Weakley County will make every effort to grant reasonable requests for compensatory time when sufficient advance notice is given and the workplace is not unduly disrupted. Weakley County reserves the right at any time to pay an employee in cash (at the rate of one and one-half hours for each hour worked) for any or all accrued compensatory time and/or to require the employee to use accumulated compensatory time.

ATTENDANCE AND PUNCTUALITY

Employees will be at their places of work in accordance with established working hours. Regular attendance and punctuality are essential if we are to accomplish the objective of providing efficient services to the public. An employee who fails to report to work is required to notify his or her department head or supervisor as early as possible, but in any event prior to the beginning of the shift, stating the reasons for absence. An employee who is unable to arrive at work on time should notify the department head and/or supervisor no later than one hour prior to work time. In circumstances where the employee is unable to notify the supervisor, the employee is responsible to make arrangements for someone else to make such contact.

In cases of extreme weather or other emergency conditions, the County Mayor may designate full or partial days as days of Administrative Closing. At the time of the announcement, the County Mayor's office will issue guidelines for employee compensation. Each elected official may make the same or different decision for his or her office.

AUTHORIZED WORKING HOURS

Business hours for all offices in all departments and/or agencies may vary. Employees should check with a supervisor or department head regarding the specific schedule for a given department or agency.

HOLIDAYS

While there will be certain standard holidays each year, because of the variety of county services, county employees may not observe holidays on the same day. Each county official or department head may change the holiday schedule to meet the business needs of his or her office. If an employee's schedule requires a deviation from the holiday schedule, the supervisor is responsible for notifying the employee.

The authorized paid holidays are the following:

- New Year's Day
- Martin Luther King Day
- President's Day
- Good Friday
- Memorial Day
- Independence Day
- Labor Day
- Veterans Day
- Thanksgiving (2 days)
- Christmas (3 days)

One (1) additional day as approved and authorized by the department head.

Any exceptions to the above will be handled on a departmental basis.

Except with regard to Highway Department employees, all holidays will be considered eight (8) hour days for pay purposes. Because Highway Department employees regularly work a ten (10) hour shift, holidays for Highway Department employees will be considered ten (10) hour days for pay purposes.

All full-time employees who are in an active pay status at the time the holiday occurs are eligible for holiday compensation. Should a holiday occur during an employee's vacation time, he or she will not be charged a vacation day for the day of the holiday. Active employees who are out sick the day before and the day after a holiday may be required to provide a doctor's excuse in order to receive holiday pay.

Employees who are on an approved leave of absence, and are using available vacation or sick time in accordance with Weakley County policies, will be allowed to substitute holiday pay for one of those days should a holiday occur during that time.

At the discretion of their department head or supervisor, employees who are required to work on a holiday may receive up to eight (8) hours of holiday pay in addition to their regular pay for actual hours worked; or receive the equivalent time off on another day. When possible, the equivalent time off should be granted within the same or subsequent pay period in which the holiday occurs.

Employees who are in an inactive status are not eligible for holiday pay except as stated above. Inactive employees who are receiving disability or workers' compensation payments are not eligible for holiday payments even if they are using accrued vacation time to supplement these payments.

LONGEVITY PAY/CONTINUOUS SERVICE

Provided there is no break in employment, the time between an employee's date of hire as a full time employee and his or her date of termination will be considered a period of continuous service. If an employee with a break in service is rehired by Weakley County, his or her period of continuous service starts over on the date of rehire. The period of continuous service shall be broken under the following conditions:

- (1) Discharge with or without cause.
- (2) Voluntary resignation.
- (3) Changing status from regular full-time employment to part-time or temporary employment.

Each department head or elected official shall be responsible for determining the continuous service credit of an employee on the basis of information contained in the employee's personnel file.

Longevity pay is to be paid only to full-time regular employees in the Highway Department and General Fund. An employee must be considered regular full-time for three consecutive years as of his or her anniversary date and be employed when the longevity checks are disbursed. After any break in continuous service, an employee will be required to use his or her new employment date for the purpose of determining eligibility for longevity pay. The employee will not receive credit for time of employment prior to a break in service. If an employee is part-time and becomes full-time, the date the employee was classified full-time is the starting point for longevity. Longevity checks are paid on the payroll cycle following the employee's anniversary date. An employee will not receive longevity pay if on an unpaid leave. If an employee is on a workers' compensation leave and returns within 30 days of his or her anniversary date, the longevity will be paid. At the time of this publication, the rate of longevity pay is \$50 per year of employment up to a maximum of 20 years. Longevity awards are subject to the approval of the Weakley County Commission during the budget process for each fiscal year.

RETIREMENT PENSION

This benefit is available to full-time employees. Weakley County participates in the Tennessee Consolidated Retirement System (TCRS). Terms of membership and coverage are governed by TCRS. Questions regarding the plan should be directed to the Department of Finance.

SICK LEAVE

Weakley County realizes that employees occasionally have to miss work for medical reasons. During the first six (6) months of employment, full-time employees earn paid sick time at a rate of 0.5 days (4 hours) per month. After six (6) months of employment, full-time employees earn paid sick time at a rate of one day (8 hours) per month. Sick time accruals will start and be recorded on the last work day of the first full calendar month after an employee's start date. Thereafter, employees will accrue sick time on the last workday of each calendar month.

Paid sick time may be used for the following:

1. The employee's absence due to personal injury or illness, including conditions related to pregnancy or childbirth, as well as routine medical, dental, and vision appointments.

2. The employee's absence resulting from a need to care for a child, spouse, or parent suffering from a serious illness or injury.

In order to accrue sick time, an employee must be in active status and accumulate 120 hours of paid time in the respective calendar month. For purposes of this policy, paid time will include hours worked as well as the approved use of available vacation, sick, or compensatory time.

Paid sick time will only be granted for the reasons listed above. Attempts to use paid sick time for reasons not listed above will result in disciplinary action. Paid sick time may not be taken until earned and may not be advanced. However, unpaid leave will be granted for conditions covered by the Family and Medical Leave Act when an employee has no sick leave available. Please refer to the policy on Family and Medical Leave.

Unused sick time may be carried over at the end of the payroll year to subsequent payroll years. Employees transferring to another division within county government will be given credit for unused sick leave with approval of the department to which the employee is transferred, provided there is not a break in service. Employees will not be paid for unused sick leave and may not use sick leave to extend length of service beyond the last day worked or to take off work between giving notice of retirement or resignation and last day worked (unless medical documentation is provided.)

Unless scheduled to work, employees will not be charged available sick time for absences occurring on weekends, official holidays, or other days of administrative closing.

Employees are required to notify the employer as early as possible on the first day of their sick leave absence, and shall notify the employer in advance whenever the need for leave is foreseeable. Employees shall document their use of paid sick leave on leave request forms provided by the Employer for this purpose. Such forms shall be completed by the employee and approved by the employer in advance of the leave when the need for sick leave is foreseeable, and in all other instances as soon as possible after the employee's return to work. An employee who claims sick leave may, at the discretion of the employer, be required to furnish a certificate from a physician stating that the employee was incapacitated from work for the period of absence as a result of sickness or injury, and that the employee is again physically able to perform his or her duties.

DONATION OF SICK LEAVE

With the approval of the department head, Weakley County personnel may donate any accrued sick days, with a maximum donation of 90 days per fiscal year, to an employee who has exhausted their sick days and is experiencing an illness or a medical emergency

to themselves or his or her child, spouse, or parent. The employee must write a statement stating the name of the person they wish to receive the days and the number of days donated, and sign and date the statement. An employee may not receive more than 90 days of donated time per fiscal year.

VACATION ASSIGNMENTS

Vacation may be taken at any time during the year with the approval of the department head or supervisor. The department head or supervisor will endeavor to schedule vacation for the convenience of the employee, but the needs of the department must be the controlling factor.

VACATION PAY

Paychecks for vacation periods shall be computed on the regular payroll day and will be available for employees at the normal time. No checks will be issued in advance for vacations. Vacation time cannot be worked for pay in addition to regular pay.

VACATION LEAVE

Paid vacation is provided by Weakley County so that full-time employees may have periods of free time away from the work environment. Part-time and temporary employees are not eligible for paid vacation. Vacation accruals will start and be recorded on the last workday of the first full calendar month after an employee's start date. Thereafter, employees will accrue vacation time on the last workday of each calendar month. Though the vacation accrual rate is based on the employee's start date, the payroll year (first pay period in January through the last pay period in December) is used as the vacation year for record keeping and accounting purposes.

Vacation hours are not accrued during leaves of absence unless specified by applicable laws such as the Tennessee Maternity Law which is found in another section of this publication. In order to accrue vacation time as stated above, an employee must be in active full-time status and accumulate 120 hours of paid time in the respective calendar month. For purposes of this policy, paid time will include hours worked as well as the approved use of available vacation, sick or compensatory time.

Vacation Procedures:

- All vacation leave should be requested as far in advance as reasonable and is subject to the approval of the department head or supervisor.

- Department heads or supervisors will determine and notify employees of the advance notice requirements for vacation requests in their individual departments.
- Department heads or supervisors, at their discretion, may allow employees to take vacation time in increments of less than a full day. The minimum amount of vacation time that can be requested by an employee will also be determined by the department head or supervisor.
- Payment of vacation leave will be at the employee's regular rate of pay.

Department heads or supervisors approve vacation requests based on business needs and availability of staff at the time of the request. However, during the period of time between an employee's notification of intent to resign or retire and his/her last day worked, the department head or supervisor is not required to grant the employee's request for vacation leave. Any vacation time that remains available to the employee after the last day worked will be paid in a lump sum up to the maximum allowable accrued days. Vacation time shall not be used to extend the length of service past the last day worked.

Paid vacation leave will be earned (and will accumulate if unused) at the rate of one eight (8) hour day per month worked for full-time employees with at least six months of service. Full-time employees with less than six months of service will accumulate vacation days at the rate of 0.5 days per month (4 hours). Vacation leave may not be used until it is accumulated. Vacation leave can be accumulated and carried over to a maximum of fifteen (15) days at fiscal year-end. Any vacation time accumulated during the fiscal year exceeding the fifteen will be allowed to roll over into sick leave and treated in accordance with the sick leave policy. Vacation leave may be transferred with the approval of the department head of the department to which the employee is transferring. Upon termination of employment (before retirement) accumulated vacation leave (up to the maximum of 15) shall be paid to the employee.

HIGHWAY DEPARTMENT SPECIAL RULES FOR LEAVE ACCRUAL AND CALCULATION OF TIME WORKED

Vacation and sick leave time are accrued in hours per day.

Show up time: Employees will receive four (4) hours for showing up to work when weather conditions are such that no work can be done. The employee must clock in and be available to do another job if one is available.

Call out time: Employees will receive overtime for call out work if they have the required forty (40) hours worked in that time period. A minimum of four hours will be paid for call out but time will not be paid for two or more locations in the same call out.

VOTING LEAVE

Any persons entitled to vote in an election in this state may be absent from work to vote while the election polls are open for a period of time not to exceed three hours. A request to be absent must be made to the supervisor before noon on the work day before the election. The employer may specify the time the employee may be absent. The employee will receive regular compensation during this period and leave time will not be affected. Voting time shall not be counted as working time for overtime computation.

BEREAVEMENT LEAVE

In the case of death in the employee's immediate family, he or she will be given three (3) consecutive days of paid leave, with the approval of the department head, which will not be charged to vacation leave. "Immediate family" is defined as the employee's spouse, parent, mother and/or father-in-law, daughter and/or son-in-law, brother, sister, children of the employee, brother and/or sister-in-law, grandchildren, and grandparents. Grandparents-in-law do not qualify. This benefit shall be for full time employees only.

The employee will receive up to three days paid leave starting the day after the notification of death of an immediate family member if he or she is normally scheduled to work those days. Employees will not be paid for days occurring during the bereavement leave that are not regularly scheduled work days. Official holidays and days of administrative closing falling within the period of paid bereavement leave will be charged as holidays and days of administrative closing.

A department head or supervisor may allow the paid bereavement leave to start later than the day after notification of the death if the funeral or travel needs warrant such consideration. Also, in situations where an employee needs to be off work longer than the three days of bereavement leave, vacation leave or reasonable unpaid personal leave may be used with department head or supervisor approval.

Pay for each day of bereavement leave taken will be made at the employee's current pay rate for a scheduled day's work (up to 8 hours). Once the employee uses the three paid days of bereavement leave, the department head or supervisor has the discretion to grant vacation time or unpaid leave in the event of the death of another immediate family member as defined above. A department head or supervisor may request an employee to provide verification of the reason for the absence.

CIVIL LEAVE

Paid court leave is provided to all County employees who are required to serve on a jury or as a witness in a state, federal, or local court. This ensures against a loss of pay for employees performing a civic duty. In order to receive paid leave, the employee must submit an authentic summons, subpoena, or notice to appear from the appropriate court.

An employee who is duly summoned as a witness in a matter before a state, federal, or local court or an employee who testifies in behalf of the County in a matter arising out of his or her employment will receive his or her regular pay for the time missed from work. However, the employee shall return to work immediately after he or she is dismissed from court.

Notwithstanding the above, Weakley County employees who appear in court as a plaintiff or a defendant in private litigation will not be paid for time missed from work whether appearing voluntarily or pursuant to a summons or subpoena. On these occasions, the employee must take vacation leave, compensatory time, or leave without pay.

Employees who are required to serve on jury duty will be compensated in accordance with state laws. Pay for time served on court leave, including the time spent traveling to and from court, shall be made at the employee's regular rate of pay, except that such compensation shall not exceed the total of the employee's regularly-scheduled daily pay. However, if the jury service results in any personal compensation from the court, the employee is required to reimburse the County for any compensation received from the court while on paid court leave.

Should the employee be dismissed from jury duty before 12:00 P.M. (noon), the employee shall return to work immediately after dismissal from court.

Upon return to work, the employee will be required to present proof of jury duty service or other mandated court appearance, including dates of service and any compensation received from the court. The employee has ten (10) working days after return to work from court service to reimburse the County for any compensation received, or the employee may choose to retain the court compensation and take vacation leave instead of court leave. Any reimbursements from the court received by the employee for personal expenses, such as parking, mileage, and food allowance, and any non-reimbursed parking expenses shall not be included in the amount reimbursed to the County.

If an employee summoned for jury duty is working a night shift or is working during hours immediately preceding those in which court is normally held, such employee shall also be excused from work as provided by this section for the shift immediately preceding the employee's first day of court service. After the first day of service, when such person's responsibility for jury duty exceeds three (3) hours during a day, then the person shall be excused from the next scheduled work period occurring within 24 hours of such duty of jury service.

LEAVE FOR PREGNANCY, ADOPTION, CHILDBIRTH AND RELATED CONDITIONS

Leave under T.C.A. § 4-21-408 for pregnancy, adoption, childbirth, and related conditions will run concurrently with an employee's Family and Medical Leave where applicable.

An employee who has been employed by the same employer for at least twelve (12) consecutive months as a full-time employee, as determined by the employer at the job site or location, may be absent from such employment for a period not to exceed four (4) months for adoption, pregnancy, childbirth, and nursing the infant, where applicable (such period to be hereinafter referred to as "leave"). With regard to adoption, the four (4) month period shall begin at the time an employee receives custody of the child.

An employee who gives at least three months of advance notice to his or her employer of the anticipated date of departure for such leave, the length of leave, and their intention to return to full-time employment after maternity leave, shall be restored to his or her previous position, or a similar position, with the same status, pay, length of service credit, and seniority, wherever applicable, as the date of the leave. An employee who is prevented from giving three months of advance notice because of a medical emergency which necessitates that leave begin earlier than originally anticipated, shall not forfeit his or her rights and benefits under this part solely because of his or her failure to give three months of advance notice.

The leave may be with or without pay depending on whether the employee has paid time off available. The leave shall not affect the employee's right to receive vacation time, sick leave, bonuses, advancement, seniority, length of service credit, benefits, plans, or programs for which he or she was eligible at the date of the leave, and any other benefits or right of his or her employment position; provided that the employer need not provide for the cost of any benefits, plans, or programs during the period of the leave unless such employer so provides for all employees on leave of absence.

Employees who are prevented from giving three (3) months of advance notice because the notice of adoption was received less than three (3) months in advance shall not forfeit their rights and benefits under this section solely because of their failure to give three (3) months of advance notice.

If an employee's job position is so unique that the employer cannot, after reasonable efforts, fill that position temporarily, then the employer shall not be liable under this section for failure to reinstate the employee at the end of the leave period.

The purpose of this section is to provide leave time to employees for adoption, pregnancy, childbirth, and nursing the infant, where applicable; therefore, if an employer finds that the employee has utilized the period of leave to actively pursue other employment opportunities or if the employer finds that the employee has worked part-time or full-time for another employer during the period of leave, then the employer shall not be liable under this section for failure to reinstate the employee at the end of the leave.

Whenever the employer shall determine that the employee will not be reinstated at the end of the leave because the employee's position cannot be filled temporarily or because the employee has used the leave to pursue employment opportunities or to work for another employer, the employer shall so notify the employee.

FAMILY AND MEDICAL LEAVE

Under the Family and Medical Leave Act of 1993 (FMLA), eligible county employees are entitled to up to twelve (12) workweeks of unpaid leave during each 12-month period beginning July 1 and ending June 30 (fiscal year) for the birth of a child and/or in order to care for that child, the placement of a child for adoption or foster care and/or to care for the newly placed child, a serious health condition of the employee that makes the employee unable to perform the functions of his or her job, (including a work-related injury that results in an employee having to miss work, if such injury or illness meets the criteria for a serious health condition), or the serious health condition of a spouse, son, daughter, or parent which requires the employee's presence. Both male and female employees are eligible for leave in connection with the birth or adoption of a child or a family illness, but special rules may apply if both husband and wife are county employees. Eligible employees are those who have been employed by the county for at least 12 months or 52 weeks (not necessarily consecutive), and who have worked at least 1,250 hours during the 12 month period immediately before leave is requested.

When an employee requests FMLA leave, the employer will make a determination as to whether the employee qualifies for such leave, and will provide the employee with a Notice of Eligibility and Rights and Responsibilities in the form attached to this policy as Exhibit B.

Benefits provided by the County Employee Benefit Plan will be administered in accordance with federal law. If an Employee is a covered employee prior to the commencement of the leave period, coverage will stay in effect during the FMLA leave period under the same conditions as if the employee was not on leave. If the County currently pays the employee's health insurance premiums, the County will continue to do so during FMLA leave. Any payment for family or dependent coverage that is ordinarily paid by the employee will continue to be paid by the employee. Failure to make such payments will result in a loss of coverage. However, once the leave is concluded, coverage may be reinstated if the employee requests coverage in writing within thirty-one (31) calendar days of his or her return to work and pays the required premium. Any waiting periods, deductibles, or plan maximums partially or totally satisfied prior to the leave will be continued or reinstated when the County is informed of return from FMLA leave.

During periods of unpaid leave, an employee will not accrue additional seniority or other such employment benefits, unless the Leave Policy for adoption, birth of a child,

and related conditions herein is applicable. Though such leave is not considered a "break in service" period, some unpaid leave may affect the vesting requirements under the Tennessee Consolidated Retirement System (TCRS). Employees may contact TCRS or the Finance Department for more information.

Employees requesting medical leave for their own medical condition or serious health condition of a parent, child, or spouse must use the balance of any available sick leave accrued prior to the commencement of unpaid leave. Paid sick leave will run concurrently with FMLA leave until paid leave is exhausted, at which point any remaining FMLA leave will be unpaid. The employee may also use vacation leave if he or she so desires, but shall not be required to do so.

The employee must give 30 days of advance notice to his or her supervisor of the need for leave, where the need is foreseeable. Emergency conditions and unforeseen events, such as a sudden serious health condition or a premature birth, do not require such notice. Under such circumstances, the employee should give as much notice as reasonably possible.

Weakley County has the right to verify an employee's request for family/medical leave. If the employee requests leave because of a serious health condition or to care for a family member with a serious health condition, the County requires that the request be supported by certification supplied by the health care provider responsible for the treatment of the serious health condition on a form prescribed by the County. Forms for certification for the employee's serious health condition and for the serious health condition of a family member are attached to this policy as Exhibit C-1 and C-2. The employee shall be provided a Designation Notice in the form attached as Exhibit D to these policies.

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

An employee is required to report in periodically to his or her supervisor while on FMLA leave. Generally the employee shall report in monthly, or, if the employee is suffering from a serious health condition, as frequently as possible given the employee's condition, but no more frequently than monthly shall be required.

Leave taken under this policy can be taken intermittently or on a reduced leave schedule when certified to be medically necessary. Intermittent or reduced leave schedules for routine care of a new child may be taken only with the department head or supervisor's approval, on a schedule mutually agreed upon by the employee and department head or supervisor.

Ordinarily, the employee is entitled to be returned to the original position or an equivalent position when returning from Family and Medical Leave. However, in the case of a key, salaried employee in the top 10% of paid employees, the County may not be able to hold the job. In these circumstances, the County must show that the denial is necessary to prevent substantial and grievous economic injury to the operations of the County. The County must also notify the employee that it will not be able to hold the original position at the time it is determined, and must give the employee the option to return to work within a reasonable period of time after receiving this notice.

Employees may obtain additional information about the FMLA and their rights and obligations under that law from their department head or supervisor, or by contacting the Department of Finance.

SERVICE MEMBER LEAVE UNDER THE FMLA

This policy explains Weakley County's eligibility requirements for service member leave under the Family and Medical Leave Act (FMLA). Except where otherwise noted, the general rights and responsibilities outlined in the Family and Medical Leave policy shall apply to service member leave taken pursuant to FMLA.

The FMLA allows eligible employees to take leave for the following qualifying events or circumstances:

1. **Exigency** – Employees with a spouse, son, daughter, or parent (the "service member") on active duty or called to active duty in the Armed Forces, National Guard, or Reserves may take up to twelve weeks of leave to address certain qualifying exigencies arising out of the active duty or impending active duty. A form for certification of Qualifying Exigency is attached to these policies as Exhibit E.

Examples of qualifying exigencies include:

1. Short notice deployment;
2. Attendance at military events and related activities;
3. Arranging childcare, providing childcare on an urgent basis, and attending school activities;
4. Financial and legal arrangements;
5. Counseling for the employee, the service member, or child;
6. Rest and recuperation (up to 5 days);
7. Post-deployment activities;
8. Additional activities to address other events that arise out of active duty status, provided the employer and employee

agree that it is an exigent circumstance and agree to the timing and duration of leave.

2. **Caregiver for Service member Injury or Illness** – Employees may also take leave to care for a current member of the Armed Forces, including the National Guard or Reserves, or a member of the Armed Forces, Guard, or Reserves who is on the temporary disability retired list ("the service member") who has a serious injury or illness incurred in the line of duty that may render the service member medically unfit to perform his or her own duties for which the service member is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is otherwise on the temporary disability retired list.

In order to care for the covered service member, the employee must be the spouse, son, daughter, parent, or next of kin of the service member.

An employee may take up to twenty-six (26) weeks of caregiver leave during a twelve (12) month period, such period to be calculated beginning on the first day of leave.

The employee must provide complete and sufficient documentation in support of a request for service member FMLA leave. Failure to provide such documentation may result in the denial or delay of FMLA. The employee may also be required to provide documentation of the familial relationship to support service member leave.

IN-LINE-OF-DUTY INJURY LEAVE

Any employee sustaining an injury or an illness during the course and scope of his or her employment must report it to his or her supervisor immediately. An employee who sustains an injury which is determined to be compensable under the provisions of the Workers' Compensation Law shall be entitled to receive in-line-of-duty injury leave. This leave shall not be counted against any accrued sick leave which the employee has accumulated, but will run concurrently with any FMLA leave if the employee's work injury meets the definition of a 'serious health condition' as defined herein. The provisions of the Workers' Compensation Law will determine benefits that are receivable by the employee.

CODE OF ETHICS

All Weakley County employees are expected to abide by the County's Code of Ethics Policy. A copy of the entire policy may be obtained on the Weakley County Government website www.weakleycountyttn.gov or by contacting the Department of Finance.

NEPOTISM POLICY

Weakley County does not have a formal Nepotism Policy; however, employment decisions shall at all times be based on evaluation of the best candidate to meet organizational need. Care shall be taken to avoid any appearance of impropriety in the hiring or promotion of relatives of leaders in the organization.

CONFLICT OF INTEREST POLICY

The Director of Schools, Director of Finance, members of the Financial Management Committee, members of the county legislative body or any of its committees, or any other officials, employees, or board members of Weakley County Schools, Sheriff's Department, or Highway Department shall not be financially interested, or have any personal beneficial interest, either directly or indirectly, in the purchase of any supplies, materials, or equipment for the county.

No firm, corporation, partnership, association, or individual furnishing any such supplies, materials, or equipment shall give or offer, nor shall the purchasing agent or any official, department head, or employee, accept or receive, directly or indirectly, from any person, firm, corporation, partnership, or association to whom any contract may be awarded, by rebate, gift, or otherwise, any money or other things of value whatsoever, or any promise, obligation, or contract for future reward or compensation (Acts 1981, Ch. 325, § 21).

SAFETY POLICIES

No job is completely free of hazards; therefore, safety is an important aspect of employment to Weakley County. Accidents cost the county money through worker hours lost from work. Also, accidents can result in serious harm to the employee.

Weakley County has established a job safety and health protection program for its employees, which is approved by the state. The Safety Director is responsible for keeping the latest information on file and keeping the handbook in agreement with the county safety policies.

However, employees also have responsibility to comply with TOSHA standards, rules, regulations, and orders issued pursuant to the program.

All injuries or accidents, no matter how minor they seem, whether it be to an employee or a visitor, must be reported, at once, to the department head or supervisor. In compliance with the Tennessee Occupational Safety and Health Act of 1972, the Tennessee Workers' Compensation Form is to be filled-out by the supervisor or department head within twenty-four (24) hours of an accident. One copy is to be

retained in the department and one copy is to be forwarded to the OSHA/Personnel Director. TOSHA Form 200 will be maintained at the Weakley County Courthouse by the TOSHA/Administration Assistant.

All employees should cooperate in helping prevent injury to themselves, other employees, and visitors by observing the following Safety Rules.

- Keep informed on fire rules. Know the location of fire extinguishers and employee duties in case of fire. Fire extinguishers are provided in all county buildings.
- Stay informed concerning first aid treatment.
- Avoid accidents by eliminating hazards.
- Never operate electrical equipment with wet hands.
- Report to the department head or safety officer any unsafe conditions, such as:
 - equipment left in halls or on walks,
 - wet or slipper floors,
 - use of defective equipment,
 - use of combustible materials near open flame.
- All accidents and/or injuries must be reported immediately to a supervisor. Failure to report will result in discipline up to and including termination.
- Fighting, horseplay, intoxication or being under the influence of alcohol or narcotics while on duty are strictly prohibited. Violations will result in disciplinary action, up to and including termination.
- Good housekeeping practices must be maintained on county property.
- All tools, equipment, and machinery shall be used and/or operated only by authorized personnel or as directed by a supervisor.
- Any damage to county property must be reported immediately.
- No one except authorized personnel may repair, adjust, or alter machinery or electrical equipment.
- The prescribed clothing and safety equipment for the work being performed must be worn at all times.
- All safety signs must be obeyed.

ADMINISTRATIVE LEAVE WITH PAY

A special leave with pay may be granted by the department head or supervisor to attend special conferences, conventions, or short schools, or to visit other counties or cities in the interest of Weakley County Government. Other special leave with pay may be granted for good cause as determined by the department head or supervisor. This leave shall not exceed five (5) working days per year unless exceptional circumstances exist.

LEAVE WITHOUT PAY

Any employee, at the discretion of the department head or supervisor, may be granted leave without pay for sufficient reason as determined by said department head or supervisor. During the period of absence, the employee will not accrue vacation, sick leave, or other benefits. The absence without pay leave shall not extend for a period in excess of one year.

MILITARY LEAVE

Full-time employees who are members of any military reserve component will be granted paid military training leave for such time as they are in the military service on field training or active duty under operative orders for periods not to exceed twenty (20) working days per calendar year. Such requested leave shall be supported with copies of the armed forces orders.

Full-time employees who are members of a military reserve unit who have completed their military training duty for the calendar year, and are reactivated for additional training, will be allowed an additional twenty (20) days paid military leave if the additional military training: (1) occurs during the same calendar year; and (2) fulfills the employee's military training obligation for the subsequent calendar year.

Employees in military service shall be governed by the requirements of, and shall have all the rights and benefits conferred upon, such persons by state law found in T.C.A. Title 8, Chapter 33, and under the Uniformed Services Employment and Reemployment Rights Act (USERRA).

Regular employees will be granted a leave of absence without pay for the purpose of being inducted into or otherwise entering military duty. If not accepted, the employee will be reinstated at the same rate of pay and without loss of seniority, benefits, or status. If accepted for service, the employee may be eligible for reinstatement upon being released from active duty upon meeting the conditions set out in T.C.A. Title 8, Chapter 33, relative to employees in military service, and in accordance with the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA) 38 U.S.C. §§ 4301-4333.

A former regular employee who left the county service in good standing to enter the active military service and who completed such service under honorable conditions has a right to be restored to his or her original position, if it still exists and is not held by a person with greater seniority, or otherwise to a position of like seniority status and pay. The returning veteran must make application for re-employment within ninety (90) days from discharge from the military (TCA 8-33-102). Such returning employee shall not be discharged from his or her public position without cause within one (1) year after restoration of employment (TCA 8-33- 104).

TERMINATION PAY

An employee whose services are being terminated, either voluntarily or involuntarily, shall be paid all regular earnings which are due and accrued plus all accrued vacation time (up to the maximum of 15 days), overtime and compensatory time. The employee will not be compensated for unused sick leave days. In the event of death, the amount owed to the employee shall be paid to the employee's estate or to the surviving spouse, as may be required by law.

EQUAL OPPORTUNITY/DISCRIMINATION PROHIBITED

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

So that all interested parties have an opportunity to apply for positions as they become open, job openings that are not filled by employees within a department will be posted in the Weakley County Courthouse, and may be advertised on a more extensive basis. Applications will be accepted for posted or open positions only. Those who apply but are not selected for a posted position may be required to submit a new application for any future job opening. Unsolicited applications and resumes that are not submitted for an open position will be considered only at the discretion of a department head or supervisor.

HARASSMENT POLICY

It is the policy of Weakley County to maintain a respectful work and public service environment. Weakley County prohibits and will not tolerate any form of unlawful harassment by or towards any employee or official on the basis of race, color, religion, sex, national origin, age, disability, status as a Vietnam-era veteran or special disabled veteran, or status in any other group protected by law. Any employee or official who engages in such behavior is subject to disciplinary action, up to and including termination of employment.

Any unwelcome conduct based upon color, race, religion, national origin, sex/gender, age, disability, or veteran status constitutes unlawful harassment when:

- Submitting to the conduct is made either explicitly or implicitly a term or condition of an individual's employment or of obtaining public services; or
- Submitting to or rejecting the conduct is used as the basis for an employment decision affecting an individual's employment of public services; or
- Such conduct has the purpose or result of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

No form of unlawful harassment will be tolerated in the workplace. Employees will receive orientation regarding this policy and department heads or supervisors are responsible to ensure all employees are aware of this policy. Employees are urged to report alleged incidents of unlawful harassment.

PROCEDURE FOR REPORTING DISCRIMINATION OR HARASSMENT

Each department head or supervisor shall be required to undergo training regarding this policy and procedures hereunder, and shall be responsible for giving this policy and statement wide distribution. A copy of the policy and the appropriate training will be provided to each employee and he or she shall be required to familiarize himself or herself with the policy. Employees will be informed that discrimination and harassment are forms of employee misconduct and that discipline will be enforced against individuals engaged in discrimination or harassment and against supervisory and managerial personnel who knowingly allow such behavior to continue. Receipt of this policy and understanding thereof shall be documented in each employee's personnel file.

Any employee who believes he or she has been the victim of discrimination or harassment should report such conduct immediately. Weakley County in no way condones or supports any form of discrimination or harassment and considers it to be a very serious offense which could result in severe disciplinary action against the offender. In keeping with this, the following procedure is instituted by the County to provide victims of discrimination or harassment adequate internal recourse to halt such behavior.

An employee who believes he or she has been subject to discrimination or harassment should report the incident to his or her supervisor, or the County Mayor. The supervisor or Mayor shall immediately inform the department head and the County Mayor or appropriate County Official of the complaint. The supervisor or County Mayor or appropriate County Official or the County legal counsel shall immediately investigate the complaint. Department heads and supervisors shall cooperate fully in the investigation of any such complaints. Such an investigation shall be performed in as confidential a manner as possible while assuring a thorough investigation. Only those individuals essential to the investigation of the complaint as provided in this policy shall be involved in the investigation. Depending upon the seriousness of the offense, a finding that any

employee has harassed another employee shall be grounds for disciplinary action, up to and including termination. Likewise, depending upon the seriousness of the offense, a finding that any supervisor has engaged in discriminatory conduct shall be grounds for disciplinary action, up to and including termination.

Any non-employee who subjects an employee to harassment in the workplace shall be informed of this policy by the employee's supervisor or manager. Other action may be taken as appropriate to ensure the employee will not be subjected to continuing harassment.

No employee shall be subjected to retaliation of any kind as a result of reporting perceived discrimination or harassment. Appropriate action shall be taken to ensure that retaliation does not occur. However, an employee may be disciplined for knowingly providing false information related to a complaint.

This policy shall be reviewed by legal counsel at least every two years, and shall be revised as necessary to ensure compliance with applicable law. Legal counsel shall certify in writing upon each two year review that the policy continues to comply with applicable law.

TITLE VI OF THE CIVIL RIGHTS ACT OF 1964

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, and national origin in programs and activities receiving federal financial assistance.

Weakley County Government receives federal financial assistance and is therefore subject to the requirements of Title VI.

All services, support, programs, and local regulation enforcement are provided to all citizens equally and in the same manner without regard to race, color, or national origin. All citizens are treated and addressed in a respectful manner. No decision made or action taken will be based on the citizen's race, color or national origin.

RELIGIOUS ACCOMMODATION

Efforts will be made to accommodate the religious observance and practices of an employee unless such accommodation is unreasonable and would result in an undue hardship to County operation.

DISABILITY ACCOMMODATION

It is the policy of Weakley County to assure equal employment opportunity to persons with disabilities on the basis of qualifications and ability to perform the job. There shall

be no discrimination in terms of employment opportunities, wages, hours of work, or other terms or conditions of employment or benefits.

An individual with a disability is one who has a physical or mental impairment that substantially limits one or more major life activities, a record of such an impairment, or who is regarded as having such an impairment.

REASONABLE ACCOMMODATION

Weakley County will make reasonable accommodation to the known disabilities of an otherwise qualified applicant or employee. The specific accommodations needed shall be determined jointly by the individual and the employer after an interactive process of consultation. Reasonable accommodation may include, but shall not be limited to:

- making facilities readily accessible to and usable by persons with disabilities, and
- job restructuring, job sharing, or modified work schedule, acquisition or modification of equipment or devices and other similar actions.

In determining whether an accommodation would impose an undue hardship on the operation of the department, factors to be considered include:

- The overall size of the specific work area or program with respect to the number of employees and budget,
- The type of operation, and
- The nature and cost of the accommodation needed.

It is the responsibility of the employee or applicant to make known to the employer the need for an accommodation.

Each department is required periodically to survey its programs and physical facilities to determine if they are accessible to persons with disabilities. If structural problems are found, they should be brought to the attention of the ADA Coordinator for reasonable and necessary changes. Non-structural problems requiring some form of reasonable accommodation will be addressed on an individual basis. The ADA Coordinator will provide technical assistance in areas of accessibility related to employment.

COMPLAINTS

Individuals who believe that they have been subjected to discrimination on the basis of a disability are encouraged to report the incident in accordance with the complaint procedure included in the county's policy on Equal Employment Opportunity, or discuss the matter with the county's ADA Coordinator, or both.

DRUG FREE POLICY

It is the policy of Weakley County to provide a safe and healthy environment for its employees. Therefore, the following are strictly prohibited during working hours, while on Weakley County property, or while on Weakley County business:

- being under the influence of illegal drugs or alcohol;
- the sale, possession, transfer or purchase of illegal drugs; or
- the possession or consumption of alcoholic beverages;
- abusing legal drugs in a manner inconsistent with the prescription and/or in a manner that unreasonably impairs the employee's ability to perform his/her job duties. (Nothing herein is intended to preclude the appropriate use of legally prescribed medications).

Any employee whose off-duty substance abuse results in on-the-job impairment (including but not limited to excess absenteeism or tardiness, carelessness or disregard for safety, or poor work), or who commits an unlawful act or whose conduct discredits Weakley County in any way is in violation of the policy.

The foregoing constitutes the policy of Weakley County on substance abuse. Violation of this policy is grounds for disciplinary action, up to and including immediate termination from employment. Weakley County may take all appropriate actions against violators, which may include referral for legal prosecution or requiring the employee to satisfactorily complete approved drug use/alcohol abuse assistance or rehabilitation program. The Weakley County Government Drug Free Workplace and Substance Abuse Policy requires pre-employment drug testing for all Weakley County General Fund and Highway Department employees. The department head or supervisor must receive a negative result from the pre-employment test before the employee begins work. A copy of the Weakley County Government's Drug Free Workplace and Substance Abuse Policy, adopted July 21, 2004, for Weakley County General Fund and Highway Department employees may be obtained at the Weakley County Department of Finance.

DRUG POLICY FOR WEAKLEY COUNTY TRANSPORTATION PERSONNEL

(Transportation Personnel is defined to mean any employee whose job requires a Commercial Driver's License.)

It shall be the policy of Weakley County to require all transportation personnel to report to the department head or supervisor, the use of any prescription drug that could affect

the central nervous system or impair their reaction time. Further, all transportation employees shall give notice of such non-prescription (over-the-counter) drugs being taken on a regular basis. The notice shall include the duration on ingestion and the possible side effects thereof.

It shall be the policy of Weakley County to require all transportation personnel to submit to drug testing, without advance notice, in order to ensure a maximum degree of safety. Any employee testing positive is subject to the following disciplinary actions:

- Employees testing POSITIVE for the use of prescribed or non-prescribed drugs, absent the notice required above, shall be suspended for two working days without pay for each violation of this policy. Re-testing with negative results of the presence of drugs shall be required as a prerequisite for reinstatement.
- Employees testing POSITIVE for the use of Controlled Substances shall be terminated on the first confirmed offense.

It shall be the policy of Weakley County that transportation employees shall be required to notify the department head, supervisor, or the Director of Pupil Transportation, of any criminal drug statute conviction no later than five days after such conviction. Further, new applicants shall state upon the application form any conviction of a federal or state drug statute, including the penalty assessed for the conviction.

The Weakley County Government Drug Free Workplace and Substance Abuse Policy requires pre-employment drug testing for all Weakley County General Fund and Highway Department employees. The department head or supervisor must receive a negative result from the pre-employment test before the employee begins work.

CONTINUATION COVERAGE

An individual covered by the employee health plan has the right to seek continued health coverage, at the employee's expense, upon the occurrence of certain events, such as termination of employment, which might affect that individual's coverage. The employee or covered individual should consult the health care plan administrator.

COUNTY PROPERTY

Personal use of county owned property is strictly prohibited. Violations will result in disciplinary action, up to and including termination.

FIRST AID

First Aid equipment will be provided in all county buildings. Department heads or supervisors in each building will designate a first aid area and appoint an individual responsible for area and supplies.

WEAKLEY COUNTY COMPUTER USAGE POLICY

The Computer Usage Policy is applicable to employees of Weakley County who have access to computers and the Internet to be used in the performance of their work. Use of the Internet by employees of Weakley County is permitted and encouraged where such use supports the goals and objectives of the department or office.

COMPUTER, ELECTRONIC MAIL, AND INTERNET USAGE POLICY

- Weakley County employees are expected to use the Internet responsibly and productively. Internet access is limited to job-related activities only and personal use is not permitted. Job-related activities include and are restricted to research and educational tasks that may be found via the Internet that aid in job performance.
- All Internet data that is composed, transmitted, and/or received by Weakley County's computer systems is considered to be property of Weakley County and is recognized as part of county public record and is therefore subject to disclosure.
- Weakley County reserves the right to monitor Internet traffic and collect any data that is composed, sent, or received through its online connections.
- Electronic communications sent via Weakley County's e-mail systems should not contain content that is considered offensive. This includes, though is not restricted to, the use of vulgar or harassing language/images/audio, or any other form of transmitted information.
- All sites and downloads may be monitored and/or blocked by Weakley County or its internet service providers if they are considered harmful or inappropriate to Weakley County in any way.
- The installation of software such as instant messaging technology is prohibited.

Unacceptable use of the Internet by employees includes, but is not limited to:

- Sending or posting discriminatory, harassing, or threatening messages or images on the Internet and/or through e-mail communications
- Using computers to perpetrate any form of fraud, and/or software, film or music piracy
- Stealing, using, or disclosing someone else's password without authorization
- Downloading, copying, or pirating software and electronic files that are copyrighted or without authorization.
- Sharing confidential information

- Hacking into unauthorized websites
- Sending or posting information that is defamatory to Weakley County
- Introducing malicious software onto Weakley County's Network(s) and/or jeopardizing the security of electronic communications systems
- Sending or posting chain letters, solicitations, or advertisements not related to county purposes or activities.
- Expressing personal views as representing those of Weakley County.

If an employee is unsure about what constitutes acceptable Internet usage, the employee should ask his/her supervisor for further guidance and clarification.

All terms and conditions as stated in this document are applicable to all users of Weakley County network(s) and Internet connection. All terms and conditions as stated in this document reflect an agreement of all parties and should be governed and interpreted in accordance with the policies and procedures mentioned in this handbook. Any user violating these policies is subject to disciplinary actions deemed appropriate by Weakley County.

WEAKLEY COUNTY ELECTRONIC MAIL COMMUNICATIONS SYSTEM POLICY

Any and all public electronic mail accounts and correspondence for or with employees are governed by Tennessee public records law and are potentially subject to public inspection under TCA § 10-7-512.

WEAKLEY COUNTY SOCIAL MEDIA POLICIES AND PROCEDURES

Weakley County's Social Media websites are public forums limited to the discussion of matters related to Weakley County and designed the education and assistance of citizens and employees of Weakley County. Public participation in the form of submitted questions, comments, and concerns is encouraged. However, Weakley County reserves the right to delete content or comments, without notice, that:

- Are unrelated to topics of public concern to the citizens of Weakley County;
- Are solicitations or advertisements for commercial products or services;
- Infringe on copyrights or trademarks;
- Are obscene under legal standards;
- Are deemed inappropriate, inflammatory, harassing, or otherwise objectionable to a reasonable person and are not otherwise protected by the First Amendment;
- Are an unlawful invasion of privacy;
- Contain speech that is otherwise unprotected by the First Amendment that Weakley County deems inappropriate for the site.

Weakley County reserves the right to delete comments that are more than thirty (30) days old. By virtue of providing content to all Weakley County Social Media sites, participants agree that they have no expectation of privacy in the information provided. The County is not responsible for and does not endorse any links embedded in comments posted to

social media sites by third parties. Social media sites do not circumvent or supersede Weakley County's normal business practices or processes. For example, responses to requests for proposals, invitations for bid, or other competitive procurements are not properly submitted via these sites. Content submitted to or through any social media website, official government and education websites, or any other interactive online platform, is not legal notice to Weakley County.

Employees should be familiar with all policies and employment agreements outlined in this personnel handbook. Weakley County's Social Media Policy applies to multi-media, social networking websites, blogs, and wikis for both professional and personal use. Any and all social media website postings (including words, images, video, audio, and any other form of posted and/or uploaded content and communications) made by any employee of Weakley County:

- Should not disclose any information that is confidential or proprietary to Weakley County, the State of Tennessee, or to any third party that has disclosed information to Weakley County under Tennessee Privacy Laws.
- If the person is identified as an employee of Weakley County, an express disclaimer must state that the views expressed by the employee do not necessarily reflect the views of Weakley County Government.
- Should not include company logos or trademarks belonging to the County unless permission is asked for and granted.
- Must respect copyright, privacy, fair use, financial disclosure, and other applicable laws.
- Should neither claim nor imply that the employee is speaking on behalf of the Weakley County Government.
- Could require approval when the employee is posting about Weakley County Government or Education Departments in his/her capacity as an employee.

ELECTRONIC HARASSMENT AND TENNESSEE STATE LAW

Any communications with another person without legitimate purpose containing malicious intent to frighten, intimidate, or cause emotional distress by telephone, in writing, or by electronic communication including, but not limited to, text messaging, facsimile transmissions, electronic mail, or Internet services is considered a criminal offense under TCA §39-17-308. Unlawful harassment will not be tolerated in the workplace. Employees are urged to report alleged incidents of unlawful harassment.

In cooperation with this code, all employees consent to providing any information necessary regarding questionable posts, displayed log files, images, and communications on any social network service's web site maintained by Weakley County's electronic communications service provider(s) to Weakley County or the State of Tennessee upon request.

Employees may be held personally liable for damages caused by any violations of this policy by Weakley County or the State of Tennessee. In addition, Weakley County

reserves the right to take disciplinary action on any employee that does not adhere to the policies explained regarding all of Weakley County's Internet Usage Policy, Communications Policies, Social Media Policies and Procedures, and Electronic Harassment. Employees and officials not complying with these policies are subject to disciplinary action, up to and including termination of employment, and/or possible legal action if necessary.

The Weakley County Commission shall have the authority to grant exemption from any part of all of these rules and regulations when deemed appropriate and necessary.

POLICY/RULE VIOLATION OR MISCONDUCT

The County has established guidelines expressing its expectations of employees' conduct. These guidelines describe conduct that generally results in the County taking corrective action. The guidelines are not all inclusive, and other conduct not listed may result in corrective action, up to and including termination.

These guidelines do not form a contract of employment. Employment with Weakley County is at will and can be terminated for any reason, with or without cause. The decision as to what action will be taken rests solely with the County and is made based on the circumstances of the individual policy/rule violation or misconduct.

The County realizes that no set of rules can cover the complexities of every situation. Therefore, the following must be viewed as general guidelines. The County may deviate at will from its disciplinary guidelines as the circumstance may warrant.

The following is a list of some of the policy/rule violations or misconduct which may result in corrective action, up to and including termination:

- Removal of County property without authorization
- Theft, fraud, or embezzlement
- Falsification of County documents
- Sale, possession, or use of drugs/alcohol on County premises or County time
- Use or possession of weapons on County premises or County time unless it is considered a function of the job
- Willful alteration of time keeping records
- Assault or threatening bodily harm to another
- Insubordination
- Intentional damage to or destruction of County property
- Discriminatory and/or sexual harassment: touching, offensive or degrading comments, and innuendoes which create a hostile, intimidating, or offensive work environment for the public or employees
- Misuse of County property, services, or employment relationships in a manner not consistent with County policy
- Unprofessional business conduct toward the public

- Carelessness or failure to use good safety practices
- Working unauthorized overtime
- Actions detrimental to morale
- Failure to follow work schedule (excessive absences and tardiness).
- Failure to contact a supervisor when absent
- Reporting to work in an unfit condition (i.e. physically, mentally, or emotionally impaired)
- Any unauthorized absence after the time limit of authorized vacation or other approved absence, unless satisfactory evidence of inability to report to work is shown
- Failure to report to work after notification of restoration of workforce
- Failure to report for reinstatement within ninety (90) days following discharge from military service

TENNESSEE CODE ANNOTATED 39-16-504

It is unlawful for any person to:

- Knowingly make a false entry in, or false alteration of, a governmental record;
- Make, present, or use any record, document, or thing with knowledge of its falsity and with intent that it will be taken as a genuine governmental record; or
- Intentionally and unlawfully destroy, conceal, remove, or otherwise impair the verity, legibility, or availability of a governmental record.

A violation of this section is a Class A misdemeanor.

Upon notification from any public official having custody of government records, including those created by municipal, county or state government agencies, that records have been unlawfully removed from a government records office, appropriate legal action may be taken by the city attorney, county attorney or attorney general, as the case may be, to obtain a warrant for possession of any public records which have been unlawfully transferred or removed in violation of this section.

The records shall be returned to the office of origin immediately after safeguards are established to prevent further recurrence of unlawful transfer or removal.

ACKNOWLEDGMENT

By signing this form, I acknowledge that I have received a copy of the personnel policies currently in effect for my department as of this date, including policies on Discrimination, Harassment, Overtime and Family and Medical Leave. I also acknowledge that I have received a copy of T.C.A. § 39-16-504. I understand that it is my responsibility to read and comply with these and all of the policies contained in this manual. I further understand that I should consult my department head regarding any part of the personnel policies that I do not understand or any questions I may have about my employment with Weakley County which are not answered in these policies. The current policies will always be on file in the office of Weakley County Clerk and/or the County website and I may examine them there at any time during normal business hours.

These policies cannot and are not intended to answer every question about my employment. I understand that the policies are subject to change, and I acknowledge that revisions may occur from time to time. I understand that all changes to the policies will be filed in the office of the Weakley County Clerk. Although my employer will usually provide me with notice of changes, I understand that revised information may supersede, modify or eliminate any or all of the policies at any time. All information contained in the policies is subject to applicable state and federal laws, rules and regulations, and I understand that to the extent that any such laws may conflict with any provision of the policies, such laws, rules and regulations will control.

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

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

Employee Name (type or print)

Employee Signature

Date

Exhibit A

Exhibit C-2

Exhibit D

Exhibit E