

THE CITY OF BRISTOL, TENNESSEE

EMPLOYEE HANDBOOK



December 2011

Welcome from the City Manager

Welcome to the City of Bristol Tennessee. We believe that you have a significant contribution to make to our organization – an organization comprised of talented and dedicated employees providing the finest in municipal services to our citizens and visitors.

Our goal is to make your employment experience positive, safe and productive.

To help you understand the rules and practices as an employee, this manual has been developed. We hope that the *Employee Handbook* answers the questions that you have. Should you require further clarification, please do not hesitate to contact your supervisor or the Department of Human Resources. They are there to help.

Please accept my personal best wishes for your success and satisfaction at the City of Bristol.

Very truly yours,

A handwritten signature in blue ink, consisting of a series of loops and a long horizontal stroke extending to the right.

Jeffrey J. Broughton
City Manager

City of Bristol, Tennessee Organizational Chart

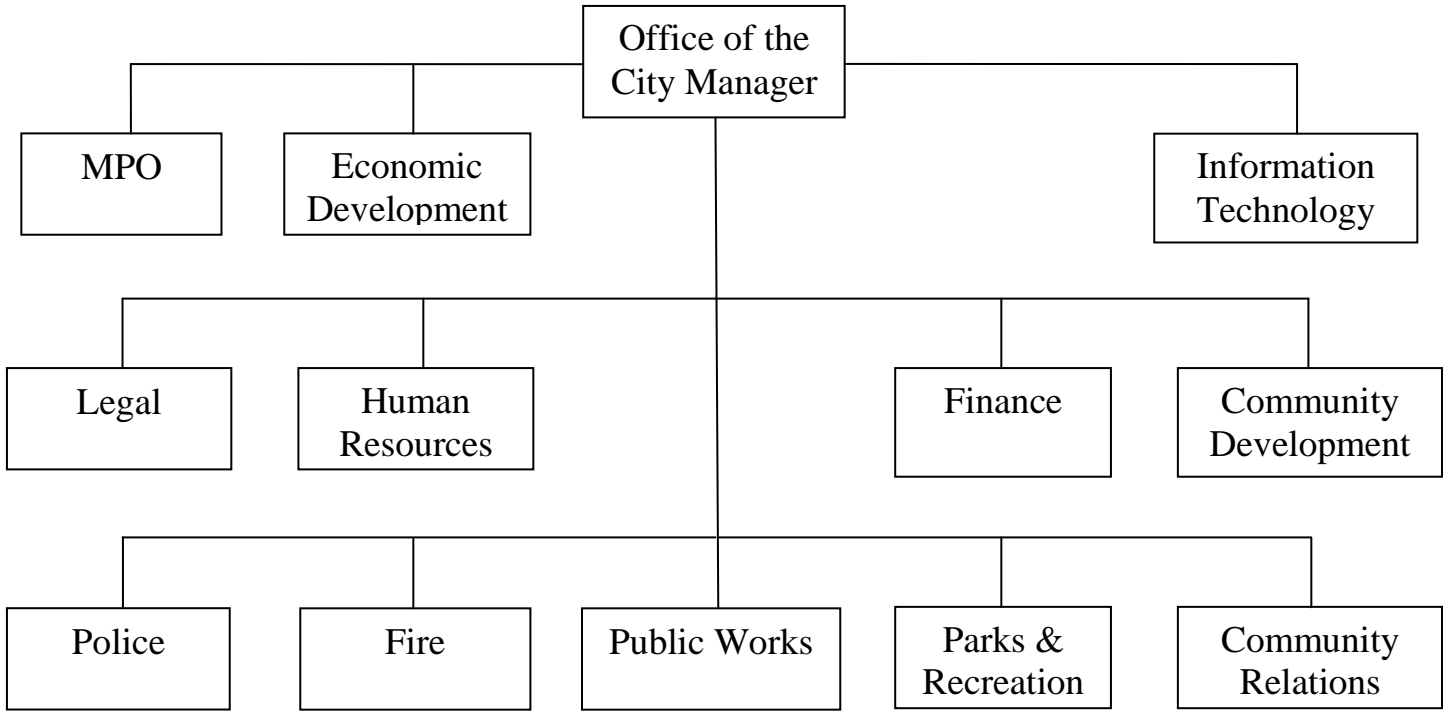


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City of Bristol, Tennessee Employee Handbook

Purpose

The purpose of the *Employee Handbook* is to provide you with an overview of City policies, practices and expectations. It is intended to familiarize you with important information about the City, as well as provide guidelines in an effort to foster a safe and healthy work environment. Please understand that this booklet only highlights City policies, practices, and benefits for your personal understanding and cannot, therefore, be construed as a legal document. It is intended to provide general information about the policies, benefits, and regulations governing the employees of the City and does not create an expressed or implied contract.

The guidelines presented in this handbook are not intended to be a substitute for sound management, judgment, and discretion. It is obviously not possible to anticipate every situation that may arise in the workplace or to provide information that answers every possible question. In addition, circumstances will undoubtedly require that policies, practices, and benefits described in this handbook change from time to time. Accordingly, the City reserves the right to modify, supplement, rescind, or revise any provision of this handbook from time to time as it deems necessary or appropriate in its sole discretion with or without notice to you.

Employment-At-Will Policy

Employees with the City are employed, voluntarily, for an indefinite period of time. The employee may resign at will, with or without cause, at any time. Likewise, the City may terminate an employee at will, with or without cause, at any time in accordance with and not in violation of state and federal law. The City does not have employment contracts, oral or written, expressed or implied. No written or oral representation by the city management, supervisors or employees is intended to create a contract of employment. No employment practice of the City shall be construed or is intended to create a contract of employment.

Equal Employment Opportunity

It is the policy of the City to provide equal employment opportunity to all employees and applicants for employment and not to discriminate on any basis prohibited by law, including race, color, sex, age, religion, national origin, disability, marital status or veteran status. It is our intent and desire that equal employment opportunities will be provided in employment, recruitment, selection,

compensation, benefits, promotion, demotion, layoff, termination and all other terms and conditions of employment. In the appointment, promotion or evaluation of employees, and in recommendations for increases or reductions in compensation, there shall be no discrimination for or against any person because of race, color, national origin, religion, sex, age, disability, and veteran status. The employment practices of the City shall comply with all applicable provisions of state and federal law. Further, these practices must be applied in an objective and consistent manner.

Attendance

Employees are required to report to work on time and as scheduled. When an employee misses work, is late, or must leave early, he or she shall discuss, prior to the absence, the matter with his or her supervisor. The City recognizes that some absences are legitimate and do not support the issuance of corrective action. An employee who fails to report to work for two (2) consecutive working days without contacting a supervisor will be considered a de facto resignation in the absence of extenuating circumstances.

Bulletin Boards

The City provides bulletin boards to convey information about city, state and federal laws. Other City or work related information may be posted on bulletin boards i.e., career opportunity bulletins, employee training schedules, internal City memorandums, etc. Employees are prohibited from posting non-City related or unauthorized information on City bulletin boards.

Cellular Telephone Use

City-issued cellular telephones, electronic paging devices, and other wireless personal communications devices are intended for and expected to be used for City business only. An employee is expected to exercise reasonable discretion in the use of City-issued devices. An employee may carry a personal cellular telephone while at work, provided, however, that the employee makes or answers personal calls only during breaks and meal periods. Friends and families should be made aware of this policy. The use of text-messaging, instant messaging, and video messaging for personal and work-related use is prohibited, except in limited circumstances with a legitimate business purpose. An employee may be held responsible for any costs incurred by the City for excessive use of a wireless communications device.

Compensation

Salary and wage rate adjustments will be based upon an employee's performance and behavior. Such adjustments, if approved, are generally effective in July of the new fiscal year.

Computer, Email and Internet

The City shall provide certain employees with a computer, connection to the global internet and to electronic mail (“email”) to facilitate their official work. Effective use by these employees should facilitate communications, access to and the sharing of information, and increase productivity. The employee shall act in a responsible, professional and prudent manner when using computer, email and internet. Such use shall not bring discredit to the City nor be used for personal gain, monetary or otherwise. Improper use shall include, but is not limited to: violation of copyright or licensing laws; not safeguarding City information; unnecessary or excessive downloading of software, pictures, wallpaper, calendars, etc. for personal use or pleasure; visiting sexually explicit web sites; viewing sexually explicit materials; excessive activity unrelated to job responsibilities; performing political campaign, religious, fund raising, or public relations activities; conduct which is in violation of the law; engaging in any activity for personal gain or benefit; playing games; opening emails from unknown senders; connecting a personally owned computer, peripheral, or software to the City’s computing or network system .

Note: Most information stored on City computers, including an employee’s email correspondence, is a public record which is subject to public inspection under the Tennessee Public Records Law.

Conflict Resolution

The City is committed to providing employees an effective and responsive conflict resolution and grievance process.

Conflict resolution process: Conflict resolution is an informal process whereby an employee discusses his/her employment concern with their supervisor(s), other management staff, or the city manager in order to reach a mutual understanding or solution. This process is used to deal with concerns other than those for which the grievance process is available. The conflict resolution process is available to all employees and can be instituted by an employee by verbal request to his or her supervisor. It is the expectation that supervisors and employees make every effort to resolve employment concerns promptly as they arise. The conflict resolution process shall be used:

- (1) When an employee believes that a violation, misinterpretation or misapplication of the City's policies, rules, regulations, ordinances or administrative orders has occurred; or
- (2) When an employee believes that a work-related issue, condition or concern is inequitable, unfair, unreasonable, or unsafe as set forth in the established practices, policies, rules, regulations, ordinances or administrative orders of the City.

Grievance process: A full-time employee not satisfied with a suspension without pay, demotion, or dismissal may have the city manager review such disciplinary action.

- (1) Such review must be requested in written form within five (5) calendar days from the date that the employee is notified of the disciplinary action.
- (2) The city manager shall meet with the employee, review the written documents and supporting evidence, and consult with whatever other sources deemed appropriate. The city manager shall present his decision, in writing, to the employee as soon as practicable.

The decision of the city manager shall be final and binding on all parties.

Deferred Compensation – 457 Plan

The City makes available the opportunity for employees to supplement their retirement benefits. Employees may enroll and make contributions through payroll deduction to a tax-deferred savings plan for retirement. The City doesn't contribute to this plan. For more information about a Deferred Compensation plan, contact the Human Resources Department.

Dental Insurance

The City offers dental insurance coverage to full-time employees and retirees. For more information about dental insurance options, contact the Human Resources Department.

Disability

The City offers long-term disability to employees that become disabled more than 180 days. For more information about disability insurance options, contact the Human Resources Department.

Disciplinary Action

Whenever an employee's performance, attitude, work skills and habits, or conduct fall below a desirable level or are in violation of policies, work rules or procedures, the employee shall be informed of such performance deficiency or violation and may be disciplined based on the seriousness of the infraction or performance, or the pattern of violations, infractions or performance. Discipline may include any of a combination and in no specified order of the following actions:

- (1) Oral reprimand.
- (2) Written reprimand.
- (3) Reduction in pay.

- (4) Suspension without pay.
- (5) Demotion.
- (6) Dismissal.

A pre-disciplinary meeting shall be held with any full-time employee prior to taking disciplinary action resulting in a suspension without pay, demotion, or dismissal. The employee shall be advised of the charge and tentative disciplinary action to be taken. The employee shall be given the opportunity to refute the charge leading to the proposed discipline, to provide information to mitigate the severity of the discipline to be taken, or to accept the discipline. An employee not satisfied with the resulting suspension without pay, demotion, or dismissal may utilize the grievance process.

Dress, Uniform and Appearance

The City seeks to present a positive and professional appearance through its employees. Employees are expected to be clean through proper personal hygiene at all times and wear proper attire or uniforms in a manner appropriate for their jobs. Employees are responsible for their dress, uniform and appearance.

Drug and Alcohol Free Workplace

The City is committed to maintaining the safety and health of its employees and to protect the public from risks which result from employee drug or alcohol induced behavior. The City shall conduct drug and alcohol tests to eliminate any substance abuse (alcohol, illegal drugs, prescription drugs or any other substance which could impair an employee's ability to safely and effectively perform the functions of the particular job) which increases the potential for accidents, absenteeism, substandard performance, poor employee morale or damage to the City's reputation. Employees are prohibited from the use, possession and sale of drugs, alcohol or any other controlled substance on City property or in City vehicles. Employees must be free from drug or alcohol dependence, illegal drug use, or drug/alcohol abuse while on duty. The City is a Drug-Free Workplace employer.

Employee Appointments

Full-time - an employee that works a minimum of forty (40) hours per workweek and is hired with an indefinite ending date. A full-time employee is eligible for all benefits of employment.

Part-time – an employee that works less than forty (40) hours per workweek. This appointment may be continuous or non-continuous in nature. A part-time employee is not eligible for benefits.

Temporary/Seasonal – an employee who works full-time or part-time, for a definite and temporary period of time. A temporary/seasonal employee is not eligible for benefits.

Employee Assistance Program (EAP)

The City provides and maintains an accessible, voluntary and confidential EAP to assist full-time employees and eligible family members in resolving a variety of difficult personal issues. The City will provide up to six (6) visits at no cost to the employee. An employee may contact the City's EAP Coordinator directly at 423-722-3000 in Johnson City or 423-857-5566 in Kingsport. For further details, please contact your supervisor or the Human Resources Department.

Employee Fitness Center

The City provides access to an Employee Fitness Center free of charge. For details, please contact the Human Resources Department.

Employee Privacy

Most employment records maintained by the City are open for public inspection under state law. The City will protect information in those records which is confidential under the law. The City may inspect City owned property, including lockers, desks, storage containers and vehicles, at any time. Such inspections may be made for safety purposes, or to prevent illegal or prohibited items or substances, or for any other reason.

Employee References

All requests for references on former employees by new prospective employers are to be referred to Human Resources for response. No employee outside the Human Resources Department has the authority to respond to any request for references, as it could lead to liability for the City if incorrect and improper information is provided. Human Resources will only provide dates of employment, job title, and hourly rate.

Gift Acceptance

No employee shall accept any gift, gratuity, service, or favor offered that would lead toward favoritism, tend to influence the employee in the discharge of his or her duties, or give the appearance of favoritism or impropriety to a disinterested third party of ordinary sensibilities. Employees are required to refuse any gift or favor that may reasonably be interpreted to be offered to influence a municipal decision or act. For further details about the City's gift acceptance policy, see your supervisor.

Health Insurance

The City offers health insurance coverage to eligible full-time employees and retirees. All eligibility and coverage requirements are subject to the provisions contained in City's benefits plan document. For more information about health insurance options, contact the Human Resources Department.

Hours of Work

The number of hours an employee is required to be on duty each day, week or month shall, as far as practical, be uniform for all full-time employees in similar classes and departments. The normal work period shall be formally established and available to each full-time employee. The formal schedule shall meet the requirements of the applicable law. Employees will be advised of changes to the normal work schedule as soon as practicable. In accordance with applicable law, work schedules and pay periods shall be established by the city manager.

Leave of Absence

The City has the following leaves of absences, when properly requested:

Bereavement Leave

Three (3) consecutive days' paid leave will be granted to an employee to attend any funeral or memorial service in the event of the death of an immediate family member. Immediate family is defined as an employee's spouse, child, parent, parent-in-law, brother, sister, brother-in-law, sister-in-law, grandparent and grandchild. One (1) day is allowed for the death of any other relative. After using bereavement leave, an employee may use, with approval, compensatory time off, vacation leave, or leave without pay in this order.

Family and Medical Leave (FML) – Maximum of twelve (12) weeks for FML and Qualifying Exigency or twenty-six (26) weeks of military caregiver leave. FML may be paid or unpaid leave. To be eligible, an employee must have worked 1,250 hours during the past twelve (12) months. Employees must provide the City thirty (30) days advance notice before FML is to begin or as soon as practicable. FML shall apply concurrently with the State's Maternity/Paternity Leave when applicable and will run with Workers' Compensation leave. All employees must submit a completed Fitness for Duty Certification Form to Human Resources prior to returning to work. Employees shall contact Human Resources to obtain an application for family or medical leave.

Holiday Leave

The following holidays shall be observed:

New Year's Day	January 1
Dr. Martin Luther King, Jr. Day	Third Monday in January
Good Friday	Friday before Easter
Memorial Day	Last Monday in May
Independence Day	July 4
Labor Day	First Monday in September
Thanksgiving Day	Fourth Thursday in November
Friday after Thanksgiving Day	Friday after Thanksgiving Day
Christmas Companion Day	December 24 or 26

Christmas Day
Floating Holiday

December 25
As determined

The city manager shall determine the date on which the Christmas companion day is observed by the closing of City offices. The floating holiday may be observed on any scheduled workday agreeable to the employee and supervisor in consideration of employee preference and City operational requirements, and must be taken within each calendar year or be forfeited. To be eligible to receive the floating holiday, an employee must have completed six (6) months of employment.

A full-time employee may observe other religious holidays and charge such time away from work in the following order: compensatory time off, floating holiday, vacation, or leave without pay.

Holiday benefits are forfeited in the case of: (1) An unauthorized leave of absence without pay for a work day immediately prior to, or following, the holiday; or (2) an unauthorized absence when scheduled to work on a holiday.

Jury or Court Leave - An employee who receives a summons for jury duty, or who receives a subpoena to testify in a matter which arose as a direct result of employment with the City, should immediately inform his or her supervisor. The employee will be granted leave for as long as the employee's attendance is required by the court. The employee will be compensated at regular City pay and may retain any other pay received for such court service.

Maternity/Paternity Leave – Maximum of sixteen (16) weeks when eligible. Family and Medical Leave eligibility and notification provisions apply. See FML on page 12 for additional information.

Military Leave

An employee who is a member of the National Guard or any other reserve component of the U.S. Armed Forces is entitled to leave of absence for time they serve in the military service, in summer camp, or field training exercises in accordance with the provisions of applicable state and federal laws. Military orders or a statement from a proper military authority, which requires military duty, will be submitted as soon as available.

Leave without pay

- (1) A full-time employee may be granted leave without pay for a period not to exceed one (1) year for temporary sickness, disability or other good and sufficient reasons. Such leave shall require the prior approval of the city manager. At the end of one (1) year on leave without pay, the employee's employment status will be terminated if said employee fails to return to duty.

- (2) The City will continue to pay its portion of the insurance premiums during the leave without pay up to four (4) pay periods. After four (4) pay periods of leave without pay, the employee shall pay 100% of the insurance premium. The employee shall make arrangements for premium payments and any other benefit allowances in advance.

- (3) An employee will not accrue service credit, sick leave, vacation leave, or be eligible for pay increases while on approved leave without pay. An employee is required to take accrued compensatory time off and accrued sick and vacation leave in the amount necessary to offset the hours not worked during the pay period.

Vacation

Full-time employees shall accrue vacation leave based on the following schedule:

<u>Completed Service</u>	<u>Fire Shift Employees</u>	
	<u>Hours per Month</u>	<u>Hours per Month</u>
0 through 5 years	7 hours	10.5 hours
6 through 10 years	9 hours	13.5 hours
11 through 15 years	11 hours	16.5 hours
15+ years	14 hours	21 hours

The above schedule and credits are for uninterrupted service computed from the most recent date of employment unless otherwise approved.

An employee shall accrue vacation leave from the date of employment, but shall not be entitled to take vacation during the first six (6) months of employment, unless otherwise approved.

An employee who commences work prior to the 16th day of the month will accrue one (1) month's vacation leave for that month.

An employee whose service terminates on or after the 16th day of the month will accrue one (1) month's vacation leave for that month.

Vacation leave may be taken as accrued with the approval of the department head who shall schedule vacations so as to meet the operational requirements of the department. Vacation leave must be taken in a minimum of one hour (1) increments.

Employees hired prior to January 1, 2002, may accrue a maximum of 320 hours of vacation leave. Employees hired after January 1, 2002, may accrue a maximum of 240 hours of vacation leave. Annually, employees whose total accrued vacation hours exceed the maximum accrual limit shall have the excess hours transferred to the employee's sick leave. Supervisors are expected to program work so as to allow employees an opportunity to take their accrued vacation.

An employee resigning voluntarily with at least one (1) year of service, who has given a two (2) weeks written notice of such resignation, will receive all vacation credit accrued as of the date of resignation. An employee who fails to provide such notice will have his accrued vacation reduced by an equivalent number of hours for each day not worked, unless otherwise approved.

Sickness while on vacation leave shall not be modified to any other paid leave status.

Sick Leave

Sick leave is a privilege granted by the City and an employee may be required to substantiate the necessity for its use, and may be required to provide a physician's clearance before a return to work is allowed following an absence due to illness. Advance notice is required unless emergency or unforeseeable situations arise.

Full-time employees working a forty (40) hour workweek shall accrue eight (8) hours of sick leave per month and full-time employees working a fifty-six (56) hour workweek shall accrue 11.25 hours of sick leave per month.

- (1) Accumulated sick leave can be used for the following: serious health condition or illness or injury to self; to care for the employee's spouse, son, daughter or parent who has an illness or injury; to care for the employee's child after birth, or placement for adoption or foster care; for incapacity due to pregnancy, prenatal medical care or child birth.
- (2) An employee is eligible to use paid sick leave after six (6) months of employment, unless otherwise consulted with Human Resources and approved by the city manager.
- (3) Compensatory time off, if any, must be used before using accrued sick leave. An employee will be required to use any accrued vacation leave when both compensatory time off and sick leave has been exhausted.

- (4) Sick leave can only be taken in a minimum of one hour (1) increments.
- (5) An employee may use sick leave after a resignation notice is accepted provided such use is approved.
- (6) An employee shall not be paid for any accrued sick leave upon leaving City employment.
- (7) When sick leave has been exhausted, vacation may be used to provide paid time off.

Voting Leave - An employee will be entitled to leave work without loss of pay for a reasonable period of time, not to exceed three (3) hours, necessary to vote during the time the polls are open in the county where the employee resides. The City may specify the time the employee may be absent. Any request to be absent from work to vote shall be made to the employee's supervisor before twelve o'clock (12:00) noon of the day before the election. Voting time shall not be counted as working time for overtime compensation.

Leave Sharing

An employee is allowed to voluntarily "donate" accumulated annual vacation leave time to other employees who have exhausted all leave resources and are faced with leave without pay status due to special needs. Special needs may include, but not limited to: temporary medical disability of the employee, temporary medical disability of a member of the employee's family to a medical facility for treatment; or absence from work to perform a humanitarian gesture such as organ, plasma or blood donations on behalf of another individual. For further details about the City's leave sharing policy, see your supervisor.

Life Insurance

The City provides life insurance benefits to full-time employees for their beneficiaries. The benefit amount is equal to one times the employee salary with a minimum of \$20,000 and a maximum of \$50,000. Employees with twenty-five (25) years of service are eligible for retiree life insurance benefits of \$10,000 for their beneficiaries. Dependent life insurance is available for a full-time employee's spouse and children.

Meal Periods and Rest Breaks

To the extent practical, meal periods will be uniform for employees in similar job positions and shall not be less than thirty (30) minutes in duration. If an employee chooses not to take advantage of rest breaks, this time may not be accumulated and added to lunch period or any type of leave. Rest breaks are permitted up to twenty

minutes and may be taken all at once or at different times. Rest breaks may not be used to alter arrival or departure time or used in conjunction with the meal period.

Nepotism

No two employees who are relatives shall be placed within the same line of supervision. This policy may preclude employees from future promotion opportunities if such promotion would place relatives within the same line of supervision, or where favoritism or an unsound employment condition may occur.

This policy applies to promotions, demotions, transfers, reinstatements, and new appointments.

“Relative” means, for nepotism purposes, a spouse, parent, parent-in-law, child, brother, sister, grandparent, grandchild, son-in-law, brother-in-law, daughter-in-law, sister-in-law, stepbrother, stepsister, half-brother, half-sister, or other family member who resides in the same household.

When a violation of this policy results from the marriage of employees, the violation shall be resolved by means of dismissal, resignation or transfer within the City. The City shall advise the employees of each of the alternatives available to remove such violation. Such employees shall be given the opportunity to select among such available alternatives.

An application for employment submitted by a relative of a current employee will not be considered when the position applied for falls within the line of supervision of the related employee. Relatives may only be considered for employment if the current related employee agrees in writing to transfer, resign or retire so as to eliminate any line of supervision of the applicant.

Orientation Period

All new and recently promoted, demoted and transferred full-time employees shall serve a six (6) or twelve (12) month orientation period. The purpose of the orientation period is to provide the employee and supervisor opportunities to discuss the employment experience separate from the daily work assignments. During this period, the employee will be evaluated and closely monitored for desired attitude, work habits and organizational compliance to ensure the proper candidate selection for the position was made. During the orientation period an employee may be dismissed from employment at any time for any reason without appeal to the grievance process. Employees serving an orientation period following promotion or demotion may be removed from the position or from employment for failing to meet the needs and expected performance standards of the new position.

Outside Employment

The city manager may authorize outside employment. A full-time or part-time employee must receive approval from the city manager prior to engaging in outside employment. Any potential conflict of interest or appearance of impropriety will be considered in the approval process. Forms to request outside employment are available from Department Directors or the Human Resources Department.

Overtime Compensation

Exempt employees, as defined by applicable state and federal laws, are not eligible for overtime compensation or compensatory time off.

Non-exempt employees are eligible to receive overtime compensation and compensatory time off in accordance with applicable law. Only hours actually worked, not including vacation or sick leave hours taken, are considered in determining when overtime is due to the employee. In accordance with the Fair Labor Standards Act, the City has a policy of granting employees compensatory time off in lieu of overtime pay provided it is taken in the same pay period or within two (2) weeks in which the overtime hours are worked.

Performance Evaluation

A performance evaluation system has been established based on standards for quality and quantity of work done, the manner in which the service is rendered, faithfulness to duty, and other relevant criteria. The evaluation year is from April 1st to March 31st. Evaluations shall be shared with each employee but shall be confidential between the employee and management to the fullest extent permitted by law.

Personnel Files

The Human Resources Department will retain official employment records and shall determine what records are placed in personnel files. Employee personnel files are the property of the City, and do not belong to the employee. However, upon request, the City will provide employees with copies of performance evaluations and other performance-related documents that the employee has previously received. Personnel files are public records, because the City is a public employer, which are open for public inspection under the Tennessee Public Records Law. Certain types of personal information contained in the personnel files are confidential, and the City will take all steps reasonably necessary to preserve that confidentially.

Personnel Information

It is your responsibility to provide current information regarding your address, telephone number, insurance beneficiaries, change in dependents, marital status, direct deposit, etc. Changes in exemptions for tax purposes will only be made

upon the receipt of a completed W-4 form. To obtain forms and provide updated personnel information, contact or visit the Human Resources Department.

Political Activity

An employee shall not participate in political activities while on duty; or use City property, equipment or resources on behalf of, or while participating in, political activities. Notwithstanding the foregoing, an employee shall: have the same right to be a candidate for, and to hold, any federal, state or local political office except for any elected office of the City of Bristol, and have the right to participate in political activities by supporting or opposing political parties, political candidates and petitions to governmental entities.

Responsibilities on the Job

It is the responsibility of each employee to fully comply with all City policies, work rules, directives, and procedures; to perform work in a productive and efficient manner; to follow all safety rules and utilize safe working methods; and to maintain positive working relationships with the public, peers, subordinates, and superiors. Employee behavior that is not consistent with these performance expectations and the best interest of the City will be subject to disciplinary action up to and including dismissal.

Retirement

The City contributes to each full-time employee's retirement benefits through the Tennessee Consolidated Retirement System (TCRS). A full-time employee who meets the five year vesting requirements is eligible for retirement benefits. Employees hired on or after October 1, 2011, will contribute five percent (5%) of their wages towards their TCRS retirement. Employees working prior to that date will not contribute a percentage of income to the retirement system; however, should an employee leave the city and return after October 1, 2011, he or she will also be subject to a five percent (5%) contribution. For more information about TCRS, contact the City's Human Resources Department or the TCRS.

Safety

The City believes in maintaining safe and healthy working conditions for our employees. To achieve our goal of providing a safe workplace, each employee must be safety conscious. All employees are responsible for their personal safety as well as the safety of others. The City has established policies and procedures that provide for a safe and healthy workplace. The City expects each employee to follow these policies and procedures, to act safely, and to report unsafe conditions. All accidents, personal or vehicular, shall be reported to his or her supervisor in a timely manner.

Safety – Vehicle Accidents

Employees involved in accidents with City vehicles shall: not leave the scene of the accident unless injured and transported to a medical facility; stop immediately and do not move the vehicle from the accident scene; use appropriate safety equipment to warn oncoming traffic; aid injured persons by summoning medical assistance; not move the injured persons unless not doing so will threaten the person's safety; contact the appropriate law enforcement official; contact your supervisor immediately; not admit fault to any other driver or to anyone else at the scene; do not give statements to the press or other individuals at the scene; refer insurance questions to Human Resource staff; and under no circumstances should an employee or supervisor obligate the City for payment of a claim.

Safety – Workers' Compensation

Injuries occurring on the job are to be reported to your supervisor immediately and no longer than twenty-four (24) hours following an incident. Employees shall seek medical treatment from only authorized medical providers. If unsure about which medical provider to receive treatment from, contact Human Resources. After seeking treatment, employees must provide details of the incident to their supervisor so the proper forms may be completed.

Section 125 Cafeteria Plan

A cafeteria plan is a separate written plan maintained by the City for employees that meets the specific requirements and regulations of Section 125 of the Internal Revenue Code. It provides participants an opportunity to receive certain benefits on a pretax basis. For more information about Section 125, contact the Human Resources Department or the IRS.

Separation from Employment

A separation from employment shall be classified as one of the following:

Termination: An employee may be terminated at any time from employment by the city manager without cause.

Resignation: An employee may resign by specifying the effective date to his or her supervisor as far in advance as possible, but not less than two (2) weeks. A resignation with an earlier effective date may be accepted if deemed to be in the best interest of the City.

Retirement: An employee may retire if he or she satisfies the requirements of the Tennessee Consolidated Retirement System.

Disability: An employee may be separated from employment for disability when he or she is unable to perform the requirements of the job because of a physical or mental impairment. The employee, a legal

representative, or the City may initiate a termination for disability. The City may require the employee to undergo an examination to be performed by a physician selected by the City.

Layoff or Employment Reduction: An employee may be laid off or separated from employment due to lack of work, job consolidation, and elimination or restructuring of a position, or budgetary reasons. In such an event, a full-time employee will receive one week of severance pay for each year of service up to a maximum of twelve (12) week's pay; provided that the period of separation exceeds thirty (30) days. Severance pay is in addition to payment for any accumulated vacation leave.

Dismissal: An employee may be dismissed from employment with cause by the city manager. The reason for such dismissal shall be provided to the employee, which may include, but is not limited to:

- (1) Violation of the City's code of ethics;
- (2) Theft or destruction of City property;
- (3) Incompetence, inefficiency or negligence in the performance of duties or supervisory responsibilities;
- (4) Insubordination;
- (5) Lying and dishonesty;
- (6) Conduct unbecoming a public employee;
- (7) Failing a drug test;
- (8) Advocacy of or participation in group tactics which disrupt normal work performance including, but not limited to, walk-outs, slow-downs, and other such activities not authorized by law;
- (9) Conviction of a crime;
- (10) Unauthorized absences or abuse of leave privileges;
- (11) Acceptance of any consideration given with the expectation of influencing the employee in performance of the duties;
- (12) Falsification of records; or
- (13) Use of official position for personal advantage.

Death: Employment terminates on the death of the employee. All compensation due will be paid to the estate of the employee or as otherwise provided by law.

Sexual and Workplace Harassment

Sexual and workplace harassment is a form of discrimination and is prohibited by law. The City is committed to providing a workplace free from harassment based on race, color, sex, national origin, disability, age, religion or other legally

protected class. No employee shall be subjected verbally or physically to unsolicited and unwelcome overtures or conduct. Harassment means behavior that is not welcome, that is personally offensive, and that erodes morale and, therefore, interferes with work effectiveness. This includes harassment against employees or officials by citizens or non-employees with whom the City has business, service or a professional relationship. Behavior that amounts to harassment will not be tolerated and may result in disciplinary action, up to and including dismissal.

- (1) The City has adopted, and its policy is based on, the definition of sexual harassment set forth by the Equal Employment Opportunity Commission (EEOC). The EEOC defines sexual harassment as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when: submission to such conduct is made either directly or indirectly a term or condition of employment; submission to or rejection of such conduct is used as the basis for employment decisions; or such conduct has the purpose or effect of unreasonably interfering with work performance or creating an intimidating, hostile or offensive working environment.
- (2) Workplace harassment is a type of discrimination against protected classes in the form of verbal, visual or physical acts.
- (3) Harassing conduct includes but is not limited to: (1) epithets, slurs, negative stereotyping, threatening/intimidating/hostile acts that relate to sex, pranks/jokes that are hostile or demeaning with regard to sex; (2) written or graphic material that denigrates or shows hostility or aversion toward an individual or group because of sex and that is displayed on walls, bulletin boards, equipment, or other locations on the employer's premises or circulated in the workplace; (3) lewd, profane, demeaning or indecent language, conversation, comments or acts which are audible to the general public, customers, co-workers, or persons who find that language, conversation or comment offensive.
- (4) The employee subjected to harassing behavior should tell the harasser to immediately stop and if such behavior continues, that it will be reported. If the behavior persists, it should be reported immediately to the department head or human resources director.

If the harassing party is the department head, human resources director, or city manager, it should be reported as follows:

1. If the department head - to the human resources director or city manager.
2. If the human resources director - to the city manager.

3. If the city manager - to the city attorney.

- (5) There shall be no retaliation against anyone who in good faith makes a complaint of harassment, or provides information related to such a complaint.

Smoking/Tobacco Policy

In accordance with State law, the City shall maintain a smoke/tobacco free workplace. These provisions include:

- (1) Smoking/tobacco is prohibited in “enclosed areas” to which the public is invited (public places).
- (2) Smoking/tobacco is prohibited in “enclosed areas” that employees normally frequent during the course of their employment (places of employment).
- (3) Smoking/tobacco is prohibited in City owned vehicles.

Social Media Use and Internet Posting Policy

The primary internet presence for the City shall be www.bristoltn.org. All City social media sites, such as Facebook and Twitter, can be established only with the express approval of the City Manager. An employee shall not:

- (1) Create public postings or have them available for public viewing.
- (2) Characterize himself or herself as representing the city, directly or indirectly, in any online posting.
- (3) Use the official city name, city email address, job title, or city seal as such shall be deemed an attempt to represent the city in an official capacity.
- (4) Identify himself or herself as an employee of the city, but if the posting on a non-city social media site makes it apparent he or she is a city employee, it must be clearly state that the posting is in a private capacity.

Solicitation and Distribution Prohibited

The City does not permit employees to distribute information or solicit other employees for any reason during working time or in working areas. This includes school, church, sports and other types of fundraisers. The only exception to this policy include City sponsored and approved activities, i.e., United Way. Non-employees are not permitted to distribute any literature or solicit any employees on City property at any time.

Timekeeping

Accurately recording time is the responsibility of each employee. Federal and state law requires the City to keep an accurate record of time worked in order to

calculate employee pay and benefits. Time worked is all the time actually spent on the job. Employees who do not comply with City timekeeping practices will be subject to discipline. Employees who complete time sheets for other employees or who allow other employees to complete their time sheets will also be subject to discipline.

Transfer

A transfer is characterized by movement of an employee from one position to another without a change in pay grade. After six (6) months of employment, a full-time employee may transfer positions within the City when the qualification requirements are met, it is in the best interests of the City and further training and development of an employee in another position would be beneficial to future staffing potential of the City.

Transitional Duty Assignment

The City seeks to provide transitional duty assignment, when available, to employees that have been injured on or off the job. Transitional duty assignment benefits both the City and the employee. An employee who is injured on the job shall actively request the attending physician to return him or her to work in transitional, light or regular duty as soon as medically and physically possible.

Tuition Reimbursement

The City will share the tuition expense with employees interested in attaining a higher level of technical or academic competence through advanced education. To be eligible, an employee must have completed six (6) months of employment or twelve (12) months of employment for police and fire personnel. For further details about the City's tuition reimbursement policy, see your supervisor.

Weapons on City Property

No weapons of any kind shall be carried onto, possessed, stored or discharged, by an employee on City property, except by law enforcement officers and other authorized personnel. Weapons are prohibited from being stored in a motor vehicle, locker, desk, lunch box, tool kit, bag, purse or other repository on City property. The term weapon includes a firearm, switchblade knife, any other implement for infliction of serious bodily injury or death that has no common lawful purpose, and those items which are designated prohibited weapons by *Tennessee Code Annotated*.

Workplace Violence

The City is firmly committed to providing a workplace that is free from acts of violence or threats of violence. In keeping with this commitment, we have established a strict policy that prohibits any employee from threatening or committing any act of violence in the workplace, while on duty, while on City-

related business, or while operating any vehicle or equipment owned or leased by the City. This policy applies to all employees, including managers, supervisors, and non-supervisory employees. It also applies to third parties, including employee guests, who are on City property. The City has zero tolerance for individuals and employees who make threats, engage in threatening behavior, or commit acts of violence against employees, visitors, guests, or other individuals. Compliance with this policy is every employee's responsibility.

An employee is required to immediately report to a supervisor or Human Resources, any incident involving a threat of violence or violent behavior. If an employee is confronted with a potentially violent situation, the employee should not attempt to handle the situation, but should report it immediately to a member of management. If a report is made to a supervisor or member of management, that individual must immediately inform Human Resources, and the matter will be investigated promptly and appropriate corrective action, if required, will be taken. This action may include disciplinary action, up to and including immediate dismissal, of employees involved.

An employee who becomes aware of any workplace security hazard, or who has suggestions for increasing security in the workplace, should speak with their supervisors or Human Resources. The City encourages employees to help make the workplace as safe and secure as possible. Employees are required to report violations of this policy, including any incidents involving actual or threatened violence. An employee making a good faith report may do so without fear of retaliation.

Closing Remarks

Thank you for taking time to read the City's *Employee Handbook*. We believe the information contained herein will be useful to you. Please keep this handbook in a place you can refer to it in the future. Any questions or suggestions related to the *Employee Handbook* should be directed to the Human Resources Department.

Employee Handbook Disclaimer

Employees with the City are employed, voluntarily, for an indefinite period of time. The employee may resign at will, with or without cause, at any time. Likewise, the City may terminate an employee at will, with or without cause, at any time in accordance with and not in violation of state and federal law. The City does not have employment contracts, oral or written, expressed or implied. No written or oral representation by the city management, supervisors or employees is intended to create a contract of employment. No employment practice of the City shall be construed or is intended to create a contract of employment.

Nothing in this *Employee Handbook* modifies the employment-at-will policy or creates any contractual or legal obligations of the City. The information contained in this *Employee Handbook* is to provide you general information about the City, its policies and practices. All City policies, including those in this *Employee Handbook*, may be amended, superseded or revised at any time by the City, in the City's sole discretion.

All information contained in this handbook is subject to the City's official Personnel Policy and all applicable federal and state laws, rules and regulations. In the event of a conflict, the latter will control.

City of Bristol, Tennessee
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(423) 989-5525