

# City of Holly Springs Employee Guideline Handbook



**160 SOUTH MEMPHIS STREET  
HOLLY SPRINGS, MISSISSIPPI**

# **CITY OF HOLLY SPRINGS, MISSISSIPPI EMPLOYEE HANDBOOK**

*Adopted November 20, 2012*

## **CITY GOVERNMENT**

### **MAYOR:**

**Andre' DeBerry**

### **BOARD OF ALDERMAN:**

**Mrs. Johnnie A. Bagley-Johnson - Alderman-at-Large**

**Russell Johnson - Ward I**

**Calvin James - Ward II**

**Garrie Colhoun - Ward III**

**Harvey L. Payne Sr. - Ward IV**

### **CITY CLERK:**

**Mrs. Belinda McDonald**

### **CITY ATTORNEY:**

**J. Kizer Jones**

*THE CITY OF HOLLY SPRINGS IS AN EQUAL  
OPPORTUNITY EMPLOYER*

*HANDBOOK REVIEWED & APPROVED BY ATTORNEY GARY FRIEDMAN - PHELPS DUNBAR*

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## I. INTRODUCTION

This Handbook has been prepared to inform you about the City's policies and to summarize the benefits that are available to you. Please read your Handbook and familiarize yourself with the information it contains. Then refer to it whenever you have a question. If you have a question that is not answered by the Handbook, ask your supervisor or the City Clerk.

As a City employee, the general public is your ultimate "boss." Your contacts with individual citizens will often be the only basis on which they judge the whole City government. It is important that you make the best possible impression at all times. Each job with the City is an essential part of the overall operation of the government. When you begin work in a municipal department, everyone in Holly Springs is relying on you to give honest, efficient and courteous service.

Nothing contained in this Handbook is to be construed as a guarantee of continued employment. The Mayor and Board of Aldermen reserve the right to amend, modify or cancel this Handbook as well as any or all of the various policies, rules, procedures, and programs outlined within it. Whenever the masculine gender is used, it also will refer to the feminine gender.

## II. EMPLOYMENT

### Equal Employment Policy

It is the policy of the City of Holly Springs to provide equal opportunity in employment to all employees and applicants for employment. There will be no discrimination against any employee because of race, creed, color, religion, national origin, sex, age, veteran status or handicap.

### Policy Against Sexual Harassment

Unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature constitutes sexual harassment when: (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, (2) submission to a rejection of such conduct by an individual is used as the basis for employment decisions affecting such individuals, or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment. It is the policy of the City to maintain a work environment that is free from the hostile atmosphere created by sexual harassment or intimidation. Such conduct will not be tolerated. If you are subjected to sexually harassing or intimidating conduct by any individual, including supervisory personnel, employed by the City, you should immediately report the incident to the Police Chief, City Clerk or the Mayor. Such charges will be properly investigated and if substantiated, the offending individual will be appropriately disciplined.

## Policy Regarding Disabilities

The City will not discriminate against qualified applicants and employees on the basis of disability. The City will provide a reasonable accommodation to the known physical or mental limitation of a qualified applicant or employee with a disability unless the accommodation will impose an undue hardship on the City.

## Employment of Relatives

No employee can work in a department in which a member of his immediate family is employed. For purposes of this policy, immediate family includes children, brothers, sisters, aunts, uncles, parents, grand relatives, and in-laws of the employee or his spouse. Exceptions to this policy can be made in emergency employment situations and with the concurrent approval of the Mayor and Board of Aldermen. This will not affect those persons employed at time of adoption. A relative will not supervise a relative; however, a relative employed at time of adoption will keep his employment status.

## Orientation

Orientation and training programs are conducted to familiarize new employees with the City. As part of orientation, a City representative explains the employee's position and salary and the City's benefits and personnel policies. The employee is given a copy of the Employee Handbook and is given an opportunity to ask any questions that he may have.

## Training Programs

The City has the discretion to require each employee to attend and successfully complete training programs related to the employee's job. Each employee must attend all training programs at a time required by the City. Each employee for whom training is required by the City or Mississippi law, must successfully complete the required training within the time limits prescribed or be subject to termination. Each employee who is required to maintain a certification for his job must maintain the certification or be subject to termination.

## Probationary Period

For each new employee, the first ninety (90) days serve as a probationary period. During this important time, the employee is learning the job and the City is evaluating his performance. A new employee will be counseled at least once during the probationary period by his supervisor who will let him know how he is doing. After successful completion of the probationary period, the employee will become a full-time employee.

## Your Job

It is our responsibility to see that your duties are clearly explained and that you understand the requirements of your job. This information generally will be provided by your supervisor. If at any time you are in doubt concerning your duties or supervision, you are expected to contact a supervisor, the Mayor or the City Clerk.

You have a unique overall job responsibility that may require you to perform various work assignments, depending on the needs of the City. Occasionally, you may not feel that these assignments fall within your job description; however, when these times occur, we will be counting on your full cooperation to get the job done.

## Hours of Work

Your hours of work will be fixed according to the needs of the City and may be changed as the workload requires.

## Outside Employment

No employee may engage in employment which could cause a conflict of interest, or use his City employment for personal gain. Outside employment must not interfere with performance of duties for the City. Any outside employment must have prior approval of your department head. To apply for approval, you must submit a written request clearly describing the outside employment duties and hours to your department head. Your first loyalty has to be to your duties with the City.

## Attendance

In order to operate the City efficiently, it is necessary to have a reliable work force. It is important to you, your fellow employees, and the City that you come to work regularly and on time. You are also expected to remain on the job during work time. If you wish to leave your job for any reason, you must first talk to your supervisor.

The City recognizes that you may have to be absent from work occasionally. Therefore, disciplinary action will not be taken against you for a single absence if you give proper notice to your supervisor and you have a satisfactory reason for being absent. If you know you will have to be absent from work, you must get prior approval from your department head and take leave without pay or vacation time. Although the City recognizes that you may have to be absent from work occasionally, excessive absences can result in disciplinary action, including termination.

## Tardiness

If you are unavoidably delayed in getting to work, you should call your supervisor and tell him when you expect to arrive. Naturally, all employees are expected to be punctual; however, there are times when circumstances will not permit a person to be on time. While allowances are made for occasional tardiness beyond the control of the

individual, an employee who is habitually late will be given a written warning, after which continued tardiness will result in further disciplinary action up to and including termination.

### Inclement Weather

Unless the City offices are closed by the Mayor, an employee who does not report to work must use personal leave.

### Discipline

Whenever people are part of a large group, it is necessary to have certain standards of conduct to insure the safety and well-being of everyone. When it becomes necessary to enforce these standards of conduct, it will be the policy of the City to ensure fair treatment of all employees. Any employee who feels that discipline has been unfairly administered is encouraged to use the City's grievance procedure.

The following is a representation but is not an exclusive list of the kinds of misconduct that can result in disciplinary action. Although the City may impose a lesser penalty, a violation of any one of the following rules may result in immediate discharge.

1. Carrying or bring weapons on City property without proper authorization.
2. The use, possession or sale of intoxicating beverages, marijuana, or hallucinating drugs on duty or working under the influence of any of these substances.
3. Stealing, embezzlement, dishonesty, falsification of records or willful misrepresentation of facts.
4. Fighting and physical violence or disturbance on City property or at any place at which work is being performed by or for the City.
5. Destruction, abuse, removal or attempted removal of property or materials of the City or of another employee.
6. Insubordination.
7. Falsifying an employee's timecard or punching another employee's timecard.
8. Absence from work for three consecutive days without notifying your department head or supervisor.
9. Acceptance of money or other valuable consideration given with the intent of influencing an employee in the performance of his official duties.

10. An additional violation of any City rule or policy after receipt of two previous written warnings within the preceding 12 months.

Violation of any of the following offenses shall result in discipline which may take the form of a written warning, a written warning and a suspension without pay for up to one week, or termination. These offenses include, but are not limited to:

1. Failure to call in or report an absence to your supervisor on the day the absence begins.
2. Excessive tardiness.
3. Excessive absenteeism.
4. Violation of, or refusal to comply with, an established law or regulation when such conduct impairs the effectiveness of the City or brings it into public disrepute.
5. Improper use of a position or of authority for personal gain or advantage.
6. Discourtesy or improper conduct to the public.
7. Failure to punch a timecard.
8. Failure to report for work or leaving work without a satisfactory reason.
9. Willful and negligent violation of safety rules.
10. Becoming delinquent in the payment of taxes, assessments or other obligations owed to the City.

### Grievances

Occasionally, problems may arise that you cannot solve alone. The City has a system for handling these problems, complaints or grievances. If you have a problem, complaint or grievance, you should follow this procedure:

1. Within three days of the grievance, arrange a private meeting with your department head to try to resolve the problem.
2. If the problem is not resolved (no agreement reached) you and the department head will arrange a meeting within three days with the Mayor to attempt to resolve the problem.
3. If the problem is not resolved, you may, within 15 days of the meeting with the Mayor, request a meeting with the Mayor and the Board of Aldermen. This request should be made to the City Clerk. The hearing will be placed on the agenda for the next regularly scheduled Board meeting as long as

you give notice by noon on the Wednesday immediately prior to the next Board meeting. The Board will inform you of its decision at or before the Board's next regularly scheduled meeting after the meeting at which the hearing is held. All hearings will be informal in nature.

### Layoff

The department head with prior approval of the Mayor and Board of Aldermen may lay off an employee due to a shortage of funds or work, the abolition of the position, or for other reasons which are outside the employee's control and that do not reflect discredit upon the employee. An employee who is laid off will be given two weeks' advance notice if possible.

### Resignations

In the event that it becomes necessary for you to leave your employment with the City, a minimum of two weeks' notice should be given so that proper arrangements can be made in work schedules. All issued equipment must be turned in to your supervisor prior to the issuance of your last payroll check. However, pay for accrued vacation may not be granted to employees providing less than two (2) calendar weeks of notice in advance of the last day of employment.

## **III. BENEFITS**

### Employee Benefits

On the first day of the month immediately after you have been employed thirty (30) days, you are entitled to certain benefits that are intended to provide security and peace of mind to you and your family during your employment. Part-time employees will not be entitled to any benefits except as specifically granted in the Handbook.

### Holidays

The City of Holly Springs recognizes the following holidays as paid leave:

1. New Year's Day (January 1)
2. Martin Luther King Day (Third Monday in January)
3. President's Day
4. Good Friday
5. Confederate Memorial Day
6. Memorial Day
7. Independence Day (July 4)

8. Labor Day
9. Columbus Day
10. Veterans' Day (November 11)
11. Thanksgiving Day (2 Days)
12. Christmas (2 Days)

In addition to these holidays, the City may recognize any other holidays proclaimed as such by the governor of Mississippi. In the event any of these holidays falls on Saturday, the holiday will be celebrated on the previous Friday unless otherwise specified by the Mayor and the Board of Aldermen. In the event any of these holidays fall on a Sunday, the holiday will be celebrated on the following Monday unless otherwise specified by the Mayor and Board of Aldermen.

The above listed holidays shall be observed by a day off with pay with the exception of shift workers. Employees who work on holidays, or days designated for the observance of holidays, whichever is applicable, shall be paid straight time for hours worked plus the holidays.

Employees absent without permission the last normal work day, preceding a holiday, or the day designated for the observance of such holiday, whichever is applicable, may be considered ineligible to receive pay for observance of the holiday.

Annual Leave

Annual leave is intended to be used as time off with pay for vacations, personal business requirements or any other purpose other than sickness. Annual leave may also be used for time off with pay during periods of illness, provided employee has no unused accrued sick leave to his credit.

All employees shall accrue annual leave based on calendar months, calendar years and length of employment according to the following schedule:

<u>NUMBER OF YEARS OF EMPLOYMENT</u>	<u>MONTHLY RATE OF ACCRUAL HOURS</u>	<u>ANNUAL RATE OF ACCRUAL HOURS</u>
Less than one year	3 1/3	40
One year or more, but less than 10 years	6 2/3	80
Ten years or more, but less than 20 years	10	120
Twenty years or more	13 1/3	160

No annual leave shall accrue for any fraction of a calendar month. In the event an employee commences employment after the first day of any calendar month, no annual leave shall accrue for such month. In the event an employee's service is terminated prior to the close of business on the last day of any month, no annual leave shall accrue for such month.

Accrued annual leave shall not exceed 240 hours except that any employee having accrued the maximum authorized accrued annual leave during any one calendar year shall continue to accrue annual leave at the applicable rate during such years. As of the close of business December 31, each year, all annual leave records shall be balanced and any and all accrued unused annual leave in excess of 240 hours shall be dropped as "excess accrued annual leave."

In the event an employee has a break in employment, other than leave under the Family and Medical Leave Act, or leave of absence generally, upon return, he or she shall be considered as a new employee for the purpose of accruing annual leave.

Temporary and part-time employees shall accrue annual leave based on percentage of hours worked.

All requests for annual leave shall be in writing and shall show the effective time and date, number of hours of leave desired and date and time the employee will return to work. Each request shall be signed by the employee and approving authority.

In the event of verbal approval of any request for annual leave, the approving authority shall prepare a written leave request in the name of the employee desiring such leave. The approving authority shall sign the request. Immediately upon returning to work, the employee requesting such leave shall sign the request.

No employee shall be granted annual leave in excess of the amount of unused accrued annual leave the employee has to his credit. Annual leave shall not be granted due to illness unless the employee concerned has no unused accrued sick leave to his credit.

Normal work days only shall be counted as annual leave. Holidays and normal days off shall not be counted as annual leave.

Upon termination of employment for any reason, employees shall be paid for all unused accrued annual leave not to exceed 240 hours. Annual leave payments shall be in accordance with the following:

Weekly and Monthly Paid Employees:

Hourly Rate of Pay x Number of Hours Accrued Leave = Leave Payment

Payment for accrued annual leave shall not be authorized in any case other than termination of employment.

## Sick Leave

Sick leave is intended to be used for the purpose of providing a means of granting time off with pay during periods of absence from work due to illness.

Sick leave shall accrue at the rate of eight hours for each full calendar month of employment. No limitation shall be placed on the number of hours sick leave an employee may accrue.

No sick leave shall accrue for any fraction of a calendar month. In the event an employee commences employment after the first day of any calendar month, no sick leave shall accrue for such month. In the event an employee's service is terminated prior to the close of business on the last day on any month, no sick leave shall accrue for such month.

In the event an employee has a break in employment, accrue of this grant of sick leave shall be computed from the first full calendar month of the current employment period.

Temporary and part-time employees shall accrue sick leave based on percentage of hours worked.

All requests for sick leave shall be in writing and shall show the effective time and date, number of hours sick leave required, if known, and time and date employee will return to work, if known. The request shall be signed by the employee and approving authority.

In the event of verbal approval of any request for sick leave, the approving authority shall prepare a leave request in the name of the employee desiring such leave. The approving authority shall sign such request. Immediately upon returning to work, the employee requesting such sick leave shall sign the leave request.

Sick leave shall be used for employees only for the following purposes:

Absence due to illness.

Absence due to dental treatment.

Absence due to convalescence as a result of illness or dental treatment, provided such convalescence is recommended by the employee's physician or dentist.

Concurrently with Family and Medical Leave.

The approving authority may require a certificate from the employee's physician or dentist stating that he had treated the employee and that absence from work was necessary as a result of illness or dental treatment. A certificate from the employee's physician or dentist shall be a mandatory requirement when an employee uses sick leave in excess of two (2) consecutive normal work days. In the event the employee fails to provide the required certificate from a physician or dentist, such period of absence shall constitute leave without pay.

Normal work days only shall be counted as sick leave. Holidays and normal days off shall not be counted as sick leave.

No employee shall be granted sick leave in excess of accrued sick leave.

All employees employed by the City as of the close of business November 30, each year may receive pay for twenty-five percent of all unused sick leave accrued during any one fiscal year (Dec. 1 – Nov. 30). All sick leave for which employees receive pay shall be considered as used sick leave. The remaining unused sick leave shall be carried forward as accrued sick leave.

Payment for unused accrued sick leave shall be in accordance with the following:

<u>Number Hours Sick</u>	<u>Number Hours Sick</u>	<u>Number Hours Sick</u>
Leave accrued during fiscal year	Less leave used during fiscal year x .25 =	Leave for which employee shall be paid

Employees may waive payment for unused accrued sick leave, in which case all unused accrued sick leave during any one fiscal year shall be carried over as accrued sick leave. Payments waived by an employee shall not be claimed at a later date.

No payment for unused accrued sick leave shall be authorized except that specified herein. Any unused personal leave over 240 hours and unused sick leave can be certified to PERS at time of separation.

Insurance

New full-time employees may request group insurance coverage. Coverage becomes effective on the first (1<sup>st</sup>) day of the month that follows the completion of 31 days.

The City of Holly Springs also offers dental and vision plans.

Retirement

Eligible employees who select City employment as a career can look forward to retirement benefits through the state retirement system. Participation in the retirement system is mandatory for all full-time employees and part-time employees working no less than 20 hours per week. You must contribute a portion of your salary and the City also will contribute to the retirement system on your behalf. These benefits, plus those from Social Security, are designed to provide a measure of security at retirement. If you should quit your job with the City before you retire, the money you paid into the system,

plus interest, can be refunded to you when you submit proper forms to the state retirement system, however, it is highly recommended that contributions be left in the system to go towards retirement. For further information, please contact the City Clerk.

### Workers' Compensation

Workers' compensation is an employee benefit paid by the City.

### Unemployment Compensation

Unemployment compensation is an employee benefit, paid by the City.

### Uniform Allowance

The following is the uniform annual allowance for applicable employees:

Utility Department	\$ 250.00
Police Department	\$ 250.00
Fire Department	\$ 350.00
Auxiliary	\$ 100.00
Dispatchers	\$ 150.00
Street/Sanitation Department	\$ 60.00
Cemetery	\$ 60.00

Uniform allowance is subject to change by the Mayor and Board of Aldermen due to safety regulations.

## **IV. PAY PRACTICES**

### Pay Raises

The City makes every attempt to give fair pay raises to employees while keeping the limitation of the City's budget in mind.

### Pay Day

All employees are paid either weekly, bi-monthly, or monthly unless the pay schedule is revised by the Mayor and Board of Aldermen.

## Time Records

Each employee must keep a record of his time worked and attendance at work. Each employee who is required to punch a time card, must punch only his card, according to established procedure, whereby all hours worked are accurately reported.

## Overtime

All employees of the City are urged to make every effort to schedule work during regular hours and to avoid working overtime. When overtime work cannot be avoided, every attempt will be to fairly distribute overtime work among eligible employees. All overtime must be approved in advance by the department head.

Employees, other than firefighters and law enforcement personnel, who are eligible to receive overtime pay, and who work in excess of forty hours per week shall be paid for all work in excess of 40 hours per week at the rate of 1½ times the established hourly rate.

Firefighters and law enforcement personnel will be paid in accordance with 7(k) of the Fair Labor Standards Act. According to Section 7(k) of the Fair Labor Standards Act overtime for firefighters shall go into effect after an employee has worked an excess of 53 hours in a seven day work week period; overtime for police officers shall go into effect after an employee has worked an excess of 43 hours in a seven day work week period. Employees shall be paid for the actual hours worked in this seven day work period. Other employees will be paid time and one-half after 40 eligible hours work in a work week.

## Comp Time

Employees that are not entitled to receive any pay for overtime worked may be granted compensatory time off at the rate of one (1) hour off for each hour of overtime work performed.

Such employees may not carry over any more than forty (40) hours during any given period. Therefore, any unused hours, in excess of forty (40) hours shall and will be dropped.

## Payroll Deductions

The City is required by law to make the following deductions from your paycheck:

1. Federal withholding tax;
2. State withholding tax;
3. Social Security tax (FICA);
4. Garnishments and child support; and

5. State requirement.

## **V. LEAVES OF ABSENCE**

### Family and Medical Leave Policy

#### I. Summary

Pursuant to the requirements of the Family and Medical Leave Act of 1993 (“FMLA”), eligible employees are entitled to unpaid leave in certain circumstances specified below. This policy provides a summary of the leave provided under the FMLA, as well as the City’s procedures for requesting and approving leave. This policy does not confer any rights beyond those provided by the FMLA.

#### A. Eligibility

Eligible employees are those who have been employed by the City for at least 12 months and for at least 1,250 hours during the previous 12 month period.

#### B. Grounds for Leave

The circumstances in which FMLA leave is available are governed solely by the FMLA and the regulations hereunder. The City’s FMLA Policy does not confer any additional entitlement to leave. Eligible employees are entitled up to 12 weeks of leave during any 12 month period for one or more of the reasons listed in this section. Generally, spouses who are both employed by the City are entitled to a total of 12 weeks of combined leave. An employee may take FMLA leave:

1. Because of the birth of a son or daughter of the employee and in order to care for such son or daughter.
2. Because of the placement of a son or daughter with the employee for adoption or foster care.
3. In order to care for the spouse, son, daughter, or parent of the employee, if such spouse, son, daughter, or parent has a serious health condition.
4. Because of a serious health condition that makes the employee unable to perform the functions of the position of such employee. A “serious health condition” is defined in accordance with FMLA regulations. Generally, this means a

physical or mental condition that involves inpatient care (including any subsequent period of incapacity and any follow-up treatment) or continuing treatment by a health care provider. The City reserves the right to require the employee to provide certification of a serious health condition.

5. Because of any qualifying exigency arising out of the fact that the spouse or a son, daughter, or parent of the employee is on covered active duty (or has been notified of an impending call to active duty) in the armed forces. A “qualifying exigency” is defined in accordance with FMLA regulations as (i) a short-notice deployment, (ii) military events and related activities, (iii) childcare and school activities, (iv) financial and legal arrangements, (v) counseling, (vi) rest and recuperation, or (vii) post-deployment activities.

### C. Military Caregiver Leave

In addition to the grounds set forth in Section I.B above, an eligible employee who is the spouse, son, daughter, parent, or next of kin of a covered military servicemember shall be entitled to a maximum of 26 weeks of leave during any 12 month period to care for that servicemember. This type of leave is known as “military caregiver leave.”

An eligible employee is entitled to up to 26 weeks of leave during any twelve month period to care for a covered military servicemember. A “covered servicemember” is defined in accordance with FMLA regulations as a servicemember who has a serious injury or illness incurred in the line of duty, while on active duty, for which he or she is undergoing medical treatment, recuperation, or therapy, or otherwise in outpatient status. This does not include former servicemembers or servicemembers on the permanent disability retired list.

This 26 week military caregiver leave period represents the maximum total amount of leave available to a covered employee during any rolling twelve month period. It may not be taken in addition to any other leave authorized under the FMLA or any other leave policy. In addition, military caregiver leave is a one-time event. It may not be taken more than once to care for a given injury or illness to a given servicemember.

For purposes of military caregiver leave under this section, a servicemember's "next of kin" is defined in accordance with FMLA regulations as his or her nearest blood relative, other than his or her spouse, parent, son, or daughter. The City reserves the right to confirm next of kin status.

For purposes of military caregiver leave under this section, a "serious illness or injury" is defined in accordance with FMLA regulations as an illness or injury that renders the servicemember medically unfit to perform the duties of his or her office, grade, rank or rating. All other terms used in this section are defined in accordance with FMLA regulations and relevant statutes.

## II. Use of Paid Leave

To the extent that the employee is eligible for paid leave, any paid leave must be taken concurrently at the start of any family and medical leave of absence. This includes any form of leave time in which any form of compensation is paid, including vacation time, sick leave and absences covered by workers' compensation. Therefore, the employee will be compensated at his or her regular rate for any leave taken using paid leave. The remainder, if any, of the family leave will not be compensated.

## III. Intermittent or Reduced-Schedule Leave

In general, any employee wishing to utilize this benefit must do so on a continuous basis. On the other hand, if able to do so, the City must consider reduced-schedule leave – that is, leave that reduces the staffer's regularly scheduled number of days per work week or hours per workday – if it is in the best interest of the City and the employee.

If medically necessary for a serious health condition of the employee of his/her spouse, child, or parent, leave may be taken on an intermittent basis. That is, leave may be taken periodically for short periods to respond to the medical condition or other covered circumstance. If leave is requested on this basis, however, the City may require the employee to transfer to an alternative position that will be more suitable for recurring periods of absence and/or a part-time schedule.

#### IV. Certification

The City will require medical certification to support a leave request for an employee's own serious health condition. The certification must include a statement that the employee is unable to perform the functions of his/her position. In its discretion, the City may require a second medical opinion and periodic recertification at its expense. If the first and second opinions differ, the City may, at its own expense, require the opinion of a third health care provider, which will be final.

The City also will require medical certification to support leave to care for a seriously ill child, spouse, or parent. For this leave request, the certification must include an estimate of the amount of time the employee will be needed to provide care.

#### V. Return to Work

The City will reinstate a returning employee to the job he held when he left or to an equivalent position with equivalent employment benefits, pay, and other terms and conditions of employment. If an employee fails, however, to return to work upon exhaustion of the 12 weeks of family/medical leave or 26 weeks of servicemember family leave, the employee will be considered to have voluntarily resigned. The City reserves the right to require an employee to provide a certification of fitness for duty before returning to work.

#### VI. Notification and Reporting Requirements

Under the FMLA, employees are responsible for giving 30 days notice to their employers. If circumstances require that a leave begin in less than 30 days, employees must give the City as much notice as practicable. Examples of when 30 days notice may not be required include a premature birth, a serious accident to a family member, or serious medical condition requiring immediate surgery.

#### VII. Benefit Status

Any employee who is granted a leave of absence under the FMLA is to ensure the continuity of his or her insurance coverage by making arrangements in advance of the leave to pay premium contribution when required during the unpaid leave.

If the employee decides not to return to work upon completion of the leave, the City may recover from the staffer the cost of all payments made to continue coverage. Benefits entitlement will be calculated as of the last paid workday period before the start of the family and medical leave of absence.

### Civic Leave

You will be granted civic leave if you are summoned for jury duty or to attend Court as a witness. You will be paid the difference between jury duty and eight hours at your regular rate of pay for each day of jury duty. When you return to work, you must provide a statement of attendance and the amount paid by the Court from the Clerk of the Court. If you are released from jury duty anytime prior to noon, you must report to work within one hour after being released by the Court.

In the event of a City, County, School District, State, National or any other public election for the purpose of election of public officials or referendums involving public issues, all employees, who are qualified electors, eligible to vote in such election, shall be granted administrative leave of sufficient duration to permit the employee to vote, not to exceed three (3) hours for any one election.

### Administrative Leave

An employee who has used all available paid and unpaid leave, including FMLA leave, can apply for up to three months of unpaid administrative leave. To be eligible for administrative leave, you must apply in writing to the Mayor and Board of Aldermen which, in its discretion, may deny or grant the request in whole or in part.

### Funeral Leave

You will be granted one day of funeral leave with pay because of the death of a member of the immediate family. You may take up to two additional days of earned annual or sick leave because of the death of a member of the immediate family. For purposes of funeral leave, a member of the immediate family shall include your spouse, parent, child, brother, sister, grandchild, grandparent of you or your spouse, step-parent, step-child, son-or-daughter-in-law, mother-or-father-in-law, or brother-or-sister-in-law. Employee may be granted two (2) hours administrative leave for the purpose of attending other funerals.

## **VI. PERSONAL CONDUCT**

### Political Activity

The City believes all employees have a civic duty to cast their votes for candidates and issues as they choose. You also should have the right to support candidates and issues with your personal efforts and volunteer contributions. However,

no such activity will be conducted during working hours, nor at the expense of the City. Employees cannot use City equipment or be in a City uniform while engaging in such activity. Employees will not be subjected to coercion, intimidation, or threat of reprisal because of their political activities.

No employment decision will be made in return for the promise or receipt of any personal benefit by a City official or employee. An employee also cannot use his official authority to interfere with or affect the result of a nomination or election for public office.

### Computer Network and Internet Access Policy

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

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

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

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

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

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

Sending or posting discriminatory, harassing, or threatening messages or images.

Using the organization's time and resources for personal gain.

Stealing, using, or disclosing someone's code or password without authorization.

Copying, pirating, or downloading software and electronic files without permission.

Violating copyright law.

Failing to observe licensing agreements.

Engaging in unauthorized transactions that may incur a cost to the organization or initiate unwanted internet services and transmissions.

Sending or posting messages or material that could damage the organization's image or reputation.

Participating in the viewing or exchange of pornography or obscene materials.

Sending or posting messages that defame or slander other individuals.

Attempting to break into the computer system of this organization or another organization or person.

Refusing to cooperate with a security investigation.

Sending or posting chain letters, solicitations, or advertisements not related to business purposes or activities.

Using the internet for political causes or activities, religious activities, or any sort of gambling.

Jeopardizing the security of the organization's electronic communications systems.

Sending or posting messages that disparage another organization's products or services.

Passing off personal views as representing those of the organization.

Sending anonymous e-mail messages.

Engaging in any other illegal activities.

### Telephone, Cell Phone and Other Electronics' Policy

Only employees who are provided cellular telephones by the City may have cellular telephones in their possession during work hours. All other employees must leave their personal cell phones at home or in their personal vehicles.

In the event of an emergency, calls should be directed to City Hall at (662) 252-4280. Messages will be promptly delivered to employees. Other personal calls must be made and received outside of work hours.

Because it is necessary to have all available phone lines for receiving and making business calls, it is the general policy of the City of Holly Springs to allow short (less than 5 minutes) personal calls only when it is absolutely necessary.

In addition, no personal long-distance calls may be made at any time. If you are found to be making any personal, long-distance calls, or abusing phone privileges, you will be expected to reimburse the City of Holly Springs for any and all costs associated with the misuse of the phone system as well as be subject to disciplinary action up to and including dismissal.

Should it become necessary to maintain adequate phone services for the City, the Supervisor may revoke an employee's phone privileges totally at any time.

While some employees are provided with City-owned cell phones or PDA's are required to use a cell phone or PDA while on duty with the City of Holly Springs, it should be noted that the City of Holly Springs expects all employees to adhere to applicable state laws regarding cell phone/PDA usage. Even if state law permits or does not address cell phone/PDA usage while operating a motor vehicle, the City of Holly Springs expects employees to utilize the assistance of a hands-free device. If a hands-free device is not available, employees should limit their "received" calls/messaging to less than 5 minutes. Employees should locate a safe place to pull off the road and stop their vehicle if there is need for a longer conversation, note taking, or to place calls/messaging. Texting while operating a City-owned vehicle or a personal vehicle on City time is prohibited.

## Gifts

City employees are not allowed to receive gifts or gratuities in any personal or professional capacity that could create the impression that the giver was seeking favor or trying to influence an opinion or judgment from the employee. This does not prohibit minor, incidental gifts such as cookies or cakes during the holiday season.

## Garnishments and Attachments

The City expects each employee to keep his personal affairs in a good condition and meet his financial obligations promptly. Garnishments and attachments create an administrative burden on the City.

## Safety

All City employees are responsible for creating a safe working environment to minimize accidents and injuries. Each employee is responsible for:

1. Exercising due care in the course of his work to prevent injuries to himself and to fellow workers and to prevent damage to City property.
2. Maintaining an alert and business-like attitude at all times.
3. Reporting all accidents, regardless of how trivial, to his immediate supervisor.
4. Avoiding any horseplay or practical jokes on the job.
5. Keeping work areas clean and orderly.
6. Reporting all unsafe conditions immediately to his supervisor.
7. Obeying all safety rules and regulations. If you are in doubt about the safety of a job, you should immediately STOP and get instructions or assistance from your supervisor before continuing work.
8. Wearing prescribed protective equipment.
9. Operating only machinery and equipment he is authorized to operate.
10. Using proper tools and equipment for the job to be performed.
11. Learning to lift and handle materials properly.
12. Taking an active part in the safety program.

## Drug and Alcohol Misuse Prevention Policy

Certain members of the gas department and meter readers are subject to the drug testing policy enforced by the U. S. Department of Transportation.

## City Vehicles

City employees who have occasion to operate any City vehicle must have a valid Mississippi driver's license and maintain a good driving record. Each employee who is driving a City vehicle is expected to observe any and all safety and vehicle operation procedures and regulations. Only employees on official City business are allowed to operate or be passengers in any City vehicle.

At its discretion, the Mayor and Board of Aldermen may assign to any employee the care of a vehicle or other equipment under established policy and procedures. Each employee has the responsibility to use reasonable care to insure the security and are of City property entrusted to his use and care.

NO CITY VEHICLE OR EQUIPMENT MAY BE USED  
BY A CITY EMPLOYEE FOR HIS PERSONAL USE

## Smoke Free Environment

Smoking is prohibited in City vehicles and buildings.

## **VII. MISCELLANEOUS**

### Personnel Records

The proper handling of many matters of personal importance to you requires that your personnel records be accurate at all times. Promptly report to the City Clerk, any change in name, address, telephone number, marital status, number of dependents, military status, or job-related training courses completed. The accuracy of these records is particularly important in the case of mailing checks, W-2 forms, insurance payments, sick and accident benefits, etc. You will be allowed to inspect your personnel records at any time that is convenient for you and the City Clerk after receiving written authorization from your department head. The personnel records are the property of the City of Holly Springs and are not to be duplicated.

### Bulletin Boards

City bulletin boards are maintained at convenient locations in the City's various facilities. Each employee is urged to watch the bulletin boards for notices and job openings. Any additions or changes to materials posted on the City's bulletin boards must be approved in advance by the department head in charge of the facility at which the bulletin board is located.

## City Policy

It is the City's policy that all employees who do not have a written employment contract with the City for a specific fixed term on employment are employed at the City's will and are subject to termination at any time, for any reason, with or without cause of notice. All employees also may terminate their employment at any time for any reason.

This policy may not be modified by any statements contained in this manual or any other employee handbooks, employment applications, recruiting material or other materials provided to applicants and employees in connection with their employment. None of these documents, whether singly or combined, is to create an express or implied contract of employment for a definite period, nor an express or implied contract concerning any terms or conditions of employment. Similarly, the City's policies and practices with respect to any matter are not to be considered as creating any contractual obligation on the City's part or as stating in any that termination will occur only "for cause". Statements of specific grounds for termination set forth in this manual as in any other documents are examples only, not all-inclusive lists, and are not intended to restrict the City's right to terminate at will.

**CITY OF HOLLY SPRINGS**  
**EMPLOYEE HANDBOOK**

I have received a copy of the City of Holly Springs' Employee Handbook and hereby acknowledge such receipt of the foregoing Handbook.

SIGNED: \_\_\_\_\_  
Employee

DATE: \_\_\_\_\_