

CITY OF STARKVILLE

PERSONNEL POLICY MANUAL

This policy manual is being provided to all City of Starkville employees in accordance with a Mayor and Board of Aldermen directive on February 13, 2007. In the interest of expediency, the policy manual has not been updated to reflect certain changes incorporated since the last revision of the manual on April 16, 2006. It is anticipated that the manual will be updated in the very near future to incorporate any needed revisions.

**With Revisions through
June 2013**

ADOPTED 06/02/92

REVISED 12/16/97

REVISED 01/18/06

REVISED 04/10/06

CITY OF STARKVILLE, MISSISSIPPI

PERSONNEL POLICIES MANUAL

This manual is supplemented by certain departmental manuals that have been duly accepted by the Mayor and Board of Aldermen. All provisions of this manual are subordinate to conflicting language that may be found between it and respective departmental manuals. Further, this manual supersedes and replaces any previous City-wide personnel policies. Any previously existing City-wide personnel policies manual(s) is hereby declared null and void.

SINCE THE EMPLOYMENT OF ALL CITY EMPLOYEES IS AT WILL AND CONTINUES AT THE PLEASURE OF THE MAYOR AND BOARD OF ALDERMEN, NOTHING CONTAINED IN THESE POLICIES SHALL BE INTERPRETED OR CONSTRUED TO CREATE ANY RIGHT, PROPERTY INTEREST, OR CONTRACTUAL INTEREST IN EMPLOYMENT ON BEHALF OF ANY SUCH EMPLOYEE. THE GRIEVANCE PROCEDURE AND OTHER DISCIPLINARY PROCEDURES CONTAINED HEREIN ARE SOLELY PROCEDURAL IN NATURE; AND, THE EXISTENCE OF SUCH PROCEDURES DOES NOT, AND SHALL NOT, CREATE OR IMPLY ANY SUBSTANTIVE LIMITATION UPON THE DISCRETION OF THE MAYOR AND BOARD OF ALDERMEN, OR THEIR DELEGATED SUBORDINATE, TO IMPOSE DISCIPLINARY ACTION, INCLUDING TERMINATION FOR ANY REASON OR WITHOUT ANY CAUSE WHATSOEVER.

POLICIES OUTLINED IN THIS MANUAL DO NOT APPLY TO ELECTED OFFICIALS.

City of Starkville, Mississippi

PERSONNEL POLICIES MANUAL

TABLE OF CONTENTS

INTRODUCTION 1.000

AUTHORITY FOR CITY PERSONNEL POLICIES. 2.000

EMPLOYMENT 3.000

 Equal Employment Policy 3.100

 Policy Against Sexual Harassment. 3.101

 Employment of Relatives 3.102

 Orientation 3.103

 Probationary Period 3.104

 Your Job 3.105

 Hours of Work 3.106

 Physical Examinations 3.107

 Outside Employment 3.108

 Attendance 3.109

 Tardiness 3.110

 Discipline 3.111

 Grievances 3.112

 Layoff 3.113

 Resignations 3.114

 Pre-Employment Drug Testing 3.115

 Residency Requirement (Firefighters and Police. . 3.116
 Officers)

BENEFITS 4.000

 Employment Benefits 4.100

 Holidays 4.101

 Personal Leave 4.102

 Major Medical Leave 4.103

 Insurance 4.104

 Workers' Compensation 4.105

 Unemployment Compensation 4.106

 Retirement 4.107

PAY PRACTICES	5.000
Pay Raises	5.100
Payday	5.101
Time Records	5.102
Comp Time..	5.103
Overtime	5.104
Standby Pay (Regular)	5.105
Standby Pay (Holiday)	5.106
LEAVES OF ABSENCE	6.000
Occupational Injury Leave	6.100
Medical Leave	6.101
Federal Family Medical Leave Act (FMLA)	6.102
Civic Leave	6.103
Funeral Leave	6.104
Military Leave	6.105
Accommodation Leave	6.106
City Leave	6.107
Educational Leave.	6.108
PERSONAL CONDUCT	7.000
Dress Code	7.100
Political Activity	7.101
Phone Calls	7.102
Payment of Debts	7.103
City Vehicles	7.104
Voice Recorders	7.105
Fund Raising Activity	7.106
Smoking and use of Tobacco Products	7.107
MISCELLANEOUS	8.000
Personnel Records	8.100
Bulletin Boards	8.101
News Releases	8.102
SAFETY PROGRAM	9.000
CITY POLICY	10.000
SUPPLEMENT—NEW AND REVISED POLICIES	Page 51

CITY OF STARKVILLE, MISSISSIPPI

PERSONNEL POLICIES MANUAL

1.000 INTRODUCTION

We have prepared this handbook 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 this handbook, ask your supervisor or the Personnel Director.

As an employee of the City of Starkville, 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 within a City department, everyone in the City of Starkville 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.

2.000 AUTHORITY FOR CITY PERSONNEL POLICIES

Title 21, Chapter 3 of the Mississippi Code of 1972, Annotated, as amended, and Chapter 20, Article I of the Code of Ordinances of the City of Starkville, establish the authority for the making and administration of policies for the management of the City of Starkville personnel system.

3.000 EMPLOYMENT

ALL NEWLY HIRED EMPLOYEES OF THE POLICE DEPARTMENT NOT RESIDING IN OKTIBBEHA COUNTY ON THE DATE OF HIRE MUST MOVE INSIDE OKTIBBEHA COUNTY WITHIN SIX MONTHS OF EMPLOYMENT

3.100 EQUAL EMPLOYMENT POLICY (Revision approved by Board 2/21/2012)

It is the policy of the City of Starkville 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, handicap, or disability.

Additionally, the City of Starkville strives to maintain a work environment that is free from the hostile atmosphere created by sexual harassment or intimidation, as well as all other forms of unlawful harassment.

3.101 POLICY AGAINST HARASSMENT (Revision approved by Board 2/21/2012)

Unwelcome sexual advances, or 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 or 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 of Starkville to maintain a work environment that is free from the hostile atmosphere created by sexual harassment or intimidation. Such conduct will not be tolerated.

This same policy extends to all other forms of unlawful harassment.

If you are subjected to harassing or intimidating conduct by any individual, including supervisory personnel employed by the City, you should immediately report the incident to the City Clerk or Personnel Officer.

3.102 EMPLOYMENT OF RELATIVES

No employee may directly or indirectly supervise or be supervised by a member of his immediate family. For purposes of this policy, immediate family includes children, step-children, first cousins, brothers, sisters, nieces, nephews, parents, grand relatives and in-laws of the employee or his spouse. The status

quo of relatives presently on the payroll in violation of this guideline will not be affected; however, all future employees will be governed accordingly.

3.103 ORIENTATION

Orientation and training programs are conducted to familiarize new employees with the City. As part of orientation, the City's benefits and personnel policies are explained and the employee is given an opportunity to ask any questions that he may have.

3.104 PROBATIONARY PERIOD

For each new employee, the first year of employment serves as a probationary period. During this important time, the employee is learning the job and the City is evaluating his performance. All new employees will be evaluated every ninety (90) days during the probationary period by his supervisor, who will let him know how he is doing. All employees, while in a probation period, will be entitled to all benefits of regular City employees, (except as noted below) and may exercise those benefits in a like manner. That one exception is that a new hire probationary employee may not submit an employment application as an "internal applicant". After successful completion of the probationary period, the employee will become a regular full time employee unless recommended otherwise that his probationary period be extended in ninety (90) day increments with appropriate documentation. Probationary employees are not subject to pay raises until their first anniversary. After this, all raises are effective at the beginning of the fiscal year. An employee who was promoted or transferred as an "internal candidate" will have a probationary period of six (6) months with a possible extension at the discretion of the supervisor.

3.105 YOUR JOB

It is the City's 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 anytime you are in doubt concerning your duties or

supervision, you are expected to contact your supervisor or department head if it is a question of supervision. However, if a supervisor directs an employee to perform an illegal task, it must be reported immediately and directly to the Mayor.

You have a 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.

(THIS SECTION INTENTIONALLY LEFT BLANK)

3.106 HOURS OF WORK

In various departments, the schedule and number of work hours may vary as required by the nature of services performed. Administrative offices observe the following schedule: Monday through Friday 8:00 a.m. until 5:00 p.m. Any variation from this schedule which may be necessary because of the type of service rendered by a particular department must be approved by the Mayor and Board of Aldermen. Schedules in place at the time of adoption of this manual are hereby approved.

Lunch periods will normally be one (1) hour in length and shall be taken, without pay, at a time acceptable to the department head.

Break periods meeting the minimum requirement of the Federal Fair Labor Standards Act may be authorized by the department head. Breaks will be taken only in designated break areas.

Personal business shall not be conducted during the employee's regularly scheduled work hours, unless approval is given by the department head and circumstances warrant such.

Abuse of break privileges or extension of lunch periods beyond the allotted time may result in withdrawal of privileges, pay deductions for time not worked, or other disciplinary action, including termination.

3.107 PHYSICAL EXAMINATIONS

All newly hired public safety employees must undergo a physical examination at the City's expense and the results will be kept confidential. As a condition of continued employment, the City may require an employee to have an additional medical examination at City expense whenever, in the opinion of the City, such necessity arises. It is the policy of the City of Starkville to comply with the Americans With Disabilities Act.

3.108 OUTSIDE EMPLOYMENT OR BUSINESS

No employee may engage in employment or business which could cause a conflict of interest, or use his City employment for personal gain. Outside employment or business must not interfere with performance of duties for the City. Any outside employment or business must have prior approval of your department head. Further, any department head who desires to engage in outside employment or business shall obtain prior approval from the Mayor and Board of Aldermen.

3.109 ATTENDANCE

In order to operate the City efficiently, it is necessary to have a reliable work force. It is, therefore, 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 should 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. Excessive absences can result in disciplinary action, including termination.

3.110 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.

3.111 DISCIPLINE

Whenever people are part of a larger 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 of Starkville to insure the fair treatment of all employees.

Any employee who feels that discipline has been unfairly administered is encouraged to use the City's grievance procedure.

- A. It will be the duty of all department heads to document or have documented employee misconduct. 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 through the Mayor and Board of Aldermen, impose a lesser penalty, a violation of any one of the following rules may result in immediate discharge: (Any one of the following will be a permanent blemish on the employee's personnel record.)
1. Conviction of a criminal offense including a felony or a misdemeanor involving moral turpitude.
 2. ***Except as specifically authorized by the laws of the State of Mississippi, no employee of the City of Starkville, except duly authorized law enforcement officials, shall be allowed to carry or possess any pistol, firearm, or other weapon on City property. (REVISED 6/4/2013)***
 3. The use, possession or sale of intoxicating beverages, marijuana, or illegal drugs on duty or working under the influence of any of these substances.
 4. Stealing, embezzlement, dishonesty, falsification of records or willful misrepresentation of facts, including grievance forms.
 5. Fighting and physical violence or disturbance on City property or at any place at which work is being performed by or for the City.

6. Destruction, abuse, removal or attempted removal of property or materials of the City or of another employee.
7. Willful insubordination (failure to carry out direct orders from superiors.)
8. Falsifying an employee's time card or improperly punching another employee's time card.
9. Absence from work for two (2) consecutive days without notifying your department head or supervisor.
10. Acceptance of money or other valuable consideration given with the intent of influencing an employee in the performance of his official duties.
11. Any violation of rule 7.106, regarding fund-raising activities.
12. An additional violation of any City rule or policy after receipt of two (2) previous written warnings within the preceding twelve (12) months, unless it is a violation of Safety Policy and falls under those guidelines.

(THIS SECTION INTENTIONALLY LEFT BLANK)

- B. The following violations shall result in discipline which may take the form of a counseling session, a written warning, a written warning and a suspension without pay for up to one (1) week, or termination. These will remain in an employees file permanently; however, they will impact employment decisions only if they are less than twelve months old or reflect repetitive misbehavior. 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 of authority for personal gain or advantage.
 6. Discourtesy to the public and coworkers.
 7. Failure to properly punch a time card.
 8. Failure to report for work or leaving work without a satisfactory reason and without notifying your supervisor.
 9. Willful and negligent violation of safety rules.
 10. Becoming delinquent in the payment of taxes, assessments or other obligations owed to the City.
 11. Insubordination.
 12. Violation of the City's Policy on Smoking and the Use of Tobacco Products

If an incident involves an employee violating more than one of these rules, the incident may result in more than one warning report.

- C. If the Department Head determines that the employee's conduct is such that discharge is necessary, the Department Head will;
1. Notify the employee in writing that the Department Head is recommending to the Board of Alderman that the employee be discharged.
 2. Upon receipt of the letter from the Department Head, the employee's time frame for starting the grievance process under Section 3.112 is triggered.
 3. If the employee has followed the grievance procedure as outlined in Section 3.112 then the recommendation and the employee's grievance will be heard at the next Board meeting as outlined in Section 3.112 (a)
 4. The discharged employee shall be notified by the City Clerk when and where the Board will meet so that the employee, if he or she desires, may attend the meeting. If the employee so wishes, representation by someone other than the employees shall be allowed.

(THIS SECTION INTENTIONALLY LEFT BLANK)

3.112

GRIEVANCES

Employee Grievance Procedure - In order to maintain harmony and to assure all employees fair treatment under this plan and the personnel rules and regulation adopted by the City of Starkville, the following grievance procedure is established:

- (a) Employee grievances concerning wages, hours of work, terminations, promotions, disciplinary action, discrimination and other working conditions shall be heard and resolved in the following manner:
 1. The aggrieved employee shall discuss his or her grievance with his or her immediate supervisor within three working days after the occurrence of the cause of the grievance and attempt to resolve the matter and shall specify the complaint on a city grievance form. This form may be obtained from a supervisor or from the City Clerk's Office. The supervisor shall give the employee an answer or response within two working days.
 2. If the aggrieved employee is not satisfied with the supervisor's answer or the supervisor does not answer the employee within two working days, the employee shall write the grievance on forms furnished by the City, or if the employee so desires, the personnel department shall have the grievance written as dictated by the employee, or the employee may seek assistance of friend or agent to write out the grievance. The grievance shall then be presented to the department head within three working days after the supervisor's answer was received or due. A copy of the grievance shall also be filed with the personnel department. Department heads

shall investigate the grievance and attempt to resolve the matter and shall within three working days, give the employee his or her response, or answer in writing and file a copy of the answer with the personnel department.

3. If the aggrieved employee is not satisfied with the department head's answer or the department head does not answer the grievance within the specified time, the employee shall file a copy of the grievance with the Personnel Director. The copy of the grievance shall be presented to and discussed with the Personnel Director within three working days after the department head's answer or response was received or due. The Personnel Director shall, within three working days, give the employee an answer in writing and file a copy with the Personnel Office.
4. The aggrieved employee shall be paid for the time off attending the Board meeting if it is held during working hours, unless the employee's termination has been recommended or the employee has been suspended without pay. The City Clerk shall, within three working days after the Board meeting, give the employee the answer of the Board in writing and shall file a copy of the answer with the Personnel Office. The decision of the Board of Aldermen shall be final and binding on all parties concerned, provided, however, that as to grievances based on alleged discrimination, the aggrieved persons shall be advised of his right to prosecute his claim with the Equal Employment Opportunity Commission.
 - (b) When a grievance is decided in favor of the employee at any of the administrative levels set out above, the award shall be retroactive to the date of the action that caused the grievance.

- (c) Discrimination or retaliation against employees who filed grievances shall not be tolerated and shall be in violation of the personnel rules of the City. The person or persons responsible for discriminatory practices shall be subject to disciplinary action by the Department head, or the Board of Aldermen, as the case may require.
- (d) Supervisory personnel shall apply previous decisions of the Board of Aldermen to all similar situations to eliminate the filing of grievances.
- (e) All correspondence required by the above procedure shall be placed in the aggrieved employee's personnel file, and upon request, a copy shall be supplied to the aggrieved employee/or his authorized agent.

NOTE: City time can not be used in any manner for defense of a grievance except when a board hearing is actually scheduled during a grieving employee's work time.

- (f) If scandalous or indecent matter is inserted in any grievance or if frivolous and untrue matter is inserted in a grievance, the Board may choose upon motion of the offended party to enhance the punishment originally assessed after hearing of the grievance.

3.113**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 of the employee's control and do not reflect discredit upon the employee. Any employee who is laid off will be given either a two (2) week's notice or termination pay.

Revision to Policy 3.114 Resignations (December 18, 2012)

Although we hope your employment with the City of Starkville will be a mutually rewarding experience, we understand that varying circumstances do cause employees to voluntarily resign employment. Should this time come, you are asked to follow the guidelines below regarding notice and exit procedures.

Procedure

1. Employees are encouraged to provide a minimum of two (2) weeks' notice to facilitate a smooth transition out of the organization. Department Heads are requested to provide a minimum of thirty (30) days notice.
2. All resignations must be confirmed in writing. Employees may wish to complete the Employee Resignation Form provided below for this purpose or may submit other written notice that should include the reason for leaving and the effective date. Resignations must be submitted to the Department Head with a copy to the Personnel Officer. Resignations by a Department Head must be submitted to Chief Administrative Officer with a copy to the Personnel Officer. The CAO or the Personnel Officer will be responsible for notification to the Mayor and Board. Employees who verbally resign will receive a Confirmation of Resignation notice within 24 hours.
3. Employees who fail to report to work for three consecutive days without properly communicating to their supervisor or Department Head the reasons for their absence will be viewed as voluntarily resigning their employment as of the close of business on the third workday. A notice will be mailed to the employee notifying them that their employment has been terminated based on voluntary resignation,
4. Employees who wish to discuss concerns about their continued employment before making a final decision to resign are encouraged to do so. When resignations are received, efforts begin immediately to make arrangements for continued coverage of duties, so please make sure of your decision before submitting your resignation.
5. Employees will not be allowed to rescind a resignation, whether given verbally or in writing, once the resignation has been submitted to the Department Head and/or the Personnel Officer, or in the case of a Department Head resignation to the Chief Administrative Officer and/or Mayor or Board.
6. Resigning employees must ensure that all tools and equipment are returned and take the opportunity to discuss any questions or concerns related to employment with the City of Starkville. Employees who fail to return any City property, including keys, credit cards, tools, uniforms, cellular phones, laptops and other equipment, will be deemed ineligible for rehire and may be subject to legal proceedings on behalf of the City of Starkville.
7. Departing employees should confirm their forwarding address to ensure that final pay, benefits and tax information are received in a timely manner.

Resignation Form

I hereby submit my notice of voluntary resignation to the City of Starkville effective _____

The reason for my resignation is: _____

Print Name _____ Department _____ Clock # _____

Mailing Address _____

Signed _____ Date _____

Resignations must be submitted to your Department Head with a copy to the Personnel Officer

3.115 PRE-EMPLOYMENT DRUG TESTING

Pre-employment testing for illicit drugs is a condition of employment and the type of testing will be at the discretion of the Mayor.

3.116 RESIDENCY REQUIREMENT (Firefighters and Police Officers)

Due to the emergency nature of these positions, it is imperative that firefighters and police officers reside within Oktibbeha County. All such employees must meet this requirement within six months of regular full-time employment with the City of Starkville.

4.000 BENEFITS

4.100 EMPLOYMENT BENEFITS

As a full-time or regular part-time employee, you are entitled to certain fringe benefits that are intended to provide security and peace of mind to you and your family during your employment with the City of Starkville.

4.101 HOLIDAYS

The following and such days as the Mayor and Board of Aldermen may designate shall be Holidays with pay:

- New Year's Day January 1
- King's and Lee's Birthday . . . 3rd Monday in January
- President's Day. 3rd Monday in February
(Lincoln & Washington's Birthday)
- Good Friday Friday before Easter
- Memorial Day Last Monday in May
- Independence Day July 4th
- Labor Day 1st Monday in September
- Thanksgiving Thursday & Friday
- Christmas Day. December 25th & 26th

Employees whose regularly scheduled day off falls on a holiday shall be entitled to the straight time holiday pay.

If any of the legal holidays fall on Sunday, the following Monday shall be the holiday.

If any of the legal holidays fall within a scheduled vacation period, one additional day of vacation shall be granted.

Employees must work, unless on authorized leave, their work day before a holiday, the holiday if required, and their work day after a holiday, in order to be paid for the holiday.

When deemed necessary by their department head, employees may be required to work on holidays.

Employees required to work on holidays shall, in addition to straight time pay for the period worked on the holiday, receive a day's straight time pay or compensatory time off, as approved by the Mayor and Board of Aldermen.

4.102 PERSONAL LEAVE

Personal leave with pay, earned by all full-time employees, other than firefighters, after one month of continuous service will accrue personal leave credit computed on the basis of continuous service at the following monthly and annual accrual rates:

CONTINUOUS SERVICE	MONTHLY ACCRUAL RATE	ANNUAL ACCRUAL RATE
1 month to 3 years	12 hours	18 days
37 months to 8 years	14 hours	21 days
97 months to 15 years	16 hours	24 days
Over 15 years	18 hours	27 days

All firefighters will accrue personal leave credit computed on the basis of continuous service at the following monthly and annual accrual rates:

24 HOURS PERSONNEL - PERSONAL LEAVE:

CONTINUOUS SERVICE	MONTHLY ACCRUAL RATE	ANNUAL ACCRUAL RATE
1 month to 3 years	16.8 hours	201.6 hours
37 months to 8 years	19.6 hours	235.2 hours
97 months to 15 years	22.4 hours	268.8 hours
Over 15 years	25.2 hours	302.4 hours

1. Non-temporary part-time employees earn personal leave credit on a prorata basis of the full-time accrual rates as shown herein and based upon an average of their monthly or weekly time worked.
2. There is no limit to the accumulation of earned personal leave.
3. Personal leave may be used for vacations and personal business and shall be used for illnesses of the employee requiring absences of one day or less.
4. Personal leave must be used for the first day of an employee's illness.
5. An employee may not be granted personal leave in an amount greater than earned and accumulated.
6. Upon termination of employment, each employee will be paid for unused personal leave not to exceed thirty (30) leave days. One day of leave time is equivalent to eight (8) hours for all employees, including policemen and firefighters.
7. Upon termination of employment, unused personal leave in excess of thirty (30) days will be counted as creditable service for purposes of the State Retirement System.
8. Should an employee die having accumulated personal leave credit, the final check for wages or salary for the unused personal leave, up to 30 days will be given to the person designated by the employee for this purpose or, in the absence of such designation, to the beneficiary of such employee as recorded with the Public Employee Retirement System.

4.103 MAJOR MEDICAL LEAVE

Major medical leave with pay, earned by all full-time employees other than firefighters, after one month of continuous service, will accrue on the basis of continuous service at the following monthly and annual accrual rates:

CONTINUOUS SERVICE	MONTHLY ACCRUAL RATE	ANNUAL ACCRUAL RATE
1 month to 3 years	8 hours	12 days
37 months to 8 years	7 hours	10.5 days
97 months to 15 years	6 hours	9 days
Over 15 years	5 hours	7.5 days

All firefighters will accrue major medical leave credit computed on the basis of continuous service at the following monthly and annual accrual rate:

24 HOURS PERSONNEL - MAJOR MEDICAL LEAVE:

CONTINUOUS SERVICE	MONTHLY ACCRUAL RATE	ANNUAL ACCRUAL RATE
1 month to 3 years	11.2 hours	134.4 hours
37 months to 8 years	9.8 hours	117.6 hours
97 months to 15 years	8.4 hours	100.8 hours
Over 15 years	7.0 hours	84.0 hours

1. Non temporary part-time employees earn major medical leave credit on a prorata basis of the full-time accrual rates as shown herein and based upon their monthly or weekly time worked.
2. There is no limit to the accumulation of earned major medical leave.
3. Major medical leave may be taken after the employee has used one day of personal leave for each absence for health care, or after one day of leave without pay if the employee has no accrued personal leave. Also, major medical leave may be used, without prior use of personal leave, to cover regularly scheduled visits to a physician's office or a hospital for the continuing treatment of a chronic disease or condition requiring scheduled health care and as certified in advance by a physician.
4. Major medical leave may be used for illness, injury, disability due to pregnancy, or for absence from duty to obtain medical treatment, or for other health care services by or at the direction of a physician or dentist as certified to a department head.

5. An employee may use up to five days of earned medical leave during any fiscal year due to critical (life threatening) illness in the immediate family.
6. Unused major medical leave will be counted as creditable service for purposes of the State Retirement System.
7. In order to qualify for major medical leave, all employees with the exception of Fire Department employees, must comply with the following conditions:
 - A. The employee shall notify his immediate supervisor before starting time, unless hospitalized or otherwise incapacitated, on any day that he is absent due to an accident or illness.
 - B. A doctor's certificate may be required for any absence if, in the opinion of the department head, or the person acting in this capacity, the major medical leave is being abused. The employee must be advised at the time that he notifies his supervisor of his illness whether a doctor's certificate will be required.
8. In order to qualify for major medical leave, all Fire Department personnel must comply with the following conditions:
 - A. The employee shall notify his immediate supervisor before starting time, unless hospitalized, on any day that he is absent due to accident or illness.
 - B. After absence from more than one shift (24 hours) due to sickness, a Fireman shall be required to present a medical doctor's certificate to the department head (if department head deems it necessary because he feels sick leave is being abused) who will in turn attach this certificate to the payroll at the end of the pay period. A doctor's certificate may be required for an absence of less than 24 hours if, in the

opinion of the department head, or the person acting in this capacity, the major medical leave is being abused. The employee must be advised at the time that he notifies his supervisor of his illness whether a doctor's certificate is required.

4.104 INSURANCE

As a full-time employee you will be enrolled in the City's Group Medical and Life Insurance Program. The City pays all of the premium for its employees. However, if family or extra coverage is desired, the employee is responsible for these premiums. The City will pay a prorated share of Medical Insurance for regular part-time employees.

4.105 WORKER'S COMPENSATION

All employees are covered by Worker's Compensation which compensates you for all injuries suffered on the job. You shall immediately report all job-related injuries, no matter how minor, to your supervisor.

4.106 UNEMPLOYMENT COMPENSATION

Unemployment compensation shall be available to those former employees who meet the required guidelines.

4.107 RETIREMENT

Social Security - all employees are enrolled under Federal Old Age Act and Survivor's Insurance Law by contributions through payroll deductions. Full information regarding the requirements and benefits of this law is contained in various pamphlets published by the Social Security office.

Public Employee's Retirement System of Mississippi: Full-time employees of the City must also participate in the Retirement System. Contributions to the fund are made through payroll deductions and matching amounts by the City of Starkville.

5.000 PAY PRACTICES

5.100 PAY RAISES

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

5.101 PAY DAY

Employees who are paid weekly will be paid every Friday for the previous week's work. Employees who are paid semi-monthly will be paid on the 15th and last day of the month. Employees who are paid bi-weekly (Police and Fire) will be paid every other Friday. Employees who are paid monthly will be paid on the end of the month.

5.102 TIME CARDS

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**, unless otherwise instructed **by their supervisor** according to established procedure, whereby all hours worked are accurately reported.

5.103 COMPENSATORY TIME

Department heads may grant administrative compensatory paid leave to employees for overtime hours worked and for which no pay was received. Compensatory leave will be granted at the rate of 1-1/2 hours for each overtime hour.

5.104 OVERTIME

City employees who will be covered under the Fair Labor Standard Act will be compensated at time and a half for hours worked in excess of 40 hours in a work week.

Overtime is defined as an employee's time worked in excess of 40 hours in a work week.

Overtime for fire protection employees will be paid for all hours worked in excess of 212 hours in a 28-day period. Overtime will be paid to law enforcement personnel for all hours worked in excess of 86 in a 14 day period.

5.105 STANDBY PAY (REGULAR)

Employees who are on standby shall be compensated at the regular standby rate as established by the Mayor and Board of Aldermen. If an employees is called out, he will be paid time and one half in excess of forty (40) hours actually worked and straight time for all work up to forty hours. Standby pay rates will be those as approved by the Mayor and Board of Aldermen.

5.106 STANDBY PAY (HOLIDAY)

Employees on stand-by shall, in addition to eight (8) hours holiday pay, receive four (4) hours straight pay for being on stand-by. If an employee is called out, he will be paid time and one half in excess of forty (40) hours actually worked and straight time for all work up to forty hours.

6.000 LEAVES OF ABSENCE

6.100 OCCUPATIONAL INJURY LEAVE

You will be granted leave without pay if you are injured on the job in the performance of your duties and have no accrued major medical leave. The City may require a doctor's certificate to substantiate the necessity for leave or continuation of leave.

6.101 MEDICAL LEAVE (Employee Only)

If you are unable to perform your regular duties because of an injury or illness, including pregnancy, you may request a medical leave of absence without pay. A request for medical leave must be accompanied by a statement from your physician certifying that you are not able to perform your regular duties. A medical leave of absence will not be granted for more than six consecutive months. You must request a leave of absence in writing through the department head, to the Mayor for approval. There will be no accrual of personal leave, major medical leave, nor compensation

for any holiday, during the period that you are taking a medical leave of absence. It will be the employee's responsibility to make whatever arrangements are necessary for payment of normally payroll deducted charges (i.e. insurance, etc.).

6.102 FAMILY MEDICAL LEAVE

The City of Starkville will comply with the provisions of the Federal Family Medical Leave Act (FMLA) effective August 5, 1993.

Female employees, when not disabled by pregnancy or childbirth, and male employees may be granted a parental leave of absence up to 12 weeks per year unpaid leave to care for a child upon birth or upon placement for adoption or foster care.

Employees may be granted a family care leave up to 12 weeks of unpaid leave for the purpose of caring for a child, spouse, or parent who has a serious health condition. The city requires certification of the family member's serious condition, both before the leave begins and on a periodic basis, by the family member's health care provider.

To qualify for leave under the FMLA, an employee must have been employed with the city for twelve months prior to requesting the leave or have worked 1,250 hours.

6.103 CIVIC LEAVE

An employee who is required to serve as a juror, or to attend court as a witness, or a coroner's inquest as a witness, shall be excused from work for the days on which he serves. An employee will present proof of service for reporting to his immediate supervisor. If an employee is relieved from duty prior to 12:00 noon, he is expected to report back to work.

6.104 FUNERAL LEAVE

An employee may take up to three (3) days per calendar year leave after a death in the immediate family. For purposes of funeral leave, a member of the immediate family shall include your spouse, parent, child, brother, sister, grandchild, grandparent, mother or father-in-law.

6.105 MILITARY LEAVE

Members of any of the reserve components under competent orders of the armed forces of the United States will be granted a leave of absence to participate in regularly scheduled training activities in any of the reserve branches of the military service. You will receive fifteen (15) days of military leave in a calendar year. You will be reinstated to your former position, provided you comply with the legal reporting requirements after completion of the training duty.

6.106 ACCOMMODATION LEAVE

An employee wishing to attend to personal business or to observe a national holiday not recognized by the City, may at the discretion of the Mayor and Board of Aldermen, be granted such leave, without pay, not to exceed five (5) calendar days in one (1) calendar year.

6.107 CITY LEAVE

An employee who has a legitimate reason, may request leave, and the Mayor and Board of Aldermen may approve such upon favorable recommendation that it is in the interest of the City to grant leave. This leave, shall not exceed thirty (30) days in any one calendar year, and service credit shall not be granted for the time of the leave.

(THIS SECTION INTENTIONALLY LEFT BLANK)

6.108**EDUCATIONAL LEAVE**

Department heads may, on their own time, take up to six credit hours per semester for college courses towards a degree at the City's expense on a reimbursement basis. This reimbursement will be possible only if a grade of C or better is obtained. City employees who have completed their probationary period may take up to six (6) credit hours of job-related courses per calendar year at the expense of the City. If it is voluntary, it will be on a reimbursement basis as noted above and on the employee's own time. All the above will be available only if departmental training budgets are sufficient to meet their costs. These courses must be pre-approved by the Mayor and Board of Aldermen.

(THIS SECTION INTENTIONALLY LEFT BLANK)

7.000 PERSONAL CONDUCT

7.100 DRESS CODE

Appropriate dress will be determined by the department head and will apply uniformly to all employees within the respective City departments.

7.101 POLITICAL ACTIVITY

The City believes all employees have a civic duty to cast their votes for candidates and issues as they choose. Employees also have the right to support candidates and issues with their personal efforts and volunteer contributions. However, no such activity will be conducted during working hours nor at the expense of the City. Employees will not be subjected to coercion, intimidation, or threat of reprisal because of their political activities. Employees scheduled to work during the entire time the voting polls are open shall be granted sufficient time off to vote.

7.102 PHONE CALLS

The use of City phones for personal reasons should be kept to a minimum. Occasional personal phone calls are permitted so long as they do not interfere with the normal routine of business and last no more than three minutes each. Directory assistance should be used only when absolutely necessary and only for city business.

7.103 GARNISHMENTS AND ATTACHMENTS

The City expects each employee to keep his personal affairs in a good condition and meet his financial obligation promptly. Garnishments and attachments create an administrative burden on the City. For this reason, they are looked upon with disfavor and recurrences may result in disciplinary action.

7.104 CITY VEHICLES

Each employee who is driving a City vehicle is expected to observe any and all safety and vehicle operation procedures and regulations. 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 care of all City property entrusted to his use and care.

NO CITY VEHICLE OR EQUIPMENT MAY BE USED BY A CITY EMPLOYEE FOR HIS PERSONAL USE. THE CITY WILL COMPLY WITH INTERNAL REVENUE SERVICE REQUIREMENTS REGARDING VEHICLE USE BY CITY EMPLOYEES.

TO INSURE THERE IS NO MISUNDERSTANDING REGARDING PERSONAL USE OF CITY-OWNED VEHICLES, THE TRANSPORTATION OF DEPENDENTS AND PASSENGERS WHO ARE NOT CONNECTED WITH OFFICIAL CITY BUSINESS WILL NOT BE PERMITTED. CITY-OWNED VEHICLES SHALL NOT, UNDER ANY CIRCUMSTANCE BE USED FOR THE PERSONAL BENEFIT OR CONVENIENCE OF INDIVIDUAL CITY EMPLOYEES, DEPENDENTS OR PASSENGERS NOT CONNECTED WITH OFFICIAL CITY BUSINESS. EMPLOYEES WHO VIOLATE THIS POLICY ARE SUBJECT TO DISCIPLINARY ACTION UP TO AND INCLUDING TERMINATION.

7.105 VOICE RECORDERS

It is the policy of the City of Starkville that no City employee shall record a conversation, electronically or otherwise, without first making the fact clearly known to the other employee. The sole exception to this rule is that as part of a criminal investigation and with the authority of the Chief of Police conversations may be recorded for the purposes of criminal investigation.

7.106 FUND RAISING ACTIVITY

It is the policy of the City of Starkville that no employee of the City of Starkville involve the City's name or its resources, directly or indirectly, in fund raising without prior consent of the specifics of each activity by the Mayor and Board of Aldermen.

SMOKING AND THE USE OF TOBACCO PRODUCTS

In keeping with the City of Starkville's intent to provide a healthy, comfortable, and productive work environment for its employees, effective February 1, 1998, smoking and the use of tobacco products is prohibited throughout all City of Starkville offices and buildings. Because of the proven detrimental effect of using tobacco products, the City of Starkville is committed to providing a tobacco-free environment in all city offices, buildings, and city vehicles. However, smoking is permitted in city motor vehicles when all occupants are smokers and subject to rules of courtesy.

The Policy on Smoking and use of Tobacco Products applies to employees during working hours and to the general public when they are on City property. In all cases the rights of a non-smoker to protect his or her health will take precedence over an employee's or citizen's desire to smoke.

(THIS SECTION INTENTIONALLY LEFT BLANK)

8.000 MISCELLANEOUS

8.100 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 Personnel/Payroll 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 Personnel Director.

8.101 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. 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. Employees with complaints about the management of a bulletin board should notify the department head. These complaints may include obsolete notices or cluttered boards.

8.102

NEWS RELEASES

1. It shall be the policy of the City of Starkville to assist newspapers, radio, television and other news media in gathering news that is related to City affairs.
2. Every effort will be made to release current information without partiality. Information will not be withheld or delayed in order to favor any particular news media, representative, or agency. Official records of the City, to include such items as budget information, Board of Aldermen minutes, etc., will be open for inspection to representatives of the press or other news media. In no case will personnel records be made available to members of the news media by the City.
3. Police records, i.e., accident reports, crime reports, and arrest reports, should be made available subject to the limitations imposed by the Federal Privacy and Security Laws. The Police Department, subject to the express authority of the Police Chief, and within the limitations of the Federal Privacy and Security Laws, the Mississippi Code, and rules of the court may release information relative to on-going police investigations or matters of interest. At no time shall a press release take precedence over the primary role of the Police Department, this being law enforcement.
4. Any member of the City staff may release factual information that falls within the scope of his or her responsibility. For example: a police patrolman may release information relative to an accident he is investigating.
5. At no time will any employee of the City other than the Mayor or any Alderman make any statement to the news media relating to City Policy.

6. If the information requested pertains to policy within a department and only that department, the department head, and only the department head will be authorized to release such information. In the event the department head releases information of a policy nature pertaining to his or her department, he or she must notify the Mayor immediately after releasing such information. It would be to the advantage of the department head to discuss matters of policy with the Mayor before releasing any information to the media, if at all possible.
7. Departments having news columns in local newspapers must provide the Mayor and the Board of Aldermen with a copy of the release for their information.
8. During periods of major news happenings of extended durations, such as floods, riots, civil disorder, etc., the City Clerk's Office will receive and furnish copies of all reports pertaining to the incident to the news media.
9. The Chief of Police or his designate will be responsible for issuing news releases pertinent to traffic fatalities to the news media. Names of those involved in fatalities will not be released until the next of kin have been properly notified. Cooperation of the media should be requested in these instances. Consideration should be given to the deadline of various forms of the media in the release of the names of victims of traffic fatalities or other fatalities that may be of interest to the media.
10. All employees shall be briefed by their respective department heads upon employment of this SOP and it shall be the responsibility of each department head to insure that their subordinate employees are familiar with this policy at all times. This is particularly true if employees other than department heads are mentioned in the above SOP.

9.000 SAFETY PROGRAM

9.100 STATEMENT OF POLICY

It is the policy of the City of Starkville to provide and maintain a viable and enforceable set of procedures to eliminate accidents that could cause potential harm to employees and citizens of Starkville. Furthermore, these procedures are aimed at eliminating damage to the property of the City and its citizens.

9.200 SAFETY PROGRAM GUIDELINES

The following guidelines shall apply to the governing of decisions surrounding the safety program:

1. City employees, City property and property of the general public shall be protected.
2. Department heads and supervisors shall be held responsible for implementing all phases of the safety program.
3. All hazardous working conditions shall be identified and prompt actions shall be taken to eliminate such conditions.
4. All safety rules and procedures shall be reviewed periodically and changes shall be made as necessary.
5. Periodic and follow-up safety inspections of all work sites shall be conducted no less than quarterly by the safety officer.

9.300 EMPLOYEE SAFETY ADVISORY COMMITTEE

A safety committee shall be established to ensure optimum performance of the safety program.

9.301**ORGANIZATION**

Each department head shall appoint a safety committee, consisting of a supervisor and employees. Memberships should consist of one to five members, depending upon the size of the respective departments. Appointments to the safety advisory committee should be made on an annual basis to allow for rotation if the need arises.

The departmental employee safety advisory committee shall be responsible for the following:

1. Hold monthly meetings to evaluate the overall progress of the safety program.
2. Discuss policies concerning safety which are not applicable at the departmental level and recommend necessary policy changes to the Mayor.
3. Recommend solutions to safety problems which are not solvable at the departmental level.
4. Recommend to individual department heads solutions to potential safety problems on the departmental level.

9.400**RESPONSIBILITIES FOR SAFETY PROGRAM**

It is the responsibility of all personnel under the City's supervision and control to create a safe working environment which will lead to a substantial reduction in the number of accidents. The City shall designate a safety officer whose responsibilities shall be as follows:

9.401 DESIGNATED SAFETY OFFICER'S RESPONSIBILITY

1. Administer the safety program.
2. Promulgate all safety rules and procedures.
3. Ensure and assist in the correction of all hazardous conditions.
4. Assist department heads in conducting employee safety training and educational sessions to reduce the City's accident rate to the lowest, reasonable possible degree.
5. Maintain a continuous communication system with all department heads with reference to the number and types of accidents which occur in his department.
6. Ensure and assist in the development and enforcement of new and existing safety rules and regulations.
7. Review all disciplinary measures and procedures outlined in this section to ensure they are administered in a firm and equitable manner.
8. Serve as Chairman and Secretary for the employee safety advisory committee.

(THIS SECTION INTENTIONALLY LEFT BLANK)

9.402 DEPARTMENT HEAD'S RESPONSIBILITIES

1. Administer the safety program in their respective departments.
2. Promulgate all safety rules and procedures pertaining to their respective departments.
3. Ensure and assist in the correction of all hazardous conditions within the department.
4. Ensure and assist in the development and enforcement of new and existing safety rules and procedures within their department.
5. Ensure and assist in periodic and follow-up inspections of departmental sites.
6. Fully cooperate with the designated safety officer in conducting departmental safety inspection and training sessions.
7. Rule accidents involving employees under their direction either "chargeable" or "nonchargeable".
8. Assess the appropriate disciplinary measures outlined for "chargeable" accidents resulting from common negligence and/or common violations of prescribed safety rules and regulations within ten (10) working days from the date of the accident.
9. Determine, with the assistance of the designated safety officer, additional disciplinary measures to be assessed along with the application of the disciplinary measures outlined herein for accidents resulting from gross negligence or extreme willful violation of prescribed safety rules and regulations, general orders or other personnel rules and regulations.
10. Maintain an adequate record keeping system of the department's overall accident situation.
11. Send to the City Personnel Director a copy through channels of all disciplinary action assessed within

five (5) working days from the date the action is assessed.

12. Call on the designated safety officer for any assistance needed in promoting effective accident prevention.

9.403 SUPERVISOR'S RESPONSIBILITY

1. Ensure safe actions of the employees under their supervision and ensure safe performance of the machines and equipment within their jurisdiction.
2. Ensure that all employees under their supervision are fully trained for the jobs they are assigned to do, that they are familiar with the work rules and that they understand that compliance is mandatory.
3. Ensure that all prescribed safety rules and procedures are implemented and followed to the reasonable maximum.
4. Initiate correction of deficiencies noted in facilities, work procedures, employee job knowledge or attitudes that adversely affect the City's accident prevention efforts.
5. Ensure that employees are dressed safely and sensibly before starting work.
6. Fully cooperate in closing down operations considered to be of imminent danger to employees or in removing personnel from hazardous jobs when they are not wearing or using prescribed equipment.
7. Ensure that all accidents involving employees under their supervision are properly reported regardless of how trivial they may seem.
8. Investigate the cause of all accidents involving employees under their supervision which result in personal injury or damage to City property.
9. Account for preventable injuries, collisions and liabilities caused by employees under their supervision.

10. Demonstrate a personal concern for safety by directly interviewing and counseling with each employee who has either lost time from work because of an on-the-job injury or has been involved in a vehicular accident.
11. Give prompt recognition to those employees who perform their work in a safe and efficient manner.
12. Firmly enforce prescribed safety rules and regulations by immediately reporting those employees who fail to adhere to prescribed safety rules and regulations to the department head for corrective action.
13. Provide assistance as needed by department heads in administering appropriate disciplinary measures for "chargeable" accidents.

(THIS SECTION INTENTIONALLY LEFT BLANK)

9.404 EMPLOYEE'S RESPONSIBILITIES

1. Exercise due care in the course of their work to prevent injuries to themselves and to their fellow workers, and to prevent damage to City property.
2. Maintain an alert and businesslike attitude at all times.
3. Report all accidents, regardless of how trivial, to the immediate supervisor as outlined herein.
4. Avoid any horseplay or practical jokes.
5. Keep work areas clean and orderly.
6. Report all unsafe conditions immediately to the supervisor.
7. Obey all safety rules and regulations. If any doubt exists about the safety of doing a job, the employee shall STOP and get instructions or assistance from the supervisor before starting or continuing work. The supervisor makes and is responsible for the final decision on safety; however, the employee may appeal to the next higher supervisory level.
8. Wear prescribed protective equipment.
9. Operate only machinery and equipment they are authorized to operate.
10. Use proper tools and equipment for the job to be performed.
11. Learn to lift and handle materials properly.
12. Take an active part in the safety program.

9.500 REPORTING OF HAZARDOUS CONDITIONS

All employees in the City are responsible for the reporting of hazardous conditions to their supervisor.

9.501 The City shall make available in all departments Safety Forms which shall be used for employees to describe hazardous conditions to their supervising officials.

9.502 All hazardous conditions forms shall be directed to the executive committee for review. It shall be the responsibility of the supervisor to encourage employees at all levels to identify and report hazardous conditions.

9.503 Upon receipt of a hazardous condition report the supervisor shall meet with his or her department safety committee (this must be done within three (3) days of receiving the report) and prepare a finding of fact and recommendation.

9.504 All supervisors and managers are responsible for encouraging and assisting employees in reporting of hazardous conditions.

9.505 Department heads are responsible for encouraging the participation of departmental personnel in evaluating and determining solutions to hazardous conditions.

9.506 IMMINENT HAZARDS

Any employee who determines a hazard exists in a job operation, which could result in the opinion of the employee to be an imminent threat to injury, loss of life, or property damage, shall immediately stop the work operation and report the hazard to the supervisor. (Nothing in this section is to be construed as prohibiting the operation of equipment by public safety employees in the performance of their duties.) No employee shall be required to perform a hazardous job duty except when such job duties are

part of the employee's normal work duties as a public safety officer. If the department head and the safety committee determine that hazardous duties are part

of the job, and the employee refuses to perform those duties, the employee may be terminated.

9.600 ACCIDENT REPORTING PROCEDURES

Timely reporting of any accident is mandatory. Ensuring full employee benefits and reasonable liability adjustments at the lowest cost to the City is totally dependent upon proper reporting.

9.601 REPORTING PERSONAL INJURIES PROCEDURES

1. An employee who has an on-the-job injury shall:
 - a. Report immediately to his/her immediate supervisor; and
 - b. Cooperate with the supervisor in providing necessary information for investigation.
2. The Supervisor shall:
 - a. Seek medical attention/examination for the employee for any injury from a physician designated by the City;
 - b. Investigate circumstances which caused the accident and recommend appropriate corrective measures to eliminate the hazard and prevent any future occurrences;
 - c. Complete the supervisor's accident investigation report; and
 - d. Deliver the form to the department head's office within 24 hours from the time of the accident.
3. The Department Head shall:
 - a. Review the Supervisor's Accident Report;
 - b. Determine whether the accident is "chargeable" or "non-chargeable" against the employee(s) or supervisor(s) involved; and
 - c. Have a copy of the completed form delivered to

the Safety Officer within 48 hours from the time the form is received. Supervisor's Accident forms resulting from accidents which occur on weekends or holidays shall be delivered to the Safety Officer at the beginning of the next workday.

- d. Have the original report and copy delivered to the City personnel office within 48 hours from the time the form is received. Supervisor's Accident forms resulting from accidents which occur on weekends or holidays shall be delivered to the City personnel office at the beginning of the next workday.

9.602 REPORTING VEHICULAR ACCIDENT PROCEDURES

1. The operator of any City vehicle involved in an accident or the employee who discovers damage to the same, regardless of who is at fault or how trivial the damage, shall:
 - a. Call the Police Department immediately and request an investigation. If the accident occurs outside the City limits, the nearest law enforcement agency shall be called for an investigation;
 - b. Contact the immediate supervisor after the accident has been investigated by the proper authorities.
 - c. Follow section A and B above, regardless of whether any damage was caused or not, if it is alleged by another party that a City owned vehicle caused damage to another vehicle;
 - d. Report, as in section A and B above, damage caused by flying or falling debris, regardless of how minor the damage might be;
 - e. Report operators, as in section A and B above, in case of an accident between two or more City vehicles;

- f. In cases involving damage to a City vehicle that has no operator and is not assigned to any particular employee, report the accident to the department to which the vehicle is assigned. The department head shall contact the Police Department for an investigation and shall complete and submit a copy of the Supervisor's Accident Investigation Report to the Personnel Office within 48 hours from the time of the accident; and
2. The supervisor of an employee involved in an accident shall:
 - a. Complete the Supervisor's Accident Investigation Report; and
 - b. Deliver the Report to the department head's office within 24 hours from the time of the accident.
3. The department head shall:
 - a. Review Supervisor's Accident Report;
 - b. Determine whether the accident is "chargeable" or "nonchargeable" against the employee(s) and/or the supervisor(s) involved;
 - c. Deliver the original and a copy of the Report to the City Personnel Office within 48 hours from the receipt of the Report. Reports resulting from accidents which occur on weekends or holidays shall be delivered to the designated safety officer at the beginning of the next workday;
 - d. A copy of the completed Report shall be delivered to the Mayor within 48 hours from receipt of the report.

9.700 DISCIPLINARY MEASURES FOR COMMON NEGLIGENCE AND/OR COMMON VIOLATIONS

Disciplinary measures shall apply to accidents or violations resulting from common negligence and/or common violations of prescribed safety rules and regulations. A copy of all penalties assessed shall be sent immediately to the City Personnel Director and the Mayor.

The department head shall assess the following minimum penalties to the affected employee within ten (10) working days from the date of the accident or violation of prescribed safety rules and regulations.

9.701 ACCIDENTS INVOLVING PERSONNEL INJURIES OR VEHICULAR ACCIDENTS

1. The first "chargeable" accident or violation ~~shall~~ may result in a written reprimand for the employee and counseling by the department head for both the employee and the immediate supervisor. The department head may also issue a written reprimand to the immediate supervisor if he is found negligent.
2. The second "chargeable" accident or violation within a two-year period may result in a three day suspension and/or other appropriate disciplinary action over and above a written reprimand, plus a possible written reprimand to the immediate supervisor, if the supervisor is found negligent.
3. The third "chargeable" accident or violation within a two-year period may result in a termination of the employee with the approval of the Mayor, plus a possible one day suspension of the immediate supervisor, if found negligent.

9.702 OTHER DISCIPLINARY ACTION

Disciplinary action may also result from the following;

1. Operating City vehicle without a valid State driver's license;
2. Improper reporting of an accident;
3. Failure to call the proper authorities for an investigation of an accident;
4. Failure to wear prescribed protective safety clothing;
5. Failure to use prescribed safety tools and equipment; and
6. Failure of an operator assigned to a City vehicle to follow required routine preventive maintenance procedures.

9.703 DISCIPLINARY MEASURES FOR GROSS NEGLIGENCE AND/OR WILLFUL VIOLATIONS

The following disciplinary measures apply to accidents or violations resulting from gross negligence and/or willful violation of prescribed safety rules and regulations. A copy of all penalties assessed shall be sent to the City Personnel Director within five (5) working days from the date the penalty is assessed.

The department heads shall have the authority and responsibility for assessing disciplinary measures over and above those disciplinary measures for common negligence and/or common violations.

1. The department head shall confer with the City Safety Officer to compare the accident in violation with similar accidents or violations in the past before assessing additional disciplinary measures.
2. The department head, after conferring with the City Safety Officer, shall assess disciplinary measures comparable to those assessed in similar cases in the past.

3. Where no similar accident or violation has occurred in the past, the department head, after conferring with the City Safety Officer, shall assess a fair, but stern, disciplinary measure.

These disciplinary measures shall include either reprimands, suspensions, demotions, reassignments, and/or terminations.

9.800 ACCIDENT INVESTIGATION

The safety committee shall investigate all reported accidents.

- 9.801 Upon receipt of an accident report from the department head, the Safety Officer shall investigate the accident and prepare a finding of fact and recommendation for the department head.

- 9.802 The Safety Officer shall render a final report, which shall consist of a finding of fact, and which shall determine if the accident requires disciplinary action to be taken to prevent future accidents from occurring.

9.900 APPEAL PROCEDURE

Employees who are assessed disciplinary action because of the provisions outlined under any section of this safety program, and feel that such action is unjust, may exercise their grievance appeal rights as outlined in this manual.

(THIS SECTION INTENTIONALLY LEFT BLANK)

10.000 CITY POLICY

It is the intent of the City to continue the policies outlined in this handbook and improve your benefits as quickly as possible. However, the City must reserve the right to change or discontinue policies at any time and nothing in this handbook should be construed as granting anyone a right to specific benefits or continued employment.

(THIS SECTION INTENTIONALLY LEFT BLANK)

POLICY REVISIONS

<u>Authorization Date Number</u>	<u>Index Number</u>	<u>Page</u>
07/07/92	3.102	3
09/01/92	7.106	30
07/05/94	3.101	2
07/05/94	3.105	4
07/07/94	3.106	5
07/05/94	3.111	7
07/05/94	3.112	11
07/05/94	3.114	14
07/05/94	3.116	14
07/05/94	4.100	15
07/07/94	4.104	21
07/05/94	6.101	25
07/05/94	6.102	26
07/05/94	6.103	26
07/05/94	7.101	29
07/05/94	7.102	29
07/05/94	7.104	30
07/05/94	8.102	33
08/20/96	3.108	6
02/04/97	6.108	28
12/16/97	7.107	31
01/18/06	4.101	15
04/10/06	3.111	7

Supplement to

City of Starkville

Personnel Policy Manual

The following policies have been adopted by the Board of Aldermen for the City of Starkville since the last publication of the Personnel Policy Manual. These policies are effective on the dates as indicated. Any questions should be addressed to your supervisor or the Personnel Officer.

Index

Policy

- 1. Pay Rate Adjustment Policy**
- 2. Internet Usage**
- 3. Driver's License and MVR**
- 4. Educational Assistance**
- 5. Training and Uniform Reimbursement Agreement**
- 6. Drug Policy (Revised)**
- 7. Personal Financial Responsibility**
- 8. Donation of Leave Time**
- 9. Travel Policy**
- 10. Smoking and the use of Tobacco Products**
- 11. On Call Policy**
- 12. Performance Evaluations**

Policy # 1

Pay Rate Adjustment Policy

(Approved by Board on 11-23-06)

The following personnel actions may affect the pay status of an employee in the manner provided:

a. Transfer

- (1) When an employee is transferred between departments or to another position within the same department to a job with the same pay grade and salary range (lateral transfer), the pay grade and step of the employee will not be changed.
- (2) When an employee is transferred between departments or to another position within the same department to a position where the employee's current pay is above the maximum salary step for the new position the the pay step of the employee will be maximized (topped out) until a revision of the pay plan is proposed and approved by the Mayor and Board of Aldermen.

b. Promotion

When an employee is promoted to a higher graded position, the employee shall be given a promotional increase of at least ten per cent or moved to the minimum salary of the higher job grade, whichever is higher.

c. Temporary Promotions

When an employee is temporarily assigned to perform the *complete range* of job duties of a higher graded job for a period of 180 days (revised by Board 6/19/2007) or longer, the employee shall be given a ten per cent (10%) salary increase or raised to the minimum salary of the new job, whichever is more. When the employee returns to their regular full time job duties, their salary will revert to the salary paid before the temporary promotion plus any pay raises that would normally have been awarded to them in their regular job.

d. Demotion

When an employee is demoted to a position where their current rate of pay is above the maximum salary range for the new position, the employee's salary will be frozen for a period of one month. After one month, the employee's salary will be reduced to the maximum salary of the job's normal pay range until the Mayor and Board of Aldermen approve a revision of the pay range.

If the employee's current rate of pay is within the salary range for the new position the pay rate of the employee will remain unchanged.

Policy # 2

Approved by Board of Aldermen November 20, 2007

Proposed Board Policy for Usage of the Internet by City Employees:

In accordance with the ability and authority of the Board of Aldermen of the City of Starkville to adopt procedures and policies to more effectively and efficiently manage its operation, the Board of Aldermen find that it is in the best interest of the City of Starkville to adopt a policy regarding the use of the internet by city employees.

SUMMARY INTERNET USAGE POLICY PROVISIONS

1. The City of Starkville has software and systems in place that can monitor and record all Internet usage.
2. The City of Starkville reserves the right to inspect any and all files stored in private areas of our network in order to assure compliance with policy.
3. Sexually explicit material may not be displayed, archived, stored, distributed, edited or recorded using our network or computing resources.
4. Use of any City of Starkville resources for illegal activity is grounds for immediate dismissal, and we will cooperate with any legitimate law enforcement activity.
5. Any software or files downloaded via the Internet into the City of Starkville network become the property of the City of Starkville.
6. No employee may use City of Starkville facilities knowingly to download or distribute pirated software or data.
7. No employee may use the City of Starkville Internet facilities to deliberately propagate any virus, worm, Trojan horse or trap-door program code.
8. In the interest of keeping the City of Starkville well-informed, use of news briefing services like Pointcast is acceptable.
9. Employees with Internet access may not use City of Starkville Internet facilities to download entertainment software or games, or to play games against opponents over the Internet.
10. Employees with Internet access may not upload any software licensed to the City of Starkville or data owned or licensed by the City of Starkville without explicit authorization from the manager responsible for the software or data.
11. All employees are directed to turn off their computers when not in use for an extended amount of time, i.e. over night and on the weekends.
12. Any violation of this policy will make the employee subject to disciplinary action as provided in the City of Starkville Personnel Manual.

The entire Internet Acceptable Usage Policy is attached to this document. Please read the policy and return the Acknowledgment to the Personnel Director.

INTERNET USAGE POLICY

Overview

The City of Starkville provides access to the vast information resources of the Internet to help you do your job and be well-informed. The facilities that provide access represent a considerable commitment of resources for telecommunications, networking, software, storage, etc. This Internet Acceptable Usage Policy is designed to help you understand the expectations for the use of those resources in the particular conditions of the Internet, and to help you use those resources wisely.

While we've set forth explicit requirements for Internet usage below, we'd like to start by describing our Internet usage philosophy. First and foremost, the Internet for this City of Starkville is a tool, provided to you at significant cost. That means we expect you to use your Internet access primarily for government-related purposes, i.e., to communicate with taxpayers and suppliers, to research relevant topics and obtain useful information (except as outlined below). We insist that you conduct yourself honestly and appropriately on the Internet, and respect the copyrights, software licensing rules, property rights, privacy and prerogatives of others, just as you would in any other business dealings. To be absolutely clear on this point, all existing City of Starkville policies apply to your conduct on the Internet, especially (but not exclusively) those that deal with intellectual property protection, privacy, misuse of City of Starkville resources, sexual harassment, information and data security, and confidentiality.

Unnecessary or unauthorized Internet usage causes network and server congestion. It slows other users, takes away from work time, consumes supplies, and ties up printers and other shared resources. Unlawful Internet usage may also garner negative publicity for the agency and expose the municipality to significant legal liabilities. Access to electronic communications gives each individual Internet user an immense and unprecedented reach to propagate City of Starkville messages and tell our story. Because of that power, one must take special care to maintain the clarity, consistency and integrity of the City of Starkville image and posture. Anything any one employee writes in the course of acting for the City of Starkville on the Internet could be taken as representing the City of Starkville posture. That is why we expect you to forego a measure of your individual freedom when you participate in electronic communications as outlined below.

While our direct connection to the Internet offers a multitude of potential benefits, it can also open the door to some significant risks to our data and systems if we do not follow appropriate security discipline. As presented in greater detail below, that may mean preventing machines with sensitive data or applications from connecting to the Internet entirely, or it may mean that certain users must be prevented from using certain Internet features. The overriding principle is that security is to be everyone's first concern. City of Starkville employees can be held

accountable for any breaches of security or confidentiality including any and all branches. "Document" covers just about any type of file that can be read on a computer screen as if it were a printed page, including the so-called HTML files read in an Internet browser, any file meant to be accessed by a word processing or desktop publishing program or its viewer, or the files prepared for the Adobe Acrobat reader and other electronic publishing tools. "Graphics" includes photographs, pictures, animations, movies or drawings. "Display" includes monitors, flat-panel active or passive matrix displays, monochrome LCDs, projectors, televisions, and virtual-reality tools.

DETAILED INTERNET USAGE POLICY PROVISIONS

A) General

1. The City of Starkville has software and systems in place that monitor and record all Internet usage. Our security systems are capable of recording (for each and every user) each World Wide Web site visit and each email message into and out of our internal networks, and we reserve the right to do so at any time. No employee should have any expectation of privacy as to his or her Internet usage. Our Internet manager(s) and the Personnel Director will review Internet activity and analyze usage to assure that City of Starkville internet resources are devoted to maintaining the highest levels of productivity.
2. We reserve the right to inspect any and all files stored in private areas of our network in order to assure compliance with policy. Such inspection shall be accomplished only through the use of the Internet Manager(s) and the Personnel Director or as directed by the Mayor and the Board of Aldermen.
3. The display of any kind of sexually explicit image or document on any City of Starkville system is a violation of our policy on sexual harassment. In addition, sexually explicit material may not be archived, stored, distributed, edited, or recorded using our network or computing resources.
4. The City of Starkville uses independently-supplied software and data to identify inappropriate or sexually explicit Internet sites. We may block access from within our networks to all such sites that we know of. If you find yourself connected accidentally to a site that contains sexually explicit or offensive material, you must disconnect from that site immediately, regardless of whether that site had been previously deemed acceptable by any screening or rating program.
5. The City of Starkville Internet facilities and computing resources must not be used to violate the laws and regulations of the United States or any other nation, or the laws and regulations of any state, city, province or other local jurisdiction in any material way. Use of any City of Starkville resources for illegal activity is grounds for immediate dismissal and we will cooperate with any legitimate law enforcement activity.
6. Any software or files downloaded via the Internet into the City of Starkville network become the property of the City of Starkville. Any such files or software may be used only in ways that are consistent with their licenses or copyrights.
7. No employee may use City of Starkville facilities to download or distribute pirated software or data.

8. No employee may use the City of Starkville Internet facilities to propagate any virus, worm, Trojan horse or trap-door program code.
9. Each employee using the Internet facilities of the City of Starkville shall identify himself or herself honestly, accurately and completely, when setting up accounts on outside computer systems.
10. Only those employees or officials who are authorized to speak to the media, to analysts or at public gatherings on behalf of the City of Starkville may speak/write in the name of the City of Starkville in any electronic communications. Where an individual participant is identified as an employee or agent of the City of Starkville the employee must refrain from any political advocacy and must refrain from the unauthorized endorsement or appearance of endorsement by the City of Starkville of any commercial product or service not sold or serviced by this City of Starkville, its subsidiaries or its affiliates.
11. The City of Starkville retains the copyright to any material posted on the Internet by any employee in the course of his or her duties.
12. Employees are reminded that it is inappropriate to reveal confidential information, and any other material covered by existing City of Starkville secrecy policies and procedures on the Internet. Employees releasing such confidential information— whether or not the release is inadvertent — will be subject to such penalties as provided in existing City of Starkville policies and procedures.
13. Use of City of Starkville Internet access facilities to commit infractions such as misuse of City of Starkville assets or resources, sexual harassment, unauthorized public speaking and misappropriation of intellectual property are also prohibited by general City of Starkville policy and will be sanctioned under the relevant provisions of the personnel handbook.
14. Because a wide variety of materials may be considered offensive by colleagues, constituents or suppliers, it is a violation of City of Starkville policy to store, view, print, or redistribute any document or graphic file that is not directly related to the user's job or the City of Starkville activities. This policy does not prohibit an employee from having personal family images set as background or screensavers on their city provided computers.
15. In the interest of keeping employees well-informed, use of news briefing services like Pointcast is acceptable, within limits that may be set by each department's activities.
16. Employees may use their Internet facilities for non-business research or browsing during meal time or other breaks, or outside of work hours, provided that all other usage policies are adhered to.
17. Employees with Internet access must take particular care to understand the copyright, trademark, libel, slander, and public speech control laws of all countries in which this governmental agency maintains a business presence, so that our use of the Internet does not inadvertently violate any laws which might be enforceable against us.
18. Employees with Internet access may not use City of Starkville Internet facilities to download entertainment software or games, or to play games against opponents over the Internet.
19. Employees with Internet access may not use City of Starkville Internet facilities to download images or videos unless there is an express business-related use for the material. This policy does not prohibit an employee from having family images downloaded for personal use on their city-provided computers.
20. Employees with Internet access may not upload any software licensed to the City of Starkville or data owned or licensed by the City of Starkville without the express authorization of the manager responsible for the software or data.

21. Any violation of this policy will subject the employee to disciplinary action in accordance with the City of Starkville Personnel Policy manual.

B) Technical

1. User IDs and passwords help maintain individual accountability for Internet resource usage. Any employee who obtains a password or ID for an Internet resource from City of Starkville must keep that password confidential. City of Starkville policy prohibits the sharing of user IDs or passwords obtained for access to Internet sites.
2. Employees should schedule communications-intensive operations such as large file transfers, video downloads, mass e-mailings and the like, for off-peak times.
3. Any file that is downloaded must be scanned for viruses before it is run or accessed.

C) Security

1. The City of Starkville has installed an Internet firewall to assure the safety and security of the agency's networks. Any employee who attempts to disable, defeat, or circumvent any security facility will be subject to immediate dismissal.
2. Only those Internet services and functions with documented business purposes for this agency will be enabled at the Internet firewall.
3. To further insure security, all employee city computers shall be turned off when not in use for an extended period of time. Specifically, that would occur any time that the employee leaves for the day, for the weekend, or for vacation periods.

Policy #3

City of Starkville Personnel Policy Driver's License and Driving Record (MVR) for Employees assigned to Operate City Vehicles or Equipment

(approved by Board January 3, 2012)

Certain jobs within the City of Starkville require the employee to operate City owned vehicles or motorized equipment. Any employee assigned to such job, or any employee who may be asked to operate a City vehicle or motorized equipment including but not limited to tractors, graders, backhoes, etc., must have a valid Driver's License and an acceptable driving record (MVR). This is required for coverage under the City's insurance policy. By accepting a job requiring operation of City vehicles or equipment or by accepting an assignment to operate City vehicles or equipment, the employee agrees to compliance with these requirements and conditions.

The attached MVR Criteria defines an unacceptable driving record.

Employees must furnish the Personnel Office a copy of their valid driver's license. Upon any change in license or renewal of license, the employee shall furnish the Personnel Office an updated copy. Driver's license and MVR checks will be performed as a screening process for applicants for positions requiring operation of City vehicles or equipment. Such checks will also be done for any employee who may be asked to operate City vehicles or equipment even though such operation may not be a requirement of the classification.

Employees who fail to maintain a valid driver's license and/or acceptable driving record may not be assigned to or remain in a job classification that requires operation of City vehicles or equipment. It is the employee's responsibility to promptly report any failure to maintain a valid driver's license or acceptable driving record. Failure to report these matters may lead to disciplinary action up to and including termination of employment. Any employee in a job classification requiring operation of City vehicles or equipment who fails to maintain a valid driver's license and/or acceptable driving record will be removed from the classification. The employee may be assigned to a different job classification if an opening exists in a classification that does not require vehicle or equipment operation. If no such opening exists, the employee may choose to resign their employment or face possible recommendation for termination of their employment based on their inability to meet the required job duties.

In any case where failure to maintain a valid license and/or driving record is a part of a disability as defined and covered by the Americans with Disabilities Act, then reasonable accommodations will be evaluated and provided where applicable.

It is the responsibility of the Department Head and the Personnel Office to ensure the employee's compliance with these requirements. To ensure such compliance and to protect the City from undue liability, the following guidelines will be used:

1. The City will check the validity of the driver's license and the driving record annually.
2. The City may check the validity of the driver's license and the driving record at any time any reasonable suspicion arises concerning the validity of the license or the acceptability of the MVR. Cases involving reasonable suspicion will be documented and submitted to the Personnel Office in writing. Supervisors and Managers are prohibited from requesting checks without reasonable suspicion.

MVR CRITERIA

CITY OF STARKVILLE

An unacceptable driving record will include one or a combination of the following:

- One (1) or more major violations.
- Three (3) or more incidents (at-fault accidents or minor violations)

Violations occurring in excess of three (3) years prior to the date of the MVR check will not be considered in evaluation of the driving record.

Major Violations

- DUI or other alcohol or drug-related violation
- Failure to stop and report an accident
- Attempting to elude an officer of the law
- Murder or assault with a motor vehicle
- Negligent homicide
- Driving with a suspended or revoked drivers' license
- Reckless driving
- Speed contests, drag or highway racing
- Possession of an opened alcoholic beverage container
- Major speeding conviction (20 mph over posted speed limit).
- Hit and run

Minor Violations

- Minor speeding violation (less than 20 mph over the posted speed limit)
 - Driving too fast for conditions
 - Careless or inattentive driving
 - Unsafe lane change
 - Failure to stop or yield the right of way
 - Improper passing
 - Following too closely
 - Any standard moving violation that does not fall into the major violation category
-

Policy # 4

CITY OF STARKVILLE PERSONNEL POLICY EDUCATIONAL ASSISTANCE PROGRAM

(Replaces current paragraph 6.108 Educational Leave)

(Approved by Board of Aldermen on September 2, 2008)

OVERVIEW

The City of Starkville is committed to helping employees continue their education and develop in their professional careers. In keeping with this philosophy, the City has established an Educational Assistance Program to recognize the motivation of employees who choose to pursue higher and continuing education by reimbursing them for expenses incurred through approved accredited colleges or universities or at approved specific job-related training programs. In all cases, the City will only consider programs for reimbursement that have a job-relatedness to either the employee's current position with the City or that may enhance the employee's career growth opportunities with the City.

Educational Assistance Benefits will be available only if departmental training budgets are sufficient to meet their costs.

All requests for Educational Assistance Benefits must be pre-approved by the Mayor and Board of Aldermen.

ELIGIBILITY

The City of Starkville shall pay for seminars, courses, classes or workshops that may be required by law or administrative rule for an employee to perform work in his/her normal job classification. Costs associated with these educational programs will not be subject to any terms of repayment.

Newly-hired police officers and fire fighters are also subject to the terms and provisions of a separate agreement for reimbursement for uniform and training costs. All newly hired police officers and fire fighters should reference that agreement for specific provisions related to initial training and uniforms.

An employee is eligible for benefits under the Educational Assistance Program if the following criteria are met:

- The employee must be a full-time employee of the City of Starkville;
- The employee must have one year or more of service with the City of Starkville;
- The employee must discuss course work and career goals with his/her Department Director or designee;
- The application must be approved by the Department Director or designee;
- The employee must be a successful performer with no written disciplinary actions or suspensions within the last twelve (12) months;
- The departmental training budget must be sufficient to meet the costs;
- The request must be pre-approved by the Mayor and Board of Aldermen.

POLICY GUIDELINES

For job-related training or accreditation programs that are not required by law or administrative rule for an employee to perform work in his/her normal job classification, the City will pay the costs of such training, subject to the terms of the repayment agreement as described below.

For undergraduate or graduate level college courses, the City will reimburse an employee for continuing education courses through an accredited college or university. Courses may include college credit courses, continuing education unit courses and certification tests. Normally, no more than six (6) credit hours may be approved in any calendar year. Department Heads, however, may take up to six (6) credit hours per semester.

If all eligibility qualifications and policy guidelines are met, the Educational Assistance Program will cover the following items:

- Tuition
- Registration fees
- Rental or purchase of books
- Lab fees

Athletic expenses, meal cards, medical, application, transportation, parking, or other fees are not eligible for reimbursement.

If an employee is eligible to receive other educational assistance from another program (i.e. scholarships, G.I. Bill, grants, then the employee must exhaust that aid and provide proof of exhaustion before requesting tuition assistance from the City of Starkville. Proofs of exhaustion may include current Financial Aid transcripts or official documentation from the school that states the employee is not eligible for aid;

The approval for reimbursement of the course(s) is dependent on the course and its relevance to the employee's current position or a potential future position with the City.

To the extent that such courses are voluntary, such courses will be on a reimbursement basis and shall be taken on the employee's own time. **Specific approval by the Mayor and board of Aldermen is required when any such class is requested to be taken during the employee's work time. Such approval would be unusual and would be considered based on the specific facts of the request.**

The employee must pay his/her tuition and other eligible fees in advance and provide proof of payment.

Reimbursement is not made if the employee leaves the City for any reason before the course is completed.

The employee must complete the course. Incomplete courses are not eligible for reimbursement. Courses where the employee has withdrawn are not eligible for reimbursement.

The amount of reimbursement will be determined by the employee's final course grade and is based on the following schedule:

- 100% - A
- 75% - B
- 50% - C
- 0% - D or below

Funding of the Educational Assistance Program is limited. If funding of the program is nearing exhaustion, reimbursement will be given in the order that approvals were given by the Mayor and Board of Aldermen. If more than one employee is seeking reimbursement and both of their applications are received on the same day, then higher priority will be given to the employee who has served the City in a full-time capacity the longest.

Upon completion of the course(s), the employee will submit proof of his/her grades and a request for reimbursement form to the Personnel Department. Grades must be received by the Personnel Department within 30 days of the completion of the course.

Completion of any class, seminar, certification, or degree does not on its own justify any change in compensation or classification for the employee unless such change is an established part of the City's pay grade/step process.

REPAYMENT AGREEMENT

All employees are required to sign an agreement to repay the City if he/she leaves employment either voluntarily or involuntarily for reasons within their control prior to two years after tuition assistance has been received. The repayment will be prorated according to the employee's length of service after such benefits have been received, with the employee being responsible to repay the City of Starkville on a one-twenty-fourth (1/24) per month(s) basis of such benefits received for each month prior to the end of a twenty-four (24) month period. The employee will be responsible for the costs of any fees associated with the collection of amounts due to the City of Starkville under this agreement, including attorney and court fees should legal action be necessary to collect such fees.

In the event of a reduction of force or if the employee is terminated for reasons beyond the employee's control, the City will not enforce the repayment agreement. In the event of such reduction in force or involuntary termination, the Personnel Officer of the City of Starkville shall review such termination and shall render the decision as to whether reimbursement is required, with that decision being subject to the established rules of the Grievance Procedure as set forth in the City of Starkville Personnel Policy Manual.

PROCEDURE

The following procedure should be followed to ensure proper application of the policy:

1. The employee should meet with his/her supervisor and department director to discuss the desire to continue their education and the specific course-work requested to be approved. It is the employee's responsibility to allow adequate time for such requests to be considered and, if applicable, approved through all steps prior to enrolling for the requested class, seminar, or program.
2. The employee shall complete an Educational Assistance Form requesting approval and shall attach any relevant information to support the request.
3. The employee shall submit the completed Educational Assistance Form and supporting documentation to their supervisor and department director for approval.
4. If approved by the department director, the department director will forward the request to the Personnel Officer of the City who will review the request to ensure compliance with this policy. If the request does not meet the requirements of this policy, the Personnel Officer will discuss any issues with the department director.
5. When the request is approved by the Personnel Officer, the department director will submit the request to the Mayor and Board for their approval.
6. After approval by the Mayor and Board, the department director will notify the employee in writing of the approval and authorize the employee to enroll in the approved course(s).
7. After completion of the approved course(s), the employee shall submit a reimbursement request, accompanied by their grade report, to the Personnel Officer. This request must be submitted within thirty (30) days after completion of the course. The Personnel Officer shall process the request and submit to the City Clerk's Office for payment. Receipts are required to justify all expenses for reimbursement.

QUESTIONS

Any questions about this policy or courses to be approved under this policy may be directed to your supervisor, the department director, or the Personnel Officer of the City.

**City of Starkville
Educational Assistance Request**

Section A: Employee Request

Name (Print) _____ SS# _____

Home Address: _____

Telephone #'s: Home _____ Cell _____

Request Date _____ Date of Hire _____

Current Position _____ Supervisor _____

Check one:

Seminar College Course Workshop Conference Other: _____

Title _____

School or Organization _____

Dates of attendance _____ Total Hours Training _____

Costs: Please itemize all related costs requested for approval in accordance with the Educational Assistance Program. State the amount and category of each cost and whether such costs are requested for prepayment (seminars, workshops, accreditation programs, etc.) or for reimbursement (college courses, continuing education, etc.) _____

What specific knowledge or skill will you learn? _____

How will the acquired knowledge or skill help improve your performance and/or prepare you for more advanced responsibilities with the City of Starkville? _____

REPAYMENT AGREEMENT:

In connection with the City of Starkville's Educational Assistance Policy, I am requesting benefits to be approved for continuing my education. I hereby agree to repay the City if I leave employment either voluntarily or involuntarily for reasons within my control prior to two years after educational assistance has been received. The repayment will be prorated according to my length of service after such benefits have been received, with my being responsible to repay the City of Starkville on a one-twenty-fourth (1/24) per month(s) basis of such benefits received for each month prior to the end of a twenty-four (24) month period. I agree that the City of Starkville, in its sole discretion, may retain and deduct from my last payroll check, any amount due and payable to the City of Starkville, to the extent allowed by law, to offset against any training and other employment related expenses (per section 4 above) that I would be obligated to reimburse the City of Starkville. I agree to repay any outstanding expenses for which I may be responsible to the City of Starkville at the time of my resignation.

I agree that if it becomes necessary to enforce this contract and judgment is entered against me, I will pay all costs and expenses incurred by the City of Starkville including attorney fees.

In the event of a reduction of force or if I am terminated for reasons beyond the employee's control, the City will not enforce the repayment agreement. In the event of such reduction in force or involuntary termination, the Personnel Officer of the City of Starkville shall review such termination and shall render the

decision as to whether reimbursement is required, with that decision being subject to the established rules of the Grievance Procedure as set forth in the City of Starkville Personnel Policy Manual.

Employee Signature _____ Date _____

Attach description of training with completed registration form and forward to your supervisor for approval process.

Section B: Approvals

Review and approve based on appropriateness, cost, scheduling, and quality of training, and availability of funding in the department's training budget.

Supervisor _____ Date _____

Department Head _____ Date _____

Approve and forward to Human Resources

Review and approve for compliance with policy, quality of training and/or make recommendations for other resources.

Personnel Officer _____ Date _____

Approved by Mayor and Board of Aldermen on (date) _____

Section C: Notification of approval

To: _____ Date: _____
(Employee Name)

Your request for Educational Assistance Benefits as indicated on this form is approved and you are authorized to enroll in the above stated classes. Only expenses which you have listed may be considered for reimbursement under the terms and provisions of this policy. You are reminded to review all provisions of the policy, specifically those pertaining to reimbursement and repayment of expenses approved.

Department Director's Authorization: _____

Section D: Reimbursement Request

I hereby acknowledge that I have completed the courses approved for reimbursement under the City of Starkville's Educational Assistance Policy and request reimbursement of the approved costs. I am attaching my grade report and receipts for all expenses requested for reimbursement. I hereby acknowledge my obligations and agreement to the repayment terms of the policy.

Total applicable costs for reimbursement: **Receipts are required**

Tuition	\$ _____
Registration Fees	\$ _____
Books	\$ _____
Other fees (itemize)	\$ _____
Total of all fees	\$ _____

Grade received _____ Applicable percentage for reimbursement _____
(See Policy)

Actual amount of reimbursement requested: _____

Employee's Signature: _____ Date: _____

Complete and submit to Personnel Officer

Section E: Reimbursement Approval

Reimbursement Request and grade received and approved:

Personnel Officer: _____ Date: _____

Department Director: _____ Date: _____

Submit to City Clerk's Office after approval

Policy # 5

AGREEMENT FOR TRAINING AND UNIFORM REIMBURSEMENT FOR NEWLY HIRED POLICE OFFICERS AND FIRE FIGHTERS

(approved by Board of Aldermen on September 2, 2008 for addition to Personnel Policy Manual)

I understand and agree that, in consideration of my employment with the City of Starkville Police or Fire Department, I will reimburse the City of Starkville for all costs and expenses related to my initial training and uniforms required to become a police officer or fire fighter subject to the following terms and conditions:

- 1.) I agree to serve as a police officer / fire fighter with the City of Starkville for a period of not less than thirty-six (36) months after the completion of my initial training or after my employment date if I am already a certified police officer / fire fighter.
- 2.) I agree that if I should voluntarily leave employment with the City of Starkville or should I be discharged for reasons within my control during my initial probationary period (12 months maximum), I will repay 100% of initial uniform costs, training costs, and expenses incurred by the City of Starkville for my training.
- 3.) I agree that for every month that I leave employment either voluntarily or for reasons within my control after serving more than twelve (12) months of service but prior to serving thirty-six (36) months after initial training or my employment date, if already a certified police officer / fire fighter, I will reimburse the City of Starkville on a one-thirty-sixth (1/36) per month(s) remaining pro rata share for all costs and expenses related to my initial training and uniforms provided by the City of Starkville.
- 4.) I understand and agree that I will be responsible for the actual costs and expenses incurred on my behalf by the City of Starkville and I will reimburse this amount or the appropriate percentage pursuant to the terms and conditions of this agreement. *(See section 4A attachment for itemized cost of uniforms and training related costs.)*
- 5.) I agree that my resignation, for whatever reason, shall be prima facia evidence that I left employment with the City of Starkville voluntarily. In the event of the termination of my employment, the Personnel Officer of the City of Starkville shall review such termination and shall render the decision as to whether such reasons were within my control, with that decision being subject to the established rules of the Grievance Procedure as set forth in the City of Starkville Personnel Policy Manual.

6.) I understand and agree that this agreement does not constitute an employment contract and that the City of Starkville reserves the right, as employer, to reassign, discipline or to terminate my employment at its will or in accordance with departmental and City of Starkville Policies, Rules, and Regulations. I also understand that this agreement does not grant me any special rights or benefits from the City of Starkville and does not require the City of Starkville to offer me a position as a police officer or fire fighter nor to continue my employment in such position if already employed. I understand that this agreement does not alter or affect any other terms or conditions of my employment with the City of Starkville.

7.) I agree that the City of Starkville, in its sole discretion, may retain and deduct from my last payroll check, any amount due and payable to the City of Starkville, to the extent allowed by law, to offset against any training and other employment related expenses (per section 4 above) that I would be obligated to reimburse the City of Starkville. I agree to repay any outstanding expenses for which I may be responsible to the City of Starkville at the time of my resignation.

8.) I agree that if it becomes necessary to enforce this contract and judgment is entered against me, I will pay all costs and expenses incurred by the City of Starkville including attorney fees.

CITY OF STARKVILLE
STATE OF MISSISSIPPI
COUNTY OF OKTIBBEHA

The parties being duly sworn on oath, depose and signify that they have read the City of Starkville's

**AGREEMENT FOR TRAINING AND UNIFORM REIMBURSEMENT
FOR NEWLY HIRED POLICE OFFICERS AND FIRE FIGHTERS**

and subscribe and understand the contents thereof.

For the employee:

Employee's Printed Name and Position

Employee's Signature

Date

For the City:

Authorized representative for the City of Starkville (Printed Name and Position)

City Official's Signature

Date

Notarized by:

Subscribed and sworn to before me this the _____ day of _____, 20____.

Notary Public

My Commission Expires: _____

**AGREEMENT FOR TRAINING AND UNIFORM REIMBURSEMENT
FOR NEWLY HIRED POLICE OFFICERS AND FIRE FIGHTERS
ITEMIZED COST OF TRAINING AND EXPENSES**

EMPLOYEE

DATE

Listed below are the estimated costs of uniforms, tuition, travel and associated field training costs if these costs apply. Only costs actually incurred by the City of Starkville will be required to be reimbursed.

(Below costs are estimates.)

Tuition to Academy	\$ _____
Travel, Lodging, and Meals during training	\$ _____
Initial Uniform Costs (only items purchased)	\$ _____
TOTAL: (Estimated)	\$ _____

*Only Initial Uniform Costs will apply to personnel certified upon being employed by the City of Starkville.

I have read and understand the above listed costs for my training and expenses and agree to total listed (when applicable).

Employee

Date

Department Head

Date

Policy # 6

DRUG AND ALCOHOL POLICY OF THE CITY OF STARKVILLE, MISSISSIPPI *(revised 1/3/2012)*

1. Notice to Employees

You are hereby advised that the City of Starkville has implemented a drug and alcohol policy and conducts a testing program, pursuant to Sections 71-7-1, et.al., of the Mississippi Code of 1972, Ann. (hereinafter referred to as "the Act"), and you are hereby advised of the existence of said Act.

All information, interviews, reports, statements, memoranda and test results, written or otherwise, received by the City of Starkville through its drug and alcohol testing program are confidential communications and may not be used or received in evidence, obtained in discovery, or disclosed in any public or private proceedings, except in accordance with the Act and these regulations. Any information obtained by the City of Starkville pursuant to the Act and these regulations shall be the property of the employer. the City of Starkville shall not release to any person other than the employee or job applicant, or employer medical, supervisory or other personnel, as designated by the City of Starkville on a need to know basis, information related to drug and alcohol test results unless: (a) The employee or job applicant has expressly, in writing, granted permission for the City of Starkville to release such information; (b) it is necessary to introduce a positive confirmed test result into an arbitration proceeding pursuant to a collective bargaining agreement, an administrative hearing under applicable state or local law, a grievance hearing as set forth in the Personnel Policy of the City of Starkville, or a judicial proceeding, provided that information is relevant to the hearing or proceeding, or (c) the information must be disclosed to a federal or state agency or other unit of the state or United States government as required under law, regulation or order, or in accordance with compliance requirements of a state or federal government contract, or disclosed to a drug abuse rehabilitation program for the purpose of evaluation or treatment of an employee; or (d) there is a risk to public health or safety that can be minimized or prevented by the release of such information; provided, however, that unless such risk is immediate, a court order permitting the release shall be obtained prior to the release of the information. The confidentiality provisions provided for by the Act shall not apply to other parts of an employee's or job applicant's personnel or medical files. If an employee refuses to sign a written consent form for release of information to persons as permitted in the Act, the City of Starkville shall not be barred from discharging or disciplining the employee.

2. Purpose

The City is committed to the safety and well-being of its employees and the public. It is the City's intent to ensure that employees perform all city-related job duties without the presence of alcohol, illegal drugs or inappropriately used legal drugs in their systems.

Our goal is to provide a safe, satisfying working environment, which promotes personal opportunities for growth. In meeting this goal it is our policy to (1) assure that employees are not impaired in their ability to perform assigned duties in a safe, productive and healthy manner; (2) create a workplace environment free from the adverse effects of drug abuse and alcohol misuse; (3) prohibit the unlawful manufacture, distribution, dispensing, possession, or use of controlled substances; and (4) encourage employees to seek professional assistance any time personal problems, including alcohol or drug dependency, adversely affect their ability to perform their assigned duties.

As an integral part of this effort, it is the City's policy to conduct drug and alcohol testing for those applicants offered employment to positions specified in this policy and to conduct other types of testing to ensure a drug-free workplace.

Adherence to this policy is a condition of employment although it should not be considered an offer of employment.

Nothing in these policies shall be interpreted in such a manner as to reduce or restrict any individual's rights pursuant to the Americans with Disabilities Act.

3. Prohibited Conduct

It is the policy of the City

A. that the use of alcohol, illegal drugs, or the inappropriate use of legal drugs by City employees during working hours is prohibited;

B. that no City employee shall be under the influence of drugs or alcohol, or in withdrawal from the use of drugs or alcohol, during working hours; provided, however, that employees are permitted to take at any time prescription medication as and in the manner prescribed by a physician, and nonprescription medication as needed and in accordance with manufacturer instructions, unless the physiological or psychological effects of the prescription or nonprescription medication as taken by the employee pose a threat to the health or safety of the employee taking the medication or any other person, including members of the public or hampers the employee's ability to satisfactorily perform his or her job duties;

C. that City employees are prohibited from manufacturing, possessing, using, selling, distributing, soliciting or transferring drugs, drug paraphernalia, prescription medication, nonprescription medication or alcohol on or in City property, vehicles, machinery or equipment, or while performing City business; provided, however, that employees are permitted to possess prescription medication prescribed to them by a physician if that medication must be taken during working hours, and to possess over-the-counter medication if it is reasonably necessary for the employee to take nonprescription medication during working hours to treat the symptoms of injury or illness, unless the physiological or psychological effects of the prescription or nonprescription

medication as taken by the employee pose a threat to the health or safety of the employee taking the medication or any other person, including members of the public or hampers the employee's ability to satisfactorily perform his or her job duties;

D. that City employees are prohibited from tampering with a drug test or a report of its results; and

E. that nothing in this policy shall be construed as prohibiting in any way the possession or use of coffee, nicotine or nonalcoholic beverages.

4. Law Enforcement Duties

Notwithstanding any other provision in this policy to the contrary, employees of the Police Department of the City of Starkville are permitted to possess, solicit, sell, transfer and distribute drugs in the lawful exercise of their duties and pursuant to instructions from or command orders of the Chief of Police, the employee's supervisor or superior officer, an employee of the Mississippi Bureau of Narcotics, or the United States Department of Justice acting as the City employee's supervisor or superior officer.

5. Definitions

Alcohol. Ethyl alcohol.

Applicant. A person who has completed all required employment forms and has been extended an offer of employment conditioned on successfully completing a drug test.

City property. All offices, facilities, land, buildings, structures, fixtures, installations, vehicles and equipment, whether owned, leased or used by the City.

Confirmation test. A drug and alcohol test on a specimen to substantiate the results of an initial drug and alcohol test on the specimen. The confirmation test must use an alternate method of equal or greater sensitivity than that used in the initial drug and alcohol test. The confirmation test will be done on the original collection that was the other portion of a split sample method of collection.

Collection site. The facility designated by the City where employees' specimens for drug and alcohol testing are collected.

Collection site person. An individual authorized to collect specimens in accordance with this plan and trained in specimen collection procedures in accordance with the *Alcohol and Drug Regulations* of the Mississippi State Department of Health.

Direct threat. A direct threat has the same meaning assigned to it by the Americans With Disabilities Act of 1990.

Drug or alcohol test. An electronic, chemical, or other test administered to determine the presence or absence of a drug, alcohol or their metabolites in a person's body fluids or breath.

Drug. Illegal drugs, prescription medication and nonprescription medication as those terms are defined in this plan.

Employee. Any person who supplies a service for remuneration or pursuant to any contract for hire to the City of Starkville.

Illegal drugs. Any substance, other than alcohol, which has physiological and/or psychological effects on a human being and which is not a prescription or nonprescription medication, including: controlled dangerous and controlled substance analogs or volatile substances which produce the

psychological and/or physiological effects of a controlled dangerous substance through deliberate inhalation.

Initial test. A test on a specimen to determine the presence or absence of drugs, alcohol or their metabolites in the specimen.

Medical Review Officer ("MRO"). A licensed physician who is responsible for receiving laboratory results generated by the City's drug and alcohol testing program who has knowledge of substance abuse disorders and appropriate medical training to interpret and evaluate an employee's positive confirmation test result together with his or her medical history and other relevant biomedical information.

Neutral selection. A mechanism for selecting employees for drug and/or alcohol tests that: (i) results in an equal probability that any employee from a group of employees subject to the selection mechanism will be selected, and (ii) does not give employer discretion to waive the selection of any employee selected under the mechanism.

Nonprescription medication. Any substance which is authorized by federal or state law for general distribution and use without a prescription in the treatment of human diseases, ailments or injuries.

Paraphernalia. Anything commonly used in testing, packaging, storing, injecting, ingesting, inhaling or otherwise introducing into the human body an illegal drug.

Prescription medication. Any substance prescribed for use by a duly licensed physician, dentist or other medical practitioner licensed to issue prescriptions.

Reasonable suspicion. A belief that an employee is using or has used drugs and/or alcohol in violation of the City's policy drawn from specific objective and articulable facts and reasonable inferences drawn from those facts in light of experience, and may be based upon, among other things:

- (a) Observable phenomena, such as direct observation of drug and/or alcohol use and/or the physical symptoms or manifestations of being under the influence of a drug and/or alcohol;
- (b) Abnormal conduct or erratic behavior while at work, absenteeism, tardiness or deterioration in work performance;
- (c) A report of drug and/or alcohol use provided by reliable and credible sources and which has been independently corroborated;
- (d) Evidence that an individual has tampered with a drug and/or alcohol test during his employment;
- (e) Information that an employee has caused or contributed to an accident while at work and that the City has a reasonable suspicion that the accident may be causally related to the employee's drug and/or alcohol use.
- (f) Evidence that an employee is involved in the use, possession, sale, solicitation or transfer of drugs while working or while on City property or operating City vehicles, machinery or equipment.

Safety sensitive position. The following categories of City employees:

- A. Law enforcement personnel required to carry firearms;

- B. Non-clerical employees directly involved in the interdiction of drugs and paraphernalia;
- C. Combat firefighters;
- D. Emergency medical technicians;
- E. Employees who are authorized and required to operate city vehicles; city equipment or city machinery;
- F. Employees who are traveling on the exterior of city vehicles and are exposed to external traffic hazards; and,
- G. Employees who have entered a substance abuse rehabilitation program, as a follow-up to that rehabilitation.

Specimen. A tissue or product of the human body chemically, electronically, or otherwise capable of revealing the presence of drugs and/or alcohol in the human body.

Under the influence. Detectible in the human body at the levels proscribed in Appendices C and D of this plan.

6. Penalty for Violation

Violating the policy will be grounds for disciplinary action up to and including termination. Any City employee who refuses to submit to a drug test in accordance with this policy may be subject to disciplinary action, up to and including termination.

Any City employee who is convicted of a drug or alcohol-related offense must notify the Personnel Officer in writing within five calendar days of the conviction. The employee may be subject to disciplinary action, up to and including termination if the employee fails to notify the Personnel Officer of such conviction.

Following any type of testing, if an employee's positive test results are confirmed, the City will immediately remove the employee from duty. Such positive test result may be grounds for disciplinary action up to and including termination. Any employee who is subjected to disciplinary action under this policy may contest such disciplinary action by using the grievance process if they so choose.

7. Types of Testing

A. Pre-Employment

All job applicants for employment in the City of Starkville are subject to drug testing upon receiving an offer of employment. Any offer of employment with the City will be conditioned on the applicant testing negative on a drug and alcohol test. Prior to the collection of a specimen from an applicant, the applicant will be required to read and sign the following statement, which will be provided on a separate sheet of paper:

I, _____, have read the *Drug and Alcohol Plan* of the City and notice provided to me pursuant to Part IX of the *Alcohol and Drug Regulations* of the Mississippi State Department of Health. I understand the plan and the Notice, and I agree to submit to specimen collection and drug testing according to the terms of the

plan. I understand that my refusal to sign this statement or my refusal to submit to required specimen collection and drug testing in accordance with the plan shall be a basis for rejecting my application for employment by the City, and I waive any rights I may have arising from rejection of my application on that basis.

A positive result of a confirmation test for the presence of drugs, alcohol or their metabolites is a sufficient basis for rejection of an employee's application. Successful completion of a drug and/or alcohol test does not ensure employment with the City.

B. Neutral Selection

All employees of the City of Starkville are subject to neutral selection testing.

Neutral selection drug testing shall occur by randomly selecting 25% of the total number of employees annually. Neutral selection alcohol testing shall occur by randomly selecting 10% of the total number of employees annually. The method of random selection will be chosen by the City so as to insure compliance with those provisions of Mississippi law and applicable regulations governing random selection procedures.

The selection of employees for neutral selection drug and alcohol testing shall be made using a scientifically valid method such as a random number table or a computer-based random number generator that ensures each employee that they will have an equal chance of being selected each time selections are made. Random tests will be unannounced and spread throughout all days and all hours of all shifts the City is in operation during the year. Employees are to proceed to the testing site immediately upon notification of a random test, subject to the hours of operation of the testing facility.

There is no discretion on the part of management or operations in the selection and notification of individuals for testing.

The Board of Aldermen of the City of Starkville may choose at any time to discontinue the practice of neutral selection testing. If neutral selection testing is stopped, the Board may at its discretion authorize the reinstatement of such testing.

C. Reasonable Suspicion

All City employees are subject to reasonable suspicion drug and/or alcohol testing under this plan. Reasonable suspicion shall be determined by a member of City management.

If the City has reasonable suspicion that an employee is using drugs and/or alcohol in violation of this plan, he or she may be required to submit to a test. An employee will not be required to submit to a test under this provision unless the reasonable suspicion that he or she has used or is using drugs and/or alcohol in violation of this plan is based on specific objective and articulable facts and reasonable inferences drawn from those facts in light of experience.

Prior authorization for any drug and/or alcohol test based on reasonable suspicion must be received from one of the following:

1. The Mayor
2. The Department Head
3. The Personnel Director

If one of the above individuals also is the supervisor who makes the initial reasonable suspicion determination, prior authorization for any drug and/or alcohol test must be received from another person on the list.

The basis for a reasonable suspicion test (see definition) shall be documented and submitted in writing to the Personnel Officer. Managers/supervisors are prohibited from demanding or encouraging drug or alcohol testing without reasonable suspicion. Reasonable suspicion testing must be conducted immediately following such documentation. The employee will be transported to the designated testing facility by a supervisor / manager. The employee shall not be permitted to return to work prior to receiving the results of the drug/alcohol test. The manager/supervisor shall make arrangements for safe transportation to the employee's residence or a place selected by a relative or friend of the employee.

D. Accident Related Testing

An employee who has been involved in an accident or injury that directly impacts a city employee and/or city vehicle or vehicles will immediately report to their supervisor per the personnel policy manual and will make him or herself available for drug testing in accordance with this policy as follows:

1. Any chargeable accident as defined in Section 9.701 of the City of Starkville Personnel Policy Manual;
2. Any accident that results in an employee being treated at an emergency room or doctor's clinic.

8. Counseling and referral

The City of Starkville encourages employees to voluntarily seek help with drug and alcohol problems. Any employee who, prior to being scheduled for any type of testing, requests assistance will be provided with counseling and a referral to a Substance Abuse Professional (SAP). No disciplinary action will be taken against an employee who voluntarily participates in a rehabilitation program prior to any positive test result. Thereafter, the employee must refrain from violating the City's drug and alcohol abuse policy.

An employee who tests positive for alcohol or drugs in connection with any of the testing procedures as set forth in this policy may be provided an opportunity to seek counseling and treatment in a rehabilitation program as recommended by a Substance Abuse Professional (SAP). The decision to provide such opportunity will be made after consideration of all factors involved in the case, including the employee's length of service, any prior disciplinary issues, and the particular issues leading to such testing. This decision is solely at the discretion of City Management. Any such referral will be on a "last chance" basis and will be subject to certain conditions including, but not limited to, confirmation of participation and successful completion of any treatment program as recommended by a Substance Abuse Professional, periodic testing, probation for a defined period of time, and other provisions as may be determined appropriate based on the particular case.

An employee denied such "last chance" opportunity may challenge such decision

through the grievance process.

The employee, before returning to duty, must be evaluated by a SAP, complete any recommended treatment and provide a negative return to duty test. Return to duty testing is done at the recommendation of the SAP and may be for drugs and/or alcohol.

9. Searches, Tests and Inspections

The City reserves the right to conduct searches and inspections of employees' person, lockers, baggage, desks, tool boxes, clothing, vehicles, or any other personal property brought on City property. Employees are subject to search while in the course and scope of any job duties, while on City property, while on a City job site, or while in an area adjacent to any City property or job site. Employees do not have a legitimate expectation of privacy in any of the above-described areas. These inspections and searches may be conducted to carry out this and other policies of the City.

The decision to conduct an investigation or search and the manner in which it is carried out will be determined at the sole discretion of the City. Employees are required to cooperate fully in these investigations and/or searches and are required to submit to questioning or searches of the City or its agent. Employees are required to submit to tests and provide urine, blood, breath, saliva or other specimens upon request. Any refusal by an employee to answer questions, submit to testing, render a requested specimen or otherwise cooperate in a search, test or investigation, will be considered an act of insubordination which may result in discipline up to and including termination.

10. Training for employees & supervisors

All employees shall receive a minimum of 60 minutes of training on the effects and consequences of prohibited drug use on personal health, safety, and the work environment and indicators of prohibited drug use.

Supervisors responsible for making the decision to reasonable suspicion test must receive a minimum of 60 minutes of training on drug and 60 minutes of training on alcohol information regarding the physical, behavioral, speech and performance indicators of probable drug and alcohol use.

11. Specimen Collection Procedure

Applicants and employees will be directed to a collection site for drug and/or alcohol test specimen collection. All drug and/or alcohol testing will be conducted during or immediately after the regular work period, subject to the normal hours of operation of the testing facility, and this time will be considered time worked for the purpose of determining compensation and benefits.

The collection site person will be responsible for maintaining the integrity of the specimen collection and transfer process and insuring the privacy of the employee/applicant. The collection process will include the procedure of utilizing a split sample for confirmation purposes. Collection sites will conduct specimen collection in accordance with the *Alcohol and Drug Regulations* of the Mississippi State Department of Health.

12. Responsibilities of the Laboratory The laboratory which conducts drug tests under this plan will conduct all tests under this program in accordance with the *Alcohol and Drug Regulations* of the

Mississippi State Department of Health. Samples that yield positive results on confirmation shall be preserved in a frozen state by the laboratory that conducted the test for a period of ninety (90) days from the time the results were mailed or otherwise delivered to the City. Within this 90-day period, the employee or applicant may make a written request that the sample be retested at the employee's expense at a certified laboratory chosen by the employee. However, the laboratory must be certified by Substance Abuse and Mental Health Services Administration (SAMHSA). The laboratory must have written testing procedures and written procedures to insure the chain of custody, the laboratory must demonstrate satisfactory performance in the proficiency testing program of the National Institute on Drug Abuse, the College of American Pathology or the American Association for Clinical Chemistry or the equivalent and the laboratory must follow proper quality control procedures, including but not limited to; (1) the use of internal quality controls including the use of samples of known concentrations which are used to check the performance and the calibration of testing equipment and periodic use of blind samples for overall accuracy; (2) the internal review and certification process for test results conducted by a person qualified to perform that function in the testing laboratory; (3) security measures implemented by the testing laboratory to preclude adulteration of specimen test results. The results of the retest will not affect any disciplinary action taken against an employee with a confirmed positive test result.

13. Testing Standards

A. Initial Test

Under this plan, the initial test on specimens for the presence of marijuana, cocaine, opiates, phencyclidine, amphetamines, and any other substance for which the United States Department of Health and Human Services has established an approved protocol and positive threshold, or their metabolites, will employ an immunoassay which meets the requirements of the United States Food and Drug Administration for commercial distribution. Initial alcohol testing will be by saliva testing, with confirmation by evidential breath testing if nonnegative. Initial cutoff levels specified in Appendix A will be observed. These cutoff levels are subject to change as advances in technology or other considerations allow identification of drugs or their metabolites at other levels.

If an initial drug and/or alcohol test is negative, no confirmation test will be conducted.

B. Confirmation Test

If the specimen provided by the employee or applicant tests positive for the presence of drugs and/or alcohol listed in the preceding paragraph, or their metabolites, in the initial test, the original specimen will be subjected to a confirmation test. The confirmation test for drugs will employ gas chromatography/mass spectrometry at the cutoff levels specified Appendix A. The confirmation test for alcohol will employ a blood test at the cutoff levels listed in Appendix A. These cutoff levels are subject to change as advances in technology or other considerations allow identification of drugs, alcohol or their metabolites at other levels.

14. Notification to MRO of Test Results

The City of Starkville shall engage the services of a qualified Medical Review Officer. The Medical Review Officer (MRO) for the City of Starkville will be certified by the American Association of Medical Review Officers (AAMRO) or by the Medical Review Officer Certification Council (MROCC).

a. The Medical Review Officer shall receive test results from the testing facility and evaluate those results in conjunction with the subject employee and/or applicant.

b. Upon receiving a confirmed positive test result the Medical Review Officer shall contact the applicant or employee prior to notification of City officials. The applicant or employee shall be given the opportunity to explain the test results, including disclosure of any medications that may impact such test

results. This disclosure will be provided by the applicant or employee only to the Medical Review Officer and such information shall not be released to any City personnel.

The laboratory will report confirmation test results only to the City's Medical Review Officer within five (5) working days of receiving a specimen. The report, which will be signed and certified as accurate by the person responsible for the day-to-day operations of the certified laboratory or the person responsible for attesting to the validity of test results, will identify the drugs, alcohol or metabolites for which testing has been conducted, and it will indicate the City's specimen number and the specimen identification number assigned to the specimen by the laboratory. The report shall indicate only that the confirmation test result was negative, if that be the case, or that it was positive for specific drugs, alcohol or metabolites, if that be the case.

Within five (5) working days after receiving a positive confirmed test result from the testing laboratory, the City will inform the employee in writing that he or she has tested positive. At this time the City will inform the employee of the consequences of the positive test and any options available to him or her.

Any employee may request a copy of the test result report. The request must be in writing and should be directed to the Personnel Director.

15. Responsibilities of the Medical Review Officer

The MRO will review the test results received from the testing laboratory to determine whether a result is positive. The MRO shall notify the employee/applicant in writing of the drug test results within five (5) days of receiving them, which notification will include an explanation of the consequences of the results and options available to the employee/applicant if the results are positive. An employee/applicant who receives a positive confirmed test result may contest the accuracy of that result or explain it in writing and why the results do not constitute a violation of the employer's policy within 10 working days of receiving notification of the test results. That contest may include another test on the specimen at the employee/applicant's expense. If the employee/applicant's explanation is unsatisfactory to the MRO, a written explanation as to why and the test results will be placed in the employee's personnel and medical file, or the applicant's application file.

16. Confidentiality

All information, interviews, reports, statements, memoranda and test results, written or otherwise, received by the City through its drug and alcohol testing program are confidential communications, except under certain circumstances as allowed by the Act. This information is City property, and it will be maintained in a separate file. Information described above will be released:

- (1) If the employee or job applicant grants written permission to do so;
- (2) if the information must be disclosed in any administrative, arbitral or judicial proceeding pursuant to applicable law because it is relevant to an issue in that proceeding;
- (3) If the information must be disclosed to a governmental unit as required by law, regulation, administrative or judicial order, or in accordance with compliance requirements of a federal contract;

- (4) If the information must be disclosed to a substance or alcohol abuse rehabilitation program for the purpose of evaluation or treatment of the employee; or
- (5) Without a court order, if an immediate risk to public health or safety can be minimized by release and with a court order if the risk is not immediate.

An employee's failure to sign a written consent to release information as permitted by and in accordance with this section may subject the employee to discipline, up to and including termination.

17. Drug Free Workplace

The City intends to comply with all federal and state laws which require it to provide its employees with a drug free workplace. By publishing this policy, the City hereby notifies its employees that the unlawful manufacture, sale, distribution, dispensation, possession, or use of a controlled substance or marijuana is prohibited in any City workplace or work site.

18. Nature of the Policy

This policy does not create or set forth any contractual commitments or obligations by the City for employment or other employment benefits to any applicant or employee. The policies described in this policy are subject to being modified, revoked, terminated or changed in whole or in part at any time, with or without notice, by the City.

19. Employee Questions

All questions regarding this policy should be directed to the Personnel Director.

20. Policy Revisions

Exceptions to this policy can be made only by the City's Board of Aldermen. The Board reserves the right to change or discontinue this drug testing policy at any time and nothing in this policy should be construed as granting anyone a right to specific benefits or continued employment.

APPENDIX A:

SUMMARY OF "CUTOFFS"

SUBSTANCE	IMMUNOASSAY SCREEN	GC/MS CONFIRMATION
CANNABINNOIDS (Marijuana)	50 ng/ml	15 ng/ml
COCAINE	300 ng/ml	150 ng/ml
AMPHETAMINES	1000 ng/ml	
"Amphetamine"		500 ng/ml
"Methamphetamine"		500 "Met." PLUS 200 "Amp."
OPIATES		
"screen" (class assay)	2,000 ng/ml	
"morphine"		2,000 ng/ml
"codeine"		2,000 ng/ml
"Heroin" [6-MAM]		10 ng/ml
"Poppy seeds"		Formula = M/C < 2 = Codeine Use
PCP	25 ng/ml	25 ng/ml
BARBITURATES	300 ng/ml	300 ng/ml
BENZODIAZEPINES	300 ng/ml	300 ng/ml
METHADONE	300 ng/ml	300 ng/ml
METHAQUALONE	300 ng/ml	300 ng/ml
PROPOXYPHENE	300 ng/ml	300 ng/ml

Alcohol Concentration	Any detectable amount.
------------------------------	------------------------

APPENDIX B:

The City will select a qualified facility for collection of specimen and will notify employee's of such collection site at the time of testing. The City reserves the right to change such collection facility as it may determine necessary.

APPENDIX C:

**Acknowledgment and Release Regarding
the Drug and Alcohol Plan**

I (please print), _____, acknowledge by my signature that I have received, reviewed and fully understand the *Drug and Alcohol Plan* of the City. I agree to abide by its terms, and I understand that my failure to do so will subject me to disciplinary action, up to and including termination. I understand that the only claims I will have arising out of administration of the *Drug and Alcohol Plan* of the City are those specified and described in Sections 71-7-23 and 71-7-25 of the Mississippi Code. I voluntarily waive any and all other claims of whatever kind I may have arising from the administration of the *Drug and Alcohol Plan* of the City. I have had an opportunity to have the plan reviewed by an attorney of my choosing.

Employee

Date

Witness

Date

APPENDIX D:

APPLICANT AGREEMENT TO SUBMIT TO DRUG TESTING

I, _____, have read the *Drug and Alcohol Plan* of the City and notice provided to me pursuant to Part IX of the *Alcohol and Drug Regulations* of the Mississippi State Department of Health. I understand the plan and the notice, and I agree to submit to specimen collection and drug testing according to the terms of the plan. I understand that my refusal to sign this statement or my refusal to submit to required specimen collection and drug testing in accordance with the plan shall be a basis for rejecting my application for employment by the City, and I waive any rights I may have arising from rejection of my application on that basis.

APPLICANT SIGNATURE

DATE

Policy # 7

Personnel Policies and Procedures Manual Personal Financial Responsibility

(Approved by Board on February 3, 2009)

All employees are expected to meet their personal financial obligations promptly so that creditors will not have to ask for the City's assistance in collecting amounts owed to them. In the event that a garnishment or similar proceeding is instituted against an employee, the City must deduct the required amount as specified by law from the employee's paycheck. Compliance with writs of garnishments and similar orders imposes an administrative and financial burden on the City. Additionally, the failure of an employee to meet his or her financial obligations does not reflect favorably on the City and frequently may cause an adverse effect on the employee's job performance.

No employee will be subject to any disciplinary action for garnishments(s) for any single indebtedness. However, garnishments for more than one indebtedness may result in disciplinary action up to and including termination.

Disciplinary action will not be taken for any wage attachment or garnishment resulting from:

1. Any order for the support of any person issued by a court of competent jurisdiction or in accordance with an administrative procedure, which is established by state law, which affords substantial due process, and is subject to judicial review.
2. Any order of any court of bankruptcy.
3. Any debt due for any state or federal tax.
4. Any garnishment or similar proceeding for which the City does not have to begin deductions because the employee obtains a release prior to the commencement of deductions.

Once payroll deductions are completed for a garnishment or wage attachment through either deduction of the full amount or a duly executed release stopping the deductions, the employee's record will be considered as clear if no further garnishments or wage attachments are received within a twelve (12) month period. However, if additional garnishments are required to be honored within twelve (12) months after cessation of payroll deductions, the employee may be subject to disciplinary action.

Normally, disciplinary action will be as follows:

1. Second incident—Verbal warning (to be documented in personnel file).
2. Third incident—Written warning.
3. Fourth incident—Termination.

All discussions and any disciplinary actions as a result of this policy will be handled by the Personnel Officer of the City to ensure the confidentiality and privacy of the employee's information. The City reserves the right to review violations of this policy and may, based on the circumstances, deviate from the disciplinary actions specified above. Such deviation will not be considered as modifying this policy or setting any precedent for other cases.

Questions regarding this policy should be discussed with the Personnel Officer of the City.

Policy # 8

City of Starkville, Mississippi

Addition to Personnel Policy Manual
(approved by Board on June 2, 2009, revised August 21, 2012)

DONATION OF LEAVE

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

1. The employee donating the leave (the “donor employee”) shall designate the employee who is to receive the leave (the “recipient employee”) and the amount of earned major medical leave and/or personal leave that is to be donated, and shall notify the Personnel Officer of his or her designation. The Personnel Officer shall then notify the recipient employee’s department head of the amount of leave that has been donated by the donor employee to the recipient employee.
2. The maximum amount of earned major medical leave and/or personal leave that an employee may donate to any other employee may not exceed a number of days that would leave the donor employee with fewer than a total of ten (10) days each of major medical leave and/or personal leave left, and the maximum amount of earned major medical leave and/or personal leave that an employee may donate to any other employee may not exceed fifty percent (50%) of the earned leave of the donor employee, with a not to exceed amount of ten (10) days or eighty (80) hours. All donated leave shall be in increments of not less than eight (8) hours.
3. The maximum period of time that an employee may use donated leave without resuming work is ninety (90) days, which commences on the first day that the recipient employee uses donated leave.
4. An employee must have exhausted all of his or her earned sick and vacation leave before he or she will be eligible to receive any leave donated by another employee.
5. Before an employee may receive donated leave, he or she must provide his or her Department Head and the Personnel Officer with a physician’s statement that confirms the beginning date of the catastrophic illness or injury, a description of the illness or injury, a prognosis for recovery, and an anticipated date that the recipient employee will be able to return to work. He or she must submit a request to his/her department head to use the donated leave policy.
6. The request for donated leave will be evaluated by a board of three (3) comprised of the Personnel Officer, the City Clerk and the Chief Administrative Officer. The board will consider the employee’s employment record, the nature of the circumstances surrounding the request and any other relevant matters. Any denial of the use of donated leave may be appealed to the Board of Aldermen at the next regular meeting.
7. If the total amount of leave donated to any employee is not used by the recipient employee, the donated leave will be returned to the donor employee(s) on a pro rata basis, based on the ratio of the number of days of leave donated by each donor employee to the total number of days of leave donated by all employees.
8. For the purpose of this policy, “immediate family” means spouse, child, step-child, parent, step-parent, or sibling.
9. No person through the use of coercion, threats or intimidation shall require or attempt to require any employee to donate his or her leave to another employee. Any person who alleges a violation of this paragraph shall report the violation to the Personnel Officer of the

City. Any person found to have violated this paragraph shall be subject to disciplinary action up to and including termination of employment.

10. No employee can donate leave after tendering notice of separation for any reason or after termination.
11. In order for an employee to be eligible to receive donated leave, the employee must be a regular, full-time employee on the date on which the leave is donated.
12. Donated leave shall not be used in lieu of disability retirement.
13. "Catastrophic injury or illness" means a serious injury or illness of an employee or a member of an employee's immediate family which totally incapacitates the employee from work for a period of time of not less than ten (10) continuous days {five (5) shifts for firefighters}, as verified by a licensed physician, and forces the employee to exhaust all leave time earned by that employee, resulting in the loss of compensation from the City for the employee. Conditions that are short-term in nature, including, but not limited to, common illnesses such as influenza and the measles, and common injuries, are not catastrophic. Chronic illnesses or injuries, such as cancer or major surgery, which result in intermittent absences from work and which are long-term in nature and require long recuperation periods, may be considered catastrophic.

City of Starkville

Donation of Leave Time

I request to donate leave time as indicated below:

Employee to receive donated time: _____

Leave Time to be donated: [must be in eight (8) hour increments]

_____ Hours of Personal (Annual) Leave

_____ Hours of Major Medical (Sick) Leave

I acknowledge that I have read the City of Starkville's policy on Donation of Leave Time and agree to all provisions of the policy. I understand that donation of leave time is with no expectation that the donated time will be returned, or reimbursed in any way. My decision to donate leave time has not been made based on any coercion, threats, or intimidation by any other employee, supervisor, manager, or City official.

Printed Name of Donating Employee

Department

Donating Employee's Signature

Date

Submit completed form to Personnel Officer

Donation of Leave Time as indicated above complies with policy and is approved.

Personnel Officer's Signature

Date

Submitted to Payroll on _____

Policy # 9

July 21, 2009

CITY EMPLOYEE TRAVEL POLICY

This policy is adopted to comply with the Office of the State Auditor requirements for Official Travel and Travel Advances found in the Municipal Audit and Accounting Guide.

1. Pre-approval by the Board of Aldermen is required for all out-of-state travel by elected officials or municipal employees traveling on city business, if the cost of such travel exceeds \$2,000.00. The cost of the travel is to be determined on a person by person basis rather than the cumulative dollar total reflective of the number of attendees to a particular school or event.
2. Pre-approval by the Board of Alderman is required for all overnight travel for city designated purposes by municipal employees whether in-state or out-of-state, if the cost of such travel exceeds \$2,000.00. The cost of the travel is to be determined on a person by person basis rather than the cumulative dollar total reflective of the number of attendees to a particular school or event.
3. In the rare event of an emergency situation or a matter of critical significance to the city where it is impossible to secure the pre-approval of the Board of Aldermen for, such travel that exceeds the aforementioned \$2,000.00 amount, any such required travel may be approved by the Mayor or, in his absence or unavailability the Mayor Pro- tempore and if any such travel approval is granted, the Board of Aldermen shall be notified that such has occurred and the matter explained at the next scheduled board meeting to include authorization for the reimbursement of expenses incurred.
4. Any request for in-state or out-of-state travel where per diem or travel reimbursement will be requested will be provided to the board with the details of the travel provided with the specificity as required and in accordance with the applicable state instructions. The applicable state statute §25-3-41 will be incorporated by reference into this travel policy. No per diem allowance shall be made for regular meals provided as a part of the registration cost for the official event, whether or not the employee partakes of the meal provided.
5. In accordance with the past and accepted practice, the Board of Alderman authorizes an additional vicinity travel amount up to

twenty-five (25) miles per day for any trip that necessitates such travel to and from the sites in conjunction with the purpose of the trip and that is part of a travel request approved by the board. Where such travel deviates by more than the above described mileage, those requests for modifications for accommodations and travel expense must be approved by the Board of Aldermen. Such requests shall reflect either a cost savings to the city or an equivalent cost before it will be considered by the Board for approval. In all cases the state travel reimbursement guidelines will be followed.

6. Travel expenses and/or advanced travel expenses will be reimbursed in accordance with the Department of Finance and Administration (DFA) maximum meal reimbursement amounts and the mileage rates in effect as of the time that the travel occurred.
7. Travel advances may be made with the approval of the Board of Aldermen. This approval is contingent upon:
 - Compliance with the rules and regulations of the Office of the State Auditor
 - Compliance with the Department of Finance and Administration's daily limits on expenditures for meals
 - Compliance with section 25-3-41, Miss. Code Ann. (1972)
 - Compliance with the City's requirements for the travel authorization and documentation
 - Travel advances must be accounted for within five (5) working days of the end of the month in which the official travel occurred. All travel advance money not used for travel related expenditures must be repaid to the municipality. The forms required must be completed and submitted to account for all money not refunded. Actual receipts must be provided for all travel expenses, except meals and travel in personal vehicles.
8. The Mayor, in the case of employees at the department head level or with department head status, and the department heads, in the case of departmental employees, are authorized to approve travel in accordance with the following dollar amounts. The Mayor is authorized to approve travel (inclusive of all costs, i.e. schools, airfare, per diem, etc.) not to exceed \$2,000.00; department heads are authorized to approve travel (inclusive of all costs, i.e. schools, airfare, per diem, etc.) that does not exceed \$1,000.
9. The Mayor is authorized to travel in-state as conduct of his official duties requires.

Policy #10 Smoking and the Use of Tobacco Products

7.107 SMOKING AND THE USE OF TOBACCO PRODUCTS *(revised 9/15/2009)*

This policy is a revision to existing City Policy. This policy has been passed by the Board of Aldermen on September 15, 2009, and is to become effective sixty (60) days after passage. Until that time, the present policy shall continue to be applicable.

The City of Starkville encourages all employees who smoke or use tobacco products to quit such use, and the delay in the effective date is to allow employees time to adapt to these restrictions and facilitate a smooth transition to an environment free from the use of all tobacco products.

Information concerning smoking/tobacco use cessation programs is available through the Personnel Office.

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

1. Smoking and the use of tobacco in any form will not be permitted in City of Starkville facilities or in City-owned vehicles. This shall include entrance ways, parking lots, and all City-owned adjacent property.
2. This policy applies equally to all City employees, clients, contractors, and visitors.
3. Employees found in violation of this policy will face disciplinary action up to and including termination.
4. Tobacco products include, but are not limited to, cigarettes, cigars, snuff, chewing tobacco, etc.
5. Appropriate signage indicating the City's smoke-free policy will be posted in all City buildings and vehicles.
6. Department Heads will inform each of the personnel assigned to their respective departments of the new policy and will obtain signed acknowledgement of the receipt and understanding of the policy that will be then be submitted to the Personnel Director to be placed in their personnel files.

The Policy on Smoking and use of Tobacco Products applies to employees during working hours and to the general public when they are on City property. In all cases the rights of a non-smoker to protect his or her health will take precedence over an employee's or citizen's desire to smoke.

The success of this policy depends on the cooperation and thoughtfulness of smokers and non-smokers. All employees are responsible for adhering to and enforcing this policy.

Any complaints of City employees violating this policy shall be made with the employee's immediate supervisor or the Department Head.

Policy #11 On Call Policy

Board Policy Establishing Standard Criteria And Compensation for On-Call Status

In accordance with the ability and authority of the Board of Aldermen of the City of Starkville to adopt procedures and policies to more effectively and efficiently manage its personnel and operations, the Board of Aldermen finds that it is in the best interest of the City of Starkville to adopt a policy regarding the requirements, criteria and the funding of having personnel standing in an on-call or stand-by status for emergency and/or unforeseen operational needs.

The current formal on-call status for the City of Starkville is addressed in the personnel policy manual under section 5.105 Standby Pay which states "Employees who are on standby shall be compensated at the regular standby rate as established by the Mayor and Board of Aldermen". As approved by the Board recorded in the minutes of the meetings of September 20, 1993, April 1, 1997, January 16, 2001 and November 2, 2004, the Board of Aldermen authorized the payment for an employee serving in an on-call status at a rate of \$80.00 per week.

The Board of Aldermen by adoption of this policy wish to establish a set of criteria for the personnel to be used as standby crews for the various departments. The departments that are impacted are the Police Department, Fire Department, Electric Department, Public Services Department, Information Technology and the Street Department.

Each department is authorized to develop its own time standard for the on-call pay period, i.e. the electric department on-call status extends from Friday to Friday, the police extends from Monday to Monday.

In an effort to address appropriate issues for city-wide standardization, the board has adopted the following criteria for those personnel who are designated as on-call employees.

- 1) Each department shall designate the time when the on-call status shall commence and end. Each department head is responsible for the personnel who are designated for such status and their availability in service to the City.
- 2) Each department head is directed to distribute or rotate the on-call status responsibility in a fair and equitable manner as dictated by the requirements of the department.
- 3) Each person charged with the on-call duty shall be immediately available by telephone or pager or radio.
- 4) Each person charged with the on-call duty shall be able to report for duty ready to assume the responsibilities of the position within thirty (30) minutes from receiving the notification.
- 5) Each person charged with the on-call duty shall refrain from drinking any alcohol during this duty time period.
- 6) Employees shall refrain from ingesting any medication that would impair their ability to perform their job functions. Each person who requires medication is charged with the responsibility to report that condition to the supervisor so that alternate on-call personnel arrangements can be made.
- 7) Each person designated as responsible for on-call duty shall receive \$120.00 per week for such additional service and availability as outlined above.

The Board of Aldermen for the City of Starkville finding that the foregoing effects the most efficient and reasonable operation of the City, hereby adopts the policy effective as of the 16th of October, 2007.

Policy #12 Performance Evaluations

City of Starkville Personnel Policy

(approved by Board March 20, 2012)

Performance Evaluations

Purpose: The purpose of performance evaluations is to provide a uniform, consistent method that evaluates major aspects of job performance and to provide an established method for strengthening work relationships and improving communications. It is designed to develop the employee's skills, to allow the supervisor to recognize the employee's accomplishments and good work, and to provide an established method for identifying needed improvements.

Department Heads and/or supervisors are strongly encouraged to frequently discuss job performance with their employees on an informal basis. Formal performance evaluations are used to ensure that these discussions are conducted at least on an annual basis.

Performance evaluations shall be administered in a fair manner without unlawful discrimination as to age, race, sex, religion, political affiliation, national origin, or disability.

While this policy sets forth minimal time periods for performance evaluations, the department head and/or supervisor is not precluded from evaluating an employee's job performance as often as deemed necessary in order to meet the objective of improving an employee's overall job performance.

Policy: All **regular, full-time employees** of the City of Starkville shall be evaluated at least once annually. In order to avoid conflicts with the budgeting process, performance evaluations should be completed in the January through April time frame. Exceptions to this time frame should be documented by the department head and notifications sent to the Personnel Officer with an explanation for the exception and the time frame for completion. Performance evaluations should be completed using forms approved by the Personnel Officer. The appraisal should cover the period from the last appraisal to the date of the current appraisal.

Probationary employees (new hires, promotions, disciplinary, or any other reason for probation) shall be evaluated every ninety (90) days during the probationary period. Job performance and progress will be discussed during each of the performance evaluations during the probationary period. Probationary periods may be extended in ninety (90) day increments with appropriate documentation and notice to the probationary employee of the reason for the extension and the areas required to be addressed to ensure satisfactory completion of the probationary period.

Department Heads will be evaluated by the Mayor and Board of Aldermen annually using a format and time frame as approved by the Board.

Copies of completed performance appraisals are to be distributed as follows:

- Original sent to Personnel Officer and retained in the employee's Personnel file,
- Copy retained by the department head,
- Copy to be provided to the employee being appraised.

Nothing in this policy should be construed as ensuring continued employment because any provision of this policy has or has not been followed as stated.