

Personnel Manual

Revised 11.2.21



Department of Human Resources

Congratulations! We're excited you have chosen to work for the City of Starkville!

We believe our employees are our most valuable asset. In fact, we take pride in our reputation for our ability to recruit, hire, and maintain a motivated and productive workforce while delivering excellent customer service. We hope that during your employment with the City of Starkville you will become a productive and successful member of our team. If you are a current employee, we wish to express our sincere appreciation for your valued service!

By becoming a City of Starkville employee, you are joining an important group of well-respected, dedicated, and talented employees. Our employees are invaluable to the community, and the greatest asset of our organization. We are known for our excellence and commitment to high-quality and efficient services that are responsive to the community's diverse and ever-changing needs. We help make Starkville one of the most livable communities in the country.

We ask our employees, regardless of their responsibilities, to take the collective mission of the City of Starkville's organization to heart: "Making Starkville a safe, dynamic, and livable community."

As a City of Starkville employee, you will have the opportunity to perform quality work in your department and contribute to the success of the City as a whole. Your role in accomplishing these objectives is very important, and you were selected for your position based on the knowledge, skills, and abilities you possess for performing your job. We want to hear from you since your insights are important to us. The City of Starkville cannot have too many good ideas! You will be supported and encouraged to enhance your personal growth, while working with a dynamic variety of individuals, from within and outside of the organization.

As an employee of a municipal organization, it is important to understand our government structure and how it relates to your work. We have eight elected officials, including our Mayor and the Board of Aldermen, who are responsible for providing our citizens, business community, and others with service that is courteous, dependable, efficient, and economical.

We are pleased to provide you with this Personnel Manual, which outlines the basic policies and procedures that provide the framework for our organization. This handbook will be a helpful reference during your career with the City. We encourage you to freely ask questions of your Supervisor, Manager, and Department Head, regarding the policies and procedures contained within this handbook.

We know that people who enjoy their work and their surroundings do a better job for themselves and the City. We're committed to making employment at the City of Starkville a satisfying and productive experience.

We're pleased to have you join our organization, and look forward to a successful and beneficial association.

The Human Resources Department, City of Starkville, MS!

Table of Contents

SECTION I – INTRODUCTION	6
A. PURPOSE AND OBJECTIVES	6
B. AMENDMENTS TO PERSONNEL POLICIES	6
C. COMPLIANCE.....	6
D. GENERAL CODE OF CONDUCT	7
SECTION II – EMPLOYMENT	8
A. EQUAL EMPLOYMENT OPPORTUNITY	8
B. ANTI-HARASSMENT & DISCRIMINATION	9
C. AMERICANS WITH DISABILITIES ACT AND AMENDMENTS ACT.....	10
D. MINIMUM AGE	10
E. EMPLOYEE CLASSIFICATIONS	11
F. PAY RATES FOR CHANGES IN STATUS (Policy 1).....	11
G. PROBATIONARY PERIOD	12
H. PERFORMANCE APPRAISAL/EVALUATION.....	13
I. DUAL EMPLOYMENT	14
J. ATTENDANCE	15
K. LUNCH PERIOD	18
L. NEPOTISM/PERSONAL RELATIONSHIPS/EMPLOYMENT OF RELATIVES.....	18
M. PRE-EMPLOYMENT DRUG TESTING	19
N. REDUCTION-IN-FORCE / LAYOFF /FURLOUGHED	19
O. RESIGNATION	20
SECTION III – EMPLOYEE BENEFITS.....	21
A. HEALTH INSURANCE BENEFITS	21
B. RETIREE HEALTH BENEFITS	23
C. LIFE INSURANCE	23
D. TUITION ASSISTANCE PROGRAM (TAP)	24
E. EMPLOYEE ASSISTANCE PROGRAM (EAP).....	25
F. WORKERS COMPENSATION	25
G. UNEMPLOYMENT COMPENSATION	26
SECTION IV – CLASSIFICATION PLAN	26
A. PURPOSE.....	26
B. USE OF JOB DESCRIPTIONS	26

C. USE OF THE CLASSIFICATION PLAN.....	26
D. ADMINISTRATION OF THE CLASSIFICATION PLAN.....	27
SECTION V – COMPENSATION PLAN/ PAY PRACTICES.....	27
A. PURPOSE.....	27
B. MAINTENANCE OF THE COMPENSATION PLAN.....	27
C. USE OF SALARY RANGES	27
D. OVERTIME PAY AND COMPENSATORY TIME.....	28
E. EMPLOYEE TIME RECORDS.....	29
F. ON-CALL PAY (Policy 11).....	29
G. EMPLOYEE PAY	30
SECTION VI – LEAVE POLICIES	31
A. HOLIDAYS.....	31
B. PERSONAL LEAVE	32
C. MAJOR MEDICAL LEAVE.....	33
D. LEAVE DONATION PROGRAM.....	34
E. FAMILY AND MEDICAL LEAVE	35
F. CIVIC/COURT LEAVE	36
G. BEREAVEMENT LEAVE	36
H. MILITARY LEAVE.....	37
I. CITY LEAVE/ LEAVE OF ABSENCE.....	37
SECTION VII – GENERAL POLICIES.....	38
A. DRESS CODE.....	38
B. POLITICAL ACTIVITY	39
C. PHONE CALLS	40
D. GARNISHMENTS AND ATTACHMENTS.....	40
E. PERSONAL FINANCIAL	40
F. CITY VEHICLES.....	41
G. VOICE RECORDERS.....	42
H. SOLICITATION	42
I. TOBACCO POLICY	42
J. PERSONNEL/HUMAN RESOURCES RECORDS.....	43
K. BULLETIN BOARDS	44
L. NEWS RELEASE	44

M. TECHNOLOGY USE AND EXPECTATIONS.....	45
N. DRIVER’S LICENSE AND DRIVING RECORD (MVR) FOR EMPLOYEES ASSIGNED TO OPERATE CITY VEHICLES OR EQUIPMENT	46
O. AGREEMENT FOR TRAINING AND UNIFORM REIMBURSEMENT / FOR NEWLY HIRED POLICE OFFICERS AND FIRE FIGHTERS	46
P. CITY EMPLOYEE TRAVEL POLICY	47
Q. SAFETY	49
R. KEY POLICY	49
SECTION VIII – COUNSELING, DISCIPLINE AND GRIEVANCE PROCEDURES.....	50
A. COACHING/COUNSELING	50
B. DISCIPLINARY ACTIONS.....	51
C. DISCIPLINARY ACTIONS – SERIOUS OR REPEAT OFFENSES.....	54
D. GRIEVANCE PROCEDURES	55
SECTION IX – FIRE DEPARTMENT & POLICE DEPARTMENT	59
A. PLEASE SEE FIRE DEPARTMENT OR POLICE DEPARTMENT MANUAL.....	59
B. RESIDENCY REQUIREMENT (Firefighters and Police Officers)	59
C. POST-OFFER REQUIREMENTS / PHYSICAL	59
ACKNOWLEDGMENT	61

SECTION I – INTRODUCTION

A. PURPOSE AND OBJECTIVES

This Personnel Manual applies to all employees of the City of Starkville including management, supervisors, clerical, and other such employees.

The purpose of this Personnel Manual is to establish a fair and uniform system of policies, procedures, and expectations for all employees of the City. Full understanding and compliance is expected of all employees, in order that the most effective services possible may be delivered to the citizens of the City.

The Personnel Manual and all other Departmental Manuals do not bestow any additional rights to employees regarding employment or employment benefits. These policies and procedures are not intended to create a binding employment contract, and no employee has any contractual right to the matters set forth herein. The Mayor and Board of Aldermen reserve the right to modify, revoke, suspend, terminate, or change any or all of such plans, policies, and procedures in whole or in part, at anytime as it deems appropriate, in its sole and absolute discretion, with or without notice to employees.

Working for a municipality means that each employee has an obligation to serve the taxpayers of the City of Starkville to the best of their ability.

B. AMENDMENTS TO PERSONNEL POLICIES

Amendments or revisions to these regulations, policies, and procedures may be recommended for adoption by the Mayor and the Board of Aldermen.

All departmental regulations, policies, and procedures, as presently constituted or hereinafter adopted, which are not in conflict with these regulations, policies, and procedures shall be and remain in effect. All future revisions or changes will be properly noticed and communicated to existing employees.

C. COMPLIANCE

The City has made every effort to ensure the policies in the Personnel Manual are in compliance with all federal, state, and local employment laws and regulations. In the event that a provision in the policies is in conflict with a federal, state, or local law or regulation, the appropriate law or regulation shall prevail, and the provision in the Personnel Manual shall be deemed amended to the extent necessary to comply with such law or regulation.

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 adoption of policies for the management of the City of Starkville personnel system.

D. GENERAL CODE OF CONDUCT

The City of Starkville has adopted a code of conduct to establish guidelines for City employees in the performance of City business. As an integral part of a team dedicated to delivering quality service to the public, each City employee shall accept certain responsibilities, adhere to accepted business principles or practices, and foster the highest standards for personal integrity and honesty in carrying out their public duties, recognizing that the public interest must always be the primary concern.

To accomplish these objectives, all employees and volunteers of the City of Starkville shall:

- Uphold the Constitution, laws, and regulations of the United States and the State of Mississippi as well as the regulations, policies, and operating principles of the City of Starkville.
- Understand the public trust held as a result of being a City employee and never compromise honesty or integrity for personal gain or advancement.
- Place the long term benefit to the City organization and the public as a whole above other considerations in the performance of work duties.
- Conduct oneself at all times in a manner that reflects positively on the City. Understand that certain kinds of off-work conduct can negatively impact one's standing as a City employee and the reputation of City government.
- Treat members of the public and coworkers with dignity and respect.
- Treat members of the public and coworkers fairly and equally without dispensing special favors to anyone or receiving special privileges from anyone.
- Understand that the appearance of a conflict of interest may be as damaging as an actual conflict of interest, and that both should be avoided in the performance of one's duties. Immediately disclose any conflict of interest should it arise.
- Be at your work place, ready to begin work at the scheduled starting time. Remain at your work location and perform work assignments (except during established lunch and breaks) until the end of your period (unless notified to vacate due to an emergency or any other reason as directed by your immediate supervisor or upper management).
- Hourly/non-exempt employees will clock in and clock out to start and end the work period, as well as to take their lunch break.
- Respect and uphold the confidentiality of individuals and work related information when appropriate or required by law.
- Report unlawful or unethical work behavior by another City employee or volunteer to the appropriate management or law enforcement representatives.
- Report any injury or safety incident IMMEDIATELY to your supervisor
- Respect, safeguard, and conserve the City's property and your work area.

As an employee of the City of Starkville you must NOT:

- Bring firearms or weapons of any kind onto any City of Starkville premises or vehicles (excluding authorized personnel), engage in fighting or threatening conduct, or use abusive or threatening language of any kind.
- Use, possess, distribute, sell, or be under the influence of alcohol, drugs, or intoxicants that will affect the ability to perform the job, while on the job or on City premises, or in City vehicles.
- Violate security, safety, or health regulations and policies, or engage in conduct that creates a safety or health hazard.
- Deliberately damage, or inappropriately use City property, equipment, supplies, or merchandise.
- Engage in any conduct on or off the City premises, whether on or off duty, which may be viewed as illegal, unethical, or unprofessional or which otherwise reflects negatively on you (as an employee) or other employees or the City.
- Record conversation with a recording device (i.e. tape recorder, cell phone, etc.) unless prior approval is obtained from management and/or all parties have consented to the recording of the conversation.
- Gamble on the City's premises.
- Falsify city forms, reports, or records, including absence, benefits, or time records.

We invite you to join us in embracing these values and the others outlined in this employee handbook as you begin your career with the City of Starkville. Working together, we can make your employment experience both personally and professionally rewarding.

SECTION II – EMPLOYMENT

A. EQUAL EMPLOYMENT OPPORTUNITY

It is the policy of the City to provide equal opportunity in employment to all employees and applicants for employment in accordance with all applicable laws, directives, and regulations of federal, state, and local governing bodies.

The City of Starkville provides equal opportunity to all candidates considered for employment without regard to their race, color, religion, national origin, age, sex, gender, pregnancy, disability, sexual orientation, gender identity, genetic information, military status, protected veteran status (specifically status as a disabled veteran, recently separated veteran, armed forces service medal veteran, or active duty wartime or campaign badge veteran), or other classification protected by applicable federal, state, or local law.

The City is committed to the principle of recruiting and selecting employees on the basis of

demonstrated and potential ability to perform the functions of the position available and in accordance with the City's policy of equal opportunity. The City of Starkville follows Equal Employment Opportunity (EEO) in all of its employment practices including those pertaining to recruitment, hiring, placement, compensation, transfers, promotions, practices, evaluations, benefits, training, layoff recall, discipline, demotions, and terminations. These employment practices shall be administered in accordance with the law as set forth in Title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act of 1967, Title I of the Americans with Disabilities Act of 1990, the Equal Pay Act of 1963, as amended, and Title II of the Genetic Information Nondiscrimination Act of 2008. Employees are selected on the basis of their training, education, required certifications, experience, work history, and ability to meet the essential functions of the job under the Americans with Disabilities Act (ADA) and the Americans with Disabilities Act Amendments Act of 2008 (ADAAA).

B. ANTI-HARASSMENT & DISCRIMINATION

It is the policy of the City that all employees be able to work in an environment free of all forms of harassment. The City will not tolerate, condone, or allow harassment by any employee or non-employees who conduct business with the City. The City considers harassment and discrimination of others to be forms of serious misconduct. Therefore, the City shall take direct and immediate action to prevent such behavior and to remedy all reported instances of harassment and discrimination. Harassment on the basis of any protected classification including, but not limited to, race, color, national origin, disability, religion, sex, or age will not be tolerated.

Harassment may include, but is not limited to, offensive jokes, slurs, name-calling, physical assaults, threats, intimidation, ridicule, mockery, insults, put-downs, or interference with work performance or employment opportunities.

Harassment will not be tolerated. Employees are encouraged to inform the harasser directly that the conduct is unwelcome and must stop. Employees should also report harassment at an early stage to prevent its escalation. All allegations of harassment will be investigated by the Human Resources Department or appropriate supervisor.

Sexual Harassment Policy

It is the policy of the City of Starkville to:

1. Provide employees with a working environment free from sexual harassment
2. Communicate such policy and reporting procedures to employees and supervisors
3. Recognize the unique nature of complaints of sexual harassment, encourage early reporting by employees, and resolve complaints promptly and confidentially
4. Educate and oversee supervisors in the administration of this policy and in regard to their responsibilities

In determining whether conduct constitutes sexual harassment or creates an intimidating, hostile, or offensive working environment, the totality of the circumstances and the context in which alleged

incidents of sexual harassment occurred shall be examined. The determination of whether a particular action constitutes sexual harassment shall be based on the facts of each case.

Employee’s responsibilities:

An employee who believes he or she has been the target of or subjected to sexual harassment or a hostile work environment shall address the problem as follows:

1. Notify the alleged harasser, if comfortable in doing so, or the employee’s supervisor, and request that the behavior stop immediately.
2. Report sexual harassment to the Human Resources Department within three (3) days, or as soon as practicable, unless the report alleges harassment by an employee of the Human Resources Department, in which case, the report shall be presented to the Mayor.

C. AMERICANS WITH DISABILITIES ACT AND AMENDMENTS ACT

The ADAAA are federal laws that prohibit employers from discriminating against applicants and individuals with disabilities.

The City will comply with all federal and state laws concerning the employment of persons with disabilities and will act in accordance with regulations and guidance issued by the Equal Employment Opportunity Commission (EEOC). Furthermore, the City will not discriminate against qualified individuals with disabilities in regard to application procedures, hiring, advancement, discharge, compensation, training, or other terms, conditions, and privileges of employment.

The City will reasonably accommodate qualified individuals with a disability as long as the accommodation does not create an undue hardship to the City. The Human Resources Director, with the advice of the City Attorney, will determine whether accommodations are reasonable on a case-by-case basis. Once the City is aware of a qualifying disability, it will take measures to reasonably accommodate the disability in accordance with legal requirements.

It is the employee’s responsibility to inform the employee’s supervisor that an accommodation is needed to perform essential job functions. The City reserves the right to request written documentation from any employee seeking an accommodation. All information received by the City relating to the provision of a reasonable accommodation will be treated as confidential and maintained in the medical file separate from other personnel information.

D. MINIMUM AGE

The Fair Labor Standard Act (FLSA) sets wage, hours worked, and safety requirements for minors (individuals under age 18) working in jobs covered by the statute, which includes City government. The rules vary depending upon the particular age of the minor and the particular job involved. The FLSA also generally prohibits the employment of a minor in work declared hazardous by the Secretary of Labor (for example, work involving excavation, driving, and the operation of many types of power-driven equipment).

The City of Starkville’s minimum age for all other city employees is eighteen (18) years of age. The

minimum age for sworn employees is twenty- one (21) years of age. The only exception will be for selected seasonal and/or temporary positions when prescribed differently by federal or state law.

E. EMPLOYEE CLASSIFICATIONS

Employees of the City of Starkville are generally classified as one of the following:

1. Regular Full-time Employee – A regular full-time employee is an employee who works a minimum of thirty (30) hours or more per week, is paid an hourly or annual rate, is subject to all conditions of employment, and is eligible for all benefits offered by the City.
2. Regular Part-time Employee – A regular part-time employee is an employee who works twenty (20) hours or less per week on a regular basis.
3. Temporary Full-time Employee – A temporary employee is an employee who works assigned hours, not to exceed a period of twelve (12) consecutive months and are paid on an hourly basis. Temporary employees are eligible to receive benefits.
4. Temporary Employee – A temporary employee is an employee, who works assigned hours, not to exceed a period of one hundred eighty (180) consecutive days and are paid on an hourly basis. Temporary employees are not eligible to receive benefits.
5. Elected Official - A person who is an official by virtue of an election.

F. PAY RATES FOR CHANGES IN STATUS (Policy 1)

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

Transfers

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.

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 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.

Promotions

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

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 thirty (30) consecutive days or longer, the employee shall be given a ten percent (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.

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. An employee may be demoted for any of the following reasons:

1. His/her position is being eliminated, and he/she would otherwise be terminated.
2. His/her position is being reclassified to a higher grade, and the employee lacks the necessary skills to successfully perform the job.
3. Lack of work.
4. Budgetary constraints.
5. The employee does not possess the necessary qualifications to render satisfactory service to the position he/she holds.
6. The employee voluntarily requests such a demotion, and it is available.
7. As a form of disciplinary action.

Reclassification

When an employee's position is reclassified to a higher salary grade, the employee shall receive a pay increase, if they are not in line with the new salary grade. When an employee's position is reclassified to a lower salary grade or remains on the same salary grade, the employee's salary shall not change.

G. PROBATIONARY PERIOD

All persons employed shall serve a probationary period of twelve (12) months. During this important time, the employees are learning the job, and the City is evaluating their performance. All new employees will be evaluated one hundred eighty (180) days during the probationary period by their supervisor, who will let them know how they are doing.

After thirty (30) days of employment, all employees, while on probation, will be entitled to all benefits of regular City employees.

One exception is that a new hire probationary employee may not submit an employment application as an "internal applicant" until after probation period or unless its a better organizational fit .

Before the end of the probationary period, the Department Head shall indicate the following in writing to the Human Resources Director:

1. That he/she discussed with the employee the employee's accomplishments, failures, strengths, and weaknesses.
2. Whether the employee is performing satisfactory work.
3. Whether the employee should be retained in the position.
4. Whether the employee, if a new employee, should be discharged or have his/her probationary period extended a given number of months not to exceed an additional six (6) months.
5. Whether the employee, if on probation following promotion, should be reinstated in his/her former position, if available, or have his/her probationary period extended a given number of months not to exceed an additional six (6) months.

After successful completion of the probationary period, the employee will become a regular full time employee unless recommended otherwise, that their probationary period be extended in ninety (90) day increments, not to exceed an additional six (6) months with appropriate documentation.

H. PERFORMANCE APPRAISAL/EVALUATION

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.

Together the supervisor and the employee shall develop goals to improve job skills and enhance job performance. Employee evaluations may be used to assist in:

1. Promotional decisions
2. Reduction in force considerations
3. Disciplinary action decisions.

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 July - August time frame. Exceptions to this time frame should be documented by the department head and notifications sent to the Human Resources Director with an explanation for

the exception and the time frame for completion. Performance evaluations should be completed using forms approved by the Human Resources Director. 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 one hundred eighty (180) 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 Human Resources Director 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.

The employee's signature does not necessarily indicate agreement with the contents of the evaluation, only that they have been made aware of it. The contents of a written performance evaluation are not subject to the grievance procedures. If an employee disagrees with the performance evaluation, the employee may attach a written statement of his or her objections to the performance evaluation. The performance evaluation and the employee's written statements, if any, shall be placed in the employee's personnel file.

I. DUAL EMPLOYMENT

The purpose of this policy is to define and clarify the ethical and practical issues regarding employees' dual employment on jobs while actively working as a full-time employee for the City. The City expects an employee's work for the City to take precedence over any outside employment engaged in by an employee. **Employees must get prior written approval from the Department Head before engaging in other employment.** Approvals will be updated yearly to remain in effect. At no time shall employees who are performing outside approved work wear City uniforms or logos or use City issued equipment.

Activities and conduct away from the job must not compete with, conflict with, or compromise the City's interests or adversely affect job performance and the ability to fulfill all job responsibilities for the City. Employees are prohibited from performing any services for customers on non-working time that are normally performed by the City.

1. Procedure:

An employee's "own time" means time after work hours, vacation time, holidays, when laid off/furloughed, or when suspended from work. An employee's "own time" does not include sick

time, while on FMLA, or during regular business hours.

2. Employees must get prior written approval from the Department Head before engaging in other employment. The Department Head shall forward a copy of the outside employment form to the Human Resources Department for inclusion in the employees' official personnel file.
3. Employees may not moonlight in a position that creates a conflict of interest with employment with the City, and conduct away from the job must not compete with, or compromise the City's interests or adversely affect the employees' job performance and the ability to fulfill all job responsibilities for the City. For questions about whether a dual employment position would be a conflict of interest, see your Department Head.
4. Employees are prohibited from performing any services for customers on non-working time that are normally performed by the City. This prohibition also extends to the unauthorized use of any City tools or equipment and the unauthorized use or application of any confidential information. In addition, employees are not to solicit or conduct any outside business during paid working time.
5. Additionally, any Department Head who desires to engage in outside employment or business shall obtain prior approval from the Mayor.

J. ATTENDANCE

Each employee plays an important role in providing quality service to the citizens of Starkville. As with any group effort, it takes cooperation and commitment for everyone to operate effectively. Therefore, your attendance and punctuality are very important.

The City provides leave to cover absence from work. Employees are expected to report for duty, and be ready to begin work by the start of the regular work day or shift, unless on approved leave.

However, the City recognizes the need for a balance between our superior customer service and the needs of our employees. Therefore, reasonable allowances will be made for absences with proper notice; three (3) days notice must be given to a manager by the requesting employee. Unfavorable patterns of absences will, however, require immediate corrective action, which may warrant a written disciplinary documentation by the employee's supervisor.

OCCURRENCE-BASED ATTENDANCE POLICY

Discipline for attendance violations is based on the number of occurrences. Below are the steps generally used in administering discipline in connection with attendance issues. However, under certain circumstances, the City may deviate from one or more of the steps or consider absences outside of the specific timeframe.

Protected Absences – The below absences are protected by federal law and the City's policy, therefore, they are not used in the disciplinary process

- Military obligation – documented per City Military Leave Policy
- Absences due to an injury, with medical verification that the employee is unable to work

- Under the care of a physician with verification that the employee is unable to work
- Bereavement Leave with the appropriate documentation as requested
- Jury duty with appropriate documentation provided
- Documented and approved leaves of absence or use of intermittent leave including family/medical leave as defined in the City's Family & Medical Leave Policy or as required by other applicable law
- Approved Vacation if requested and approved per the City policy
- City Paid Holidays
- Pre-approved Personal Leave for business that cannot be conducted outside of normally scheduled shifts and which has been requested and approved in advance per the City Policy

Occurrence Defined

- Any absence that is not reported in compliance with the Reporting Absences procedure below. (Failure to follow call out procedure)
- An absence not specifically identified as a protected absence above. (Absence)
- Any absence that is not reported to the location (i.e., a no call/no show). (No Call No Show)
- Failure to be in the employee's work area prepared to work at the scheduled start of the employee's assigned shift. (Tardy) after five (5) min.
- Any instance of an employee leaving his/her assigned location without permission before the end of the scheduled shift where such departure is not specifically related to business needs, occupational injury or illness and/or any other business reason acknowledged by management. (Early Departure) is considered fifteen (15) minutes early.
- Failure to provide proper documentation.

REPORTING ABSENCES

- Call out/report tardiness or early departures to the person at your location who holds the following position: **Department Head or Designee of Department Head**
- When calling out, it **is acceptable** to leave a message rather than speaking directly to the person listed above.
- When calling out, it **is acceptable** to use text messaging to leave a message rather than speaking directly to the person listed above in the case where after attempting to contact the person listed above directly, the employee has been unsuccessful in 2 or more attempts.

Call out timing: At least two (2) hours prior to your scheduled shift unless it is impracticable to do so. Call outs are to be done by the employee and not a surrogate except in extreme circumstances. **All occurrences will be tracked using a 12-month annual calendar method**

All occurrences that occur in a 12-month period will be counted and accumulate towards disciplinary action per City policy. After 12 months have passed since any particular occurrence, that occurrence will generally not be considered for disciplinary purposes unless a consistent, or persistent pattern of inappropriate behavior exists.

Attendance will be tracked on a 12-month rolling calendar basis according to the following schedule:

- Each tardiness or early departure _____ 1/2 occurrence
- Each absence _____ 1 occurrence

Occurrences generally will be subject to the following progressive discipline schedule. ***Deviations from this schedule may be approved by the City in its sole discretion.***

- 2rd occurrence in a 12-month period _____ Verbal / Documented Coaching
- 3rd occurrence in a 12-month period _____ 1st written warning
- 4th occurrence in a 12-month period _____ 2nd written warning
- 5th occurrence in a 12-month period _____ Termination

USE OF Annual Leave or Sick Leave (AL or SL)

An employee may use available AL or SL to receive pay for an occurrence. However, use of AL or SL will not alter any disciplinary action as defined above.

EXCESSIVE ABSENCES IN THE FIRST 90 DAYS OF EMPLOYMENT

Notwithstanding the foregoing, any employee who incurs three or more occurrences in his/her first 90 days of employment may be subject to immediate termination for excessive absenteeism.

NO CALLS/NO SHOWS

No call/ no shows will be subject to an accelerated discipline schedule during the rolling 12-month period due to their heightened impact on the operation. An occurrence will be issued for the attendance violation along with documentation for violation of the no call/no show policy as follows:

- 1st No Call/No Show in a 12-month period _____ 1st written warning
- 2nd No Call/No Show in a 12-month period _____ Final written warning
- 3rd No Call/No Show in a 12-month period _____ Termination

JOB ABANDONMENT

An employee may be deemed to have voluntarily resigned from employment after:

- Incurring no call/no shows for three separate offenses.
- “Walks off” the job without authorization from their manager.

If the employee has already begun the step discipline process for attendance/punctuality when a no call/no show occurs, the disciplinary process may be accelerated to the final step.

Note: An employee will not be subject to discipline for any absence, tardiness, or early departure protected under the Family Medical Leave Act (FMLA), the Americans with Disabilities Act (ADA) or other applicable law, provided the employee complies with the procedures described in this Handbook.

PATTERNS

Patterns of absenteeism or tardiness may result in disciplinary action, even if the employee has not yet exhausted available paid time off. Absences due to illnesses or injuries that qualify for a protected

leave status will not be counted against an employee's attendance record, if the protected leave is verified and approved. Medical documentation is required in these instances. Employees who are absent due to a protected leave are still expected to follow the Department's call-in protocol.

K. LUNCH PERIOD

Each employee shall have a minimum of a thirty (30) minute unpaid meal period (one hour maximum). The meal period shall not be scheduled within the first or last hour of the scheduled work day or shift, unless specifically authorized by the immediate supervisor. If an employee needs to request additional time for a lunch period, the employee is encouraged to discuss options and complete necessary leave forms if approved in advance with his/her supervisor.

The lunch period shall be deducted from the number of regular hours worked for an employee's normal work day. The time and duration of the lunch period for specific employees, work sites or crews shall be determined by the Department Head.

L. NEPOTISM/PERSONAL RELATIONSHIPS/EMPLOYMENT OF RELATIVES

Nepotism, defined as favoritism as in the appointment to a job based on kinship, is prohibited pursuant to Miss. Code Ann. §25-1-53.

The employment of relatives can cause various problems including, but not limited to, charges of favoritism, conflicts of interest, family discord, and scheduling conflicts that may work to the disadvantage of both the City and its employee.

No applicant shall be employed in a position where a member of their immediate family are considered to be in positions of inherent unequal authority when one individual has the indirect or direct ability to influence the performance appraisal, benefits, schedule, assignments, salary, and/or career of the family member, or related person; or whose employment relationship to the family member or related person creates an actual or perceived conflict of interest.

For purposes of this policy, immediate family includes any person related by blood or marriage within the third degree. 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.

If employees become related by marriage and create a situation prohibited by this Section, one of the employees may be asked to give up their position.

If a personal, romantic, or intimate relationship is established between two or more employees post-hire, it is the responsibility and obligation of the employees involved to disclose the existence of the relationship to the Department Head. When a conflict, or potential conflict arises, due to the relationship affecting employment, the City reserves the right to make any and all employment decisions in the best interest of the City, which may include requiring one of the employees to give up his/her position. Situations not specifically addressed in this policy that, in the City's opinion, create a conflict of interest or give the appearance of a conflict of interest, will be handled at the City's discretion.

M. PRE-EMPLOYMENT DRUG TESTING

Pre-employment testing for illicit drugs is a condition of employment for all jobs within the City.

The City of Starkville recognizes that the use and abuse of drugs and alcohol in today's society is a serious problem that may involve the workplace. It is the intent of City to provide all employees with a safe and secure workplace in which each person can perform their duties in an environment that promotes individual health and workplace efficiency. Employees of the City are public employees and must foster the public trust by preserving employee reputation for integrity, honesty, and responsibility.

The personnel covered by this policy are subject to pre-employment, random, reasonable suspicion, post-accident, return-to-duty, and follow-up testing. In meeting these goals, it is the City's goal and policy to:

- Assure that employees are not impaired in their ability to perform assigned duties in a safe, productive, and healthy manner
- Create a workplace environment free from the adverse effects of drug abuse and alcohol misuse
- Prohibit the unlawful manufacture, distribution, dispensing, possession, or use of controlled substances
- Protect the public and City employees from the risks posed by on-the-job misuse of alcohol and use of prohibited drugs
- Encourage employees to seek professional assistance any time personal problems, including alcohol or drug dependency, adversely affect their ability to perform their assigned duties.

THE COMPLETE DRUG AND ALCOHOL TESTING POLICY IS AVAILABLE FOR VIEW, IN THE HUMAN RESOURCES DEPARTMENT, AND ON THE CITY'S WEBSITE, AND IS HEREBY EXPRESSLY INCORPORATED HEREIN.

N. REDUCTION-IN-FORCE / LAYOFF /FURLOUGHED

Department Heads have been charged with the responsibility of restructuring their departments to eliminate those positions not essential to the mission of the department.

The goal is to accomplish the reduction in force without any change in the level of services rendered to the citizens of Starkville. This may require a reorganization of the responsibilities of those employees who remain.

The department head, with prior approval of the Mayor and Board of Aldermen, may layoff or furlough 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 or City's control and do not reflect discredit upon the employee.

Any City employee may be laid off for lack of work or lack of funds without a reflection on his/her standing. At least two (2) weeks' written notice of the effective date of the layoff shall be given to each employee affected, with the exception of seasonal or temporary employees, specifically stating the reason for the layoff. Such notice shall be signed by the Department Head or designee.

Regular full-time employees shall not be laid off until all part-time, temporary and seasonal employees occupying the same class are laid off or furloughed unless the non-regular employees' jobs are not funded solely by the City. Employees affected by the reduction in force may apply for consideration for other vacant positions for which they qualify. Affected employees may also apply for employment with the City for any advertised vacancy for which they are qualified.

The primary criterion for selection of those positions and employees affected by the reduction in force is based on whether the positions are critical to meeting the goal of maintaining the current level of service. Consistent guidelines have been established to govern the selection of individuals for layoffs:

- Volunteers will be first in consideration for layoff or furlough.
- Next, employees with documented disciplinary issues in the past six (6) months shall be selected for layoff or furlough, with those currently on a Final Written Warning being selected first proceeding in descending order for discipline.
- Evaluation records may be used in determining which employees shall be laid off when two (2) or more employees are basically qualified to fill one (1) position.
- Next, the employee's availability for work as indicated by the employee shall be utilized to determine selection.
- Seniority as indicated by official records, may be used as a criterion, at the discretion of the Mayor and Board, or any other objective criteria that has a rational basis, and is not inconsistent with state or federal law.
- Personnel who have specific or specialized skills.

During these periods, employees will be laid off or furloughed and may be eligible to collect unemployment from the State. Mississippi Department of Employment Security determines your eligibility for benefits. You may contact them directly to open a claim.

Nothing in this policy limits in any way an employee's right to utilize the City's grievance policy. An employee notified of their dismissal shall be provided the opportunity for an informal hearing before the Board, while in a pay status. The only issue relevant in such a hearing is the City's failure to comply with the criteria and procedures set forth in this policy or other applicable law. The employee and their representative shall be afforded the opportunity to explain why they should not be laid-off or furloughed.

O. RESIGNATION

Resignation occurs when an employee chooses to end employment with the City. 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 within the department 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 Human Resources Department. Resignations by a Department Head must be submitted to the Chief Operating Officer (COO) and/or Mayor with a copy to Human Resources. The Mayor will be responsible for notification to the 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 separate offenses 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 Human Resources Director, 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.

SECTION III – EMPLOYEE BENEFITS

As a full-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.

A. HEALTH INSURANCE BENEFITS

Benefits may include medical, dental, vision, voluntary, and flexible options. Employees are eligible for coverage on the first day of the month following 30 days of employment. Dependents that may be covered include legal spouse and children up to age 26. Supporting documentation is required before benefits can begin.

Each plan year begins in January 1st, with the open enrollment period occurring in the month of October, prior to the new plan year. Health plan options, benefit designs, eligibility rules, and premiums are subject to change each plan year. Informational meetings and other communications are available during the open enrollment period.

The Benefit plans offered by the City allows full-time employees to be enrolled in the City's Group Medical and Life Insurance Program. The City pays all of the premium for its full time employees. However, if family or extra coverage is desired, the employee is responsible for those premiums.

Employees who pay their health insurance premiums for family or extra coverage is paid on a pre-tax basis. When employees enroll in medical, dental, or vision insurance, the premiums are deducted from payroll checks before taxes according to IRS Section 125.

For more in-depth information regarding the offered benefits, please see the Enrollment Benefits Guide.

Qualifying Events for Changes to Coverage

It is the employee's responsibility to notify the City if a significant qualifying event occurs that may result in a change in coverage. Employees must notify the City within thirty (30) days of experiencing a qualifying event and submit supporting documentation to be eligible to change coverage. Some events allow the employee to make changes to benefits including adding or dropping dependents, adding coverage, or terminating coverage.

To make a change in pre-tax deductions that are allocated under the Section 125, employees must have a qualifying event. Under the Internal Revenue Service rules, employees may change his/her health insurance deductions (elections) during the year only after one of the following qualifying events:

1. The employee has a change in family status (e.g. marriage, birth, death, legal separation, divorce, dependent child attaining the maximum age of coverage).
2. The employee's spouse loses coverage due to termination of employment.
3. The employee terminates employment or retires with the City.
4. The employee's spouse has a change in employment status which results in either acquiring or losing eligibility for health insurance coverage.
5. The employee receives a divorce/legal separation and are required under a court order to provide health insurance coverage for his/her eligible dependent children and/or legally separated spouse.
6. There is a significant change in the employee's or his/her spouse's health coverage which is attributable to the spouse's employment.
7. Other reasons consistent with Federal Law such as Healthcare Reform.

Changes in pre-tax health insurance deductions that stem from any of these qualifying events must be made within 30 days of the event.

COBRA

The Consolidated Omnibus Budget Reconciliation Act (COBRA) provides the opportunity for eligible employees and their beneficiaries to continue health insurance coverage under the City's health plan when a "qualifying event" could result in the loss of eligibility. Qualifying events include resignation, termination of employment, death of an employee, reduction in hours, a leave of absence, divorce or legal separation, entitlement to Medicare, or where a dependent child no longer meets eligibility requirements.

B. RETIREE HEALTH BENEFITS

Effective October 1, 2020, the City of Starkville amends its personnel policy with regard to continuing health, dental, and life coverage to all eligible employees upon their retirement from the city.

The option to continue your coverage(s) will no longer be offered to employees who retire from the city on or after October 1, 2020.

Retiring employees under age 65 will be eligible to continue their coverage(s) under COBRA for the applicable time period (18 months in most instances). In accordance with current policy, the retiree must pay the cost for the coverage(s) should they elect to continue and will be subject to the terms and conditions of the vendor utilized by the City in the collection of premiums.

Upon eligibility for Medicare coverage, either through attaining the required age or as the result of a Social Security or Medicare approved disability prior to age 65, the health coverage through the City plan will terminate.

If a retiree attains Medicare eligibility and has a dependent(s) covered under the plan at that time, and the dependent has not attained the age for Medicare eligibility, they will be eligible to continue coverage under COBRA for the appropriate time period or until they also meet Medicare eligibility requirements.

Retirees who continued their coverage(s) and enrolled prior to October 1, 2020, under or over age 65, will be "grandfathered" and allowed to maintain their coverage provided they continue to pay the prevailing premiums as required by the terms and conditions of the vendor utilized by the City in the collection of premiums.

The existing policy for retirees who have continued coverage due to retirement prior to October 1, 2020, is further amended to require that once the covered retiree (or spouse) attains eligibility to Medicare they must terminate coverage through the City of Starkville group health plan. This will assure a smooth transition to Medicare and the avoidance of potential financial penalties as a late enrollee to that coverage.

C. LIFE INSURANCE

The City provides group life insurance to employees who are classified as Regular Full-time. Coverage is effective on the first day of the month following Thirty (30) days of continuous employment with

the City.

Eligible employees are provided ten-thousand dollars (\$10,000) of life insurance. The coverage includes accidental death and dismemberment coverage (AD&D) in an equal amount.

Employees are given the opportunity to voluntarily purchase supplemental life insurance benefits on an after tax basis for themselves and their dependents at the time of hire and at open enrollment each year. Enrollment may require evidence of insurability depending upon the amount of insurance requested and guaranteed issue limits. If the employee is not actively at work on the day coverage is scheduled to begin, coverage will begin on the day the employee returns to work and is considered actively employed.

D. TUITION ASSISTANCE PROGRAM (TAP)

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.

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 Human Resources Director 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.

THE COMPLETE TUITION ASSISTANCE PROGRAM (TAP) POLICY, IS AVAILABLE FOR VIEW, IN THE HUMAN RESOURCES DEPARTMENT, AND ON THE CITY'S WEBSITE, AND IS HEREBY EXPRESSLY INCORPORATED HEREIN.

E. EMPLOYEE ASSISTANCE PROGRAM (EAP)

The employee assistance program (EAP) is designed to help all Regular Full-time and Elected City employees and their family members cope with problems before they become unmanageable. The EAP provides employees and their household members with confidential access to assistance and resources from 8-5pm (9) hours per day, five (5) days per week. The EAP provides short term counseling and support on many issues including depression, grief, legal issues, alcohol/drug abuse, financial pressures, identity theft, stress, anxiety, and many more.

The EAP is strictly confidential and is designed to safeguard an employee's privacy and rights. Contacts to and information given to the EAP counselor may be released to the City of Starkville, only if requested by the employee in writing. There is no cost for an employee to consult with an EAP counselor. Employee will receive three (3) free counseling sessions. If further counseling is necessary, the EAP counselor will outline community and private services available. The counselor will also let employees know whether any costs associated with private services may be covered by their health insurance plan. Costs that are not covered are the responsibility of the employee.

F. WORKERS COMPENSATION

The City has elected to participate in the Mississippi Municipal Workers' Compensation Program. All Employees, who have an accident or injury; **no matter how minor**, while on the job, must notify their Department Head **within 24 hours of the incident**. If medical care is needed, your Department Head will have to report it as first report of injury.

If the injury is deemed to be work-related and you are unable to earn your full pay due to your injury, you may receive workers' compensation benefits related to lost wages. Time away from work due to a work-related injury, will be deemed to run concurrently with leave under the FMLA and similar state or local law, if applicable.

While out on Workers Compensation, leave is not accrued.

WHY DO YOU REPORT IMMEDIATELY?

Reporting an incident (no medical treatment) or injury requiring medical attention, immediately helps to:

- Ensures that management can address and get you immediate medical attention if needed.
- Ensures that unsafe conditions can be corrected immediately to prevent others from being hurt or injured.
- Ensures that an injury investigation gets performed while information is fresh in the minds of those involved.
- Reduces the likelihood of injury severity from prolonged aggravation.
- Reduces the likelihood of fraudulent claim suspicion stemming from a late report.

Failure to report an incident or injury within 24 hours of the event can result in disciplinary action.

WHAT ARE FRAUDULANT CLAIMS?

- Failing to report until a later date, even over the weekend, raises suspicion that an employee may have been injured at home or while performing non-work related duties, and are looking for the medical expense to be covered by the employer. This is a fraudulent claim.
- Fraudulent claims are insurance fraud, a felony, and could result in loss of employment and jail time.

G. UNEMPLOYMENT COMPENSATION

The Mississippi Department of Employment Security determines employee's eligibility for benefits. Employees may contact them directly to open a claim or visit their website at mdes.ms.gov.

SECTION IV – CLASSIFICATION PLAN

A. PURPOSE

The Human Resources Department will maintain a Classification Plan that provides a listing of employment positions in the City. The Classification Plan provides a complete inventory of all positions in the City's service and an accurate description and specifications for each job classification. Job classifications are based on an analysis of the duties and responsibilities of each position and include minimum requirements of education, training, experience, skills, knowledge, and abilities necessary for the job.

B. USE OF JOB DESCRIPTIONS

Job descriptions are a mechanism of communicating goals, objectives, values, and expectations between employees and supervisors. The job descriptions will contain a general description of the position, essential functions, and additional duties of the job. It should be noted that these elements listed are not entirely inclusive or descriptive of all duties.

The job description shall also contain minimum training and qualifications and the ADA Amendments Act (ADAAA) elements and standards required to perform essential job functions. The minimum qualification standards on job descriptions should serve as norms for applicants coming into the job setting and should also serve as a basis for performance indicators in meeting the expectations of the City for each employment position.

C. USE OF THE CLASSIFICATION PLAN

The Classification Plan may be used: 

1. As a guide in recruiting and examining candidates for employment.
2. In determining lines of promotion and developing employee training programs.
3. In determining salaries to be paid for various types of work.
4. In providing uniform job terminology understandable by all City officials and employees and by the general public.

D. ADMINISTRATION OF THE CLASSIFICATION PLAN

In conjunction with the Department Heads and incumbent employees, the Human Resources Department shall be responsible for maintaining accurate job descriptions in the Classification Plan that reflect the duties that each employee performs. Employees and their supervisors shall maintain open communications and dialogue to ensure that job descriptions are reviewed and updated on an annual basis or as needed. The Human Resources Department will conduct a review of the entire Classification Plan by examining the nature of the position classes and recommending the appropriate changes in allocations or in the Classification Plan itself. This review will be conducted every three (3) years or when feasible as determined by the Human Resources Department and Administration.

SECTION V – COMPENSATION PLAN/ PAY PRACTICES

A. PURPOSE

The City shall maintain a Compensation Plan, which assigns pay ranges to each employment position identified in the City's Classification Plan. The Compensation Plan is intended to provide fair compensation for all classes of positions in the Classification Plan. The salary of each employee shall be set within those established ranges as approved by the City, within budgeted fiscal resources.

The Compensation Plan is to be used in consideration of pay ranges for other job classes, general pay rates for similar employment in private establishments and other public jurisdictions in the area, cost of living data, the financial condition of the City, and other factors. To this end, the City may develop comparative studies of factors affecting the level of salary ranges and make recommendations to the Mayor and Board of Alderman during the budget approval process.

The City shall adhere to the provisions of the United States Department of Labor's Fair Labor Standards Act (FLSA) as applied to Mississippi Municipalities.

B. MAINTENANCE OF THE COMPENSATION PLAN

The Human Resources Department will conduct compensation studies with public agencies that are similar in structure and size. All factors affecting the level of salary ranges shall be reviewed, and recommendations shall be made to the Mayor and Board of Alderman, regarding any proposed changes in salary ranges as needed.

C. USE OF SALARY RANGES

Salary ranges are intended to furnish administrative flexibility in recognizing individual differences among positions allocated to the same class.

Employees are generally hired at the minimum pay rate established for a job classification; however, some employees may be hired at a higher rate depending on their experience and education. Any Department Head, desiring to hire an applicant at a salary rate above the minimum, must submit a

written justification to the Human Resources Department for approval. No employee may be paid at a rate less than the minimum of the salary range, nor more than the maximum pay range, prescribed for the class in which the employee is working as set forth in the Compensation Plan.

D. OVERTIME PAY AND COMPENSATORY TIME

A supervisor may require an employee to work at any time when circumstances require work beyond their regular work schedule. In accordance with the FLSA, non-exempt City employees, with the exception of law enforcement and fire protection personnel, shall be compensated for actual time worked in excess of forty (40) hours in a work week at the rate of time and one-half. Paid leave such as holiday and personal leave does not apply toward time worked.

Non-exempt employees may elect to receive compensatory time in lieu of overtime pay. Compensatory time is time off instead of monetary overtime compensation at a rate of one and one-half (1 1/2) hours of compensatory time for each hour of overtime worked. Employees may accrue up to two hundred forty (240) hours of compensatory time. Non-exempt sworn employees may accrue up to four hundred eighty (480) hours of premium compensatory time.

A non-exempt employee, who has accrued compensatory time, shall be permitted to use such time off within a reasonable period after making a request to use such time, unless such use would unduly disrupt the operations of his/her department and not just cause mere inconvenience.

Records of employee compensatory balances for non-exempt employees shall be maintained in the departments as well as the payroll clerk. Employees requesting compensatory time must record the actual hours worked each workday on the time sheets submitted for payroll. Written approvals and leave requests shall be maintained in the payroll and personnel files.

Each Department Head or designated supervisor shall be responsible for establishing work schedules and work periods for employees within his/her department so as to minimize the amount of overtime pay and compensatory time.

Upon separation of employment, a non-exempt employee shall be paid for documented unused compensatory time. Payment for compensatory time shall be made at the rate earned by the non-exempt employee at the point the employee utilizes the compensatory time.

Non-exempt employees shall work beyond their scheduled number or work hours only when it has been authorized in advance by the Department Head. Any employee who fails to obtain authorization for working beyond the maximum allowable hours shall be subject to disciplinary action. However, no Department Head shall deny overtime pay or compensatory time for work that has already been performed.

Employees affected by a change in their classification from non-exempt to exempt status, or from exempt to non-exempt status, shall be notified by their Department Head of the change in their status and any overtime pay provisions within thirty (30) days. Any compensatory leave earned as a non-exempt employee shall either be used prior to becoming an exempt employee or banked for future use.

The Fire Chief and Police Chief shall establish written policies on premium compensatory leave and

pay calculations for employees engaged in fire protection or law enforcement activities, based on local, state, or federal law. Such policies shall comply with the provisions of the FLSA.

E. EMPLOYEE TIME RECORDS

All non-exempt employees are responsible for recording all actual hours worked using the Department's time reporting procedures. These hours are recorded in Kronos (an internet accessible hosted workforce management system) and employees are responsible for accurate input. Employees may not clock in or out for another person. Falsification of timesheets is strictly prohibited and will result in disciplinary action up to and including termination. Department Heads shall review and sign all time records. The following rules shall apply to time reporting procedures for non-exempt employees:

1. Employees are responsible for recording their starting time, quitting time, and total hours worked for each work day.
2. Unless permission to do otherwise by the employee's supervisor, no employee may sign in/clock in more than 5 minutes prior to the start of their shift or to sign out/clock out late after their normal quitting time.
3. Employees shall not remove a time sheet/time cards from the designated employee area or leave the premises with said time sheet/time card.
4. Employees given permission by their supervisor to leave their job assignment for any purpose besides City business during work hours must sign out/clock out when leaving and sign in/clock in upon returning to work, unless otherwise directed by their supervisor in writing.
5. Employees will be paid from time sheets verified by actual recorded times in Kronos. Any adjustments to the recorded time must be approved by the employees's supervisor.
6. An employee failing to properly sign his/her time sheet/time card must have it immediately approved and initialed by a supervisor or Department Head to insure payment for hours worked.
7. No unauthorized representative/employee shall mark on another employee's time sheet/time card. Employees that alter another employees' time sheet/time card shall be subject to disciplinary action.

Failure to properly record hours worked may result in not being paid for those hours in question on the time sheet. Continued non-compliance may result in disciplinary action.

F. ON-CALL PAY (Policy 11)

On-call service is necessary for the proper maintenance and operation of certain City services. On-call time is defined by departmental needs as a period of time in which an employee is required to be available to report to work at the employer's discretion. The designated on-call, non-exempt employee, is expected to be easily reachable and able to report to work within thirty (30) minutes of receiving notification.

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.
2. Each department head is responsible for the personnel who are designated for such status and their availability in service to the City.
3. 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.
4. Department Heads will ensure they have appropriate and updated contact information, including current phone numbers, for on-call employees.
5. Employees designated for being on-call shall ensure they respond when contacted and report to work within thirty (30) minutes from receiving the notification.
6. Employees are also restricted from consuming alcohol or other substances that could impair their ability to respond. Each person who requires medication is charged with the responsibility to report the condition to the supervisor so that alternate on-call personnel arrangements can be made.
7. Non-exempt employees who are designated for on call duty shall receive one hundred–twenty (\$120.00) for on call pay in addition to the actual number of hours worked.
8. An employee who is not designated to be on call, but is unexpectedly called to work due to an urgent situation after normal working hours, will be paid the minimum of three (3) hours or actual hours worked if it exceeds three hours for each actual trip to the City to address call-in issues. Hours reported will be paid at the overtime rate if appropriate (over 40hrs actual work).

Non-exempt employees (with the exception of departments/divisions that are regularly scheduled to work twenty-four (24) hour shifts seven days a week) who are unexpectedly called back to their work area, due to an emergency situation on an official **City holiday**, shall receive one hundred–twenty (\$120.00) for on call pay; eight (8) hours holiday pay; and shall be paid four (4) hours straight pay for being on call.

The actual time the employee works over his/her standard hours for the work week shall be subject to overtime rate if appropriate (over 40hrs actual work).

For public safety staff, their services are needed 365 days a year. Their holiday benefit, can be used at a later date, at the discretion of the Department Head.

Employees must use a city approved method to log hours, which will then be used as documentation to support changes in the City's time clock system and/or payroll system and will be submitted as part of the City's permanent payroll record. Compensable time and overtime shall not include the time it takes to travel to and from the office or work area by the most direct route.

G. EMPLOYEE PAY

The City makes every effort to ensure employees receive their pay on time. City employees shall be

paid generally through direct deposit on a bi-weekly basis, with payday being every other Friday. There are some employees who were hired before the bi-weekly conversion and remain on a monthly basis. Those employees are paid at the end of each month. Employees with questions about their pay should contact the designated Pay Clerk for their department within the pay period in question or immediately thereafter. If a Pay Clerk is not available, contact the HR Department.

Anniversary Increase

All regular full-time employees of the City shall receive receive an anniversary increase based off their hire date in addition to their regular base pay in accordance with the following schedule:

3% ANNIVERSARY INCREASES GIVEN AT YEARS 3, 6, 10, 15, 20, 25

An anniversary increase will take effect at the beginning of a new pay period.

SECTION VI – LEAVE POLICIES

A. HOLIDAYS

The City recognizes the following Holidays, as designated annually by the Board of Aldermen:

New Year’s Day	1st of January
Dr. Martin Luther King Jr. Day	3rd Monday in January
President’s Day	3rd Monday in February
Good Friday	Friday before Easter
Memorial Day	Last Monday in May
Independence Day	4th of July
Labor Day	1st Monday in September
Veteran’s Day	11th of November
Thanksgiving	Thanksgiving Day
Christmas	Christmas Day

These holidays are considered “off days” for most employees, unless a particular department/division of our municipality must operate during these days. If a holiday falls on a day when our municipality doesn’t operate, we will observe that holiday on the following business day. Holiday pay is the regular straight time rate for the number of hours in an average workday.

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

When any of these days falls on a Saturday, the preceding day (Friday) will be observed as a holiday. When any of these days falls on a Sunday, the next day (Monday) will be observed as a holiday.

If a City holiday occurs on an eligible employee’s vacation day, it may be counted as a holiday instead of a vacation day.

Unless on authorized leave, employees must work their work day before a holiday, and their work day after a holiday, in order to be paid for the holiday.

Employees scheduled or required to work on a holiday shall receive holiday pay and pay for any hours worked on the holiday, or it could be used for straight time pay or compensatory time off, to use on a later date as approved by the department head.

Approved Holidays are subject to change at the Board’s discretion. If the Governor of the State of Mississippi designates additional days as paid holidays, the City may designate such additional days as paid holidays for eligible employees, at the Board’s discretion.

B. PERSONAL LEAVE

Personal Leave is provided to all full-time employees, after one month of continuous service. Personal Leave is earned based on years of service. Please see the chart below:

YEARS OF SERVICE	Monthly Accrual Rate	Annual Accrual Rate
1 month to 3 years	12 hours	18 days
3 years and 1 months to 8 years	14 hours	21 days
8 years and 1 months to 15 years	16 hours	24 days
Over 15 years	18 hours	27 days

Fire 24-Hour Shift Personnel

Fire personnel who are regularly scheduled to work twenty-four (24) hour shifts will earn personal leave on a monthly basis, as shown in the accrual schedule below:

YEARS OF SERVICE	Monthly Accrual Rate	Annual Accrual Rate
1 month to 3 years	16.8 hours	25.2 days
3 years and 1 months to 8 years	19.6 hours	29.4 days
8 years and 1 months to 15 years	22.4 hours	33.6 days
Over 15 years	25.4 hours	37.8 days

1. There is no limit to the accumulation of earned personal leave.
2. 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.
3. Personal leave must be used for the first whole eight (8) hours of an employee's illness.
4. Employees are required to complete and submit the appropriate leave of absence paperwork for any absence.
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.
9. Requests for personal leave must be submitted in writing to the staff employee's Department Head or designated supervisor in accordance with departmental request procedures, at least 3 days prior to the time requested. A department head may deny a request for leave based on business necessity. Failure to receive approval prior to taking time off and/or failure to return to work at the end of an approved personal leave may be cause for disciplinary action up to and including termination.

C. MAJOR MEDICAL LEAVE

Major Medical Leave is provided to all full-time employees, after one month of continuous service. Major Medical Leave is earned based on years of service. Please see the chart below:

YEARS OF SERVICE	Monthly Accrual Rate	Annual Accrual Rate
1 month to 3 years	8 hours	12 days
3 years and 1 months to 8 years	7 hours	10.5 days
8 years and 1 months to 15 years	6 hours	9 days

Over 15 years	5 hours	7.5 days
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Fire 24 Hour Shift Personnel

Fire personnel who are regularly scheduled to work twenty-four (24) hour shifts will earn personal leave on a monthly basis, as shown in the accrual schedule below:

YEARS OF SERVICE	Monthly Accrual Rate	Annual Accrual Rate
1 month to 3 years	11.2 hours	16.8 days
3 years and 1 months to 8 years	9.8 hours	14.7 days
8 years and 1 months to 15 years	8.4 hours	12.6 days
Over 15 years	7.0 hours	10.5 days

1. An employee who has used more than three (3) consecutive days/shifts of sick leave must provide documentation to substantiate his/her absence and documentation regarding the employee’s fitness to return to work, which must be provided by the doctor or care provider’s office.
2. If an employee has requested the use of vacation, compensatory, or personal time and that request was denied by his/her supervisor and the employee thereafter utilized sick leave on the day(s) for which the employee’s request for vacation, compensatory, or personal time was denied, the employee must provide documentation substantiating his/her use of sick leave on that day(s).

D. LEAVE DONATION PROGRAM

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:

The program allows eligible employees to donate accrued major medical leave and/or personal leave, to assist eligible co-workers who would otherwise be subjected to a loss of income during a continuing absence from work. Participation in the Program is entirely voluntary and is open to all employees, who are eligible to accrue major medical leave and/or personal leave, within the City.

The Program is subject to change without notice, is non-grievable, and is not subject to any arbitration policy applicable to any employee. Donations must be made in full day increments and are irrevocable. The donated leave can only be credited for future use and not on a retroactive basis.

Pay received as donated leave will be treated as earned income.

THE COMPLETE LEAVE DONATION PROGRAM POLICY IS AVAILABLE FOR VIEW IN THE HUMAN RESOURCES DEPARTMENT AND ON THE CITY'S WEBSITE AND IS HEREBY EXPRESSLY INCORPORATED HEREIN.

E. FAMILY AND MEDICAL LEAVE

The City of Starkville recognizes there are times when an employee may need to be absent from work due to qualifying events under the Family and Medical Leave Act (FMLA).

An employee with at least 12 months of service, who has worked 1,250 hours or more for the City in the past 12 months, may request protected unpaid leave under our Family and Medical Leave Act (FMLA) Policy. In addition, the City will comply with any similar applicable state and local laws regarding leave. Where applicable, leave under the City's FMLA policy will run concurrently with similar leave under applicable state or local law.

- **Parental Leave:** For the birth or placement of an adopted or foster child
- **Personal Medical Leave:** When an employee is unable to work due to his/her own Serious Health Condition
- **Family Care Leave:** To care for a spouse, child, or parent with a Serious Health Condition
- **Military Exigency Leave:** When an employee's spouse, parent, son or daughter (of any age) experiences a Qualifying Exigency resulting from military service (applies to active service members deployed to a foreign country, National Guard, and Reservists)
- **Military Care Leave:** To care for an employee's spouse, parent, son, daughter (of any age) or next of kin, who requires care due to an Injury or Illness incurred while on active duty or was exacerbated while on active duty.

For the first four reasons listed above, an employee may take up to 12 weeks of FMLA leave in a 12-month period measured backward from the date the employee uses any FMLA leave for these purposes.

For the last reason listed above, an employee may take up to 26 weeks of FMLA leave in a 12-month period that is measured forward from the date the employee's first leave for this purpose begins. The 26 weeks available includes up to 12 weeks of leave taken for the first four reasons listed above.

Note:

If you would like to request FMLA leave, you must provide verbal or written notice sufficient to make your Department Head or the appropriate Human Resources Professional aware of your need for FMLA leave, as well as the anticipated timing and duration of the leave.

Return to Work

Any employee returning to work from an extended leave as a result of a serious injury or illness, extended absence, or from any other health-related circumstance that may call to question their

ability to perform the essential functions of the job in a safe and effective manner, must provide a medical release to return to work to the department designee.

General Provisions

Failure to Return: Employees failing to return to work or failing to make a request for an extension of their leave prior to the expiration of the leave will be deemed to have voluntarily terminated their employment.

Alternative Employment: No employee, while on leave of absence, shall work or be gainfully employed either for himself/herself or others. Any employee on a leave of absence who is found to be working elsewhere without permission will be automatically terminated.

False Reason for Leave: Termination will occur if an employee gives a false reason for a leave.

F. CIVIC/COURT LEAVE

An employee who is summoned or subpoenaed to appear as a party, witness, or juror will be excused from work for the days on which they serve. Employees must notify their manager as soon as they are called for jury duty, so that arrangements may be made to cover work assignments.

If an employee is relieved from duty prior to 12:00 noon, they are expected to report back to work.

Unless otherwise required by state law, an employee will receive the difference between jury duty earnings and regular pay (excluding overtime or other premium payments) for hours they would have worked if they had not been required to report to jury duty.

Pay for jury duty service is subject to a maximum of 5 days.

A copy of the jury duty summons and jury duty check stubs must be provided to your Department Head immediately (next work day) after returning from jury duty so your pay may be calculated.

G. BEREAVEMENT LEAVE

An employee may take up to five (5) days at 8 hours per day of paid bereavement leave per calendar year for the death of an immediate family member.

Unless otherwise provided, an immediate family member for purposes of this leave includes your spouse/domestic partner, parent (biological, adoptive, step, or foster), legal guardian, sibling, child (biological, adoptive, step, or foster), grandchild, or grandparent, as well as his/her spouse/domestic partner's parent, legal guardian, sibling, child, grandchild, or grandparent.

Unpaid leave may be requested for bereavement for other categories of extended family, including but not limited to: aunts, uncles, cousins, nieces, nephews, in-laws, and step-family relations. Request for unpaid bereavement leave will be granted based on business need and schedules. If approved by your manager, unpaid leave for this purpose may be subject to the same documentation requirements upon request of management as paid bereavement leave.

H. MILITARY LEAVE

Any employee of the city called to enter the military services of the United States (including the Army, Army Reserves, Army National Guard, Navy, Naval Reserve, Marine Corps, Marine Corps Reserve, Air Force, Air Force Reserve, Air National Guard, Coast Guard, Coast Guard Reserve, Commissioned Corps of the Public Health) shall be given a leave of absence for the duration of such military service, and upon the termination of such service, the Mayor or Board shall reinstate the employee in the position he/she held at the time he/she entered such military service, if such position exists. Further, the employee can also continue his/her existing health coverage for the employee and his/her dependents for up to 24 months while the employee is fulfilling military service obligations.

The process for reinstatement of employees returning from military leave begins when the employee notifies the department head or designee of his/her intent to return to work. The following guidelines apply:

1. On the first work day back for employees deployed 30 days or less
2. Within 14 days of the end of service for employees deployed up to 180 days
3. Within 90 days of the end of service for employees deployed 181 days or longer

The returning employee will be reinstated in the position they would have attained had they not been absent for military service, with the same seniority, status, and pay.

If the position has been abolished, the employee shall be given a position of equal pay grade and at a salary of not less than that which he/she received before such military service or would have held had he/she not entered such military service. Such employee shall retain all rights and benefits which he/she had under any civil service or tenure law of the city, and shall retain all rights and benefits he/she had under insurance and pension law of the city at the time he/she entered such service for the United States Government, and shall be given credit for the years spent in the military service in computing the time served for pension purposes.

Unless his/her military organization requires a specified time for the training period, the employee shall arrange with his/her Department Head for a mutually suitable time period. Employees shall be granted fifteen (15) days of paid leave for each calendar year for active-duty training.

Every employee returning from military leave shall submit to his/her Department Head proof of the number of days spent on duty.

I. CITY LEAVE/ LEAVE OF ABSENCE

Employees who are not eligible for leave under FMLA and need time off for personal or health reasons may apply for a personal leave of absence without pay pending the Mayor and Board of Aldermen approval. Personal leaves are limited to a period of thirty (30) days in any one calendar year, and service credit shall not be granted for the time of the leave. Accrued leave time and earned compensatory leave can be used.

Notice and Leave Request Process

Foreseeable Need for Leave: If the need for leave is foreseeable because of an expected birth/adoption or planned medical treatment, employees must give at least thirty (30) days' notice. If 30-days' notice is not practicable, notice must be given as soon as possible. Employees are expected to complete and return a leave request form prior to the beginning of leave. ***Failure to provide appropriate notice and/or complete and return the necessary paperwork will result in the delay or denial of leave.***

Unforeseeable Need for Leave: If the need for leave is unforeseeable, notice must be provided as soon as practicable and possible under the facts of the particular case. Normal call-in procedures apply to all absences from work including those for which leave under this policy may be requested. Employees are expected to complete and return the necessary leave request form as soon as possible to obtain the leave. ***Failure to provide appropriate notice and/or complete and return the necessary paperwork on a timely basis will result in the delay or denial of leave.***

Leave Request Process: Any employee requesting leave under FMLA should notify their immediate supervisor and contact the City's HR Department. The HR Department will provide information and the necessary documents to the employee to begin the process.

SECTION VII – GENERAL POLICIES

A. DRESS CODE

Personal appearance and manner of dress is an important part of your job responsibilities. Employees are expected to dress and groom in a manner which reflects good taste and which is appropriate for the type of work performed. Since all employees deal with co-workers and the public on a daily basis, personal hygiene is a requirement. Employees should ensure their personal hygiene will not be offensive to others around them. This includes but is not limited to – scented body products, perfume/cologne, oral hygiene, and body odor. Specific dress codes vary based on the position held and whether the job requires the use of a uniform, safety equipment, or safety footwear.

In departments where uniforms are required to be worn, all employees are expected to wear the uniform according to departmental policy. All uniforms are expected to be kept neat and in good condition. Depending on the department an employee is assigned to, the City may furnish a uniform.

Employees who do not regularly meet with the public should follow basic requirements of safety and comfort, but should still be as neat and business-like as working conditions permit.

Administrative employees who deal with the public are expected to dress in a manner that is professional and that projects a positive image for the City.

Employees are required to adhere to the following guidelines.

1. Clothing should be worn and fit in such a manner that it does not expose the abdomen, chest, or buttocks areas.
2. Clothing should be free of sexually related references, foul language, or messages that suggest or promote the use of illegal drugs or alcohol.

3. Body piercing jewelry will only be worn on the ear. No other areas of the body should be visible with body piercing jewelry.
4. In keeping with a professional image, visible tattoos shall not be obscene as determined by the Department Head or designee.
5. Employees may not wear halter tops, beachwear, t-shirts (without City logos), sports jerseys, shorts, spandex or other form fitting pants, work-out attire, or distracting, offensive, or revealing clothes on any day of the work week.
6. The Department Head or designee may choose to authorize a particular day or day of the week during which casual clothing may be worn. On designated casual days, employees may wear sports jerseys or shirts and blue jeans that are not overly worn, torn, or tattered.

An employee who does not meet the standards of this policy will be subject to corrective actions, which may include leaving the work location to correct the dress code violation. Any work time missed because of failure to comply with this policy will not be compensated, and repeated violations of this policy may be cause for disciplinary action.

B. 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.

Employees choosing to run for elected office must notify their Department Head who will forward notice to the Human Resources Department.

Running for Office

Any City employee running for an elective and public office must request a leave, i.e., to include vacation leave, personal leave and compensatory time, or leave of absence without pay. Sick leave cannot be used for such purposes. The effective period of such leave would be thirty (30) days prior to active campaigning or the appearance of any conflict in discharge of City duties as an employee.

Winning an Office

A candidate who is successful in winning the elective office is eligible to return to his/her City position until he/she is duly sworn and qualified for the position unless a conflict develops concerning his/her City duties as an employee. If a conflict situation develops concerning the duties of the employee, the employee must resign from his/her job.

Losing an Office

A candidate who is unsuccessful in election to public office may return to his/her position in accord with the conditions of the approved leave.

SANCTIONS

If an employee is found to be participating or otherwise conducting activities which cause conflict in the office of assignment, he shall be subject to disciplinary actions to include dismissal as determined by their immediate supervisor, who would then make a recommendation to the Mayor and Board of Alderman.

C. 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 five minutes each. Directory assistance should be used only when absolutely necessary and only for city business.

D. GARNISHMENTS AND ATTACHMENTS

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.

E. PERSONAL FINANCIAL

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— Consideration of Termination.

All discussions and any disciplinary actions as a result of this policy will be handled by the Human Resources Director 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 Human Resources Director of the City.

F. CITY VEHICLES

The purpose of this policy is to define and describe the usage parameters related to the operation of City of Starkville vehicles by City employees. The purpose of this policy is to:

- a) Ensure the safety and well-being of City employees
- b) Facilitate the efficient and effective usage of City resources
- c) Minimize liability to the City
- d) Establish standard requirements and procedures for all City of Starkville employees who drive a motor vehicle including over the road equipment in the course of City business. In this Policy, the term vehicle shall be defined as any motor vehicle including over the road equipment and off-road equipment such as mowers, tractors, bulldozers, etc.

It is incumbent upon all operators of City vehicles to follow all motor vehicle laws and rules of the road, and to operate City vehicles in a safe and courteous manner. It is recognized that this policy may not cover all instances and examples of acceptable vehicle usage. In cases not specifically covered in this policy, the employee is responsible to utilize common sense and seek clarification from their immediate supervisor, Department Head, or the Personnel Office. Failure to adhere to all aspects of this policy may result in the employee being held personally responsible for damages, and may result in disciplinary actions up to and including a recommendation for termination if so determined by the employee's Department Head.

All employees who will drive vehicles at any time during the course of their employment must become familiar with this policy, and will be required to sign a statement that they understand and shall adhere to this policy document before they are granted on-going permission to drive a City vehicle.

All automobiles and other vehicles which are owned by the city, except those used by the Chief of Police, and the Detective bureau of the department of police, shall be distinctly marked as the property of the city by placing signage in a conspicuous place, in such a manner that the same cannot be removed, the municipal device, together with the words "City of Starkville", and the number operating the said automobile or other vehicle.

This policy document applies to all employees who operate City vehicles of any type on either a regular or occasional basis. The City reserves the right to deny any employee the use of a City vehicle and may choose not to indemnify any employee who fails to adhere to the policies and procedures contained in this document.

THE COMPLETE CITY VEHICLES POLICY IS AVAILABLE FOR VIEW IN THE HUMAN RESOURCES DEPARTMENT AND ON THE CITY'S WEBSITE AND IS HEREBY EXPRESSLY INCORPORATED HEREIN.

G. 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.

H. SOLICITATION

In order to avoid interference with work, the City has adopted the following procedure with respect to solicitation and distribution.

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 Department Head and Mayor.

Solicitation of one employee by another employee for membership, contributions, funds or other purposes, while either employee is on working time is prohibited, unless approved by the Mayor. Working time refers to that portion of the workday in which the employee is performing actual job duties.

Distribution of printed or written literature of any kind on City or client property is prohibited, except in non-working areas during non-working time. Working areas refer to where work is actually performed.

I. TOBACCO POLICY

The City of Starkville is committed to promoting a healthy environment for its staff and visitors without the hazards associated with 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, and amended on September 15, 2009,

smoking and the use of tobacco products is prohibited throughout all City of Starkville offices and buildings and vehicles.

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.

This policy applies equally to all City employees, clients, contractors, and visitors.

The use of tobacco and non-tobacco products designed and used as a substitute for a tobacco product, including but not limited to cigarettes, cigars, pipes, electronic cigarettes (e-cigarettes), vaporizing devices, smokeless tobacco, snuff, and chewing tobacco is prohibited in any enclosed areas of City buildings. This includes, but is not limited to, common areas, hallways, meeting rooms, offices, restrooms, parking lots, all City-owned adjacent property, City vehicles and equipment, as well as any area enclosed by garage type doors on one or more sides when all such doors are completely open.

Tobacco users are responsible for ensuring that all tobacco activity, including the lighting and discarding of cigarettes, takes place at least fifty (50) feet from the doors, windows, and ventilation systems of City of Starkville buildings to avoid infiltration of smoke into the buildings and only during approved break or lunch periods.

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.

Appropriate signage indicating the City's smoke-free policy will be posted in all City buildings and vehicles.

All materials used for tobacco, including cigarette butts and matches, should be extinguished and disposed of in appropriate containers. Violators of this policy are subject to disciplinary action.

The City's offers a Tobacco Cessation Program for employees covered by the City's health plan. Additionally, the Mississippi Tobacco Quitline is a toll free telephone service that provides personalized support for Mississippians who want to quit the use of Tobacco. Employees may call the Mississippi Tobacco Quitline at 1-800-QUIT-NOW (1-800- 784-8669) or online coaching is available at <http://www.quitlinems.com>.

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

J. PERSONNEL/HUMAN RESOURCES RECORDS

Personnel records for each employee are kept on file and maintained in a secure manner by the Human Resources Department. The Human Resources Department will maintain employee files containing employment and work history, and records of personnel actions.

In order to keep City personnel records up-to-date, employees must notify their supervisor and the Human Resources Department within ten business (10) days (by completing the appropriate forms)

of any change of: name, address, telephone number, marital status, military orders, beneficiaries, dependents, completed education/training, or information for income tax withholding.

The accuracy of these records is particularly important in the case of mailing checks, W-2 forms, insurance payments, sick and accident benefits, etc.

K. BULLETIN BOARDS

City bulletin boards are maintained at numerous locations around the city facilities. Each employee is urged to watch the bulletin boards for notices. Cooperation is needed in protecting the posted material. 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.

L. NEWS RELEASE

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 standard operating procedure (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.

M. TECHNOLOGY USE AND EXPECTATIONS

The City of Starkville provides access to network resources and 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 Technology 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.

Computers, the Internet, e-mail, and other technology should be used to maximize the City's efforts in serving its citizens. It is every employee's duty to use the City's computer resources and communication devices responsibly, professionally, ethically and lawfully. All employee correspondence in the form of electronic mail, including computers, computer files, software, Internet access, voice mail, texts, and other communications, are public records under the Mississippi Public Records Act and may be subject to public inspection under the law.

Use of City owned technology is a privilege that may be restricted or revoked at any time. Users expressly waive any right of privacy in anything they create, store, send, or receive using technology and consent to allowing the City to access and review all materials users create, store, send, or receive using technology.

Material that is, or could reasonably be regarded as, derogatory or discriminatory on the basis of age, sex, race, color, religion, disability, national origin, protected veteran or military status, sexual orientation, gender identity, ethnic origin, political affiliations, genetic information, marital status or any other protected basis in accordance with applicable federal, state, and local laws, or is fraudulent, harassing, embarrassing, sexually explicit, profane, obscene, intimidating, defamatory, or otherwise unlawful, may not be sent, displayed, or stored by any method of City owned or approved technology.

All City employees are expected to follow the rules, regulations and procedures outlined in the Internet Usage Policy. Employee violations of any of the provisions outlined in this policy and/or the Internet Usage Policy Technology Use Manual may be subject to disciplinary action.

THE COMPLETE TECHNOLOGY USE AND EXPECTATIONS POLICY, IS AVAILABLE FOR VIEW, IN THE HUMAN RESOURCES DEPARTMENT, AND ON THE CITY'S WEBSITE, AND IS HEREBY EXPRESSLY INCORPORATED HEREIN.

N. DRIVER'S LICENSE AND DRIVING RECORD (MVR) FOR EMPLOYEES ASSIGNED TO OPERATE CITY VEHICLES OR EQUIPMENT

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.

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.

THE COMPLETE MVR POLICY, IS AVAILABLE FOR VIEW, IN THE HUMAN RESOURCES DEPARTMENT, AND ON THE CITY'S WEBSITE, AND IS HEREBY EXPRESSLY INCORPORATED HEREIN.

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

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 Human Resources Director 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.

P. 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.

The City of Starkville provides reimbursement to City employees who are required to travel on City business. It is the policy of the City to reimburse employees/officials for the reasonable expenses

incurred when attending an authorized meeting, training, or conference. Departments must ensure that the Reasonable Cost method is issued for approval and reimbursement for these events.

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. 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 over-night travel for city designated purposes by municipal employees whether in-state or out-of-state, if the cost of such travel exceeds \$2,000. 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 amount, any such required travel may be approved by the Mayor or, in his/her 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 advanced pay 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, or if the hotel includes complimentary breakfast, 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 prior approval of the Board of Aldermen. This approval is to be 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 travel in personal vehicles. Any meals provided by other sources will be reflected in the per diem reimbursement.

Travel Advances will include registration, hotel accommodations, and travel. Travel should be in a City vehicle when available. Meals will be reimbursed upon submission of receipts, not to exceed the daily limits as set by the MS Dept of Finance and Administration.

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, is 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, meals, etc.) not to exceed \$2,000; 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 thier official duties requires.

Q. SAFETY

Your safety is extremely important. Your supervisors are responsible for ensuring that you have safe working conditions and equipment. However, being safe involves more than just having safe working conditions - it involves your participation. You must exercise safety awareness and the need to be constantly on the alert for unsafe conditions or any situation which may lead to an injury to you or your fellow employees.

- Safety awareness means you look out for yourself and the people working with you. You are expected to know and to observe all the safety rules relevant to your job and work area as reviewed with you by your immediate supervisor.
- Always exercise reasonable care while on the job.
- Become familiar with any emergency instructions posted for your work unit and with all of the exits for the area where you work. Report any unsafe conditions to your immediate supervisor or the Department Safety Coordinator.

R. KEY POLICY

The City of Starkville key control policy is established for the purpose of promoting a secure environment and for maintaining a comprehensive system to efficiently manage the dissemination of keys throughout the City. Individuals may be authorized to receive keys to conduct their work while limiting access where appropriate so as not to compromise security. It is necessary to maintain key control to uphold the integrity of office and building security. This policy describes the procedures by which control, dissemination, use, and possession of keys to City facilities will be managed. The City's City Clerk's office will gladly assist City departments with key control and facility access procedures.

SECTION VIII – COUNSELING, DISCIPLINE AND GRIEVANCE PROCEDURES

A. COACHING/COUNSELING

Supervisors are expected to provide timely and appropriate feedback to employees when performance tasks or behavior becomes a concern. This feedback is usually verbal, specific, and held in a confidential setting. If a pattern of poor performance continues, or if an employee is unaware or needs clarification of a procedure, policy, or process, the manager may document the concerns. The documentation is not considered to be discipline, but failure to make improvements or continued lack of understanding may require a Performance Improvement Plan (PIP) and/or will begin the Progressive Corrective Action Process.

A rule violation which reflects a work performance, conduct, or attendance problem may be the subject of a documentation. The objective is to communicate to the employee that a problem exists and develop effective solutions to the problem. The manager will maintain a copy of the documentation in the supervisor's departmental file and forward the original to Human Resources for inclusion in the employee's personnel file. If documentation is administered, the supervisor shall provide follow up documentation within six (6) months, to track progress and document performance improvement or continued areas for improvement.

Performance Improvement Plan (PIP)

The Performance Improvement Plan (PIP) is a proactive approach to identifying, analyzing, and addressing performance issues before they deteriorate to the point of necessitating corrective action. The PIP is designed to facilitate constructive discussion between an employee and their manager and to clarify the work performance to be improved. A PIP is not a required part of the Progressive Corrective Action Process. A PIP may be used as a coaching tool for employees with performance concerns that do not warrant the Progressive Corrective Action Process, or may be used in conjunction with the Progressive Corrective Action Process if additional assistance is necessary in assisting the employee to meet performance objectives. The Human Resources Director or designee may be consulted in the development and implementation of a PIP as needed.

1. The PIP process should address performance discrepancies, provide the employee an opportunity to improve his/her performance, and monitor progress throughout the established improvement period.
2. The goals and objectives of the PIP should be measurable, specific, achievable, relevant, and time-bound.
3. While a PIP is in place, the supervisor will meet with the employee on established periodic review dates to discuss progress made toward stated performance goals and objectives.

A PIP will remain in effect for the length of time deemed appropriate based on the improvement goals and standards necessary to meet a satisfactory level of performance, which generally should not exceed ninety (90) days. A PIP will remain a permanent part of the employee's official personnel file.

B. DISCIPLINARY ACTIONS

Disciplinary action is necessary from time to time, in order for the City to operate in an effective and efficient manner. In most cases The City of Starkville will follow a four step Progressive Corrective Action:

- Verbal Written Warning
- Written Warning(s)
- Final Written Warning
- Suspension, without pay or Termination, approved by the Board of Alderman

This system of progressive corrective action is used to bring unacceptable conduct or failure to meet performance standards and expectations to the employee's attention and seek a solution that will lead to the employee's success.

Please keep in mind that the City has no obligation to use any one or more of these steps of discipline prior to discharging an employee. Based on the seriousness of the infraction, or in the case of severe misconduct, your manager may omit or skip any of these steps.

When it becomes necessary to enforce these standards of conduct, it will be the policy of the City of Starkville to ensure 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.

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; however, they will impact employment decisions only if they are less than twelve months old or reflect repetitive misbehavior.)**

Disciplinary action up to and including dismissal may be taken for any just cause including, but not limited to, the following:

1. Conviction, plea of guilty or *nolo contendere* of a felony or misdemeanor or any activity that is inconsistent, incompatible, or in moral, legal, or technical conflict with the employee's duties, functions, and responsibilities as a City employee
2. Possession or use of a firearm or illegal knife, as defined by Mississippi law, explosive, and other prohibited weapons of any kind, while on City owned, leased, or controlled property, or while operating City owned, leased, or controlled vehicles is prohibited, unless the employee is a duly

authorized law enforcement official, or unless he/she is otherwise authorized according to state law.

Under Mississippi law, however, employees who have valid handgun carry permits are allowed to bring a firearm and ammunition onto the City's parking lot provided that the firearm and ammunition are kept in the employee's vehicle in accordance with Mississippi Code Ann. § 45-9-101.

The firearm and ammunition, however, may not be removed from the vehicle while it is on City property. Removal of the firearm and ammunition from the vehicle may result in discipline, up to and including immediate discharge unless the employee is in compliance with state law. The City will not discharge or take any adverse employment action against an employee who is in compliance with § 45-9-101 (a) or 97-37-7.

3. Unlawful manufacture, distribution, dispensation, possession, sale, purchase, or use of illegal drugs, controlled substances, or alcohol while on the job, on City owned or leased property, or while operating City owned, leased, or controlled equipment or vehicles.
4. Theft, unauthorized removal, wrongful possession, or deliberate destruction of property, merchandise, equipment, or possessions belonging to citizens we serve, fellow employees, or the City.
5. Embezzlement, dishonesty, falsification of records, or willful misrepresentation of facts, including grievance forms.
6. Fighting with abusive or threatening conduct or speech, physical violence or disturbance toward any citizen we serve, fellow employees or supervisors on City property or at any place at which work is being performed by or for the City.
7. Disruptive actions while interacting with co-workers where employee morale is harmed or degradation of the work environment is experienced due to an employee's attitude or disposition toward the work place, his /her coworkers, and his/her supervisor. Disrupting the work place will not be tolerated.
8. Destruction, abuse, removal, or attempted removal of property or materials of the City or of another employee.
9. Insubordination or refusal to obey or willful failure to carry out verbal or written instructions of supervisory personnel.
10. Falsification or alteration of any official document, form, or City record including time records, employment application, etc.
11. Absence from work for three (3) consecutive scheduled workdays, without directly notifying your department head or supervisor. This form of separation will be considered and reported as a voluntary resignation.
12. Acceptance of money or other valuable consideration given with the intent of influencing an employee in the performance of their official duties.

13. Any violation of section G, under general policies, regarding fund-raising activities and solicitation. The unauthorized distribution of literature and/or soliciting during working hours and during working time.
14. 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.
15. Failure to report reasons for absence or tardy on a timely basis and / or disregard for department time reporting procedures.
16. Excessive absenteeism or tardiness.
17. Violation or failure to follow the guidelines in this Guide or any department or City policy, procedure, ordinance, rule, regulation, or law or violation of any applicable state law, rule, or regulation subject to the provisions of these personnel policies
18. Improper use of a position of authority for personal gain or advantage.
19. Discourtesy of false or malicious information about the City, employees, or the citizens we serve.
20. Failure to properly punch a time clock.
21. Failure to report for work or leaving work early without a satisfactory reason and without notifying your supervisor. Unauthorized absence from the work area or unauthorized extended lunch or break periods.
22. Willful and negligent violation of safety rules.
23. Becoming delinquent in the payment of taxes, assessments, or other obligations owed to the City.
24. Violation of the City's Policy on Smoking and the Use of Tobacco Products.
25. Incompetence or inability to perform duties of position.
26. Inefficiency or negligence in the performance of one's duties, abusive or negligent use of tools or equipment, and/or careless or blatant waste of materials.
27. Improper parking of motor vehicles, reckless driving, speeding, and violation of motor vehicle laws while operating City vehicles or personal vehicles while conducting City business.
28. Sleeping during working hours.
29. Substantiated acts of willful harassment including such conduct as slurs, jokes, intimidation, or other verbal or physical attacks upon a person for any reason.
30. Substantiated acts of discrimination that denies equal treatment in all terms, conditions, and privileges of employment as defined by applicable Civil Rights Laws.

31. Engaging in conduct or acting in any manner, on or off duty, that is unbecoming a public employee.
32. Failure to wear appropriate uniform/clothing or appearance on the job in consideration of safety, sanitation, and public contact.
33. Posting unauthorized notices on Bulletin Boards.

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

C. DISCIPLINARY ACTIONS – SERIOUS OR REPEAT OFFENSES

The Progressive Corrective Action process does not eliminate the need for more punitive actions if the employee fails to make needed changes in his/her work performance. The circumstances surrounding an offense, such as the severity of the misconduct, the number of times it has occurred, and any previous counseling, may suggest what action may be taken.

No City employee may be demoted, suspended, or dismissed for political reasons or for any other unjust or arbitrary cause, or because of age, sex, race, color, religion, disability, national origin, protected veteran or military status, sexual orientation, gender identity, ethnic origin, political affiliations, genetic information, marital status, or any other protected basis in accordance with applicable federal, state and local laws. This provision may not be interpreted to prevent the separation of an employee because of lack of funds or curtailment of work.

The Mayor or Department Head may, for just cause, discipline any City employee. Such disciplinary action may include demotion, suspension, and / or dismissal. Unless otherwise provided in this Section, punitive suspension shall not exceed thirty (30) calendar days. The Department Head shall consult with the Human Resources Director or designee when disciplinary actions such as demotions, suspensions, or dismissals may be warranted. Any recommendation for demotion, suspension, or termination of a City employee shall be reported to the Mayor and Board of Alderman.

DISCHARGE

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 grievance procedures is triggered
3. If the employee has followed the grievance procedure, then the recommendation and the employee's grievance will be heard at the next Board meeting
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 employee shall be allowed.

D. GRIEVANCE PROCEDURES

REASON FOR POLICY:

To provide employees with a clear, efficient, and transparent grievance process when resolution through informal means has not resolved the concerns.

RESPONSIBLE OFFICE:

For questions about this policy, please contact the Office of Human Resources.

POLICY:

Employees may have occasional problems or issues affecting their work-related activities, and it is important to resolve these as soon as possible. The City encourages employees to resolve disagreements respectfully through informal, frank, and open discussion. Human Resources is a resource available to assist with informal resolutions. However, the City also recognizes that occasionally more formal processes are needed.

The employee grievance process establishes procedures for the fair, orderly, and timely resolution of problems or complaints using a thorough review process. The Human Resources Office will maintain procedural guidelines and forms for the employee grievance process.

PROCEDURE

OVERVIEW:

This procedure establishes the process for the fair, orderly, and timely resolution of grievances raised by employees. Employees shall not be discriminated or retaliated against for exercising their rights under the grievance process.

GRIEVABLE ISSUES:

An employee may file a grievance related to the following:

- An adverse employment action, including but not limited to discipline, recommended discipline, and involuntary separation;
- City action or inaction that is negatively impacting the employee's work environment;
- Discrimination on the basis of race, color, creed, religion, political affiliation, age, disability, national origin, or sex;
- Any allegation that he or she has been, or is being, adversely affected by an improper application or interpretation of a rule, regulation, policy, or procedure that is not specifically excluded below.

It is important to understand that in order to file a grievance, the employer's actions or inactions must have adversely impacted the grieving employee.

The following complaints are non-grievable issues:

- Establishment and revision of wages or salaries, position classification, or general benefits affecting multiple employees;
- Work activity accepted by the employee as a condition of employment or work activity which may reasonably be expected to be a part of the job content;
- The contents of established personnel policies, procedures, rules, and regulations;
- Failure to promote except where the employee can show that established promotional policies or procedures were not followed or applied fairly;
- An adjudication by the Board of Aldermen of employee discipline if the employee fails to grieve the recommendation of discipline by the employee's Department Head with the employee receiving notice of the right to grieve such action.

If an employee knows of a violation of City policy or the law, but is not being harmed by the violation, the employee should call the Office of Human Resources (HR) and report it immediately.

INFORMAL RESOLUTION:

Regular and effective communication between supervisors and employees reduces the likelihood of misunderstanding and conflict. The City expects and encourages supervisors and employees to communicate openly and regularly so that potential issues are addressed at the lowest level possible. Supervisors, in particular, are encouraged to avail themselves and work with HR for training opportunities on matters of communication, equity and inclusion, performance management, and other human resources topics to enhance their supervisory skills.

Before initiating Step 1 of the grievance process, the employee is encouraged to make at least one attempt to resolve the issue informally, if possible. Facilitation assistance for this informal resolution is available through HR. Informal processes are not appropriate, however, if the underlying allegations are related to violence, intimidation, a hostile atmosphere, or other violent actions.

FORMAL RESOLUTION - FILING A GRIEVANCE

Formal grievances may be filed on any of the issues noted above.

All grievances must be in writing and must include at least:

- The basis for the grievance, including: the policy, rule, or law provision that the grievant believes to have been violated, the circumstances that are negatively impacting the grievant, or the personnel action being grieved.
- A statement describing the nature of the grievance, the approximate date(s) of the events giving rise to the grievance, the names of identifiable persons involved, and any other information the employee believes should be considered.
- Whether a meeting with the decision-maker is requested.

- A recommendation for resolution.

Employees cannot file multiple grievances relating to the same incident or underlying facts. Unless the facts become known after the grievance is filed, all relevant facts should be included in the underlying grievance. The parties may agree to terminate a grievance after it has been initiated.

CONFIDENTIALITY:

To the extent possible, the City will protect the confidentiality of grievants, witnesses, and accused parties and, if information is disclosed, will disclose it on a need-to-know basis. However, it is important to understand that in order to investigate the matter and provide notice of the underlying allegations and an opportunity to respond, the City may often need to reveal the identity of the grievant and relevant witnesses.

TIME LIMITS:

Employees must file a grievance no later than three (3) working days from when the employee knew or reasonably should have known about the incident or problem giving rise to the grievance.

If an employee fails to observe the time limits established for any step, the grievance will be considered satisfactorily resolved and time barred.

GRIEVANCE STEPS:

Step 1: Immediate Supervisor

- An employee shall present a grievance to his or her supervisor in writing, on the form provided by the Human Resources office, and within the time limit outlined above.
- The supervisor shall meet with the employee and provide a response to the employee in writing within three (3) working days of receiving the grievance.
- If the employee or supervisor believes that the supervisor has a conflict of interest in hearing a step 1 grievance, either party may consult with HR to determine if an alternative decision maker is appropriate for step 1. HR's decision is final.

Step 2: Department Head

- If the employee is not satisfied with the supervisor's response, the employee must write in detail why he/she does not agree with the supervisor's response prior to moving to the next step.
- If the employee is not satisfied with the decision at step 1 or if the employee is allowed to proceed directly to step 2, the employee may present the written grievance and the step-1 decision maker's decision to his/her Department head, or designee, within 2 working days of the issuance of the decision at step 1.
- The Department Head shall provide a response in writing to the employee within three (3) working days.

Step 3: Discussion of Grievance with Human Resource Director

- If the employee is not satisfied with the Department Head's response, the employee must write in detail why he/she does not agree with the Department Head's response prior to moving to the next step.
- If the employee is not satisfied with the decision at step 2 or if the employee is allowed to go directly to step 3, the employee may appeal the Department Head's response by submitting the grievance form to the Human Resource Director, or his/her designated representative, within three (3) working days after the Department Head's answer was received or due.
- The Human Resources Director will provide a response in writing to the employee within three (3) working days.

Step 4: Petition Mayor and Board of Alderman to Consider Grievance

- If the employees is not satisfied with the Human Resource Director's response, the employee must write in detail why he/she does not agree with the Human Resource Director's response prior to moving to the next step.
- If the employee is not satisfied with the Human Resource Director's response or the Human Resource Director does not respond within three (3) working days, the employee may file a copy of the grievance with the City Clerk within three (3) working days after the Human Resource Director's response was received or due.
- The City Clerk shall then place the grievance on the next available agenda of the Board of Aldermen. The Board shall act on the grievance at its next regular or recess scheduled meeting if the grievance is filed, after the conclusion of all the preceding steps, at least three (3) working days prior to the meeting. (For example, for the grievance to be heard by the Board of Aldermen at 5:30pm on Tuesday, it must be filed in the City Clerk's office by 5pm the preceding Thursday.)
- The aggrieved employee shall be notified by the City Clerk when the grievance is set before the Board of Aldermen so that the employee may appear and be heard.

MISCELLANEOUS:

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 shall, within three (3) 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 Human Resources Department. The decision of the Board of Aldermen shall be final and binding on all parties concerned.

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.

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.

Supervisory personnel shall apply previous decisions of the Board of Aldermen to all similar situations to eliminate the filing of grievances.

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.

City time cannot 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.

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.

SECTION IX – FIRE DEPARTMENT & POLICE DEPARTMENT

A. PLEASE SEE FIRE DEPARTMENT OR POLICE DEPARTMENT MANUAL

B. RESIDENCY REQUIREMENT (Firefighters and Police Officers)

Due to the emergency nature of these positions, it is imperative that firefighters and police officers reside within 40 miles of Oktibbeha County. All such employees must meet this requirement within six months of regular full-time employment with the City of Starkville.

C. POST-OFFER REQUIREMENTS / PHYSICAL

Following a conditional offer of employment, successful completion of a post-offer employment physical shall be required for all Public Safety candidates to determine whether prospective employees can perform the essential functions of the position offered. The physical may require various components depending on the requirements for the position.

Prospective employees who are unable to successfully perform the essential functions tested for in the medical examination shall have their offer of employment by the City withdrawn if they:

1. Cannot perform the essential functions due to a disability that cannot reasonably be accommodated.

2. Pose a direct threat to themselves and/or others.

In-service promotional candidates may be required to successfully complete a post-offer physical examination, based on the requirements of the position.

All candidates shall be required to successfully complete a background check. The specific components of the background check will be based on the requirements for the position. In-service promotional candidates may also be required to successfully complete a background check if the position requirements exceed the requirements of the current position.

All City employees may, during their employment, be required to undergo an initial and/or periodic examination to determine their physical and mental fitness to continue to perform the work of their positions. As a condition of employment with the City of Starkville, participants of the Fire and Police shall be required to participate in periodic screening tests or examinations relating to heart and lung conditions, such as, but not limited to, cholesterol tests, blood pressure checks, pulmonary function tests, and blood tests. If any screening examination suggests the need for a more complete medical evaluation, the employee shall be scheduled for a fitness-for-duty examination by a physician selected by the City.

Potential Exams:

Examinations may be held to establish eligibility and fitness and may consist of one or more of the following types of examinations, as determined by the Human Resources Department and Department Heads:

1. Written/Knowledge-based Test – this test, when required, shall include a written demonstration designed to show the applicant’s familiarity with the knowledge involved in the class of positions to which he/she is seeking employment.
2. Physical Agility Test –this consists of job-related tests of bodily conditioning, muscular strength, agility, and physical fitness of job applicants for a specific position. This test may be given a weight in the examination process or may be used to exclude from further consideration applicants who do not meet the minimum required standards.

**CITY OF STARKVILLE
ACKNOWLEDGMENT OF RECEIPT OF THE
EMPLOYEE HANDBOOK**

HANDBOOK ACKNOWLEDGEMENT

I understand that I am responsible for reading this handbook, familiarizing myself with its contents, and adhering to all of the policies and procedures of the City of Starkville, whether set forth in this handbook or elsewhere. If I have a question regarding the interpretation of these policies, procedures, and guidelines, I will contact my immediate supervisor or the Human Resources Department for clarification

The policies, procedures, and benefits described in this handbook are not conditions of employment, and this handbook does not create an implied contract between the City of Starkville and its employees. Rather, this handbook is an overview of policies related to my employment with the City of Starkville.

I understand that the City of Starkville reserves the right to modify this handbook, amend or terminate any policies, procedures, or guidelines described in this handbook or employee benefit, whether or not described in this handbook, at any time, with or without notice. By accepting or continuing my employment with the City, I agree to comply with any such changes as the City may implement and no further consent from me shall be necessary

I acknowledge that I have read the information within this handbook.

Employee Name (printed) Date

Employee Signature Date

Supervisor Signature Date