

Acknowledgment of Receipt Employee Handbook

To All Employees of the City of Franklin, Tennessee:

This is to acknowledge I have received my copy of the Employee Handbook of the City of Franklin, effective date of handbook January 1, 2010, which outlines my privileges and obligations as an employee of this City. I will familiarize myself with the information in this handbook and understand that it outlines the Human Resources policies of the City. However, I understand this is just a summary and not a substitute for the Human Resources Manual.

Since the information in this booklet is subject to change by administrative action of the City, it is understood that policies set forth may be modified, superseded, or eliminated without prior notification to employees. This handbook does not constitute a legal contract with the City.

This is an effort to communicate to you your privileges and obligations as an employee of the City of Franklin. Please let your Department Director know if you have any questions.

Employee Signature

Date Signed

(Detach and forward this original to the Human Resources Office)



HISTORIC
F R A N K L I N
T E N N E S S E E

EMPLOYEE
HANDBOOK

Effective January 1, 2010

TABLE OF CONTENTS

EQUAL OPPORTUNITY EMPLOYER	1	GRIEVANCE PROCEDURE	
AMERICANS WITH DISABILITIES POLICY	1	Policy.....	19
SEXUAL HARASSMENT POLICY	1	What is a grievance.....	19
DRUG-FREE WORKPLACE	2	What is not a grievance.....	19
WORKPLACE		How do I file a grievance.....	20
VIOLENCE	2		
AREA OF RESPONSIBILITY	3		
ABOUT YOUR JOB		BENEFITS	
Probationary Period	4	Vacation.....	21
Employee Responsibilities	4	Sick Leave.....	21,22
		Holidays.....	22
EMPLOYMENT STATUS		Leave for Childbirth, Adoption	22
Regular Employee	5	Military Leave	22,23
Temporary Employee	5	Voting Leave	23
Full-time Employee	5	Jury Duty Leave.....	23
Part-time Employee	5	Bereavement Leave	23
		Family Medical Leave	23
EXEMPT OR NON-EXEMPT STATUS	5,6	Tuition Reimbursement	23
HOURS OF WORK	6	GED Incentive	24
ABSENCE-TARDINESS	6	Employee Assistance Program.....	24
JOB CLASSIFICATION/COMPENSATION		Medical Insurance.....	24
ADMINISTRATION	7	Vision Care.....	25
JOB DESCRIPTION	8	Dental Insurance.....	24,25
PERFORMANCE APPRAISAL	8,9	Life Insurance	25
YOUR PAY	10	Employee Long-Term Disability	25
PAYROLL DEDUCTIONS	10	Worker's Compensation.....	25,26
PERSONNEL FILES	10	Retirement Plan	26
EMPLOYEE DEVELOPMENT	11	Credit Union.....	27
PROMOTIONAL OPPORTUNITIES	11		
TELEPHONE USAGE	11	EMPLOYEE SERVICES	27
PERSONAL APPEARANCE	12	Employee Newsletter.....	27
PERSONAL PROPERTY	12	Payroll Stuffers	27
EMPLOYMENT OF RELATIVES/FRIENDS	12,13	Bulletin Boards.....	27
PERSONAL MAIL	13	Employee Meetings	27
OUTSIDE EMPLOYMENT	13	Open Door.....	27
POLITICAL ACTIVITY	13		
DEPARTMENT WORK RULES	13	IF YOU LEAVE US	
STRIKES/UNION ACTIVITY	14	Termination.....	28
DRIVERS LICENSE	14	Insurance Benefits	28
DISCIPLINE		AMENDMENTS / CONTRACTS/ CONFLICTS	
Corrective Action	15	Amendments.....	29
Disciplinary Action	15	Contracts.....	29
Suspension pending investigation or hearing	15	Conflicts.....	29
Examples of misconduct requiring discipline.....	15-18		
Some things you can't be disciplined for.....	17,18		

EQUAL OPPORTUNITY EMPLOYER

The City of Franklin is an equal employment opportunity employer and does not discriminate against you in recruitment, examination, appointment, training, promotion, retention, discipline or any other aspect of employment because of race, color, sex, national origin, ethnicity, age, religion, disability or other non-merit factor. The Board of Mayor and Aldermen, the City Administrator, Assistant City Administrators and Department Directors will commit to fair employment practices, policies and procedures throughout the City government. Your supervisors and Department Directors are held accountable for understanding, communicating and enforcing this policy.

AMERICANS WITH DISABILITIES POLICY

The City of Franklin does not discriminate on the basis of disability in the programs and activities which it operates. It attempts to comply in every aspect with the requirements of the Americans with Disabilities Act of 1990, Public Law 101-336 as amended. This extends to employment activities and admission to and participation in the programs, services, and activities of this municipality.

SEXUAL HARASSMENT & OTHER FORMS OF HARASSMENT POLICY

The City of Franklin has a firm policy that prohibits any form of sexual harassment by supervisors, co-workers or non-employees. The City of Franklin will not tolerate sexual harassment of any employees and will take immediate, positive steps to stop it when it occurs. Similarly, it prohibits harassment based on race, sex, national origin, color, disability, religion, or any other harassment that includes words, gestures, behaviors, or actions which diminish employees, make the job environment hostile, affect employment decisions, or interfere with work performance. You may report harassment to your Supervisor, your Department Director, the Human Resources Director, an Assistant City Administrator, or the City Administrator. You should refer to your policy on Sexual Harassment for complete details or contact the Human Resources Department.

DRUG-FREE WORKPLACE

In compliance with the provisions of the Drug-Free Workplace Act of 1988 and the Omnibus Transportation Act of 1991, it is the policy of the City of Franklin that the unlawful manufacture, distribution, possession, use or abuse of alcohol, illicit drugs, and controlled substances (except where medically prescribed) on City of Franklin property or in City of Franklin vehicles is strictly prohibited. All employees are subject to applicable federal, state and local laws related to this matter. City employees are tested for drugs and alcohol pre-employment, post-accident when obtaining worker's compensation medical treatment, under reasonable suspicion and as a follow-up. Certain employees are also subject to random testing. Additionally, any violation of this policy will result in disciplinary actions, up to and including termination. Employees who are experiencing difficulties with substance abuse should contact the City of Franklin's Employee Assistance Program or seek professional treatment under the City of Franklin's medical plan.

WORKPLACE VIOLENCE

It is the policy of the City of Franklin to promote a productive, safe, and healthy work environment for all employees, customers, vendors, contractors and members of the general public. The City will not tolerate verbal or physical conduct by an employee which harasses, disrupts, or interferes with another's work performance or creates an intimidating, offensive, or hostile environment. All allegations of violence and harassment will be investigated and, if founded, may result in disciplinary action.

AREA OF RESPONSIBILITY

As an employee of the City of Franklin, you are responsible for the highest quality of performance in your job. Department Directors and supervisors are also responsible to you and to the taxpayers of the City of Franklin to ensure this level of performance.

YOUR RESPONSIBILITIES AS A CITY EMPLOYEE ARE:

1. Show courtesy at all times to the public and fellow employees.
2. Report to work promptly and leave only at the completion of the work day.
3. Minimize absenteeism and tardiness.
4. Follow all safety rules and regulations.
5. Maintain personal appearance and health habits.
6. Provide the city government and the general public with accurate information.
7. Follow all Human Resources rules and departmental rules.
8. Adhere to the Civil Treatment Guidelines

THE CITY'S RESPONSIBILITIES TO YOU ARE:

1. To provide you with compensation based upon the City of Franklin's classification and compensation plan.
2. To provide you with competitive employee benefits.
3. To adhere to the policies, procedures, rules and regulations set forth in the Human Resources Manual.
4. To apply these policies with fairness and equity to all employees.
5. To provide Civil Treatment Training to all employees

ABOUT YOUR JOB

PROBATIONARY PERIOD As a new employee, your first twelve months will be an introductory or probationary period. The purpose of the probationary period is to provide you and your supervisor an opportunity to work together during this critical learning and adjustment period and to determine if your abilities and performance meets the required standards of work. Your supervisor and Department Director will be assessing your performance, and you are encouraged to take a close look at the City of Franklin and your job to ensure that you have made the right career decision.

Throughout this probationary period, your supervisor will review your performance. Your initial efforts will be evaluated, and you will have an opportunity to discuss your impressions and likelihood of success. If at any time during this period your performance is found to be below the "meets expectations level", your employment may be terminated.

After successful completion of the probationary period, your first formal performance appraisal will be conducted by your supervisor at least annually. You will be eligible for pay for performance increases once you have completed the required probationary period. Performance increases will not be given between April 1 and June 30 of the fiscal year. (Dates are subject to change by Board action.) Except in rare or emergency circumstances, you are not allowed to take vacation or sick leave during the first six months of your probationary period. Finally, employees who are serving in their probationary period are not entitled to use the grievance procedure (but may file a complaint under the harassment policy) or to receive tuition reimbursement for college courses.

EMPLOYEE RESPONSIBILITIES As an employee of the City of Franklin, you have certain responsibilities and obligations. Fulfillment of these is your best assurance of job satisfaction and advancement. Your first responsibility is do a good job of the work assigned to you. These duties and responsibilities are described in your job description under "Essential Functions" and "Additional Functions". If you have questions about your job or about the organization and its policies, talk with your supervisor.

Doing a good job also implies other obligations on your part, such as mental alertness, promptness, regular attendance, cooperation with supervisors, co-workers, and the public, good judgment, adherence with work and safety rules, other Human Resources rules, and rules of good conduct, remaining drug-free and maintaining the level of health and fitness required to perform the essential functions of your job.

We hope that you will be a proud representative of the City of Franklin and will represent the policies and procedures accurately and positively. To the citizens and taxpayers of Franklin, your friends and neighbors, and the general public, you are the City of Franklin.

EMPLOYMENT STATUS - Your employment status is determined by the number of hours you are regularly scheduled to work and the expected duration of your

employment.

- * A **regular employee** is one who is hired for an unspecified period of time and who has successfully completed the initial twelve-month probationary period. A regular employee may be full-time or part-time.
- * A **temporary employee** is one who is hired for an unspecified period of time, usually of a short-term nature. A temporary employee may be hired on a full-time or part-time basis, but will work less than 1,800 hours in a twelve-month period. Temporary employees are not entitled to benefits except Occupational Health and Disability Compensation if they are injured on the job.
- * A **full-time employee** is one who works a full, regularly scheduled work week (usually 40 hours per week). Fire department employees on shift work an average of 56 hours per week.
- * A **part-time employee** is one who works less than a full, regularly scheduled work week. Regular part-time employees are eligible for benefits such as sick leave and vacation leave on a proportionate basis.

An employee may terminate employment with the City of Franklin at any time, and the City of Franklin may terminate the employment of an employee at any time during the probationary period, with or without cause. The City Administrator serves at the will of the Board of Mayor and Aldermen. After the initial probationary period, regular employees in the Classified Service may be terminated with cause or due to lay off or other economic factors.

EXEMPT OR NON-EXEMPT STATUS - Full-time employees are classified as either exempt or non-exempt, based upon the nature of the duties and the compensation level. The Fair Labor Standards Act requires that certain employees be paid overtime (one and one-half the straight time rate of pay) for all hours worked in **excess** of 40 in a work week (a given seven day period). These employees are considered **non-exempt**.

The Department of Labor has provided separate rules for uniformed personnel in the Fire Department and Sworn Police Officers. Uniformed personnel in the Fire Department are compensated when they are called back to duty to fight a fire at the one and one-half times the effective hourly rate. They may also receive compensatory time or overtime pay for work in excess of 216 or 240 actual hours depending on which 28 day work cycle they are in.

Employees who do not fall under the provisions of the Act are called **exempt**. They are paid their regular weekly wage for all hours worked.

Generally, exempt employees in the City of Franklin are the City Administrator, Assistant City Administrators, Department Directors, most supervisors, certain administrative personnel and professional employees. In the City of Franklin, exempt personnel do not

receive overtime for hours worked over 40, no matter how many hours are worked. Unlike non-exempt employees, exempt employees are not charged leave for absences less than a day.

Federal Wage and Hour Laws require employers to keep an accurate record of the time actually worked by their non-exempt employees. Payroll time sheets and time clocks are the most common methods of keeping track of the hours worked. Both methods are used in the City of Franklin. Time sheets must be approved by supervisory personnel who have been delegated this authority.

It is the City of Franklin's policy that all overtime must be approved in advance by the Department Director or his/her designee. Under no circumstances should non-exempt employees decide that overtime work is necessary and warranted.

HOURS OF WORK - The City of Franklin have several departments which operate 24 hours a day, seven days a week, 365 days a year. Employees are scheduled as needed. The actual hours, days of work and shift will be determined by your Department Director.

Flexibility is important. In some cases it may be necessary to adjust your work schedule and life style based on business needs.

ABSENCE - TARDINESS - If you will be absent from work because of illness or other personal circumstances, notify your supervisor as far in advance as possible. In an emergency, you should notify your supervisor no later than 30 minutes after the beginning of your shift. In critical response positions, you may need to notify your immediate supervisor or Department Director sooner than 30 minutes after the shift starts.

Employees are expected to be punctual in reporting to work. We recognize this may not always be possible due to circumstances beyond your control. Notify your supervisor if you expect to be late. If advance notification is impossible, discuss the matter with your supervisor as soon as you arrive at work.

Absenteeism and tardiness interferes with your contributions and those of your fellow employees. Absenteeism and tardiness are factors which are evaluated on the performance evaluation. Further, frequent absences and tardiness can lead to disciplinary action, up to and including termination.

JOB CLASSIFICATION AND COMPENSATION ADMINISTRATION - The City of Franklin has a Compensation and Classification Program. Every job in the City is assigned a pay grade and corresponding salary range. The pay you receive reflects your job level and performance. It is the philosophy of the City to pay fairly and reward demonstrated differences in individual ability, productivity and results. Since our salaries are paid by the taxpayers and rate payers, our expectations of employees are higher than most.

The basic objective of the City of Franklin's salary program is to pay employees on the basis of their performance and the job market, while maintaining internal equity among jobs and assuring that our salaries compare favorably in the workplace so that we can continue to attract strong performers.

Your pay is consistent with the job responsibilities of your position. Each job has a written job description that has been evaluated by outside consultants. The essential functions, responsibilities, and minimum education, training and experience requirements have been evaluated and factored. The consultants look at data utilized, human interaction, and equipment, machines and materials utilized. All aspects of the position are included in the factors which determine the pay grade of the job.

Once jobs have been described, evaluated, compared and assigned a pay grade, the City, with assistance from our consultants, calculates a salary range for every pay grade. The compensation plan must be approved by the Board of Mayor and Aldermen before it goes into effect.

New employees typically start between the minimum and midpoint of a salary range depending upon previous education, training and experience. They then progress through their pay range according to their personal performance and increasing experience.

In order to meet the City of Franklin's objectives, our salary system must recognize differences in performance. Performance is evaluated through a formal performance appraisal process. At least annually, you and your supervisor will meet to discuss how well you have performed your job, and to set goals for next year's performance.

Salary increases in the City of Franklin are not fixed amounts. Each year, as part of the budget cycle, the City Administrator, Human Resources Director, and Finance Director will recommend guidelines for pay for performance increases and market adjustments to the Board of Mayor and Aldermen. Salary increases, if approved, will generally be awarded on the first pay check in July of each year.

In addition to salary increases, a promotional raise may be given when an employee moves to a new job in a higher pay grade. Promotions are calculated by giving 7½ percent to the first pay grade change and 2½ percent thereafter, or no less than the minimum or no more than the maximum of the new pay grade.

JOB DESCRIPTION - It is important that you know what is expected of you. When you are employed by the City of Franklin, the Human Resources Department will give you a copy of your job description as part of your orientation process. Your immediate supervisor will review your job description with you to provide a guide to the broad scope of your job, as well as your specific day-to-day responsibilities.

Job descriptions are used as the basis for evaluating performance which supports salary changes. Each job description contains a general statement of the job, specific duties and responsibilities, minimum training and responsibilities, the minimum qualifications or standards required to perform essential job functions and performance indicators.

Your job description is an important document. Copies are available in the Human Resources Department. Consult your supervisor or the Human Resources Department if you have any questions.

PERFORMANCE APPRAISAL - You are entitled to know what is expected of you in your job and how you are performing that job. To a great degree, much of that is accomplished on an informal, day to day basis as you and your manager talk about job issues.

Your supervisor is expected to formally evaluate and record your job performance each year, generally the evaluation will be reviewed with you right before the end of the fiscal year which ends on June 30.

Employees are measured by their performance of the duties listed in their job description and evaluated on eleven different performance indicators. For each performance indicator you will receive a performance rating. These ratings will be weighed for your job and you will receive an overall rating for your performance in all aspects of your job. This overall rating will determine your performance increase. The six rating levels are defined as follows:

<u>RATING</u>	<u>LEVEL</u>	<u>DEFINITION</u>
6	Role Model	Extraordinary, work is always expert, exemplary, flawless, always exceeds the job requirements.
5	Above expectations	Truly demonstrates extraordinary performance.
3.5-4	Meets expectations	Meets major job requirements; is consistently effective and competent; achieves results expected.
3	Fair to good	Needs improvement to meet major job requirements; work is fairly acceptable in some respects but does not meet expectations.
2	Borderline	Significant performance problems; substantial improvement is necessary to meet job requirements.
1	Serious Problem	Performance is never acceptable; causes serious or ongoing damage.

During the appraisal, you and your supervisor will have an opportunity to share an understanding of your job and your performance. You will review your strengths and weaknesses, identify areas for development and discuss your career goals. You will be asked to sign the form to indicate that the form has been reviewed with you (not that you agree with everything in it). You will also be asked to indicate whether you intend to submit a written statement (due within 10 days from the date of your review) for any comments in which there were significant disagreements between you and your supervisor. These comments will be reviewed and will become an official part of the performance appraisal form. You should be aware that performance appraisals are not a grievable matter under the City's grievance policy; however they may be appealed to the City Administrator through the Human Resources Director.

YOUR PAY - Pay is currently calculated on a Friday through Thursday cycle (except Fire shift personnel whose pay is calculated on a 28 day cycle). Most employees are paid bi-weekly.

Overtime pay, sick and vacation leave used during the pay period will be reflected on your electronic voucher or pay stub. Your supervisor monitors your work hours and is responsible for accurately reporting those hours to the Payroll Office.

Direct deposit is a condition of employment for all employees hired after January 1, 2002. All taxes (federal and Social Security) and other authorized deductions will be itemized on your electronic voucher or pay stub.

PAYROLL DEDUCTIONS - You may authorize deductions for the following from your bi-weekly pay:

- * Medical insurance premiums for dependents
- * Dental insurance premiums for dependents
- * Deferred compensation with ICMA Retirement Corporation
- * Additional insurance by approved vendors
- * United Way Contributions
- * Retirement plan (401a)
- * Wellness Programs

HUMAN RESOURCES FILES - The Human Resources Department keeps an official record for each employee in the Human Resources Office. Information pertaining to your employment is maintained in that personnel file and is available to you during regular business hours. You may request a copy of any document in your file, or add a statement of your own to the file.

From time to time you may have personal changes in status such as: legal name, emergency contact information, marital status, address, home phone numbers, or change in beneficiary, or addition or deletion of a dependent. It is your responsibility to notify the Human Resources Department of any changes to your status in a timely manner. Also, be sure to advise your supervisor of any changes to your name, address, home telephone number or emergency contact information.

The philosophy of the Human Resources Department is that personnel matters are personal and should be kept confidential. However, as a public agency, we are subject to the Tennessee Open Records Act. Medical, psychological and polygraph information will be safeguarded and maintained in a separate file from your personnel record. To the extent possible, on reference and credit checks, requests for information will be answered only with statements as to whether you are currently employed, dates of employment, job title, employment status, work location, and current or last salary.

If, as a City of Franklin employee, you are contacted for employment references or verification of employment for current or former employees, refer the caller to the Human Resources Department.

EMPLOYEE DEVELOPMENT - The City of Franklin provides a number of opportunities for training and development both on the job and on your own. The City encourages personal development by reimbursing certain tuition costs to regular full-time employees who successfully complete job-related courses.

Your experience, your training and your performance on the job are some of the factors that help supervisors decide whether you are qualified for promotion.

To a large extent, qualifying is up to you. You must do your present job well. You must also demonstrate initiative, the ability to learn and grow, and a willingness to take on added duties and responsibilities. That may involve formal training, or, it may be a matter of self-development and good results in the job you have now.

PROMOTIONAL OPPORTUNITIES - It is the policy of the City of Franklin to consider promoting from within for all positions above the entry level. As positions become available, a vacant position announcement will be posted in all departments so that interested and qualified employees may apply. In cases where only employees with specialized skills are qualified, the vacancy announcement will only be posted in those areas. Full-time job vacancies will be posted for a minimum of five days. Applications or resumes must be submitted to the Human Resources Department by the deadline on the notice.

To be eligible for promotion, employees must have completed their initial probationary period, meet the required minimum qualifications, and have at least a "meets expectations" level on their last performance appraisal. Uniformed Fire Fighter and Police Officer vacancies involve competitive testing and will not be posted as promotional opportunities. Employees are encouraged to apply and test for these positions. Employees who are on the certification list for selection will be given preference above equally suitable outside applicants.

TELEPHONE USAGE - For many employees, the use of a telephone is necessary to perform their job responsibilities. Personal calls take up your time, take your mind off your work, tie up the line, and add unfairly to City costs. If you must make personal calls, please limit them. An occasional brief call may be necessary to conduct personal business, but unnecessary calls should be avoided. Personal long distance phone calls should **not** be made on City of Franklin phones, except in an emergency. Employees will be expected to pay for any personal long distance phone calls.

The telephone is a frequently used means of communication with each other, citizens and the general public. When you are talking on the phone, you represent the City of Franklin. What you say . . . how you say it . . . can help or hinder the professional image we portray to the public. Try these helpful telephone tips:

- * Answer promptly and courteously.

- * Identify yourself, by name and department.
- * Speak clearly and distinctly.
- * If you are unable to render service, transfer the call promptly. Let the caller know you are transferring the call.
- * If necessary, place the call on hold momentarily. Never keep a caller on hold for extended periods of time.
- * Hang up gently.

PERSONAL APPEARANCE - As a public employee of the City of Franklin, you are expected to maintain a standard of dress which reflects good taste and common sense. The kind of work that you do determines the clothing you should wear, and your attire should meet accepted professional standards and safety regulations. Your supervisor can counsel you on appropriate attire for your job and your department.

In several departments, uniforms are issued for wear. This uniform immediately identifies you as a City of Franklin employee. You are expected to wear your uniform neatly and in accordance with departmental standards.

PERSONAL PROPERTY - There are many offices and work locations which are open areas for the public and a large number of fellow employees. It is important that you use sound discretion when bringing personal property to work. If you have personal property in your work location, be sure to make security arrangements to your satisfaction, because such property is your responsibility.

EMPLOYMENT OF RELATIVES/FRIENDS - As a public employer, the City of Franklin must maintain an image of fairness in all things. Career opportunities must be equal in matters of relationships, just as in other employment matters: sex, age, national origin, race, religion, creed, color, ancestry, disability and marital status. A person's name should be neither a help nor a hindrance to advancing as far as ability and performance will allow.

Many employees would like family members or friends to be employed by the City. The City of Franklin appreciates that interest. Decisions to hire are based on the individual applicant's merits. We will not employ, transfer or promote someone unless it is in the best interest of all concerned. Further, since January 1991, we have a strict prohibition against hiring relatives into departments where other relatives are employed and against letting relatives make employment decisions about other relatives.

We take special precautions to avoid conflicts of interest, or the appearance of conflicts of interest, in dealing with related employees. Standard hiring criteria must be applied; direct reporting of one relative to another is generally avoided. Be careful about providing information that would give a friend or related employee unfair advantage over others.

Personal relationships that might create conflicts of interest should be discussed with your Department Director or with the Human Resources Director. If a relationship between two employees conflicts with this policy, a change to an appropriate job or shift change that does not create a conflict may be sought for one of the individuals.

PERSONAL MAIL Because of the large volume of mail that the City of Franklin receives each day, you should have personal mail addressed to your home.

Under no circumstances should employees use letterhead stationery, envelopes, or City stamps or postage meters to carry out personal correspondence. Further, City letterhead should only be used with express knowledge and approval of Department Directors for carrying out correspondence outside the City.

OUTSIDE EMPLOYMENT - Provided that there is no conflict of interest or impairment of work performance and that the secondary employment is pre-approved, "moonlighting" is permissible.

Your Department Director, with concurrence by the Human Resources Director, has the authority to approve or disapprove outside employment and to decide when a conflict of interest exists. Department Directors may limit the number of hours you are authorized to work and the City requires a minimum break of eight (8) hours between the end of the shift of the outside job and the beginning of your scheduled workday for the City. If you fail to obtain pre-approval of your outside job, you may be subject to disciplinary action or be asked to choose between your City and outside employment. Forms are available from your department, on the intranet, and in the Human Resources Department to request approval for outside employment. These forms must be renewed annually prior to January 1st.

You may not work while on sick leave.

POLITICAL ACTIVITY - You are encouraged to individually exercise your right to vote and to privately exercise your political views as a citizen. You may, if you choose, seek appointment or election to a position outside the City of Franklin municipal government. You may engage in political activities as any other citizen of Tennessee, but you must do it on your own time (comp time, vacation time or leave without pay). **Political activities are forbidden in the workplace.** Handbills or campaign literature must not be distributed and campaign buttons must not be worn on the job. You are strictly prohibited from using your position for endorsement or political purposes. If you are in doubt as to whether you may engage in a particular political activity, please see the Human Resources Director.

DEPARTMENT WORK RULES - Your Department Director is authorized to establish specific work rules so that your department may operate more efficiently. Failure to follow these rules may result in disciplinary action, up to and including termination of employment.

STRIKES/UNION ACTIVITY – It is recognized that employees have the right to join labor organizations. However, all union activity is to be conducted off City property and outside working hours. Further, City equipment and materials may not be used to conduct union business. Employees are prohibited from instigating, participating in or being party to strikes. Employees should not join or solicit others to join unions which authorize the use of strikes by municipal employees.

DRIVERS LICENSE – Some City employees must drive City vehicles to perform their duties. You must maintain a valid Tennessee drivers license if this is required by your job description. **It is the policy of the City of Franklin not to let employees drive City vehicles if their license is revoked, suspended, or restricted, or if they have been arrested for driving under the influence. You must let your supervisor know within 24 hours of notification if you have had these changes to your driving privileges, if you have been arrested for DUI, or if you are in an accident involving the death of anyone.**

DISCIPLINE

CORRECTIVE ACTION - When your performance, work habits, production, or personal conduct fall below a desirable standard, your immediate supervisor should point out the deficiency at the time it is observed. Any immediate supervisor may give an oral warning or provide you with a written counseling statement pointing out the deficiency and outlining the expected improvement.

DISCIPLINARY ACTION - Disciplinary action is taken whenever the seriousness of the incident and the whole pattern of the employee's past conduct and performance warrants. Disciplinary action may only be taken by the Department Director after review by the Human Resources Director and approval of the City Administrator. Before taking any formal disciplinary action, the Department Director must first give the employee a written statement of the charges against him/her at least two City business days before the departmental disciplinary hearing. At this hearing, the employee may give testimony, present witnesses and evidence and cross-examine witnesses. The Department Director will consider all the facts fairly before reducing the discipline decision to writing. This decision is made within five working days of the departmental hearing.

The following formal disciplinary actions, in this order of seriousness, may be taken by the Department Director:

- * Written Reprimand
- * Disciplinary probation, training or other appropriate sanctions.
- * Suspension without Pay (No more than 5 days for any violation; no more than 10 days in any year)
- * Demotion (Results in a lower position and reduction in pay of 7½% for the first pay grade and 2½% for each additional pay grade)
- * Dismissal

Of course, if the circumstances warrant, the Department Director may choose to do nothing or to informally warn the employee.

SUSPENSION PENDING INVESTIGATION OR HEARING - Depending on the seriousness of an incident, the City's image, and other mitigating circumstances, an employee may be suspended with or without pay while the investigation is being conducted or until a disciplinary hearing can be held. The City Administrator must personally approve all suspensions without pay.

EXAMPLES OF MISCONDUCT REQUIRING DISCIPLINE - Throughout this handbook, we have pointed out what is expected of you as an employee. The following is a list of other circumstances which will require disciplinary action. Generally, progressive discipline will be taken; however, serious breaches of conduct normally warrant termination, even on the first offense.

First Group Offenses - include those types of behavior which are the least severe in nature, but which require corrective action in the interest of maintaining a productive and well-managed work force. Initial corrective action for these infractions would normally be an Oral Reprimand or Counseling Letter. If the condition is not corrected, the employee shall be subject to increasing levels of progressive discipline. First Group Offenses include, but are not limited to, the following:

- Unsatisfactory attendance or excessive tardiness
- Abuse of City time
- Obscene or abusive language
- Inadequate or unsatisfactory performance
- Failure to process Approval of Outside Employment Form (see Article XXII, Section D)
- Failure to comply with these Rules and Regulations, except as otherwise specified herein.

Second Group Offenses - include acts and behavior that are more severe in nature than First Group Offenses. Initial corrective action for these offenses would normally consist of a Written Reprimand, Suspension or Demotion. Subsequent infractions of this type should result in more severe disciplinary action, depending upon the circumstances surrounding the infraction. Second Group Offenses include, but are not limited to the following:

- Insubordination, which is defined as failure by an employee to follow a supervisor's directive, perform assigned work, or otherwise comply with applicable written policies or procedures.
- Harassment of any type, including sexual harassment or any other inappropriate behavior.
- Neglect of duty, carelessness or negligence in the use of City property.
- Disgraceful personal conduct or profane, abusive or threatening language toward the public, supervisors, or fellow employees while on duty.
- Use of City equipment for personal advantage.
- Violation of safety rules or Tennessee traffic laws while driving a city vehicle.
- Failure to report an accident involving City Property (including a City vehicle) regardless of the amount of damage.
- Failure to personally notify the supervisor within one (1) working day of notification by the courts or Department of Motor Vehicles when the employee's drivers license and driving privileges have been suspended, revoked, or restricted for any reason, or having been cited by a law enforcement agency for DUI or a vehicle accident involving loss of life or serious bodily injury whether such occurred on or off duty; loss of an employee's drivers license and driving privileges by due process of law when the operation of a motor vehicle is required by the employee's job description.

- Failure to personally notify the supervisor within one (1) working day of any arrest.
- Unauthorized absences or use of leave privileges.
- Violation of any lawful or reasonable regulation, order, or directive made or given by a supervisor, Department Director, Assistant City Administrator, or City Administrator.
- Gambling on City property or during work hours.
- Failure to report to work without proper notice to the appropriate supervisor.
- Unauthorized use or misuse of City property, equipment, technology, or records.
- Knowingly making false or malicious statements that harm or destroy the reputation, authority, or official standing of a City employee or official.
- Employee misconduct such as any act of omission or commission, whether on-duty or off-duty, tending to injure the public service.

Third Group Offenses - includes acts and behavior of such a serious nature that a first occurrence normally warrants dismissal. Third Group Offenses include, but are not limited to, the following:

- Possession or use of alcohol or the illegal possession or use of controlled substances while on duty, unless in the performance of duties.
- Reporting to work when physical or mental ability is impaired by alcohol or the unlawful use of a controlled substance.
- The theft or deliberate destruction of City owned or controlled property, including supplies, inventory (including criminal evidence and lost & found items), materials, fuel or fuel products, tools, machinery or equipment.
- Willfully falsifying, damaging, or the theft of City or employee records including vouchers, reports, insurance claims, leave and time reports, and employment applications.
- Failure to report within two (2) business days to the employee's Department Director, Assistant City Administrator (if applicable) and to the City Administrator the employee's receipt from any local, state or federal regulatory agency of an administrative complaint, warning, or other written notice of violation or non-compliance with applicable law or regulations concerning employee's work for the City.
- Unsatisfactory employment or Personnel record, as evidenced by reference/record check, of such nature as to demonstrate unsuitability for employment.
- Political pressure or bribery to receive an advantage or appointment, or to influence a city employee in his/her duties.
- Directly or indirectly obtaining or supplying information regarding examinations to which, as an applicant, he/she is not entitled.
- Threatening other employees or acts of physical violence or fighting while on duty, while representing the City or on City property.
- Unauthorized sleeping during work hours.

- Unauthorized possession or use of firearms, dangerous weapons, or explosives.
- Participation in any kind of work slow-down, sit-down, or similar concerted interference with City operations.
- Disorderly or immoral conduct, a misdemeanor involving moral turpitude, or the conviction of a felony while in the employment of the City, or other acts, occurring either on or off-duty, that are of such a nature that to continue the employee in the current capacity could constitute negligence in regard to the City's duties to the public or other employees or negatively impact the City's ability to meet its obligations.
- Accepting gifts, favors, or services that might reasonably tend to improperly influence an employee in the discharge of official duties or give the appearance of such undue influence.
- Use of official position or authority for personal profit or political advantage such as participating in political activities while on duty and/or using City resources on or off duty while participating in political activities.
- Insubordination that constitutes a serious breach of discipline or shows a disregard for safety.

SOME THINGS YOU CAN'T BE DISCIPLINED FOR - Certain activities fall in the category of protected activities. You cannot be disciplined or dismissed for any of the following reasons:

1. Filing good faith complaints with the Equal Employment Opportunity Commission or the Tennessee Human Rights Commission or engaging in activities protected by Equal Employment Opportunity laws. Such complaints involve issues of race, sex, national origin, ethnicity, religion, age (over 40), disability, or reprisal
2. Reporting occupational health and safety violations or raising concerns about safety
3. Filing good faith worker's compensation claims
4. Refusing to perform an unusual work assignment that the employee believes is life-threatening or hazardous
5. Refusing to perform an act that is clearly in violation of the law

GRIEVANCE PROCEDURE

POLICY - It is the City of Franklin's policy to provide a procedure for the presentation and mutual adjustment of misunderstandings and disagreements between employees and their supervisors. The City also wants to assure employees that their problems and complaints will be considered fairly, confidentially, rapidly and without reprisal.

WHAT IS A GRIEVANCE? - A grievance is an employee's feeling, concern, belief or complaint regarding:

- * Some aspect of employment and/or employment conditions
- * A relationship between the employee and the employee's supervisor and/or the employee's Department Director and/or the City
- * The relationship with other employees
- * Inconsistent application of regulations and policies
- * Management or administrative decisions which affect the employee's health, safety, physical facilities, equipment or material used

WHAT IS NOT A GRIEVANCE? - The following is a list of actions which do not fall under the definition of a grievance and are not adjusted through the grievance adjustment procedure. Non-grievable personnel actions are:

- * Performance evaluations
- * Position classification; rates of pay or other compensation such as fringe benefits
- * Position demotions, transfers and lay-offs because of abolishment of positions or reorganization

The following two areas do not follow the formal grievance process, but may be appealed directly to the City Administrator.

- * Examination scores for appointment or promotion
- * Disciplinary actions, such as reprimands, suspensions, demotions, transfers, and dismissals.

HOW DO I FILE A GRIEVANCE? – Employees are encourage bring the issue to their supervisor and the supervisor should make every effort to resolve the matter through oral communication. If you feel the matter has not been resolved, you may submit a written grievance using the form found in Appendix C of the Human Resources Manual to your supervisor. If your supervisor does not respond in writing within five business days or if you are their response is not satisfactory, you may submit the grievance to the Human Resources Director within three City business days.

The Human Resources Director will obtain all necessary information and schedule a meeting with you, your Department Director, and others as necessary to informally discuss the grievance and possible solutions. Your Department Director will render a decision in writing within five City business days of the meeting. If you are not satisfied with the Department Director's decision, you may file an appeal with the City Administrator. The Human Resources Director has the right to appoint a neutral third party to hear the appeal in lieu of the City Administrator.

BENEFITS

VACATION - The City of Franklin believes the morale, health, and performance of its staff is improved by annual vacations. Our plan provides increasing vacation time in relation to years of service. Listed below is the schedule of annual accrual rates (unless otherwise authorized by the City Administrator):

<u>Years of Service</u>	<u>Annual Accrual Rates</u>
0 - 5 years	2 weeks (83 work days/month)
6 - 11 years	3 weeks (1.25 work days/month)
12 - 17 years	3 weeks 3 days (1.50 work days/month)
18+ years	4 weeks 4 days (2.00 work days/month)

All new employees or reinstated employees' vacation time does not begin accruing until the end of the first full calendar month of employment and will be granted only after the completion of six (6) months of the probationary period.

Employees are encouraged to use vacation time in the year earned; however, they may carry forward the maximum number of days that could be earned the previous year. Leaves of less than three (3) days are approved on a first submitted basis, longer leave requests are approved at the discretion of the Department Director.

Vacation time may be taken any time during the year and in any increments (i.e., one day, two days, etc.); however, you may not take less than four (4) hours (6 hours uniformed Fire personnel) of vacation at any one time.

All requested vacations must have prior management approval.

SICK LEAVE - As a regular full or part-time employee you accrue one (1) sick day per month with no limited maximum. Sick days accrue at the end of the first full month of employment, but are generally not granted until satisfactorily completing six (6) months of employment.

You are expected to notify your Supervisor at least 30 minutes before the beginning of your regular work shift. If you are out for three (3) consecutive work days (two (2) for uniformed Fire personnel), a doctor's fitness for duty statement is required. If you have three (3) or more separate undocumented (without a doctor's excuse) sick leave absences of at least eight (8) hours (24 hours for uniformed Fire personnel), you must submit a doctor's statement with each successive leave request for the remainder of the calendar year.

Employees may use their personal Sick days for:

- a) When you are sick and disabled
- b) Doctors/Dentists appointments

- c) When you are restricted to your home because of quarantine
- d) Illness of an immediate family member
- e) For the death of an immediate family member when extenuating circumstances require more than three days of bereavement leave (ex. out of state travel).

Please keep in mind that the use of this benefit is permissive and not a right of employment. Employees are expected to act responsibly when using sick leave and not abuse this privilege. Any abuser of this privilege is subject to disciplinary actions at the discretion of their Department Director.

HOLIDAYS - The following days shall be declared official holidays for the City of Franklin's employees:

- | | |
|-----------------------------------|---------------------------|
| New Year's Day | Independence Day |
| Dr. Martin Luther King's Birthday | Labor Day |
| President's Day | Thanksgiving Day |
| Good Friday | Friday After Thanksgiving |
| Memorial Day | Christmas Day |
| | Bonus Christmas Day |

Normally, when a holiday falls on a Saturday the Friday before shall be observed as the holiday. When a holiday falls on a Sunday, the following Monday shall be observed as the holiday.

LEAVE FOR ADOPTION, PREGNANCY, CHILDBIRTH, AND NURSING

AN INFANT – In accordance with T.C.A. Section 4-21-408, an employee working in the state of Tennessee, may request a maximum of four (4) months' leave without pay for adoption, pregnancy, childbirth, and nursing the infant. However, the employee may use accrued sick leave and vacation leave during this four (4) month period. The four (4) month period will begin on the day the employee leaves work for their requested leave.

Employees requesting maternity/paternity leave must be employed for one (1) full year in a full-time position and you must give at least three (3) months advance notice to the employer. If you have given proper notice, you will be reinstated in the same or similar position without effecting your pay, status, seniority, vacation time, or sick leave.

MILITARY LEAVE - All employees who are members of any reserve component of the armed forces of the United States or of the Tennessee National Guard shall be entitled to military leave for periods of military service during which they are engaged in the performance of duty or training in the service of this state, or of the United States, under competent orders.

Each employee who is on military leave shall be paid his/her salary for a period or periods, not to exceed twenty (20) working days in any one (1) calendar year. After that time, the employee may use any accumulated annual leave time if he/she so choose. At

the end of the twenty (20) days (or when annual leave is exhausted) the employee will then be on leave of absence without pay.

Employees called to active military duty may request to be paid the difference between military pay and City pay for up to six months.

Military leave shall be granted with notification to the Department Director and after the employee's official orders have been received and examined.

VOTING LEAVE - United States citizens have the right and the responsibility to vote. If you are a registered voter your Department Director will work with you to ensure that you have time to cast your ballot, taking into consideration your work hours and the hours the polls are open.

JURY DUTY LEAVE - Serving on a jury is a civic duty. If you are required to serve on a jury, you will be paid your regular salary. Any monies received by you from jury service will be turned into the Payroll Officer in the original check or draft. Employees are allowed to keep monies for days served on jury that are not regularly scheduled work days.

BEREAVEMENT LEAVE - Should a death occur in your immediate family, a maximum of three (3) days off with pay will be granted that will not reflect sick leave or vacation leave. You may request additional sick or vacation days for travel allowance, etc. Immediate family members are spouse, parents, grandparents, parents-in-laws, foster parents, children, step-children, legally adopted children, grandchildren, sister or brother, and sister or brother-in-law. You may also be granted one (1) working day to attend the funeral of a non-immediate family member (aunt, uncle, cousin, niece, nephew, grand-parents-in-law). Only two non-immediate family bereavement leaves will be permitted each calendar year. Vacation leave may be granted to attend additional funerals.

FAMILY MEDICAL LEAVE - Family Medical Leave – Employees may request family medical leave for a 12-week period after the completion of 12 months of service for the birth of a child, the placement of a child due to adoption or foster care, to care for a spouse, child, or parent who has a “serious health condition,” and for their own “serious health condition.” Eligible employees may also take leave up to 12 weeks to address certain qualifying exigencies when a son, daughter, or parent is on covered active duty or is called to covered active duty status in the Armed Forces. Eligible employees may take up to 26 weeks of leave to care for a spouse, son, daughter, parent, or next of kin who is a covered servicemember in the Armed Forces and has incurred a serious injury or illness in the line of duty while on covered active duty.

TUITION REIMBURSEMENT - Full-time employees are encouraged to develop their skills and increase job knowledge and expertise. The City of Franklin will reimburse the cost of tuition, books, and fees for approved courses for regular full-time employees who have completed the initial probationary period prior to making application for reimbursement. Reimbursement for tuition is limited to a maximum of seven hours per

semester at the cost of Tennessee Board of Regents institutions. Listed below is the schedule of reimbursement:

Grade "A," "B," "C"	100 %	Grade "D" (or below)	0%
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Please contact the Human Resources Director for more details.

GED INCENTIVE – Employees who receive their GED while an employee of the City of Franklin will receive a \$500 one-time cash bonus.

EMPLOYEE ASSISTANCE PROGRAM - To help employees and their immediate family members with a wide range of family and individual problems, the City of Franklin offers an Employee Assistance Program.

If an employee has work performance or disciplinary problems, they may be referred to the Employee Assistance Program by supervision. This referral is not disciplinary in nature but should be viewed as an attempt to help correct a work situation.

For more information regarding the Employee Assistance Program, contact the Benefits Manager.

MEDICAL INSURANCE - This plan is self-insured by the City of Franklin. The City pays the major portion of the employee's coverage and the employee contributes to the cost of the dependent coverage.

Medical benefits are available to regular full-time employees.

For tax savings advantage, employee contributions for dependent coverage can be made with pre-tax dollars.

Coverage for the employee and family (if applicable) will begin on the first day of the month, following 30 days of employment.

Coverage for dependent children is to age 24 if the dependent child remains unmarried.

Employees who do not enroll themselves or their dependents within 30 days of becoming eligible must provide evidence of insurability if they apply for coverage later.

The health plan has a Preferred Provider Organization (PPO), which offers preferred rates and monitors health care services for the employees. Employees are encouraged to visit in-network providers.

Each employee is furnished a complete description of the health care plan. Please refer to your insurance booklet for specific details.

VISION CARE - All full-time employees and covered dependents are entitled to the

option of vision care.

DENTAL INSURANCE - Dental benefits for employees and eligible dependents are available to all regular full-time employees.

The City pays for the employee's dental premiums and the employee pays for any dependent premium.

Employees will be covered the first day of the month following thirty (30) days of employment.

Unmarried dependent children are covered until age 24.

For assistance, please refer to the Dental Group Insurance Summary Plan booklet.

Claim forms for medical and dental benefits are available in the Insurance Office.

LIFE INSURANCE/ACCIDENTAL DEATH & DISMEMBERMENT - Employee life insurance coverage equals one-times the current annual earnings with double indemnity paid in the event of an accidental death. This coverage is provided with no cost to the employee.

Life insurance becomes effective on the first day of the month following 90 days of employment. Employee's life insurance ceases on termination of employment.

The amount of the coverage is payable to the designated beneficiary. It is the employee's responsibility to notify the insurance office of any desired changes (i.e., beneficiaries).

SUPPLEMENTAL LIFE INSURANCE – Effective July 1, 1994, the City provides an additional \$50,000 in life insurance to all employees' beneficiary in the event of their death. This policy does not have an additional accidental death rider.

EMPLOYEE LONG-TERM DISABILITY BENEFIT - Long term benefits are available for disabilities. Full-time employees are covered after 90 days of employment. The cost of the plan is paid by the City of Franklin.

The plan pays 60% of monthly earnings to a maximum benefit of \$6,000.00 per month including social security. This benefit is payable to age 65, if the disability event occurs at age 61 or earlier. If the disability occurs later than age 61, a schedule of benefits applies.

WORKER'S COMPENSATION - You may be entitled to Worker's Compensation benefits for an accident or injury attributed to work-related activities.

Medical expenses are payable at 100%. Salary replacement benefits are coordinated with payroll benefits from the City of Franklin.

In the event of an injury, notify your Supervisor immediately. In an emergency, get medical attention first and then notify your Supervisor. When medical attention is required, you must go to an approved doctor and/or facility. Please see the Risk Manager for the approved panel of physicians.

Failure to report an injury or to utilize available safety equipment could result in loss of benefits.

The City of Franklin's Insurance plan does not cover expenses that are covered by Workers' Compensation.

RETIREMENT PLAN – It is a condition of employment that all full-time employees who have attained age 21 and have completed 12 months of continuous employment participate in the Retirement Plan.

The City has a defined benefit plan. A portion of the plan is paid for by the City; no contribution is required from the employee. Employees are 100% vested at 5 years. The formula is 2% times years of service times average salary.

Normal retirement is at age 65. An employee with twenty (20) years of service may elect to take normal early retirement at age 62 or after 25 years of service (minimum age 55 if hired after July 1, 2006).

Any employee who has reached age 55 and has a minimum of ten (10) years of credited service can elect to take an early retirement, with the approval of the employer. Benefits are reduced for each year your early retirement precedes your normal retirement date. The defined benefit plan also provides for survivors benefits.

If hired after July 1, 2001, employees must contribute 3% on a pre-tax basis to 401(a) plan with ICMA-RC. This is a one-time election. All monies are 100% vested.

The City also has a voluntary section 457 retirement plan with ICMA-RC.

Employees in Department Director, or higher, positions employed after July 1, 1995 may participate in the ICMA Plan in lieu of the City's defined benefit plan.

Complete details are outlined in the Retirement Plan Booklet.

CREDIT UNION – In October 1997, the City of Franklin joined Southeast Financial Credit Union. City employees have the benefit of savings plans, share draft account, low interest, pre-approved loans, direct deposit, notary services and payroll deduction, among other benefits.

EMPLOYEE SERVICES

EMPLOYEE NEWSLETTER - Employee Newsletter, which is published on a monthly basis, is one source of official notification of any changes that may affect employees directly and general information about the City. If you have newsworthy information that you would like to share with fellow employees, you may notify the Newsletter Committee Representative for your department.

PAYROLL STUFFERS - Occasionally we will use payroll stuffers to inform or notify you of any changes, upcoming events, scheduled meetings, etc.

BULLETIN BOARDS - Bulletin boards located within the departments will have information of announcements, rules and regulations, and other information that may pertain to you.

EMPLOYEE MEETINGS - Employee Meetings may be scheduled by your Department Director for the purpose of sharing information and listening to your suggestions and/or comments.

OPEN DOOR - The City of Franklin Human Resources Department has an open door policy and employees are welcome to discuss any aspect of their employment without fear of retaliation.

IF YOU LEAVE US

TERMINATION - Both you and the City of Franklin have right to terminate your employment. When possible and appropriate, you will be given the courtesy of advance notice. The decision to terminate you may be made after a disciplinary hearing with your Department Director if you are a regular full-time or regular part-time employee who has completed the probationary period. Should you be laid off and have established a good employment record as evidenced by a "meets expectations" level of performance, you will be given consideration to return to work in the same or a similar position if such a position becomes available within a year after your termination. Former employees who were laid off and whose names have been placed on a reemployment list are considered before promotion eligibles and outside appointees.

Should you decide to resign, you are expected to give us the courtesy of 14 days' notice. Supervisory personnel are expected to give 30 days' notice. The notice should be in writing. Failure to give proper notice may result in an unfavorable employment recommendation or decision to re-hire should you apply for future employment opportunities with the City of Franklin. Normally, you are expected to work through your notice period, but in some cases you may not be required to complete the notice period. When you leave, you will be paid through the last day worked, plus for any accrued overtime and unused vacation leave.

Illegal or unethical activities and some violation of City policies or the Municipal Code can result in immediate suspension without pay pending the termination decision. For your protection, all disciplinary actions are reviewed by the Human Resources Director and approved by the City Administrator.

When you leave us, you are required to return any City property in your possession, including keys to doors, desks, lockers, and filing cabinets; uniforms; tools; vehicles; turn-out or safety gear and equipment; weapons; identification cards, etc. If for some reason you owe us money, we will ask you to make arrangements for payment before you leave. It is important that you provide us with a forwarding address if you are moving so that we may contact if necessary and forward withholding tax information. COBRA insurance continuation, tax information and retirement information (if you are vested) will be sent to your last known address on file.

INSURANCE BENEFITS IF YOU LEAVE US - Coverage under the City's medical, dental, life and long term disability ceases at midnight on the day of termination (last day worked). The City's third party plan administrator for medical insurance will contact you about continuing medical coverage under COBRA.

AMENDMENTS / CONTRACTS / CONFLICTS

AMENDMENTS – All statements in this Handbook are subject to change by administrative action of the City. Policies set forth may be modified, superseded, or eliminated by the City Administrator or Board of Mayor and Aldermen without prior notification to employees.

CONTRACTS - Nothing in this Handbook shall constitute a legal contract with the City, but provides guidelines for employment. The Handbook is a summary of, not a substitute for, the Human Resources Manual.

CONFLICTS - Any of the provisions of this Handbook that are intended to comply with State or Federal laws or regulations shall be administered and implemented so as to always remain in compliance with such laws or regulations as may be amended in the future, regardless of whether this document is actually modified to reflect such amendments in the laws or regulations.

Should any section, subsection, or part of this Handbook be in conflict with any provision of the Human Resources Manual, City Charter or Municipal Code, then the Human Resources Manual, City Charter and Municipal Code shall prevail.