



## RESOLUTION 25-653

### **A RESOLUTION OF THE TOWN OF MOUNT CARMEL, TENNESSEE ADOPTING REVISED PERSONNEL POLICIES AND PROCEDURES**

**WHEREAS**, the Town of Mount Carmel recognizes the importance of maintaining clear, current, and comprehensive personnel policies and procedures to guide the employment practices of the Town and ensure compliance with applicable federal and state laws; and

**WHEREAS**, the Town has undertaken a thorough review and revision of its existing Personnel Policies and Procedures to reflect current best practices, legal requirements, and the operational needs of the Town; and

**WHEREAS**, the revised Personnel Policies and Procedures have been reviewed by Town Administration, legal counsel, and other relevant stakeholders, and are recommended for adoption;

**NOW THEREFORE, BE IT RESOLVED** by the Board of Mayor and Aldermen meeting at Mount Carmel, Tennessee, on this 26<sup>th</sup> day of June, 2025, that:

SECTION 1. The revised Personnel Policies and Procedures document, as presented and attached hereto as Exhibit A, is hereby adopted and shall be effective as of July 1, 2025.

SECTION 2. This revised policy shall supersede and replace all previous personnel policies and procedures adopted by the Town.

SECTION 3. Town Administration is hereby authorized and directed to implement the revised policy and ensure that all Town employees are informed of and have access to the updated document.

This Resolution shall take effect immediately, the public welfare requiring it.

ADOPTED this 26<sup>th</sup> day of June, 2025.

  
John Gibson, Mayor

Attest:   
Tyler Williams, Town Recorder

**PERSONNEL**

**POLICIES & PROCEDURES**



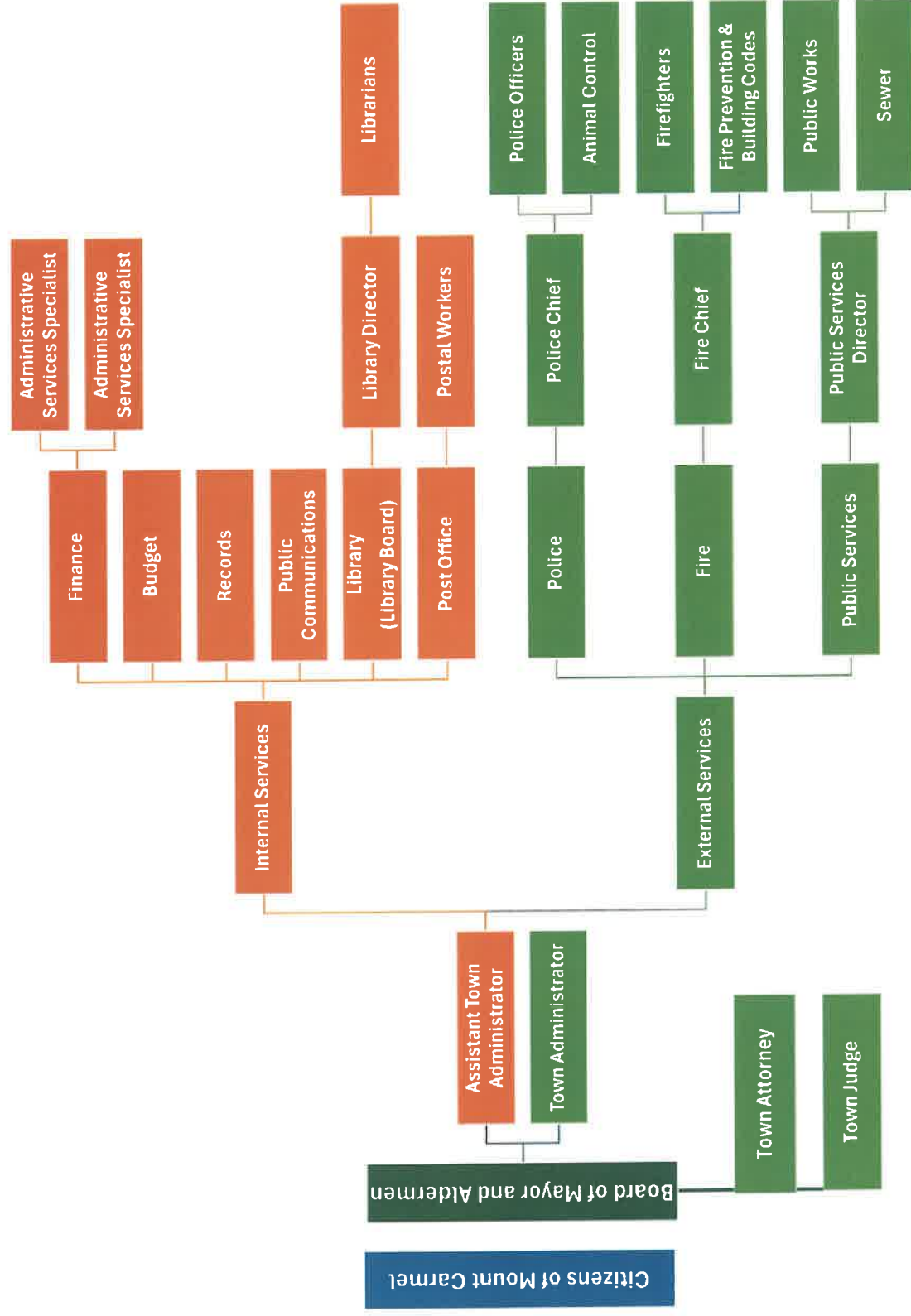
**TOWN OF MOUNT CARMEL, TENNESSEE**

Revision 05/01/2025

Adopted 06/26/2025

Effective 07/01/2025

# Town of Mount Carmel Organizational Chart



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## SECTION 1: PERSONNEL POLICIES

### 1.1 INTRODUCTION TO PERSONNEL REGULATIONS

The Town of Mount Carmel Personnel Policy and Procedures hereinafter referred to as "Personnel Regulations," adopted by resolution, is applicable to all employees of the Town of Mount Carmel whose activities and functions are subject to the control and direction of the Town Administrator. These policies and procedures and all other Town manuals do not bestow any additional rights to employees regarding employment or employment benefits. These policies and procedures are not part of a contract, and no employee has any contractual right to the matters set forth herein. This will serve as notice to all employees that the employment relationship may be terminated by either the Town or the employee at any time for any reason. All employees are "at will" and the Town is an "at will" employer under Tennessee law. The Town reserves the right to change all such policies, practices, and procedures in whole or in part at any time, with or without notice to employees.

These Personnel Regulations shall be made available to all employees. Regular employees will receive a copy of the regulations upon employment. Any employee who desires to review the regulations during work hours may review the departmental copy.

### 1.2 PURPOSE AND OBJECTIVES

The primary purpose of these policies is to establish an understanding, cooperation and efficiency in local government operations by establishing a system of personnel administration which provides consistent, impartial and effective policies and procedures for the employees of the Town of Mount Carmel Tennessee without regard to race, color, religion, gender or gender identity, age, national origin, disability, military status, genetic information, communication with an elected public official, free speech, refusing to participate in or remain silent about illegal activities, exercising a statutory constitutional right or any right under clear public policy, political affiliation, or any other basis protected by law. The objectives of these policies are to promote and increase efficiency, provide fair and equal opportunities, develop a process of recruitment and selection of employees, and promote high morale among employees.

It is the Town of Mount Carmel's policy not to discriminate against any employee or applicant for employment or during the course of employment due to race, color, religion, gender or gender identity, age, national origin, disability, military status, genetic information, communication with an elected public official, free speech, refusing to participate in or remain silent about illegal activities, exercising a statutory constitutional right or any right under clear public policy, political affiliation, or any other basis protected by law. Race, color, religion, age, sex, national origin or ancestry, marital status, veteran's status, or ability in accordance with applicable federal, state, and local law. If an employee believes that he or she has been involved in any incident that was discriminatory, he or she should report the incident immediately to Management. The Town further complies with all federal and state laws protecting employees from discrimination.

It is the policy of the Town of Mount Carmel to apply and foster a sound program of personnel administration to ensure the legal employment and placement of applicants, the establishment of a classification and compensation program, the establishment of an employee relations system and the provision of employee development and training and record retention.

### 1.3 COVERAGE

The Personnel Regulations will apply to all employees unless otherwise stated under exempt positions. Temporary, seasonal, and part-time employees are subject to all regulations but do not have access to additional benefits, such as, insurance benefits, leave accrual, holiday pay, or retirement benefits.

All offices and positions of the local government placed in the exempt service are:

1. all elected officials.
2. members of appointed boards and commissions.
3. consultants, advisers, and legal counsel rendering temporary professional service.
4. the local government attorney.
5. independent contractors.
6. part-time employees paid by the hour or the day who are not considered regular unless otherwise indicated.
7. the local government judge.

Some policies apply to all employees and officers of the municipality, including those placed in the exempt service, such as policies related to discrimination and/or harassment, and policies required by state or federal law.

#### **1.4 ADMINISTRATION**

These rules will be administered by the Town Administrator and Assistant Town Administrator under the direction of the Board of Mayor and Aldermen in conformity with the ordinance establishing a personnel system.

The governing body is responsible for the appointment of the Administrator, establishment of overall policy guidelines for the operation of municipal government including adoption of the Personnel Regulations and amendments thereto, development and adoption of an annual fiscal budget.

The Town Administrator is the Chief Executive/Administrative Officer for the Town of Mount Carmel. The administrator is hired and serves at the pleasure of the governing body. The administrator is responsible to the governing body for the proper operations of all town functions. The responsibilities of the administrator include appointment and termination of all Town employees, enforcement and application of all laws, provisions of the Town Charter and Municipal Code, and acts of the governing body including but not limited to the Personnel Regulations and pay classification plan. The administrator is also responsible for the implementation of additional rules, policies, and procedures, which may be necessary for the proper operation of the Town or its various departments, provided that such rules and procedures are consistent with the Personnel Regulations adopted by the governing body.

The Assistant Town Administrator may fulfill the role of Town Recorder and Chief Municipal Finance Officer for the Town of Mount Carmel overseeing those administrative functions of the Town. The Assistant Town Administrator is hired and serves at the pleasure of the Town Administrator. In addition to the Town Recorder and Chief Municipal Finance Officer responsibilities, the Assistant Town Administrator may also be responsible for appointment and termination of Town employees, enforcement and application of all laws, provisions of the Town Charter and Municipal Code, and acts of the governing body including but not limited to the Personnel Regulations and pay classification plan. The Assistant Town Administrator is also responsible for the implementation of additional rules, policies, and procedures, which may be necessary for the proper operation of the Town or its various departments, provided that such rules and procedures are consistent with the Personnel Regulations adopted by the governing body. Additionally, the Assistant Town Administrator shall serve as the Acting Town Administrator when needed or required.

The Town Administrator, Assistant Town Administrator and Department Heads and supervisors are responsible for the administration and enforcement of the Personnel Regulations for employees in their respective program areas.

The Town Administrative Department's responsibility and functions regarding the administration of the personnel regulations shall include, but not be limited to, the development and presentation of personnel regulations and recommended amendments consistent with proper employment practices to the Town Administrator for consideration and presentation to the governing body. The Administrative Department shall also provide technical



assistance to Department Heads and supervisors on the interpretation and application of the Personnel Regulations.

**Amendments to the rules and regulations shall be made in accordance with the procedure herein. Nothing in the personnel rules and regulations document shall be deemed to give employees any more property rights in their jobs than may already be given by the local government charter. The local government reserves the right to alter or change any or all these rules without prior notice to employees.**

## **1.5 AMENDMENTS TO PERSONNEL POLICIES**

Amendments or revisions to these regulations, policies and procedures may be recommended for adoption by the Town Administrator or by the Board of Mayor and Aldermen of its own initiative. Such amendments or revisions of these regulations, policies and procedures shall become effective upon approval by the Board of Mayor and Aldermen.

All departmental regulations, policies and procedures as presently constituted or hereinafter adopted, which are not in conflict with these regulations, shall remain in full force and effect.

## **1.6 SEVERABILITY**

If any Charter, Article or Section of these Regulations is found to conflict with Federal, State or Town laws and regulations, or Court decision, that section will continue in effect only to the extent permitted by such law or regulation or Court decision. If any Charter, Article or Section of these regulations is or becomes invalid or unenforceable, such invalidity or unenforceable nature will not affect or impair any other Charter, Article or Section of these regulations.

# **SECTION 2: HIRING PROCEDURES**

## **2.1 EQUAL OPPORTUNITY EMPLOYMENT**

It is the obligation and policy of the Town of Mount Carmel to provide equal opportunity employment to all employees and applicants for employment. No person will be discriminated against in employment because of race, color, religion, sex, age, national origin, disability, military status, communication with elected public officials, free speech, refusing to participate in or remain silent about illegal activities exercising a statutory constitutional right or any right under clear public policy, political affiliation, genetic information, or any other basis protected by law.

The Town of Mount Carmel will provide reasonable accommodation to qualified disabled individuals unless the accommodation would pose an "undue hardship" on the Town.

This policy applies to all terms, conditions, and privileges of employment and all policies of the Town, including hiring, placement, training, employee development, promotion, transfer, compensation, benefits, grievances, educational assistance, layoffs, termination, and retirement.

## **2.2 JOB ANNOUNCEMENTS**

Department Heads who need to fill a budgeted job opening should contact town administrative personnel to begin the recruitment process. The Town Recorder (or their designee) will prepare and publicize job announcements to bring notice of vacancies to as many qualified candidates as possible.

**In-House Posting** - Notice of vacant regular positions will be made available to internal employees on the Town's official website. Notice of regular vacancies will be posted internally and externally until the position is filled.

**Public Advertisement** - Applicants shall be recruited from a geographic area as wide as necessary and for a period sufficient to ensure that qualified applicants are obtained for Town Service. The Town's Administrative

Office and the Department Head will determine what forms of media to extend the advertisement. Vacancies where appropriate will be posted on the Town's website until the position is filled. All internal and external candidates shall make application through the Town's website and submit their signed/scanned application via email to the Town Administrator.

### **2.3 EMPLOYMENT OF RELATIVES/FRIENDS**

As a public employer, the Town of Mount Carmel must maintain a process 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. 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, the Town maintains 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 Head or with the Town Administrator. 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.

### **2.4 CITIZENSHIP AND IMMIGRATION STATUS VERIFICATION**

The Town will not discriminate based on a person's national origin or citizenship status with regard to recruitment, hiring, or discharge. However, the Town will not knowingly employ any person who is or becomes an unauthorized immigrant. In compliance with the Immigration Reform and Control Act, all employees hired after November 6, 1986, regardless of national origin, ancestry, or citizenship, must provide suitable documentation to verify identity and employability. The documentation must be provided within three days of employment, or the individual will be subject to separation.

## **SECTION 3: CLASSIFICATION, PAY, AND FRINGE BENEFITS**

### **3.1 EMPLOYEE COMPENSATION**

Employee compensation shall be in an amount set by the Town Pay Plan established by the Town Administrator and adopted through the budget process by the Board of Mayor and Aldermen as identified in Appendix C.

A non-exempt municipal employee who does not work their regularly scheduled work week shall be paid only for hours worked, unless such absence is authorized as paid leave by the employee's supervisor, or the Town Administrator.

Regular paydays for all municipal employees shall be bi-weekly, no later than every other Friday. Direct Deposit into a financial institution is required. All non-exempt employees will sign their timecards at the end of each pay period and supervisors will also be required to sign timecards. Signature on timecard is a verification the employee has worked the exact hours shown on the timecard and no more or no less for the applicable period shown on said card. Exempt salaried employees are required to submit a signed exception record at the end of each pay period, indicating that they worked a minimum of 80 hours in the pay period, or had any work hour exceptions, such as, holiday, vacation, sick or any other types of paid or unpaid leave.

The appropriate deductions, as required by State and Federal law, shall be made from each employee's pay. It is the policy of the Town that no advance on future wages shall be made.

### **3.2 PERFORMANCE APPRAISAL / EVALUATION**

The performance of all employees will be appraised and reviewed at least annually by their immediate supervisor.

Evaluations for new hires shall occur before the end of the first sixth (6) months. Written appraisals will be discussed with the employees, so they will know how they are progressing and what they may do to improve their performance.

Department Heads will review employee performance evaluations for consistency and application of proper evaluation standards for each employee being evaluated. The failure to submit an evaluation after notice may subject the Department Head to counseling or disciplinary action. Completed employee performance evaluations shall be placed in the employee's personnel file. The Town Administrator will perform an annual performance evaluation for all Department Heads.

As important as these written performance/appraisals are, they are not meant as substitutes for ongoing discussions between employees and their supervisors about their performance. Annual step pay increases, not classified as COLA, will be tied to an employee's minimum acceptable performance. Employees must not be under any formal discipline or a performance improvement plan and receive an overall "meets expectations" rating to receive their step pay raise for the year, which will be effective on the next pay period beginning after their actual hire/promotion date anniversary.

### **3.3 BENEFITS**

A list of current benefits is available from the Town recorder.

### **3.4 HOURS OF WORK**

The standard work week for each department will be determined by the department head with approval of the Town Administrator. Up to one hour will be allowed for an unpaid lunch, including travel time, and will not be considered part of the regular workday.

### **3.5 ATTENDANCE**

Employees shall attend their assigned places of work in accordance with the policies regarding hours of work, holidays, and leave. If an employee, for some unavoidable reason, cannot report for work, they shall notify their supervisor or department head at least 30 minutes prior to the start of their assigned work shift. The Department Head will set the department specific notification process. Failure on the part of an employee to comply with these policies may be cause for non-payment for the workday absence, and/or disciplinary action.

### **3.6 OVERTIME COMPENSATION**

All non-exempt general employees shall receive overtime pay at the rate of one and one-half times their regular rate of pay for each hour worked in excess of 40 hours, and non-exempt sworn police employees for each hour worked in excess of 43 hours. All non-exempt general employees may also accrue compensatory time off in lieu of overtime for all hours worked in excess of 40 hours (regular employees)/43 hours (sworn non-exempt police employees) in any one work week so long as approved in advance by the employees' Department Head and the Town Administrator and may accrue such compensatory time off up to a maximum of 80 hours.

Compensatory time, or overtime must be documented by a detailed explanation of the work or project(s) that required working overtime hours in the workweek on each employee's timecard. All compensatory time off accrued for all Town employees qualifying for compensatory time off, the time must be used by the end of the following month.

Exempt employees who are paid by salary shall not be entitled to overtime compensation, additional holiday pay, or compensatory time. However, exempt employees will be granted 60 hours of executive leave annually that must be used during the fiscal year awarded, no accruals will be allowed or maintained, and at the end of the fiscal year will be reset to 60 hours. Executive leave should be used and will not be paid out and should be utilized in no less than 4-hour blocks and for no more than 16 consecutive hours (2-days). Executive leave should not be

routinely abutted with other types of leave to extend the overall time off. If an exempt employee wishes to use executive leave, they must submit their request to the town administrator on the appropriate form. Executive leave requests should be submitted at least 1 day in advance for requests of 4 to 8 hours, and 3 days in advance for requests of more than 8 hours.

### 3.7 CALL OUT PAY

Employees in Public Works and Wastewater may be required to return to the Town to. When a non-exempt employee, after departing from their regularly scheduled workplace, reports back to work for unscheduled service after hours, the Town will pay him or her a minimum of two (2) hour's wages from the time he or she begins work at the worksite until the time they leave the worksite. Each non-exempt employee who is called out will be paid at one and one-half (1½) times their regular hourly rate while on call-out duty.

### 3.8 MANDATORY UNIFORM ALLOWANCE

1. Uniforms, when required, will be provided by the Town. The cost to maintain those uniforms will also be paid by the Town
2. Personal Protective Equipment. Full-time employees may be reimbursed for the purchase of safety-toe protective footwear (including steel-toe shoes or steel-toe boots) and non-specialty prescription safety eye wear as Personal Protective Equipment, or other equipment as defined in departmental SOP or as adopted otherwise. Cost will be reimbursed up to \$200 for steel toe boots and a winter coat one time per fiscal year.

## SECTION 4: LEAVE POLICIES

### 4.1 VACATION LEAVE

Each full-time regular employee shall earn vacation time in accordance with the following schedule (unless additional benefits are negotiated at the time of job acceptance):

Years of Service	Hours per pay period	weeks/hours earned per year	PD hours earned per pay period / yearly	PD weeks/hours earned per year
1-5	3.08 hours	2 weeks (80 hours)	3.23 hours	2 weeks (84 hours)
6-10	4.62 hours	3 weeks (120hr)	4.96 hours	3 weeks (129 hours)
11-15	6.16 hours	4 weeks (160hr)	6.62 hours	4 weeks (172 hours)
16-20	7.70 hours	5 weeks (200hr)	8.27 hours	5 weeks (215 hours)
20+	9.23 hours	6 weeks (240hr)	9.92 hours	6 weeks (258 hours)

Vacation time can be carried over by no more than 80 hours into the next anniversary year, unless requested by the employee and authorized by the Town Administrator/Manager in writing. If carry over exceeds 80 hours, unused vacation leave will be converted into sick leave. Employees may be paid for up to two weeks of unused vacation per year (anniversary). Vacation leave shall be taken on a normal workweek basis. Paid holidays falling within a period of vacation leave shall not be counted as vacation. Each employee, upon retirement or voluntary separation, including a 2-week notice to the town (actually worked), shall be paid for any unused vacation leave.

Unless there is an emergency, all employees shall provide their supervisor with at least two weeks' notice when requesting vacation time. Department heads must apply for vacation leave to the Town Administrator for approval.

Vacation leave shall not accrue to any employee when an employee is on leave for more than (15) days in the month, unless otherwise directed by the Town Administrator.

### 4.2 SICK LEAVE

Each regular full-time employee will accrue sick leave at the rate 4 hours per pay period or 6 hours per pay period



for full time police officers working 12-hour shifts. Employees may accumulate up to 720 hours of sick leave, which may be carried over from one calendar year to another. Any unused sick leave in excess shall only be credited as additional time worked when calculating the employee's retirement benefits towards TCRS retirement. No employee shall be paid for accumulated sick leave. All accumulated sick leave shall expire upon an employee's separation from employment.

Employees become eligible to use sick leave in the following situations:

- When an employee is incapacitated by sickness or a non-job-related injury, or they are seeking medical, dental, or other diagnosis or treatment.
- When necessary, care and attendance of a member of the employee's immediate family is approved by a department head.
- When employees have received notice from their doctor that they may jeopardize the health of others because they have been exposed to a contagious disease.

Sick leave benefits shall begin on the first day of such absence and shall continue for 10 work days or 80 hours. Any additional time-off necessary shall be taken by utilizing Short-term Disability Insurance provided by the town and can be supplemented by employee vacation time.

Sick leave shall be requested in advance for any non-emergency medical, dental, or other diagnosis or treatment. Employees shall, when possible, notify their department head of their illness or incapacity before they are due to report to work on the first day of any sick leave.

To prevent abuse of the sick leave privilege, department heads are required to satisfy themselves that an employee is genuinely ill before sick leave is authorized. An absence due to sickness of 3 or more days consecutively, or greater than 6 days cumulatively, may require a doctor's certificate. Sick leave may be denied, and appropriate disciplinary action taken when an employee is shown to be abusing sick leave privileges.

Sick leave shall not accrue to any employee until the required eligibility period has elapsed, when an employee is on leave for more than fifteen (15) days in the month, unless otherwise directed by the Town Administrator.

An employee, upon exhausting all earned sick leave, may use vacation. After an employee has exhausted their accrued sick leave and vacation leave, leave without pay may be granted at the discretion of the Town Administrator as a reasonable accommodation to persons with disabilities. Also, employees may be placed on special leave without pay, or they may be terminated if unable to perform their job or another job with or without a reasonable accommodation. Should employees later be able to return to work, upon presentation of certification by a doctor, they may be given preference for employment in a position for that they are qualified, with the approval of the Town Administrator.

Employees may not borrow against future sick leave.

#### 4.3 HOLIDAY LEAVE

The Town shall recognize and observe all holidays officially designated by the federal government, including any future amendments, deletions, or additions to the federal holiday schedule, which shall be automatically incorporated herein. In addition, the Town reserves the right to designate discretionary holidays (notated\*\*). Therefore, the following shall be paid holidays for all full-time employees and shall be observed on the dates and days as prescribed by law:

**New Year's Day**  
**Martin Luther King Jr. Day**  
**Washington's Birthday**  
**Good Friday\*\***  
**Memorial Day**

**Juneteenth**  
**Independence Day**  
**Labor Day**  
**Columbus Day**  
**Veterans Day**

**Thanksgiving Day**  
**Thanksgiving Day After\*\***  
**Christmas Eve\*\***  
**Christmas Day**

The Town offices, except essential services, shall be closed on official holidays. When a holiday falls on Saturday, it shall be observed on the preceding Friday. When a holiday falls on a Sunday, it shall be observed on the following Monday.

All regular full-time non-exempt employees required to work on a Town-observed holiday will receive straight time holiday pay, and in addition will be paid for hours worked on the Town-observed holiday at the rate of one and one-half times their regular rate of pay. Emergency services personnel and sewer personnel will utilize the actual holiday for observance.

If a holiday occurs while an employee is on Workers' Compensation leave or other disability compensation leave, and is not using sick leave or vacation leave, no credit for the holiday shall be allowed. To receive pay for an observed holiday, an employee must not have been absent on the workday immediately preceding or immediately following the holiday unless on vacation time authorized by the supervisor or documented/excused sick leave on such days.

#### **4.4 CIVIL LEAVE**

Employees are eligible for paid civil leave in the following situations:

1. When an employee is called to serve as a juror or is appointed to serve as a clerk or judge on an election board, the employee is entitled to his regular pay.
2. For voting if the employees' working hours prevent voting during the time the polls are open.
3. When an employee is called to perform emergency civilian duty.
4. When an employee is subpoenaed to appear in court on behalf of the Town.

An employee who is required by subpoena to appear in court as a plaintiff, defendant or witness on a personal matter shall not be granted civil leave but may be granted vacation leave or leave without pay.

#### **4.5 FUNERAL LEAVE**

Up to three (3) days with pay may be granted for attendance of funerals of the immediate family of an employee. Any additional days may be charged to vacation, sick leave, or taken as leave without pay with the approval of the Department Head.

The employee's immediate supervisor must first approve all funeral leave. In situations where several employees wish to have time off to attend a funeral or funerals, discretion must be used by supervisory personnel so that Town service can be maintained.

#### **4.6 MILITARY LEAVE/VETERANS' RE-EMPLOYMENT**

Any employee who is or becomes a member of the armed forces 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) and leaves work for initial training for the Guard or Reserves, leaves work to join active-duty military, or is called to active duty, will be placed on military leave. Such employee must present his/her supervisor or department head with advance notice of the active-duty orders. The employee's seniority, status and pay will remain unchanged during his/her time of military leave. Continued health insurance coverage will be offered up to 24 months. The Town will continue to pay the portions of the premiums they were responsible for while the service member was employed if the leave is for fewer than 31 days. For military leaves longer than 31 days the employee must pay up to 102% of the cost of premiums due for such policy. An employee wishing to continue health insurance coverage during his/her military leave shall provide a mailing address where notices of premium payments due may be sent.

The process for reinstatement of employees returning from military leave begins when the employee submits an "application for re-employment." Said application must be submitted within ninety (90) days of the end of service, or from the end of hospitalization continuing after discharge for a period of not more than one (1) year for an injury/illness related to deployment. The returning employee will be re-employed in the position they would have attained had they not been absent for military



service, with the same seniority, status and pay.

Any employee who is a member or may become a member of any reserve component of the armed forces of the United States or of the Tennessee Army and Air National Guard will be entitled to a leave of absence from their respective duties 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. While on such leave, the employee will be granted paid leave up to twenty (20) days in anyone (1) calendar year.

Qualified employees who seek paid leave under this policy must provide the official order calling for their service or training to their supervisor. Employees serving in the National Guard or Military Reserve will receive full compensation for a period of twenty (20) days of military leave each calendar year, excluding holidays and scheduled off days. Such leave will not be charged to any form of accrued paid leave. An employee requesting military leave shall provide the Town the dates for training and travel time in advance. After the twenty (20) working days of full compensation, the Town may provide partial compensation to its employees while under competent orders. After the twenty (20) working days of full compensation, members of any reserve component of the armed forces of the United States, including members of the Tennessee army and air national guard, may use up to five (5) days of sick leave in lieu of vacation leave for the purposes of not having to take leave without pay.

### **MILITARY RESERVISTS LEAVE**

#### **Active State Duty: Army/Air National Guard and TN State Guard, Civil Air Patrol**

In addition to the leave of absence provided above, employees who are members of the Tennessee army and air national guard on active state duty or the Tennessee state guard and civil air patrol shall be entitled to an unpaid leave of absence from their respective duties, without loss of time, pay not specifically related to leave of absence time, regular leave or vacation, or impairment of efficiency rating for all periods of service during which under competent orders he/she is engaged in the performance of duty or training in the service of this state, including the performance of duties in an emergency.

Pursuant to T.C.A. § 42-7-102, members of the United States air force auxiliary civil air patrol who participate in a training program for the civil air patrol, or in emergency and disaster services, as defined in T.C.A. § 58-2-101, are entitled to a leave of absence with pay for a period of not more than fifteen (15) days during a calendar year for such purposes if the leave of absence is at the request of the employee's wing commander or the wing commander's designated representative. Employees granted leave are entitled to their regular salary during the time that they are away from their regular duties. All the rights and benefits of the employee continue as if a leave of absence had not been granted.

It is the responsibility of the employee to make arrangements with their department head for leave to attend monthly meetings on regular off time, with the expectation that the paid leave granted herein will be applied to the annual training periods required for reservists.

#### **8-33-110. Unpaid leave for members of Tennessee army and air national guard, Tennessee state guard and civil air patrol.**

In addition to the leave of absence provided in § 8-33-109, all officers and employees of this state, or any department or agency thereof, or of any county, municipality, school district, or other political subdivision, all other public employees of this state and all private sector employees who are members of the Tennessee army and air national guard on active state duty or the Tennessee state guard and civil air patrol shall be entitled to an unpaid leave of absence from their respective duties, without loss of time, pay not specifically related to leave of absence time, regular leave or vacation or impairment of efficiency rating for all periods of service during which under competent orders they are engaged in the performance of duty or training in the service of this state, including the performance of duties in an emergency.

## **4.7 Workers Compensation**

Town employees are subject to the provisions of the Tennessee Workers' Compensation Act and are entitled to the benefits of that law, whether by injury or occupational disease arising out of and in the course of employment.

Injury or occupational disease occurring out of and in the course of employment shall be reported to the Recorder and/or supervisor as soon as possible and the Recorder shall file the necessary reports.

The Town Recorder will furnish information and reports concerning injuries, or alleged injuries, or occupational diseases which are or may be within the scope of the Workers' Compensation Act, in order that proper medical

attention is provided, compensation and expenses are paid, investigation and determination of applicable benefit eligibility may be made, and that compensation is terminated when the disability ceases or benefits are exhausted.

An employee entitled to be paid Workers' Compensation for temporary disability may be granted sick leave with full pay for the first five (5) working days of such disability, excluding the day of injury (assuming such employee has sufficient accumulated sick leave).

Worker's compensation pays an employee 66.67% of their weekly salary once the employee has been disabled for more than seven (7) days. Compensation will be made as of the eighth day of disability due to an occupational injury. If the employee is disabled for fourteen (14) days or more, worker's compensation will pay the employee retroactively from the first full day of absence from work up to the return date to work. Employees receiving worker's compensation payments may not supplement their pay with accrued paid leave. An employee who is receiving Workers' Compensation for an injury or occupational disease arising from the course and scope of employment, shall have the option of electing to use accumulated sick leave and/or vacation leave for the first seven calendar days of Workers' Compensation leave. After such sick and/or vacation leave has been used, the employee shall not be entitled to any compensation except that authorized by the Workman's Compensation Act. Such injured employees shall be carried in a leave without pay status for a period not to exceed one (1) year after which employment may cease.

Employees injured on the job that receive a restricted release or restricted permission to return to work may be returned to their prior position if reasonable accommodation can be made without violating the medical restriction(s) or does not pose a safety risk to themselves or others. Likewise, such an employee may be placed in another position for which they are qualified within the Town if such an open position exists, and the injured employee's restrictions may be accommodated. **Nothing herein should be construed as a commitment on the part of the Town to make work or create a position for an injured employee.**

#### 4.8 ABSENCE WITHOUT LEAVE

Absence by an employee from place of duty not specifically authorized or covered in this manual shall be charged as absence without leave. Absence without leave shall be in a non-pay status and may be cause for disciplinary action, up to and including discharge.

#### 4.9 FAMILY LEAVE

The Family and Medical leave policy is applicable to employees who have worked at least 12 months for the Town and who have worked at least 1,250 hours during the preceding 12-month period, and work for an employer with 50 or more employees within 75 miles of the work site. Until such time the Town employs 50 or more employees, no employees shall be deemed eligible under the Act.

## SECTION 5: WORKPLACE VIOLENCE AND HARASSMENT

### 5.1 WORKPLACE VIOLENCE

Employees are expected to maintain a productive work environment free from harassing or disruptive activity including threats of physical violence. No form of bullying or harassment will be tolerated, including sexual harassment and harassment based on race, color, religion, gender or gender identity, age, national origin, disability, military status, genetic information, communication with an elected public official, free speech, refusing to participate in or remain silent about illegal activities, exercising a statutory constitutional right or any right under clear public policy, political affiliation, or any other basis protected by law. This policy applies to all Town employees, elected officials, appointed officials, part-time/temporary employees, and contractors.

1. No employee or non-employee shall be allowed to harass any other employee or non-employee by exhibiting behavior including, but not limited to, the following:
  - a. **Verbal harassment** – Verbal threats toward persons or property; the use of vulgar or profane language directed towards others; disparaging or derogatory comments or slur; offensive flirtations

- or propositions; verbal intimidation; exaggerated criticism or name-calling; spreading untrue or malicious gossip about others.
- b. **Physical Harassment** – Any physical assault, such as hitting, pushing, kicking, holding, impeding, or blocking the movement of another person.
  - c. **Visual Harassment** – Displaying derogatory or offensive posters, cartoons, publications, or drawings.
  - d. **Bullying** – Workplace bullying refers to unwanted aggressive behavior that involves a real or perceived power imbalance. The behavior is repeated, or has the potential to be repeated, over time. The imbalance of power involves the use of physical strength, access to embarrassing information, or popularity to control or harm others. This behavior may be performed by individuals (or a group) directed towards an individual (or a group of individuals)
2. All employees, except those authorized to carry weapons for official job-related purposes, are prohibited from carrying weapons while performing work for the Town.
  3. Under no circumstances are the following items permitted on Town property, including Town-owned parking areas, except when issued or sanctioned by the Town for use in the performance of the employee's job:
    - dangerous chemicals; or
    - explosives or blasting caps; or
    - other objects carried for the purposes of injury or intimidation.
  4. Charges of violence and harassment may be reported to any supervisory employee of the local government, including the Town Administrator and the Mayor. The Town will promptly investigate reports of workplace violence including suspicious individuals or activities. Depending on the severity of the charges or whether a crime is committed, the Town Administrator may request that the Police Chief provide assistance or assume responsibility for the investigation. All employees are required to assist during the investigation by providing testimony, statements, and evidence, as required. Failure to cooperate or creating an interference may result in disciplinary action.

## 5.2 HARASSMENT

Employees are obligated to report instances of harassment. Employees are also obligated to cooperate in every investigation of harassment. The obligation includes, but is not limited to, coming forward with evidence, both favorable and unfavorable, for a person accused of such conduct; fully and truthfully make written reports or verbally answer questions when required to do so by the investigator. All employees are required to assist during the investigation by providing testimony, statements, and evidence, as required. Failure to cooperate may result in disciplinary action.

Copies of the investigative report with recommendations for appropriate action will be turned over to the Town Administrator for further action. Anyone determined to be responsible for threats of, or actual violence, or other conduct that is in violation of this policy will be subject to prompt disciplinary action up to and including termination.

The following actions constitute an unlawful practice and are absolutely prohibited by the Town when they affect employment decisions, create a hostile job environment, cause distractions, or unreasonably interfere with work performance. They are:

1. sexual harassment or unwelcome sexual advances,
2. requests for sexual favors.
3. verbal or physical conduct of a sexual nature in the form of pinching, grabbing, patting, or propositioning.
4. explicit or implied job threats or promises in return for submission to sexual favors.
5. inappropriate sexually oriented comments on appearance.
6. sexually oriented stories.
7. displaying sexually explicit or pornographic material, no matter how the material is



- displayed; and/or
- 8. sexual assault on the job by supervisors, fellow employees, or non-employees
- 9. Demeaning insulting, intimidating or sexually suggestive written, recorded or electronically transmitted materials (such as email, instant message, and internet materials)

Employees must avoid any action or conduct which could be viewed as sexual or other discriminatory harassment. Persons who engage in unlawful sexual or other discriminatory harassment will be subject to disciplinary action up to and including termination of employment.

Employees and others will not be retaliated against for raising complaints of sexual or other discriminatory harassment, unless the claim is one that is made in dishonest bad faith.

#### **Making Harassment Complaints**

Prevention is the best tool for the elimination of harassment. Therefore, the following rules shall be strictly enforced. An employee who feels he/she is being subjected to harassment should immediately contact their supervisor or the Town Administrator or any other individual with whom the employee feels the most comfortable.

The employee should be prepared to provide the following information:

- (a) The employee's name, department, and position title.
- (b) The name of the person or persons committing the sexual harassment including their titles, if known.
- (c) The specific nature of harassment, how long it has gone on, and any adverse action (demotion, failure to promote, dismissal, refusal to hire, transfer, etc.), taken against the employee because of the harassment, or any other threats made against the employee because of the harassment.
- (d) Witnesses to the harassment.
- (e) Whether the employee has previously reported the harassment and, if so, when and to whom.

#### **Reporting and Investigation of Harassment Complaints**

The Town Administrator is the person designated by the Town to be the investigator of complaints of harassment against employees. In the event the harassment complaint is against the Town Administrator, the investigator shall be the Town attorney, or independent attorney provided by the Town's Employment Practices Liability Insurance provider.

When an allegation of harassment is made by any employee, the person to whom the complaint is made shall immediately prepare a report of the complaint according to the preceding section and submit it to the Town Administrator.

The investigator shall make and keep a written record of the investigation, including notes of verbal responses made to the investigator by the person complaining of harassment, witnesses interviewed during the investigation, the person against whom the complaint of harassment was made, and any other person contacted by the investigator in connection with the investigation.

Upon conclusion of the investigation, the investigator shall prepare a confidential report of the findings and present them to the Town Administrator. The report shall include the written statement for the person complaining of harassment, the written statement of witnesses, the written statement of the person against whom the complaint of harassment was made, and all the investigator's notes connected to the investigation.

#### **Action on Complaints of Harassment**

Upon review of the investigator's report, the Town Administrator shall, within a reasonable time, determine whether the conduct of the person against whom a harassment complaint has been made constitutes harassment in violation of this policy. In making that determination, the Town Administrator shall look at the record as a whole and at the totality of circumstances, including the nature of the conduct in question, the context in which the

conduct, if any, occurred, and the conduct of the person complaining.

If the Town Administrator determines that the complaint of harassment is well founded, in whole or in part, he/she shall take prompt and effective remedial action against the employee found to have engaged in harassment, which may include disciplinary action up to and including termination. To the extent possible, the disciplinary action should be consistent with the nature and severity of the offense and may take into consideration such factors as the effect of the offense on the complainant, or on employee morale and public perception of the offense. Disciplinary action will be determined on a case-by-case.

A written record of the disciplinary action shall be kept, including verbal reprimands. In all events, an employee found guilty of harassment shall be warned not to retaliate in any way against the person making the complaint of harassment, witnesses or any other person connected with the investigation of the complaint of harassment.

In cases where the harassment is committed by a non-employee against a municipal government employee in the workplace, the Town Administrator shall take whatever lawful action against the non-employee is necessary to bring the harassment to an immediate end.

## SECTION 6: MISCELLANEOUS POLICIES

### 6.1 DRUG AND SUBSTANCE ABUSE POLICY

To provide a safe, healthy, productive, and drug-free working environment for its employees to properly conduct the public business, the Town has adopted a drug and alcohol testing policy. The types of tests required are pre-employment (for safety-sensitive positions), transfer (for certain safety sensitive positions), reasonable suspicion, post-accident, random (for safety-sensitive positions), return-to-duty, and follow-up post rehabilitation testing. A copy of the full policy can be obtained from the Town recorder.

### 6.2 TRAVEL POLICY

Employees shall be reimbursed for official travel in the performance of their duties, as well as for official expenses personally incurred related to their position. A copy of Town of Mount Carmel approved Travel Policy is available in the recorder's office.

### 6.3 USE OF LOCAL GOVERNMENT VEHICLES AND EQUIPMENT

All local government vehicles and equipment are for official use only. No other person other than a local government employee may operate a local government vehicle or piece of machinery. Passengers may be carried only as part of official business. Drivers and/or operators must have a valid driver's license and other certifications as required for a particular vehicle or piece of equipment and be approved by the department head or the Town Administrator.

Any employee who is required as an employment condition to possess and maintain a valid driver's or commercial driver's license or any employee who drives a Town vehicle must immediately, before reporting for duty the next workday, inform his/her supervisor if his/her license becomes denied, expired, restricted, suspended, or revoked any time during employment with the local government. A periodic review (no less than once every three (3) years) of employees' driving records will be conducted by the Town Administrator or their designee. If a town vehicle becomes damaged or is found to be damaged, the employee must immediately notify their supervisor.

### 6.4 PERSONAL / BUSINESS CELL PHONES

Employees should ensure personal cell phones do not interfere with their work or the Town's operations. Cell phones shall be turned off or set to silent or vibrate mode during meetings, conferences and in other locations where incoming calls may disrupt normal workflow.

Business cell phones are typically provided to positions that require immediate and on-going communication due to management responsibilities, field operations and emergency response purposes. Since they are provided to conduct Town business, the employee should limit personal usage to calls that are essential. If an individual is abusing the privilege of using a Town cell phone, disciplinary action may be taken, along with discontinuation of the use of the Town cell phone. Employees must be aware that any electronic communication devices owned by the Town are open to audit for monetary and/or content review or for any purpose and are always subject to public record requests.

## **6.5 CUSTOMER COURTESY**

All contact with customers, citizens, and coworkers should be managed in a professional manner. Professionalism, politeness, and courtesy are essential. Lack of courtesy and professionalism may result in disciplinary action.

## **6.6 ATTENDANCE AND PERSONAL CONDUCT**

Employees are expected to report to work as scheduled, on time and prepared to start working. Employees also are expected to remain at work for their entire work schedule. Late arrival, early departure or other absences from scheduled hours are disruptive and must be avoided.

Employees are representatives of the Town and as such, are expected and encouraged to conduct themselves always in a manner so as not to bring discredit upon the Town of Mount Carmel. Employees engaging in activities that are harmful to public perception of the Town may face disciplinary action.

## **6.7 DRESS CODE**

### **Non-Uniform**

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 daily, 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. An employee who does not meet the standards of this policy will be required to take corrective actions, which may include leaving the premises. 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.

### **Uniform**

In departments where uniforms are provided, all employees are expected to wear the uniform according to departmental policy. All uniforms are expected to be kept neat and in good repair. There may be an allowance allotted and/or uniforms will be provided for those employees required to wear uniforms and is specific to their respective department.

## **6.8 NON-SMOKER PROTECTION ACT**

The Town complies with the Non-Smoker Protection Act of 2007 which prohibits smoking in all public places such as buildings, equipment, and Town-owned vehicles. All employees who operate Town-owned vehicles are prohibited from smoking in the vehicle or piece of equipment. Violators of this policy will be subject to disciplinary action.

## **6.9 COMPUTER USE AND MONITORING**

Computers, the Internet, and e-mail, as with other technologies, should be used to maximize the Town's efforts in serving its citizens. It is every employee's duty to use the Town's computer resources and communication devices responsibly, professionally, ethically, and lawfully. These policies are not intended to, and do not, grant users any contractual rights. The term "Computer Resources" refers to the Town's computers, electronic equipment, and its entire computer network.



**Computer Use Policy Overview**

The computer resources are the property of the Town and should be used for legitimate business purposes. While personal use of Town computer resources, including the Internet and electronic mail is not forbidden, it is discouraged. Personal use shall be minimal and shall not interfere with the performance of job duties and responsibilities. Users are permitted access to the computer to assist them in performing their jobs. Confidential information or other information that would cause citizens to lose confidence in the Town or its personnel should not be provided using e-mail or shared with individuals outside the Town's employment ranks.

No one may use loopholes or acts of subterfuge within the computer security systems or knowledge of a special password to damage computer systems, to compromise sensitive information, to obtain extra resources, to take resources from another user, to gain access to systems or to use systems from which proper authorization has not been given. Users may not impersonate other individuals or misrepresent themselves.

Use of the computer is a privilege that may be restricted or revoked at any time. All information contained in the computer and all documents generated there from are for the exclusive use of the Town in connection with the conduct of its business and are the sole property of the Town.

**Waiver of Privacy Rights**

Users expressly waive any right of privacy in anything they create, store, send or receive using a town computer.

**Compliance with Laws and Licenses**

In their use of computers, users must comply with all software licenses and copyrights and all state, federal and international laws governing intellectual property and online activities.

**Communication of Trade Secrets**

Unless expressly authorized by the Town, sending, transmitting, or otherwise disseminating proprietary data, trade secrets or other confidential information of the Town is prohibited.

**Use of Encryption Software**

Users may not install or use encryption software on any computers without first obtaining written permission from the Town.

**Monitoring Usage**

The Town has the right to monitor sites visited by employees on the Internet, monitoring chat groups and newsgroups, reviewing material downloaded or uploaded by users to the Internet, and reviewing e-mail sent and received by others. Employee violations of any of the provisions outlined in this policy may subject employee to disciplinary action.

**Public Records**

All employee correspondence in the form of electronic mail, including computers, computer files, software, Internet access, voice mail and the e-mail system, are public records under the Tennessee Public Records Act and may be subject to public inspection under the law.

**6.10 SOCIAL MEDIA USE AND INTERNET POSTING**

This policy applies to every employee, whether part-time, full-time, currently employed by the Town of Mount Carmel in any capacity who posts any material whether written, audio, video or otherwise on any website, blog or any other medium accessible via the internet.

The policy applies to municipal employees posting content to non-Town created social media platforms in their personal capacity. Employees are prohibited from posting anything on the internet that could be construed as an act of unlawful harassment, a threat, or other evidence of discrimination. Employees should limit their personal internet activities to non-working hours, meal periods and/or rest breaks.

An employee may not characterize him or herself as representing the Town, directly or indirectly, in any online

posting unless pursuant to a written policy of the Town or at the direction of a supervisor.

The simultaneous use of a Town email address, job title, official Town name, or logo in conjunction of a posting shall be evidence of an attempt to represent the Town in an official capacity. Other communications leading a reasonable viewer to conclude that a posting was made in an official capacity shall also be deemed evidence to represent the Town in an official capacity.

Any postings on non-Town social media made in an official capacity may be subject to the Tennessee Open Records Act.

When posting in a personal social media account an employee should take reasonable care to distinguish that his content is a personal expression and not that of the agency.

Employees who violate the terms of this policy are subject to discipline up to and including termination.

## **6.11 RECORDING AND CAMERA DEVICES**

Electronic recorders are prohibited, except when the use of an audio recorder is part of the employee's job responsibilities as strictly defined within his/her job description. Electronic recordings are allowed during official Board of Mayor and Aldermen and other various commission meetings. Audio recordings may also be utilized during disciplinary or grievance hearings for documentation purposes at the discretion of the Department Head and/or Town Administrator. Failure to comply will result in prompt disciplinary actions.

## **6.12 DISCIPLINARY ACTION**

The Town's progressive discipline process is designed to provide a structured corrective action process to improve and prevent a recurrence of undesirable employee behavior and performance issues.

The Town reserves the right to discharge employees at will, for cause or for no reason, except that no employee will be discharged for reasons that are prohibited by state and federal law. Acceptable disciplinary actions include, but are not limited to:

- Retraining
- Personal Improvement Plan
- Counseling and verbal warning
- Written warning
- Suspension/probation and final written warning
- Suspension or Termination

Behavior that is illegal, and/or involves theft, substance abuse, intoxication, fighting and any other acts of violence or threats at work may not be subject to routine or normal progressive discipline, and may result in immediate termination. Such behavior may also be reported to the appropriate local law enforcement authorities.

All employees are required to promptly self-report any criminal charges, arrests, or convictions to Town Administration or their immediate supervisor, as such disclosures are essential to maintaining the integrity, safety, and compliance standards of the Town.

Employees who have been terminated for cause are not eligible for rehire.

# **SECTION 7: POLITICAL ACTIVITY, ETHICS, AND CONDUCT**

## **7.1 CODE OF ETHICS**

The code of ethics for personnel of the municipality was adopted in 2007. By Ordinance 320. It applies to all full-time and part-time elected or appointed officials and employees, whether compensated or not, including those of any separate board, commission, committee, authority, corporation, or other instrumentality appointed or created

by the municipality.

## **7.2 TERMINATION, ACCOUNTABILITY AND DISCLOSURE ACT**

All employees are responsible for disclosing conflicts of interest. This could include, but is not limited to, the hiring of immediate family members, using confidential information to obtain financial gain, the use of Town personnel, resources, property, supplies or funds for personal use or gain or entering certain contracts without having an open bidding process and voting on issues where personal gain is involved.

## **7.3 GENETIC INFORMATION AND NONDISCRIMINATION ACT**

The Town of Mount Carmel is committed to providing a work environment free of discrimination and harassment based on genetic information. It is the Town's policy to notify employees and health care providers not to provide genetic information when the Town requests health related information. The notice should be included on request forms and/or provided on a separate form when employees or healthcare providers are asked to submit health-related information.

It is the Town's policy to comply with GINA's confidentiality requirements by treating genetic information in the same way as medical information. It is also the policy of the Town not to retaliate against any employee for complaining about discrimination or harassment based on genetic information. If you feel you have been discriminated against or retaliated against, or harassed based on genetic information, follow the complaint procedure detailed in the workplace harassment policy.

## **7.4 AMERICANS WITH DISABILITIES ACT (ADA/ADAAA)**

The Americans with Disabilities Act (ADA) and the Americans with Disabilities Amendments Act (ADAAA) are federal laws that require employers with 15 or more employees to not discriminate against applicants and individuals with disabilities and, when needed, to provide reasonable accommodations to applicants and employees who are qualified for a job, with or without reasonable accommodations, so that they may perform the essential job duties of the position.

The Town is committed to the fair and equal employment of individuals with disabilities under the ADA. It is the Town's policy to provide reasonable accommodation to individuals with disabilities who are qualified for the job in question unless the accommodation imposes an undue hardship on the Town. The Town prohibits any harassment of, or discriminatory treatment of, employees based on a disability or because an employee has requested reasonable accommodation.

In accordance with the ADA, reasonable accommodations will be provided to qualified individuals with disabilities to enable them to perform the essential functions of their jobs or to enjoy the equal benefits and privileges of employment. This policy applies to all applicants for employment and all employees.

### Eligibility

The ADA policy applies to any qualified individual with a disability who can perform the essential functions of the job with, or without, reasonable accommodation.

### Disability

"Disability" refers to a physical or mental impairment that substantially limits one or more major life activities. A "qualified person with a disability" means an individual with a disability who has the requisite skills, experience, and education for the job in question, and who can perform the essential functions of the job with or without reasonable accommodation.

### Reasonable Accommodation

The Town will seek to provide a reasonable accommodation for a known disability or at the request of an individual with a disability. A "reasonable accommodation" is any change or adjustment to the job application process, work environment, or work processes that would make it possible for the individual with a disability to perform the essential functions of the job and does not place undue hardship on the Town.

### Essential Job Functions

For each position, the job description typically will identify essential job functions. The Town Administrator will

review job descriptions on a periodic basis to evaluate job functions designated as essential. An applicant's or employee's questions about a job's requirements should be directed to their supervisor.

#### Requesting Reasonable Accommodation(s)

An applicant or employee with a disability is responsible for requesting accommodation(s) from the Town Administrator or designee and engaging in an informal process to clarify what the applicant or employee needs and to identify possible accommodations. The Town will inform the applicant or employee of his/her rights under the ADA and document the interactive process discussions. An applicant or employee may be required to provide documentation from an appropriate professional, such as a doctor or a rehabilitation counsellor, concerning the applicant's disability and functional limitations. If an applicant or employee disagrees with the result of the medical examination, the applicant or employee may request a second examination performed and paid for by the applicant or employee. In the event of a disagreement in the two previous medical opinions, a third opinion may be obtained with both parties sharing the cost of the examination.

The applicant or employee should describe the problem created by a workplace barrier so that appropriate accommodation(s) may be considered. Typically, the Town Administrator will collaborate with the applicant or employee to identify possible reasonable accommodations and to assess the effectiveness of each in allowing the applicant or employee to complete the hiring process or perform the essential functions of the job.

Based on this interactive process, reasonable accommodations will be selected that are appropriate for both the Town and the individual. While an individual's preference will be considered, the Town is free to choose between equally effective accommodations with consideration toward expense and impact on the rest of the organization. A request for reasonable accommodation may be denied if it would create an undue hardship for the Town. The Town Administrator will provide notification in writing of denial based on undue hardship. Factors to be considered when determining whether an undue hardship exists include the cost of the accommodation, the organization's overall financial resources, the financial resources of the facility at which the accommodation is to be made, the number of employees at the facility, the total number of employees of the organization, and the type of operation.

#### Safety

All employees are expected to comply with all safety procedures. The Town Administrator will not place qualified individuals with disabilities in positions in which they will pose a direct threat to the health or safety of others or themselves. A "direct threat" means a significant risk to the health or safety of oneself or others that cannot be eliminated by reasonable accommodation. The determination that an individual with a disability poses a direct threat typically will be made by the Town Administrator and will be based on factual, objective evidence. A written copy of the determination will be given to the applicant or employee so that he or she may submit additional information and/or challenge the determination that he or she poses a direct threat.

#### Confidentiality

All information obtained concerning the medical condition or history of an applicant or employee will be treated as confidential information, maintained in separate medical files, and disclosed only as permitted by law.

#### Complaint Procedure

It is the policy of the Town to prohibit any harassment of, or discriminatory treatment of, applicants or employees based on a disability for requesting a reasonable accommodation. If an individual feels he or she has been subject to such treatment or has witnessed such treatment, the situation may be reported to any supervisory employee of the Town including the Town Administrator. The Town's policy prohibits retaliation against an applicant or employee for exercising his or her rights under the ADA or applicable state fair employment laws. Any employee found to have engaged in retaliation against an applicant or employee for exercising his or her rights or for making a request for reasonable accommodation under this policy will be subject to disciplinary action up to and including discharge. If an applicant or employee feels he or she has been retaliated against, the situation may be reported to any supervisory employee of the Town, or any of the following, the Town Administrator, department head or Town recorder.



## APPENDICES

### APPENDIX A - ACKNOWLEDGEMENT OF RECEIPT – MOUNT CARMEL PERSONNEL POLICY

This is to acknowledge that I have received a copy of the Town of Mount Carmel ("the Town") Personnel Policy and understand that it outlines certain Town policies, procedures and benefits as may exist at the time of publication. I understand that it is my responsibility to familiarize myself with all information within the Personnel Regulations.

I understand that the Personnel Regulations do NOT constitute a contract or agreement of any kind; it is merely a statement of policies and procedures. I understand that the contents of the Personnel Regulations do not confer any rights on, promises to me, or guarantee my employment for any period. I understand that the Town can alter, eliminate, or otherwise change any policy, information, or benefit described in the Personnel Regulation (except the "at-will" employment policy), without notice, at any time and it is my responsibility to review the manual periodically on the website to observe any recent changes.

***I understand that my employment with the Town is employment at will and can be terminated by me of the Town at any time for any reason or no reason. I understand that, although other terms and conditions of my employment may change, this at-will employment relationship will remain in effect throughout my employment with the Town. I understand that this at-will relationship may not be modified by any oral or implied promises or agreements. I understand that no employee has a right to continued employment by virtue of anything stated or inferred in the Personnel Regulations.***

I understand that nothing in the Personnel Regulations or any summary brochure or employee handbook should be deemed to be a promise by the Town to provide any benefit. Rather, the Town reserves the right to alter or eliminate any benefit, without notice, at any time.

I understand that the Personnel Regulations replaces (supersedes) all prior Town policies and all prior Town Personnel regulations, employee handbooks or manuals, and any information contained in any such prior policy, handbook, or manual is no longer in effect.

I understand and agree that all Town property must be returned upon separation from employment. By signing below, I understand and agree that the Town may deduct from my final paycheck any pre-funded benefit and any other amount due (on a depreciated/prorated basis) for failure to return Town property if the deduction(s) do not reduce final pay to below minimum wage.

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Employee Signature

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Date

## APPENDICES

### APPENDIX B - ACKNOWLEDGEMENT FORM – EMPLOYEE DRUG & ALCOHOL TESTING POLICY

As an applicant or an employee, I have carefully read the Town of Mount Carmel's drug and alcohol testing policy. I have received a copy of the Town of Mount Carmel's drug and alcohol testing policies, understood its requirements, and agreed without reservation to follow this policy. As an applicant, I am aware that my offer of employment is conditional upon the results of a drug and/or alcohol test. As an employee, I am aware that I may be required to undergo drug and/or alcohol tests, that I will be informed prior to the drug and/or alcohol test, and that I may be subject to immediate dismissal if I refuse to take the test.

As an applicant or an employee with the Town of Mount Carmel, I hereby consent to and acknowledge that I am scheduled to undergo drug and/or alcohol testing. The test for alcohol will be a breath analysis test. The drug test will involve an analysis of a urine sample, which I will provide at a designated site. The purpose of the test will be to evaluate for the presence of the following substances: amphetamines, marijuana, cocaine, opiates, PCP, alcohol, and/or any additional drugs listed in the Tennessee Drug Control Act. I authorize qualified personnel to take and have analyzed appropriate specimens to determine if drugs and/or alcohol are present in my system. I acknowledge that the drug/alcohol test results will be made available to the testing laboratory, medical review officer (MRO), the (personnel director), or his/her designee. As an applicant, I am aware that a confirmed and verified positive drug/alcohol test result will rescind my conditional offer of employment. As an employee, I am aware that a confirmed and verified positive test result may lead to disciplinary action up to and including immediate dismissal. I will present a copy of this form to the collection site when I report for my scheduled drug/alcohol test. I also understand that failure to provide adequate breath for testing without a valid medical explanation, failure to provide adequate urine for controlled substances testing without a valid medical explanation and engaging in conduct that clearly obstructs the testing process are the same as refusing to test.

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Name of Applicant or Employee

Social Security Number

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Department Supervisor

Department

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(Signature of Applicant or Employee)

Date

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(Signature of Witness)



## APPENDICES

## APPENDIX C – TOWN OF MOUNT CARMEL EMPLOYEE PAY PLAN

## ADOPTED PAY PLAN - FY 2025/26 TOWN OF MOUNT CARMEL, TN

	Part-Time Grade A		Public Works Grade J		Administrative Support Grade N		Police Grade P		Department Directors Grade U		Assistant Town Administrator Grade X		Town Administrator Grade Z	
	Hourly	Annual	Hourly	Annual	Hourly	Annual	Hourly	Annual	Hourly	Annual	Hourly	Annual	Hourly	Annual
<b>Entry</b>	\$11.25	\$11,702.91	\$17.46	\$36,320.13	\$21.22	\$44,129.28	\$23.00	\$51,438.73	\$28.71	\$59,716.80	\$33.23	\$69,118.40	\$36.64	\$76,211.20
<b>Step 1</b>	\$11.53	\$11,995.48	\$17.90	\$37,228.13	\$21.75	\$45,232.51	\$23.58	\$52,724.70	\$29.43	\$61,209.72	\$34.06	\$70,846.36	\$37.56	\$78,116.48
<b>Step 2</b>	\$11.82	\$12,295.37	\$18.35	\$38,158.83	\$22.29	\$46,363.32	\$24.17	\$54,042.82	\$30.16	\$62,739.96	\$34.91	\$72,617.52	\$38.49	\$80,069.39
<b>Step 3</b>	\$12.12	\$12,602.76	\$18.80	\$39,112.81	\$22.85	\$47,522.41	\$24.77	\$55,393.89	\$30.92	\$64,308.46	\$35.79	\$74,432.96	\$39.46	\$82,071.13
<b>Step 4</b>	\$12.42	\$12,917.83	\$19.27	\$40,090.63	\$23.42	\$48,710.47	\$25.39	\$56,778.74	\$31.69	\$65,916.17	\$36.68	\$76,293.78	\$40.44	\$84,122.90
<b>Step 5</b>	\$12.73	\$13,240.77	\$19.76	\$41,092.89	\$24.00	\$49,928.23	\$26.03	\$58,198.20	\$32.48	\$67,564.08	\$37.60	\$78,201.13	\$41.45	\$86,225.98
<b>Step 6</b>	\$13.05	\$13,571.79	\$20.25	\$42,120.21	\$24.60	\$51,176.44	\$26.68	\$59,653.16	\$33.29	\$69,253.18	\$38.54	\$80,156.15	\$42.49	\$88,381.63
<b>Step 7</b>	\$13.38	\$13,911.08	\$20.76	\$43,173.22	\$25.22	\$52,455.85	\$27.35	\$61,144.49	\$34.13	\$70,984.51	\$39.50	\$82,160.06	\$43.55	\$90,591.17
<b>Step 8</b>	\$13.71	\$14,258.86	\$21.28	\$44,252.55	\$25.85	\$53,767.24	\$28.03	\$62,673.10	\$34.98	\$72,759.12	\$40.49	\$84,214.06	\$44.64	\$92,855.95
<b>Step 9</b>	\$14.05	\$14,615.33	\$21.81	\$45,358.86	\$26.50	\$55,111.42	\$28.73	\$64,239.93	\$35.85	\$74,578.10	\$41.50	\$86,319.41	\$45.76	\$95,177.35
<b>Step 10</b>	\$14.40	\$14,980.72	\$22.35	\$46,492.83	\$27.16	\$56,489.21	\$29.45	\$65,845.93	\$36.75	\$76,442.55	\$42.54	\$88,477.40	\$46.90	\$97,556.78
<b>Step 11</b>	\$14.76	\$15,355.23	\$22.91	\$47,655.16	\$27.84	\$57,901.44	\$30.18	\$67,492.08	\$37.67	\$78,353.62	\$43.60	\$90,689.33	\$48.07	\$99,995.70
<b>Step 12</b>	\$15.13	\$15,739.12	\$23.48	\$48,846.53	\$28.53	\$59,348.98	\$30.94	\$69,179.38	\$38.61	\$80,312.46	\$44.69	\$92,956.56	\$49.28	\$102,495.59
<b>Step 13</b>	\$15.51	\$16,132.59	\$24.07	\$50,067.70	\$29.25	\$60,832.70	\$31.71	\$70,908.86	\$39.58	\$82,320.27	\$45.81	\$95,280.48	\$50.51	\$105,057.98
<b>Step 14</b>	\$15.90	\$16,535.91	\$24.67	\$51,319.39	\$29.98	\$62,353.52	\$32.51	\$72,681.58	\$40.57	\$84,378.28	\$46.95	\$97,662.49	\$51.77	\$107,684.43
<b>Step 15</b>	\$16.30	\$16,949.31	\$25.29	\$52,602.37	\$30.73	\$63,912.36	\$33.32	\$74,498.62	\$41.58	\$86,487.73	\$48.13	\$100,104.05	\$53.07	\$110,376.54
<b>Step 16</b>	\$16.70	\$17,373.04	\$25.92	\$53,917.43	\$31.50	\$65,510.16	\$34.15	\$76,361.09	\$42.62	\$88,649.93	\$49.33	\$102,606.65	\$54.39	\$113,135.95
<b>Step 17</b>	\$17.12	\$17,807.36	\$26.57	\$55,265.37	\$32.28	\$67,147.92	\$35.00	\$78,270.12	\$43.69	\$90,866.17	\$50.56	\$105,171.82	\$55.75	\$115,964.35
<b>Step 18</b>	\$17.55	\$18,252.55	\$27.23	\$56,647.00	\$33.09	\$68,826.62	\$35.88	\$80,226.87	\$44.78	\$93,137.83	\$51.83	\$107,801.12	\$57.15	\$118,863.46
<b>Step 19</b>	\$17.99	\$18,708.86	\$27.91	\$58,063.18	\$33.92	\$70,547.28	\$36.78	\$82,232.54	\$45.90	\$95,466.27	\$53.12	\$110,496.14	\$58.57	\$121,835.05
<b>Step 20</b>	\$18.44	\$19,176.58	\$28.61	\$59,514.76	\$34.76	\$72,310.96	\$37.70	\$84,288.35	\$47.04	\$97,852.93	\$54.45	\$113,258.55	\$60.04	\$124,880.93