MONTGOMERY COUNTY

TENNESSEE

EMPLOYEE HANDBOOK

This employee handbook is not an official policies & procedures handbook under TCA 5-23-101; it contains general information and provides you with a summary of our guidelines. If any of the statements in this handbook conflict with the official Montgomery County Government policies and procedures manual (revised November 1, 2007), we will follow the policies and procedures manual, not the handbook.

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FOREWORD

Whether you have just joined our staff or have been at Montgomery County Government (the County) for a while, we are confident that you will find Montgomery County Government a dynamic and rewarding place in which to work and we look forward to a productive and successful association. We consider the employees of Montgomery County Government to be one of its most valuable resources. This handbook has been written to serve as the guide for the employer/employee relationship.

There are several things that are important to keep in mind about this handbook. First, it contains only general information and guidelines. It is not intended to be comprehensive or to address all the possible applications of, or exceptions to, the general policies and procedures described.

Neither this handbook nor any other Montgomery County Government document confers any contractual right, either expressed or implied, to remain in Montgomery County Government's employment. Nor does it guarantee any fixed terms and conditions of your employment. Your employment is not for any specific time and may be terminated at will, with or without cause and without prior notice, by Montgomery County Government or you may resign for any reason at any time. No supervisor/manager, Department Head, Elected Official or other representative of Montgomery County Government (except the County Mayor or designee) has the authority to enter into any agreement for employment for any specified period of time, or to make any agreement contrary to the above.

Second, the procedures, practices, policies and benefits described here may be modified or discontinued from time to time, at the sole discretion of Administration. We will try to inform you of any changes as they occur. If any of the statements in this handbook conflict with the official Montgomery County Government policies and procedures manual, we will follow the policies and procedures manual, not the handbook.

Finally, some of the subjects described here are covered in detail in official policy and procedures manual. You should refer to these manuals for specific information, since this handbook only briefly summarizes those benefits.

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OVERVIEW

Coverage of Personnel Policies

These policies and procedures apply to all employees in departments under the jurisdiction of the County Mayor and participating Elected Officials, unless otherwise specifically stated.

It is the joint responsibility of each employee's immediate supervisor, Department Head, Elected Official, Human Resources and County Mayor or designated representative to administer the County's policies and procedures fairly and consistently. It is also the responsibility of the employee to abide by these guidelines.

Departmental Policy Handbooks

Because of the nature of the operations of the various departments, separate rules and regulations to fit special departmental conditions may be necessary. In such cases, approved supplementary rules and regulations may be considered a part of this Handbook.

In the event of any conflicting policies, rules, or regulations, those that shall apply shall be based on the following descending order of documents:

1. Tennessee Code Annotated (TCA);
2. then Montgomery County Government Resolutions; then the Montgomery County Government Policies and Procedure manual, including any supplemental personnel directives or policies; and
3. finally any departmental policy and procedures handbook or written directives.

Pursuant to policies contained herein and previously approved by the Board of Commissioners, the County Mayor may issue new policies as deemed necessary for the operation of Montgomery County Government. The Director of Human Resources may issue additional written clarifying procedures to explain policies and how they are to be followed. Such directives shall be considered a part of this Handbook.

Severability

It is understood and agreed that if any part, term or provision of this handbook be declared in conflict with any law, the validity of the remaining portions shall not be affected and shall be enforced as if the handbook did not contain the particular part, term or provision held to be invalid.

Elected Officials

Elected Officials may opt to prepare and maintain their own Personnel Policy manual or by written acknowledgement agree to abide by the County's Personnel Policy manual. Should an elected official agree to abide by the County's manual, it shall serve as the Policy manual for that Department's personnel until such time as revoked by the Elected Official. All Personnel Policy manual are reviewed by legal counsel to ensure that the policies meet the minimum requirements of state and federal employment laws. A copy of the Elected Officials' handbook is placed on file in Human Resources.

Personnel Records

Personnel records of Montgomery County Government employees, with the exception of those required by the County Mayor to be confidential for reasons of public policy, shall be public records and open to inspection during the normal operating hours of the Department of Human Resources. Personnel records maintained by other Montgomery County Government departments are not considered a matter of record unless all original documents are maintained within the Montgomery County Government Human Resources Department.

An individualized personnel file is maintained on each employee. You are responsible providing accurate information and reporting any change in your personal information to Montgomery County Government. Providing false information is a misdemeanor under T.C.A. 39-16-504.

The Human Resources Department will only collect personal information that is required to pursue county business operations and to comply with government reporting and disclosure requirements. Personal information collected by Human Resources may include employee name, address, telephone numbers, e-mail addresses, emergency contact information, EEO data, social security numbers, date of birth, employment eligibility data, benefits plan enrollment information, which may include dependent personal information, and school/college or certification credentials. All pre-employment inquiry information, to include but are not limited to physicals, background screening and reference checking records conducted on employees and former employees files shall be maintained in locked, segregated areas and are not used by the county in the course of business operations.

Personal employee information will be considered confidential and will be shared only as required with those who have a need to have access to such information. All hard copy records will be maintained in locked, secure areas with access limited to those who have a need for such access. Personal employee information used in business system applications will be safeguarded under proprietary electronic transmission, intranet policies and security systems. Participants in county benefit plans shall be made aware that personal

information will be shared with plan providers as required for claims handling or record keeping needs.

County assigned information, which may include organizational charts, department titles and staff charts, job titles, department budgets, county coding and recording systems, telephone directories, e-mail lists, County facilities or location information and addresses, is considered to be proprietary County information to be used for internal purposes only. The County maintains the right to communicate and distribute such information as deemed by public record access.

If an employee becomes aware of a material breach in maintaining the confidentiality of his/her personal information, the employee should report the incident to Human Resources. Human Resources shall have the responsibility to investigate the incident and take corrective action. Employees should be aware that a standard of reasonableness will apply in these circumstances. An example of the release of personal employee information that is not considered a breach includes, but is not limited to:

- Release of partial employee birth dates (e.g., day and month), is not considered confidential and may be shared with supervisors that elect to recognize employees on such date.
- Personal telephone numbers or e-mail addresses may be distributed to department heads in order to facilitate county work schedules or business operations.
- Employee identifier information used in salary or budget planning, review processes and for timekeeping purposes may be shared with department heads.
- Employee's employment anniversary date or service recognition information may be distributed to appropriate department heads.
- Employee and dependent information may be distributed in accordance with open enrollment processes for periodic benefit plan changes or periodic benefit statement updates.

Personnel files shall be reviewed in Human Resources and shall not be removed from the Human Resources by the employee, department head or elected official, outside agency or Human Resources staff member. Representatives of government or law enforcement agencies, in the course of their business, may be allowed access to file information. The decision will be made at the discretion of Human Resources in response to the request, a legal subpoena, or court order.

An employee may request to review his/her official personnel file by appointment with advance written notice. The official personnel file maintained by Human Resources typically includes information such as employment documentation, training records, and pay provisions.

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GENERAL INFORMATION

About this Handbook

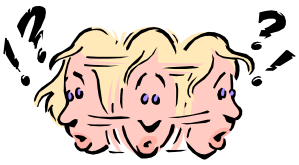
We want to give you information that will help guide you in being happy and successful in your job. Please be aware that this is the most recent version of the handbook and replaces any previous handbooks. As you do your job, you may find certain situations that aren't covered in this book. In this case, ask your immediate supervisor or Human Resources to explain or help.

Montgomery County Government knows that state and federal laws continue to change and develop. Since laws may change, Montgomery County Government will follow the most recent applicable laws. If any of the policies in the Employee Handbook conflict with local, state, or federal laws, we will follow those laws, not the handbook.

Montgomery County Government reserves the right to change any policies, procedures, benefits, and terms of employment without notice, consultation, or publication, except as may be required by law. If any of the statements in this handbook conflict with the official Montgomery County Government Policies and Procedures Manual, we will follow the policies and procedures manual, not the handbook.

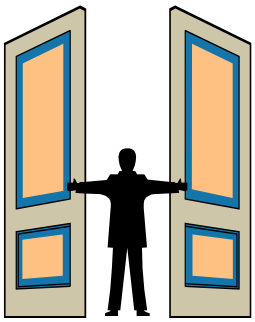
This handbook is intended to be a general source of information only and is not a contract.

Expectations



What is expected of you? First, we expect **INTEGRITY**. We need your personal and moral integrity in day-to-day business operations. Second, we expect you to **WORK**. In order to achieve success, we need you here daily. We can help each other achieve life's successes but none of us can continue to achieve these successes if we are not willing to work. Third, we expect you to use **YOUR EDUCATION**, **ENERGY**, and **CREATIVITY** to help us reduce costs and better serve our community. Finally, we want to recognize you as a whole **HUMAN BEING**. We recognize that employees need to have balanced work, recreational and family relationships. We want you to learn to **LISTEN**, to **ASK QUESTIONS**, to learn and understand **OUR SYSTEM** of doing business. We expect a great deal from you … **HOW MUCH DO YOU EXPECT FROM YOURSELF**?

Open Door Policy



We try our best to understand our employee's concerns, and to improve things when possible. Our open door policy encourages you to speak to anyone about any questions, ideas, or problems you might have. This creates an atmosphere that is conducive to bringing problems out into the open and resolving them.

- If you have a problem, complaint, or suggestion relating to your employment, employment conditions, relationship between an employee and supervisor; relationship with other employees; application or interpretation of policies; employee safety; physical facilities; equipment or material use; or other related items, you are encouraged to speak to your immediate supervisor/manager.

- If your supervisor/manager seems unwilling or unable to address the matter, you have the option to discuss your concerns with your Department Head or Elected Official.

If your problem or complaint is a situation that constitutes a violation of Federal, State or local laws and the Department Head or Elected Official seems unwilling or unable to address the matter, you have the right to discuss your concerns with the Director of Human Resources.

EMPLOYMENT

Equal Employment Opportunity

Montgomery County Government will recruit, hire, train, and promote all persons without regard to race, color, religion, gender (except where gender is a bona fide occupational qualification), age, national origin, marital status, Vietnam era or qualified special disabled veterans, recently separated veterans, and other protected veterans and physical or mental disability (except where physical or mental abilities are a bona fide occupational qualification).

Montgomery County Government will ensure that all hiring decisions are in accordance with the principle of equal employment opportunity by imposing only valid selection requirements. This shall include, but not be limited to, the following areas: work assignments, employment, placement, promotion, demotion, or transfer; recruitment and recruitment advertising, referrals; layoff, recall, termination, training, educational and tuition assistance, social and recreational programs, wages, other forms of compensation and job requirements.

At Will Employment

Employment with Montgomery County Government is employment at will and is based on mutual consent. This handbook only outlines the relationship between Montgomery County Government and the employee. That relationship is dynamic and changing. Therefore Montgomery County Government may change this handbook and/or any of the written or unwritten policies and procedures from time to time. Nothing contained in this handbook, or the written or unwritten policies and procedures, is intended to create a contractual commitment between Montgomery County Government and its employees, or to limit the right of either to terminate the employment relationship at any time.

All employment with Montgomery County Government is “at-will.” What this means is that either you or Montgomery County Government may terminate the employment relationship at any time for any reason.

Accommodating Disabilities

Montgomery County Government recognizes and supports with federal and state laws concerning the employment of individuals who have a disability with respect to selection and hiring, advancement, discharge, compensation, training, or other terms, conditions, and privileges of employment.

We will make every effort to reasonably accommodate qualified individuals with a disability so that they can perform the essential functions of a job. Employees in need of accommodation because of a disability should make the need known to their supervisor/manager or Human Resources. Montgomery County Government will treat all employee accommodation requests and related information confidentially.

Recruitment

Our employment practices are designed to provide for qualified personnel in all positions, maximum use of individual talents and capabilities, and an adequate reserve of replacement personnel for managerial and supervisory positions. Applicants for employment are considered without regard to race, color, gender, age, sexual orientation, national origin, disability, medical condition or ancestry. Selection is based on individual qualifications for the job. Selection criteria include work experience, education and training, special knowledge and abilities, other job related factors, and potential for development.

Appointment to a position with Montgomery County Government shall be made after an individual has meet the minimum qualifications prescribed for a particular class of position. This shall include employees who have requested transfer or promotion to a vacant position as well as new applicants for employment or reemployment.

The following steps are to be utilized for the employment of personnel for full- and part-time positions:

- Upon receiving an open position within a department, the Human Resources Department will be notified as to the position vacancy and will post the position.
- All applications for employment will be processed through the Human Resources Department.
    - The Sheriff's Department will process their own applications.
- Once the closing date for receiving applications has been reached, all applications meeting the minimum job qualifications will be forwarded to the hiring manager.
    - In order to qualify for a position, applicants must meet the minimum education and experience requirements.
- The requesting department will review applications and proceed with interview scheduling.
- After the interviews are completed, the requesting department selects a candidate for the position.
- The requesting department notifies best candidate to request/contact applicant's professional references.
- The requesting supervisor offers position to successful candidate contingent upon successful background verification and drug screening.

- After the interview process has been completed and a potential applicant has been selected and offered employment, the following documentation must be completed within the first three (3) days of employment:
    - Original Application
    - Personnel Action Form
    - Completed I-9 Form
    - Completed W-4 Form
    - Copy of Drivers License
    - Copy of Social Security Card

The same procedure for the employment of temporary employees shall be utilized. Should a temporary position become a part-time or full-time position, the person occupying the temporary position **must** reapply for the reclassified position. There is no guarantee that a person filling a temporary position will be placed in that position should its classification be changed to part-time or full-time.

Verification of Information

Verification of work experience and education is made on final candidates prior to making an offer of employment. References concerning a candidate's work background, education, qualifications, and other appropriate information are to be obtained **before** an employment offer is extended. A minimum of two references from former employers and one personal reference should be obtained. Contacting either two references from the same employer or one reference from two different employers may satisfy the former employer requirement.

Pre-employment Screening

Applicants for the Sheriff's Department will follow separate departmental procedures for pre-employment and background screening.

With respect to each position a pre-employment criminal background check is required. The information required may include arrests, conviction, probation and deferred adjudication. Applicants will not be hired until the information has been confirmed. Applicants will be directed to Human Resources and requested to complete a background verification consent form and advised that that confirmation will be sought from appropriate authorities. If the criminal history provided by the applicant does not confirm with the information obtained, the applicant will be given an opportunity to explain any inaccuracies. If a satisfactory explanation is not given, the applicant will not be considered further for the position.

If after employment any employee is discovered to have lied regarding his/her criminal history, that individual is subject to immediate discharge. The following factors will be considered in whether to hire an individual with a criminal record:

- The frequency and severity of the violation
- Nature of the offense
- Time elapsed since conviction
- Time between convictions
- The nature of the work
- Access to private homes
- Interaction with minors or others unable to care for themselves
- The qualifications of the individual for the job
- The maturity of the individual
- Evidence the individual has successfully rehabilitated self
- The geographic location of the criminal act

All criminal history record information shall be maintained in confidence in files separate from the personnel records.

Drug Screening

Submission to drug testing for commonly-abused controlled substances is required prior to a new employee's first day of employment. All offers to a successful candidate are contingent upon successful drug screening "pass."

All such records shall be treated as confidential information. If any inaccurate information is provided by an applicant, that person will not be considered further for the position.

Medical Screening

Current employees and applicants to whom a conditional offer of employment has been extended are required to undergo medical examinations, as a condition of employment, to establish their fitness to perform the jobs for which they have applied without endangering the health and safety of themselves or others.

Emergency Appointment

An emergency appointment is an appointment created due to an unusual and urgent situation (e.g. manager is placed in an interim director position due to vacancy). The appointment may last only 90 working days and is not renewable. Persons appointed must meet minimum qualifications for the position and will receive 10% increase during the emergency appointment. A Personnel Action form shall be completed and sent to Human Resources establishing the emergency position (with justification) and appointing the individual.

Reinstatement

Reinstated employees are former employees with five or more years of employment and who are approved to return to work within five (5) years after their last separation date. Reinstated employees will be eligible for an adjusted service date to reflect past service based upon the number of actual hours worked during their prior employment period.

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YOUR JOB

Starting Work

When employees enter a new work situation, regardless of how many years they have been in the workforce, they may experience a type of cultural shock. Each organization has a different culture and Montgomery County Government is no exception. When you first report to work, your immediate supervisor will show you your workplace, explain the responsibilities and procedures of your position and answer any questions you might have.

On your first day of employment, your immediate supervisor, Human Resources representative or another designee should discuss the following topics with you.

1. Working hours
2. Breaks and lunch periods
3. Location of facilities and worksite
    a. Restrooms
    b. Lunch and break areas
    c. Tobacco-free policy
4. Health and safety considerations
    a. Physical safety procedures
    b. Fire escapes
    c. Exits (layout of building)
    d. Procedures for fire drills
    e. First aid kits
    f. Procedures for reporting fires, bomb threats, or other emergencies
5. Paydays and method of payment
6. Information on when, where, and how formal organizational orientation is conducted.
7. Leave accrual, use of leave, and timesheets
8. Reporting absences and requesting leave, including when and who to call in case of illness, tardiness, etc.
9. Information on parking, bus stops, car pooling, etc.
10. How to operate the phone system
    a. How to answer the phone in that particular work area
    b. Rules for receiving and making personal calls
    c. How to be reached in case of an emergency
11. Who to go to for supplies and other equipment
12. Basic security requirements and procedures for handling confidential material and/or information to the degree that ensures that you do not incur a violation.
13. Dress code and behavior specific to that department or office.

As you can see, this represents a great deal of information for one individual to absorb in one day. You may reach information overload when you add key procedures, as well as introductions to co-workers and on-the-job training. With this in mind, jot down quick reminders of questions that you may have to ask your supervisor during the day.

Your Supervisor

As the representative of management closest to you, your supervisor is the person to whom you will be directly responsible for the work you do. He or she plays a key role in helping you in your job and is your primary source of information. One of the supervisor's responsibilities is to answer your questions and help you with your day-to day work activities.

Your Introductory Period

Starting a new job is an exciting and difficult time. You have much to learn and many new people to meet. You are trying to determine what is expected of you and how to fit in on the team. The first six months of continuous employment is your introductory period. This period provides new employees with the opportunity to become familiar with their jobs and to demonstrate their ability to perform the work that they have been assigned. All employees, regardless of position or length of service must, of course, meet and maintain certain standards of job performance and behaviors. You will be evaluated on a regular basis and provided feedback on how you are doing. Everyone is willing to help. Your supervisor and co-workers are here to help you be successful – don't be afraid to ask questions. Please make sure to let your supervisor know if you have any problems or need help in any way.

Personal Appearance

Montgomery County Government's community image is heavily affected by the impressions people obtain from their contacts with our employees. It is essential, therefore, that all employees not only be efficient in their work and courteous in their manner but also neat and businesslike in their mode of dress and personal grooming. You are expected to demonstrate good judgment in grooming and dress so that personal appearance reflects well on both the employee and the County.

All employees are expected to maintain a well-groomed, neat, professional appearance at all times. You should avoid extremes in dress; your clothing, jewelry and other personal items should be in good taste and suitable for a professional work environment. Use common sense and follow the guidelines for your particular department.

Following are general guidelines will apply to all male and female employees:

- Clothing must be clean and in good repair
- Clothing must be modest, fit properly, and may not reveal undergarments
- Clothing must be free from writing, decals, and pictures except for small logos
- Clothing and accessories must not interfere with work duties
- Clothing and accessories must comply with OSHA and safety standards
- Clothing, makeup, hairstyles, and accessories must be conservative
- Perfume/cologne, may be used in moderation
- Hair must be clean, groomed, and of a color that could be natural
- Facial hair must be clean and neatly trimmed
- Daily showers or baths, regular brushing of teeth, shaving, use of deodorants, and other sensible hygienic practices should be a part of each employee's health routine.
- Footwear should be comfortable, appropriate for the job, clean, polished, and in good condition.

Standard of Dress

The County recognizes that personal taste and style trends may vary and that this dress standard is not meant to infringe on personal expression. That it is not all-inclusive; it is meant as a guideline only. Different work activities dictate different types of dress requirements.

Therefore, a minimum standard of dress was developed based on the type of work an employee performs. The standard of dress is broken down into three categories: business, business casual, and casual. On the following pages are two charts: the first chart lists some work activities and examples with the minimum dress standards for each activity; this chart is not all inclusive. The second chart lists examples for each of the three types of dress standards we have identified (Business, Business Casual, and Casual) including unacceptable clothing at any time.

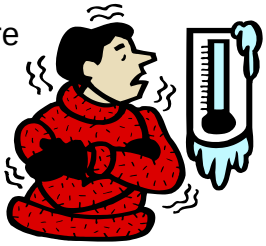
Employee’s Responsibility

When in doubt about the appropriateness of attire for a work situation, ask your immediate supervisor prior to wearing it. If the immediate supervisor has doubt, s/he may refer the matter to Human Resources. The intent is consistent County-wide enforcement of this policy.

Employees who fail to abide by this policy may be sent home to change clothes without pay and/or disciplined according to progressive discipline policy. Exceptions may be made for religious or medical reasons with sufficient documentation.

Standard of Dress for Inclement Weather Conditions

If severe weather conditions exist and/or when the temperature is projected to not exceed 32 degrees, you may elect to wear jeans and other cold weather apparel (e.g. fleece, sweaters, sweatshirts, hiking/snow boots, etc) as authorized by your Department Head or Elected Official.



EXAMPLES OF WORK ACTIVITIES AND MINIMUM DRESS STANDARDS

When you are:	For example:	The minimum dress standard is:
Attending Professional Meetings	Media Contact, Committee, Commission, Courtroom functions & other Professional or Community Meeting Participation	Business
Performing General Office Duties in an Office Setting	Routine Indoor Office Duties, Internal Business Meetings, Greeting the Public, Typing, Reception, Interviewing, Filing, Report Writing, Data Entry, Phone Calls, etc.	Business Casual
Performing Field/Maintenance Functions	Routine Outdoor Duties, Field Inspections, Building Maintenance, Housekeeping, Courier, Moving Furniture, Files, Cleaning Out Storage Areas, etc.	Casual

EXAMPLES OF DRESS STANDARDS

Acceptable	Unacceptable
Business • Suits, Sport Coats, Blazers with Coordinating Bottoms (in this list). • Tailored Dress Slacks • Dress Shirts (such as button-down shirts, turtlenecks, mock turtlenecks) • Ties • Tailored Dresses (for women) • Blouses, Tailored Sweaters, and Shells (for women) • Skirts (for women) • Socks, hosiery, stockings • Dress shoes, boots	**Business** • Anything listed under Business Casual • Anything listed under Casual • Anything listed under Unacceptable at Anytime • Sleeveless tops without a jacket • Visible tattoos or facial piercing (excluding ears)
Business Casual • Chinos, Dockers, Cotton Slacks • Capri Pants (for women) • Split Skirts, Tailored Skorts, Culottes, Walking short sets (no more than 2” above the knee (for women) • Dressy t-shirts, casual button-down shirts, polo shirts with collars, sweaters, cardigans • Non-tailored dresses and jumpers • Sandals, clogs, sneakers • No hosiery	**Business Casual** • Anything listed under Casual • Anything listed under Unacceptable at Anytime • Facial piercing (excluding ears) • Decorated/Lighted Sneakers • Baseball caps, hats (except while performing functions in a community setting and/or outdoor field/maintenance functions during inclement weather, extreme heat or cold temperatures).
Casual • Department Uniforms • Jeans • Sleeveless tops • Shorts (no more than 2” above the knee) • Sweatshirts • Plain T-shirts (small logos) • Athletic Shoes	**Casual** • Anything listed under Unacceptable at Anytime

Unacceptable Clothing at Anytime

- Torn clothing of any type
- Spandex, leggings, stirrup pants
- Sweatpants/Exercise Clothing
- Tank/Halter Tops, Muscle Shirts
- Spaghetti Straps, Strapless Tops, Sundresses or backless dresses (without jackets).
- Revealing Slits, low necklines
- Sheer Clothing
- Mini skirts or skirts 2” above the knee
- Shorts more than 2” above the knee
- Bare midriffs or cropped shirts
- T-shirts with decals or writing containing vulgar or abusive language, epithets or slurs, graphic material that is offensive, sexually oriented or gender abusive.

Work Schedule

The regular workweek for most full time employees is 40 hours. Work hours will vary according to the respective requirements of your department. Your supervisor will explain your work schedule for your department. If you are a part time employee, your supervisor will arrange your working hours and schedule. Daily and weekly schedules may be changed from time to time at the discretion of Montgomery County Government to meet the varying conditions of our business.

Rest Breaks

You are relieved from your work at least one time a day for every six hours that you work. You receive one unpaid meal break. Your supervisor will explain your break schedule for your department. Your particular break schedule is made available to you when you begin work and is subject to change.

Employee Records

It is important to that your personnel record is kept up-to-date. It is your responsibility to report in writing any changes in your name, address, telephone number, insurance beneficiaries, insured dependents, emergency contact, additional educational achievements, training certification, etc. This information is necessary to ensure that you and your dependents are correctly enrolled in Montgomery County Government's benefit programs, that we can contact you when you are not at work, either by mail or phone, and that we have a contact in case of an emergency.

Changes in Personal Status

To avoid problems concerning taxes, benefits and other important matters, it is important that you inform Human Resources of any changes in your:

- Name
- Address
- Telephone Number
- Marital Status
- Beneficiaries to your group insurance and retirement plan
- Eligible Dependents
- Person to notify in case of an emergency

Personnel Information Disclosure to External Parties

Prospective employers, financial institutions, and residential property managers routinely contact employers requesting information on a former or current employee's work history and salary. All such requests of this type shall be referred to and completed by Human Resources. For written requests, information will be provided on the form provided only when it is accompanied by a former or current employee's signed authorization to release information form. The written form will be returned directly to the requesting party. Telephone requests will be limited to confirming information stated by the external party.

Job Descriptions

A written job description summarizing the duties, responsibilities, and minimum qualifications for your job will be maintained. You will receive a copy of your job description when you are hired and if you transfer to a different position. From time to time, you may be asked to review and suggest necessary updates for your job description.

Promotions and Transfers

When job vacancies occur, Montgomery County Government will provide notice of any vacancy to all employees and allow you to apply for any such vacancy. Whenever possible, vacancies within a department will be filled by qualified employees of that department. Montgomery County Government reserves the right to undertake outside recruitment at the same time that it provides notice to existing employees of the vacancy.

If you are promoted, you will receive a new title and a higher wage. It shall be the Department Head or Elected Official's decision to promote qualified employees within their department or request acceptance of applications for any vacant positions.

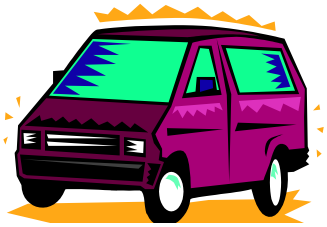
At any time, you may request a transfer to another department or may be transferred based on the needs of Montgomery County Government. A transfer occurs when you move from one position to another at the same rate of pay.

When you are reassigned from one county department to another, all unused annual and sick leave will be transferred. Retirement and any other fringe benefits also will be transferred with the employee. Any compensatory time shall be used or paid out before transfer.

Workforce Development

The mission of Montgomery County Government's workforce development program is to take our employees to the next level of performance, growth, and excellence by helping you learn, develop, and excel … anytime and anywhere. Training often is considered for new employees only; this is not true because we believe that ongoing training for all employees helps you adjust to rapidly changing job requirements. Montgomery County Government will align training programs with the County's strategic plan; create the proper environment for leadership development; and allow you to bring your skills to the table … and to use them.

Motor Pool Usage



Montgomery County Government maintains vehicles for use by its employees while they are engaged in County related business. Typically, business use of vehicles involves driving to other County property, suppliers, community functions, seminars, etc. In general this includes all driving for business purposes once you have reached Montgomery County Government owned or leased facilities.

Employees who are charged with traffic violations while driving a Montgomery County Government owned vehicle or while on Montgomery County Government business will be solely responsible for all liabilities that result from such actions (this includes towing and parking violation fees).

Employment of Relatives

We recognize the sensitive nature of having family members employed by the same organization and will take all possible care to avoid difficulties arising from this situation. Montgomery County Government permits the employment of qualified relatives of employees as long as such employment does not, in the opinion of the County, create actual or perceived conflicts of interest.

The County will exercise sound business judgment in the placement of related employees in accordance with the following guidelines:

- Individuals who are related by blood or marriage are permitted to work in the same department, provided no direct reporting or employee/management relationship exists.

- Employees who marry other employees are treated in accordance with these guidelines. If, in the opinion of the County, as a result of the marriage, a conflict or an apparent conflict arises which directly affects the security of Montgomery County Government, one of the employees will be required to transfer.

Montgomery County Government may determine, on an individual basis, whether any other relationship between employees warrants applying this policy. This applies to all categories of employment at Montgomery County Government including regular, stand-by, temporary, part-, and half-time classifications.

Personal Relationships

Consenting romantic or intimate relationships between a supervisor and an employee may at some point lead to unhappy complications and significant difficulties for all concerned; the employee, the supervisor and the County. The County strongly discourages such relationships and any conduct (such as dating between a supervisor and an employee) that may reasonably be expected to lead to the formation of a romantic or intimate relationship.

By its discouragement of romantic and intimate relationships, Montgomery County Government does not intend to inhibit the social interaction (such as lunches or dinners or attendance at entertainment events) that are or should be an important part or extension of the working environment; and this is not to be relied upon as justification or excuse for a supervisor's refusal to engage in such social interaction with employees.

Montgomery County Government does not want to interfere unnecessarily with your activities away from the workplace. However, these kinds of relationships

can jeopardize the supervisor's effectiveness, be seen as unfair by other employees, and generally complicate working relationships.

Therefore, if a supervisor/employee relationship occurs, Montgomery County Government expects employees to act responsibly by disclosing the relationship to their Department Head, Elected Official or Human Resources Director.

- It shall be the responsibility and obligation of the supervisor to promptly disclose the existence of the relationship to the Department Head or Elected Official and Director of Human Resources. The employee may make the disclosure as well, but the burden of doing so shall be upon the supervisor.
- Upon being informed or learning of the existence of such a relationship, the Department Head, Elected Official or Director of Human Resources may take all steps that it, in its discretion, deems appropriate.
    - At a minimum, the employee and supervisor will not thereafter be permitted to work together on the same matters (including matters pending at the time disclosure of the relationship is made), and the supervisor must withdraw from participation in activities or decisions (including, but not limited to, hiring, evaluations, promotions, compensation, work assignments and discipline) that may reward or disadvantage any employee with whom the supervisor has or has had such a relationship.

Should an intimate relationship negatively impact job performance or business, the County will take necessary disciplinary action. This could even cause the individuals involved to lose their job.

Outside/Off Duty Employment

You are permitted to work a second job as long as it does not interfere with performance of your regular duties as an employee of Montgomery County Government. Approval to work a second job is contingent upon that you first meet the demands of the position at the County, which includes availability for evenings, weekends, emergency response and overtime when necessary.

Outside work will be regarded as secondary to regular County employment. Montgomery County Government requires that your activities and conduct away from the job must not compete, conflict with, compromise its interests, or adversely affect job performance and the ability to fulfill all responsibilities to Montgomery County Government. The outside position must in no way be detrimental to the reputation of the County; real or perceived conflict of interest will be reviewed on a case by case basis. If a

conflict of interest situation occurs, you will be requested to discontinue one of the jobs.

In evaluating outside work, Department Head and/or Elected Official, if necessary in consultation with Human Resources, will consider whether the proposed employment:

- May reduce your efficiency in working for Montgomery County Government.
- Involves working for an organization that does a significant amount of business with Montgomery County Government, such as major contractors, suppliers, and customers; or
- May adversely affect Montgomery County Government's image.

You are cautioned to consider carefully the demands that additional work activities will create before accepting outside employment. Outside employment will not be considered an excuse for poor job performance, absenteeism, tardiness, leaving early, refusal to travel, or refusal to work overtime or different hours. If outside work activity causes or contributes to job-related problems, it must be discontinued; and, if necessary, normal disciplinary procedures will be followed to deal with the specific problems.

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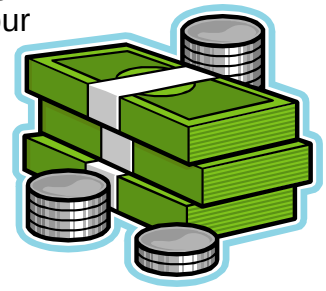
YOUR PAY

Salary

Montgomery County Government strives to pay salaries that are competitive with those in our community and industry, while recognizing individual effort and contribution to the success of the County. To ensure our pay rates remain competitive, we conduct area wage surveys and review wage and salary ranges and adjust them as necessary.



The needs of Montgomery County Government may change from year to year, and so the factors that determine salary and benefits might also change.

Pay Procedures

Your supervisor will inform you as to your pay schedule and payday. Employees normally are paid every other Friday. If the regular payday occurs on a non-work day, employees are paid on the last working day prior to the regular payday.

Deductions from Pay

The County deducts from your payroll check only those deductions required or authorized by law or authorized by you. All deductions from your wages shall be in accordance with applicable law. Mandated deductions will be made from your wages in the following order:

- Social Security taxes
- Federal and state (if applicable) income taxes
- Amounts owed to the County
- Child support
- Garnishment
- Assignment of wages
- Voluntary deductions include deductions for credit union, health insurance, tax sheltered annuities, life insurance, and any other benefits for which there is an employee contribution will be made after all mandated deductions.

All required deductions, such as for Federal, State, and Local taxes, and some authorized voluntary deductions, such as your retirement savings plan contributions, will be withheld automatically from your paychecks. Signed authorization is required for voluntary deductions and is continued until you cancel in writing.

Mistakes on Paychecks

Employees who discover a mistake in their paycheck should notify their supervisor immediately. In the case of a mistake, the error will be remedied promptly.

Direct Deposit

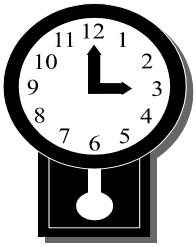
To ensure you receive your paycheck correctly and on a timely basis, Montgomery County Government requires you to have your payroll checks directly deposited into your bank account.

You will have your check direct deposited to any financial institution that receives and participates in EFT (Electronic Funds Transfer) program. You designate the account you wish to have your paycheck sent to electronically, and the funds are available to you on the morning of payday. You will receive a deposit advice (pay stub) detailing your paycheck.

Confidentiality

Your pay rate and the rates of your co-workers is personal information. Please do not discuss your pay rate with other employees of Montgomery County Government or with persons outside County government.

Recording Work Hours



The recording of work hours is considered a legal record of the time worked and is used as a means to accurately compensate employees. The maintenance of these records serves many purposes, such as: ensuring you are paid in a timely manner and monitoring holiday and accrued leave hours.

It is the responsibility of each non-exempt employee to ensure that his or her time records are accurate and correct. Your supervisor will explain to you the official time recording method specified for your department.

Only your supervisor can authorize corrections or changes to the time record.

Definition of Employment Status

For payroll purposes, employees are classified as “exempt” or “non-exempt.” “Exempt” employees are those who hold managerial, administrative, or executive positions with Montgomery County Government and who are paid on a salary basis. “Non-exempt” or hourly employees are those whose positions do not meet

FLSA exemption tests and are paid one and one-half times their regular rate of pay for hours worked in excess of 40 per week.

Employment classification is determined on the basis of comparing actual job duties with criteria established by the Department of Labor. A job title, for example, is not sufficient data to classify a job as exempt from overtime status. This classification is required by law and is based on the type of work performed. Your job description will state whether your payroll status is “exempt” or “non-exempt. The Human Resources Department has the sole responsible for classifying Montgomery County Government positions as exempt or nonexempt.

Any appointment to a position with Montgomery County Government shall be classified as one of the following:

Regular Full–time: An employee employed for 12 months on a regular basis, and works at least 30 hours per week.

Temporary Full–time: Employed full–time, 30 or more hours per week, but employment does not exceed 12 months.

Regular Part–time: Employed on a regular schedule but days and hours may vary as needed.

Temporary Part–time: Employed to fill a position as needed for a limited amount of time. Hours and days may vary.

Employment of Minors

A person under 16 years of age is not permitted to work for Montgomery County Government under any circumstances; a minor is defined as anyone between the 16th and 18th birthdays. Employment with the County is available to an individual who is age 18 and older. In certain situations minors between 16 and 18 years of age may be employed but only according to the federal and state guidelines.

Overtime Compensation (Non-Law Enforcement)

Overtime is paid to non-exempt employees at one and one half (1½) times your base hourly rate for hours worked more than forty (40)-hours a week. ~~Time and one-half is paid on holidays that you are scheduled to work, in addition to the holiday pay.~~ An overtime-eligible employee who is required to work on a designated holiday will be paid the straight-time rate for those hours worked in addition to the holiday pay for which qualifications are met (amended 03/08).

Overtime is paid on time worked, not time compensated. Time not worked (e.g., sick pay, vacation pay, jury duty pay, or similar compensation for non-work days)

does not count toward the 40 hours of worked time. Overtime must be approved in advance, failing to do so may warrant disciplinary action.

Compensatory Time

Montgomery County Government provides compensatory time ("comp time") for non-exempt (hourly) employees. Compensatory time is granted on an hour-for-hour basis and is the excess amount of hours worked over the official work week of 40 hours. Employees may receive compensatory time at a rate of not less than one and one half (1½) times their regular hourly rate for which overtime compensation is required under the Fair Labor Standards Act (FLSA).

FLSA allows an employee, with the approval of the employer, to select compensatory time for a portion of any overtime which is worked (time off in lieu of pay). The election of compensatory time is voluntary and offered during the initial orientation process conducted at the Human Resources Department and is not a condition of employment. Employees may change their voluntary election each June, prior to the beginning of a new fiscal year. Employees may accrue not more than two hundred and forty (240) hours of compensatory time for overtime worked. Montgomery County Government reserves the right to pay an employee for any or all accrued compensatory time when deemed necessary.

Compensatory Leave

Employees requesting to use accrued compensatory time must make a specific request in writing to their immediate supervisor. Use of such time will be allowed within a reasonable period following the request as long as the use does not unduly disrupt the operations of Montgomery County Government. Under limited circumstances, employees of Montgomery County Government who work in the same capacity, may, at their option, substitute work hours (swap time) as long as such substitute has prior approval by the immediate supervisor of each employee involved.

Compensatory time is earned only in exceptional situations and only for periods of twelve months or less. Employees may accumulate compensatory time to a maximum of 240 hours. Employees should take compensatory time as soon as possible after it is credited. ~~If compensatory time is not used within twelve calendar months after it is credited, it is lost and the employee is not entitled to be paid for the lost time.~~ (06/13/12)

Overtime is paid on time worked, not time compensated. Time spent on "comp time" will not be counted as hours worked for the purpose of computing overtime pay in any given workweek.

Overtime Compensation (Law Enforcement)

The maximum number of allowable hours that may be worked before overtime must be compensated is 43 hours per workweek. The workweek is defined by the FLSA, is a fixed and regularly recurring period of 168 hours or seven (7) consecutive 24 hour periods. Qualified Law Enforcement personnel, as identified by the FLSA, shall receive time and one half (1½) consideration for hours worked over 43 hours in a seven-day tour of duty.

Overtime Computation (Law Enforcement)

Qualified law enforcement personnel may receive overtime in one of two ways:

- Employee may be paid one and one half (1½) times his/her normal rate or,
- Employee may receive compensatory time off at a rate of one and one half (1½) hours for each hour of overtime worked (with prior written agreement, which is offered at initial employee orientation, between the employer and employee, and not as a condition of employment). The compensatory time off will be scheduled by the Sheriff, or his delegate, taking into consideration the operational requirements of the Sheriff's Department.

Wage Garnishment

Montgomery County Government is required by law to recognize certain court orders, liens, and wage assignments relating to wage garnishments and similar proceedings. You are expected to carry out your financial obligations promptly so that creditors will not have to ask for the County's assistance in collecting amounts owed to them.

If garnishments or similar proceedings are instituted against you, the County will deduct the required amount from the employee's paycheck. The amount deducted will not exceed that permitted by law. Garnishments or similar orders will be administered by the Human Resources and Payroll.

Business Travel

Montgomery County Government follows the Tennessee State Travel guidelines. Further information regarding business travel is located in the Travel and Purchasing policies.

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PAID TIME OFF

Holidays

Time off from work to enjoy the holidays is important to everyone. Montgomery County Government provides paid holidays to all full-time employees. Part-time and temporary employees and independent contractors are not eligible to receive paid holidays.

Montgomery County Government will observe the following holidays:

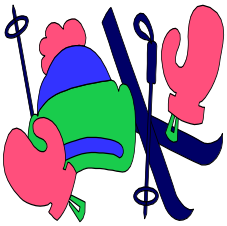
New Year's Day	Labor Day
Martin Luther King's Birthday	Veteran's Day
President's Day	Thanksgiving Day
Good Friday (effective 2009)	Day after Thanksgiving
Memorial Day	Christmas Eve Day
Independence Day	Christmas Day

When a County-observed holiday falls on a Saturday or Sunday, either the preceding Friday or following Monday will be observed as the holiday, at the discretion of Montgomery County Government.

In order to receive holiday pay, you must be in active payroll status and have worked the scheduled workdays immediately before and after the holiday (excluding the use of annual or sick leave). Should you have to work on a designated holiday, you will be entitled to another day off or another day's pay as compensation. Holiday pay is paid at straight time hours and it does not count toward the calculation of overtime in the holiday week.

If a holiday falls within your vacation period, the day will be treated as a holiday and not as annual leave. If you are off sick the day before and/or the day after a holiday, your supervisor may request a doctor's certificate in order for the employee to be eligible for holiday pay.

Annual Leave



Time away from work allows you to pursue personal interests, relax, and enjoy outside activities. Montgomery County Government encourages employees to take their vacation days each year.

Your annual leave time is based upon the length of continuous service (employment) you have with the County as of your anniversary (hire) date of each year. You begin earning annual leave for each hour you are in pay status and at the rate authorized for your classification up to the maximum allowable amount. You begin accruing annual leave immediately and once time is accrued it is available.

Accrual Rate for 37.5 Hour Work Week

Years of Service	Monthly Accrual
0-5 years	7.5 hours
5-10 years	8.75 hours
10-15 years	10.63 hours
15 or more years	12.50 hours

Accrual Rate for 40 Hour Work Week

Years of Service	Monthly Accrual
0-5 years	8.0 hours
5-10 years	9.34 hours
10-15 years	11.34 hours
15 or more years	13.34 hours

Accrual Rate for 43 Hour Work Week

Years of Service	Monthly Accrual
0-5 years	8.6 hours
5-10 years	10.04 hours
10-15 years	12.19 hours
15 or more years	14.34 hours

Accrual Rate for 24 Hour Shifts

Years of Service	Monthly Accrual
0-5 years	12.0 hours
5-10 years	14.14 hours
10-15 years	17.74 hours
15 or more years	20.34 hours

Accumulation of Annual Leave

The maximum number of unused annual leave anyone can accrue equals 240 hours (30 days). Accrued leave in excess of 240 hours will be automatically converted to your accrued sick leave each pay period upon reaching maximum accrual amount(s). **Exception:** The maximum number of unused annual leave for employees working 24-hour shift schedule is 300 hours.

Annual Leave Planning

You are encouraged to schedule at least five (5) days of your annual leave allowance in succession, thereby resulting in at least one full week of meaningful time off.

All efforts will be made to accommodate your request; however, annual leave is normally approved to meet the work requirements of the County. Subject to your supervisor's approval, earned annual leave may be taken at any time as long as you schedule in advance.

- Annual leave may only be taken after it has been earned and with the immediate supervisor's approval.
- Accrued annual leave shall be granted upon employee's request in accordance with operating requirements and as staffing and service demands permit. When conflicts arise in scheduling annual leave, supervisors will give preference to employees with longer length of service with Montgomery County Government.
- Annual leave shall not be granted in excess of the amount accrued.
- Accrued annual leave shall be granted for purposes of sick leave when an employee has exhausted sick leave accruals.
- Requests for annual leave of one week or more must be scheduled and approved at least two (2) weeks in advance.
- Requests for annual leave less than one week must be scheduled and approved at least two (2) days in advance.
- Approved annual leave may be rescinded and/or rescheduled to meet department needs.
- An employee can be recalled to work while on annual leave. Failure to return to work when recalled may result in disciplinary action up to and including termination.

Holiday Falling During Annual Leave

When a County recognized holiday occurs during your annual leave period, the day will be charged as a holiday and not as an annual leave day.

Illness during Annual Leave

Illness occurring during scheduled annual leave will not result in sick leave time replacing annual leave.

Annual Leave Pay

You will be paid for earned annual leave for each hour you are in a pay status and at the rate authorized for your employee classification up to the maximum allowed. Keep in mind that overtime is paid on time worked, not time compensated. Time spent on annual leave will not be counted as hours worked for the purpose of computing overtime pay in any given workweek.

Disposition of Unused Annual Leave

Any annual leave-eligible employee, separating from employment with Montgomery County Government shall receive pay for any unused accumulated annual leave not to exceed 30 days (240 hours) at the date of separation. Employees working 24-hour shifts shall receive pay for any unused accumulated annual leave not to exceed 260 hours. A retiring employee will receive all annual leave benefits earned but unused at the time of retirement.

Annual leave may not be used to extend the period of employment beyond the last day of work. The date of separation is the last day you are on payroll, even if terminal annual leave pay is granted.

Your estate will be paid an amount equivalent to pay in lieu of annual leave for all accrued annual leave not taken by you prior to death.

Approved Leave of Absence

We know there may come a time when you need to take a leave of absence. We offer seven types of leave to eligible employees:

1. Sick Leave
2. Family and Medical Leave
3. Maternity/Paternity Leave
4. Bereavement Leave
5. Military Leave
6. Jury and Witness Duty Leave
7. Voting Leave

Employees who do not return to work on the first regular working day following the end of the approved leave of absence may lose their jobs. The only exception is if the employee requests an extension in writing, and obtains approval from Human Resources before the end of the original leave.

Sick Leave

The purpose of sick leave is to give employees time to visit a doctor or to recover from illness or injury. ***If you are sick – by all means, stay home!***

If you must be absent from work due to illness, you will be eligible to receive your regular straight time pay, per day, during the period you have accrued sick leave. Sick leave will accrue from your first day of employment.

Coverage

You may qualify for sick leave pay when unable to perform assigned work due to the following:

- An employee's own illness
- An employee's medical or dental appointment which cannot be accomplished during off-duty hours;
- To care for an employee's child, spouse, parent or a relative residing in employee's home as a result of an illness;
- To accompany a spouse, child or parent to medical/dental appointments;
- Enforced quarantine of the employee in accordance with community health regulations;
- Childbirth, adoption or foster care placement;
- Maternity leave of an employee, because of pregnancy, childbirth, or related medical condition, may use up to 4 months of accrued sick leave;
- On-the-job injury.

For absences more than three (3) days to care for a sick or injured member of the employee's family must be a Family and Medical Leave eligible event (Refer to Family and Medical Leave).

Limitations or Exclusions

You will not qualify for paid sick leave when the illness or injury results from any of the following:

- Engaging in a criminal act

- Self-inflicted, intentional injury
- Working for another employer

Accrual

You will earn sick leave time for each hour you are in pay status and at the rate authorized for their employee classification. You begin accruing sick time immediately and time accrued is available immediately.

1. Full-time employees shall accrue sick leave at the rate of one (1) day for each month of employment, or major fraction thereof, with unlimited accumulation.
2. Regular Part-time employees shall accumulate sick leave at the rate of one (1) day for each 174 hours of employment with unlimited accumulation.
3. 24 Hour Shift employees shall accumulate 12 hours of sick leave for each month of employment with unlimited accumulation.

Sick Leave Notification

You are required to notify your immediate supervisor as soon as possible, at least 30 minutes before and not later than 15 minutes after the start of work on the first day of absence. You should have a continued line of communication with your supervisor regarding extended sick leave absences.

Sick Leave Planning

Sick leave may be used for medical leaves of absence, including pregnancy, visits to doctors, dentists or other health practitioners. We ask that absences for medical, eye or dental appointment be scheduled at the convenience of Montgomery County Government as interpreted and approved by your supervisor.

This time may also be used for tending to an illness suffered by a member of your immediate family (your immediate family includes current spouse, child, or parent), or to accompany a spouse, child or parent to medical/dental appointments. Remember that sick days are not to be used as an additional vacation day. Sick leave may only be taken after it has been earned and with the immediate supervisor's approval. Sick leave absences shall be approved and charged in no less than one half hour increments.

Verification

In order to substantiate extended periods of time taken off due to your personal or family related illness, the County may request a doctor's verification of the illness if you are absent three (3) or more consecutive workdays or if your absences are excessive.

The physician's statement must include the dates of absence due to illness, job restrictions (if any), expected prognosis, and projected return to work date. If you are unable to return to work on the estimated date, another statement must be obtained with another estimated or firm date of return. If you do not furnish this statement you may be subject to disciplinary action up to and including discharge.

During this time you should continue communicating with your supervisor on a regular basis with any extended absence due to illness. You will continue to accrue sick time during an approved leave of absence.

Why Save Your Sick Leave?

If you ever get sick or injured and you have to be absent from work for a long time, hopefully you will have enough sick leave and other leave to cover your absence. If you don't have enough leave time, chances are you will go "off the payroll" and be in a leave-of-absence-without-pay status.

Below are some of the consequences of going "off the payroll" for a lengthy period of illness:

- You won't be paid your salary.
- You won't be paid for any Holidays that fall during your period of leave without pay.
- You won't earn annual and sick leave during this period.
- You may have to work extra months to become a "career employee" or to qualify for retirement. Remember that you have to work 100 or more hours per month to gain service credit for that month.
- You must pay for your dependents' and your health insurance premiums, which would normally be deducted from your paychecks.
- You must pay for your Group Life Insurance premiums, which would normally be deducted from your paychecks.
- You will have to make your own payment arrangements for any normally payroll-deducted loans, insurance, etc.

Sick Leave Abuse

Your earned sick leave with pay is intended as a benefit for you to use at those times when you have a bona fide need for it. As your employer, Montgomery County Government has defined the terms for using sick leave very broadly, recognizing that there are many circumstances other than your own unexpected illness when you might justifiably claim sick leave.

Sick leave cannot, however, be used for unnecessary occasions when it would be convenient for you to be absent. For those times, you must apply for annual or compensatory leave. An individual who abuses sick leave causes either a work slow-down or places an unfair strain upon fellow workers who must do the work in his or her absences.

Excessive abuse of sick leave or claiming sick leave when physically and mentally fit may be cause for disciplinary action. The term "excessive" shall be interpreted as:

- Two (2) or more occurrences in a consecutive five (5) day period;
- Three (3) or more non-consecutive occurrences in a calendar month; or
- Five (5) or more non-consecutive occurrences in a six (6) month period.

Nothing in this section shall reduce the rights of a Department Head or Elected Official from requesting the presentation of a physician's statement from one of their employees who is requesting sick leave.

In consideration for your fellow workers, Montgomery County Government, and the people Montgomery County Government serves, spend your sick leave time wisely. Remember that a large amount of accumulated sick leave with pay is your cheapest form of disability insurance.

Sick Leave Sharing Program

Employees are encouraged to save as much sick leave as possible for emergencies, illnesses and/or injuries or other unexpected situations. Every employee should seek to accrue a minimum of 200 sick hours to assure pay during the time not covered by the long term disability coverage provided or made available to all employees.

The County realizes that this can be a difficult goal to accomplish. In recognition of the fact that unavoidable extended absences can cause financial hardship for an employee and their family, the County has a leave sharing program to help alleviate the effects of extended absences without pay. This program allows an employee to donate some of their accrued paid time off to another employee who has a verifiable need. The intent of this program is for employees to assist each other in a time of need.

Leave sharing is available for employees who are in a “leave without pay” status and have an FMLA qualifying event, which precludes them from working. Employees who wish to participate in the program must complete a Leave Sharing Program Request Form and forward to Human Resources. In addition, the request form must be accompanied by verifiable written evidence of need. Human Resources will verify that the employee’s request meets the participation requirement as indicated in the Coverage Section. Human Resources will forward the name of the requesting employee to receive donated leave to the appropriate Department Head/Elected Official for posting at departmental employee information locations.

Coverage

- Leave sharing hours will be granted only for a disabling illness to an employee, or a member of an employee’s immediate family who has a disabling illness which requires the employee’s care, preventing the employee from performing job duties for ten or more consecutive workdays. Requests for less than ten days will be considered on a case by case basis.
- Leave is used exclusively for a medical condition of an employee or an employee’s family member, as defined by FMLA policy that is a qualifying event as defined under The Family and Medical Leave Act (FMLA). Immediate family members include employee’s spouse, children (including step-children and foster children), parents, grandparents, siblings and any other family member as defined under the guidelines of FMLA.
- The employee’s or family member’s health care practitioner, as defined under The Family and Medical Leave Act (FMLA), must document the condition resulting in the leave prior to approval of the donation.
- Employee must exhaust all available and accrued paid leave, including sick, annual and compensatory leave before requesting and receiving leave sharing.
- Employee must not be receiving any other form of compensation including social security disability benefits, long term disability benefits or compensation through the State Retirement Plan.
- Regular part-time employees shall receive sick leave on a prorated basis equal to the percentage of their employment to full-time employment.
- Recipients shall continue to accrue leave and service in accordance with the provisions of the appropriate policies and guidelines.
- Recipients must not have been disciplined for abuse of sick leave or excessive absences within the past 12 months.

Parameters for the Leave Sharing Program

- Leave sharing transfers will first be provided through the employee’s home department.
- If extenuating circumstances prevail (e.g. small department, departments with new employees and low sick leave balances), leave sharing transfers outside

the employee's home department will be reviewed on a case by case basis by receiving and donating Department Heads or Elected Officials.

- Full-time employees with one or more years of full-time service may participate as a donor.
- Employees may donate, in one hour increments, up to 40 hours of sick leave at one time.
- Employees donating time must have accrued sick leave in excess of 40 hours in order to be eligible to donate leave.
- An employee may donate more than one time to a single individual, however donations may not reduce a donor's accrued sick leave to less than 40 hours.
- Hours will be donated on a one for one basis, regardless of pay or salary, to be paid at the recipient's rate of pay.
- Sick leave hours may not be donated retroactively.
- Human Resources will maintain the donor's confidentiality unless: (a) the donor agrees to release the information; and (b) the recipient requests such information.
- Donors must complete a leave donation form. If the donor terminates employment, retires, dies, or has an insufficient leave balance to meet the eligibility criteria, all responsibility to donate this leave is voided.
- Any donated leave which is not used will be credited back to the donor.
- A holiday which falls during the recipient's leave will be paid according to the rules for holiday pay and will be counted toward the 400 hours maximum.
- Donated leave will cover only the recipient's normal salary/wages. Employees using donated leave will be fully responsible for their cost share of all benefits, unless otherwise provided by law or these policies.
- Leave that is donated but not used will be credited back to the donor. Leave is used on a "first in, first out" basis when there are multiple donors.
- The decision to donate sick leave to another individual should be a choice made freely by each employee. Any person attempting to unduly influence another employee to donate leave or directly solicit leave donation either for themselves or other employees shall be subject to disciplinary action, up to and including termination and any prior agreement made to donate leave under these conditions shall be voided.

Exclusions

Leave sharing will not be approved for the following instances:

- For elective or cosmetic surgery, unless required as a result of injury or disease.
- Retroactively to dates prior to request or approval.

Leave sharing will not be approved when the illness or injury results from any of the following:

- Engaging in a criminal act

- Self-inflicted, intentional injury
- Working for another employer

Limitations

- Employees may receive a maximum of 80 (112 EMS) hours of donated leave per pay period.
- The maximum number of hours an employee may be granted during a 12 month period is 400 hours and is calculated using the employee's regular scheduled weekly hours.
- The maximum number of hours an employee may receive during their lifetime is 1000 hours and is calculated using the employee's regular scheduled weekly hours.

Returning to Work

When an employee is due to return to work from an extended sick leave due to a personal illness or injury, the employee must present a fitness for duty certificate that the employee is able to resume work.

A fitness for duty certification from an employee's health care provider that the employee is able to resume work shall be in accordance with the County's customary and uniformly applied procedures.

If the employee is unable to return to work on the estimated date, the employee must notify Human Resources prior to the return date and must be obtained another statement with another estimated or firm date of return. Employees who fail to notify the County or furnish this statement may be subject to disciplinary action up to and including discharge.

Family and Medical Leave

All employees who: 1) have been employed by Montgomery County Government for at least 12 months, and 2) have been employed for at least 1,250 hours of service during the 12-month period immediately preceding the commencement of the leave, shall be entitled to family and medical leave. Eligible employees should provide as much notice as possible, but at least thirty (30) day notices, of their intention to take Family and Medical Leave. Notice should be made to Human Resources. In emergency situations less notice may be given. Employees entitled to family or medical leave may take up to a total of 12 weeks of leave per year:

- The birth or adoption of a son or daughter and to care for the newborn;

- The placement with the employee of a son or daughter for adoption or foster care;

- To care for the employee's spouse, son or daughter, or parent, with a serious health condition; or

- Because of a serious health condition that makes the employee unable to perform the functions of his or her job; and

- Maternity Leave: Employees who are disabled because of pregnancy, childbirth, or related medical conditions may also be entitled to take a Family and Medical Leave of Absence.

- The employee experiences a qualifying exigency that arises out of the fact that a spouse, parent, or child has been called to or is on active duty as a member of the National Guard or military reserves (it does not apply to active duty served by a member of the regular armed forces).

Military Caregiver Leave

An employee who is the spouse, parent, child or next of kin of a current member of the armed forces (including the regular armed forces) who was injured while on active duty may be eligible for up to 26 weeks of FMLA leave in a 12-month period, including the types of leave listed above.

Leave Duration

An eligible employee is entitled to take a total of twelve (12) weeks of unpaid leave under during a twelve (12) month period; the twelve (12) month period begins on the first day of the first approved Family Care and Medical Leave. A rolling twelve (12) month period, measured backward from the date the leave commences, will be used to determine the amount of FMLA leave available to an employee.

For example:

- An employee who becomes eligible for Family and Medical leave on September 1, 2006 does not have an established Family Care and Medical Leave twelve (12) month period until the employee requests this leave for a particular purpose.
- Pursuant to an appropriate first request, the above employee goes on a Family Care and Medical Leave on January 15, 2007. This employee's twelve (12) month leave period runs from January 15, 2007 to January 14, 2008. On January 15, 2008, or any date thereafter, the employee is eligible for a second twelve (12) weeks of Family Care and Medical Leave, provided that the employee has worked 1250 hours during the previous twelve (12) months.

An employee's entitlement to an FMLA leave for the birth or placement of a child expires twelve (12) months after the birth or placement.

The right to take Family and Medical leave applies equally to male and female employees. A father, as well as a mother, can take family leave for the birth, placement, or adoption or foster care of a child. An expectant mother may take family and medical leave before the birth of a child for prenatal care of if her condition makes her unable to work. In any case in which husband and wife are both employees of Montgomery County Government, the combined (total) number of workweeks of leave entitlement under this policy is twelve (12) weeks during any twelve (12) month period.

In some cases, the family and medical leave may begin before the actual placement or adoption of a child if an absence from work is required for the placement for adoption or foster care to proceed.

For military caregiver leave, the employee and employee spouse may be limited to a combined total of 26 weeks of leave in a 12-month period, including the types of leave listed above in this paragraph.

Intermittent Leave

In certain circumstances, family and medical leave may be taken on an intermittent or reduced leave schedule. Leave taken for childbirth or placement (adoption or foster care) may not be taken on an intermittent or reduced schedule. This leave may be taken only within twelve (12) months of the date of the birth or placement of the child.

A pregnant employee may take intermittent leave for prenatal examinations or for her own condition, such as for periods of severe morning sickness.

Leave taken to care for a spouse, child or parent of for the serious health condition of the employee, or for military caregiver leave may be taken on an intermittent or reduced schedule when medically necessary. Taking leave on an intermittent or reduced schedule under this paragraph shall not result in a reduction in the total amount of leave to which an employee is entitled.

- For example, one who takes intermittent leave under this policy, who normally works a five-day week and who takes one day of leave under this policy will use one-fifth of one week of leave available. With this intermittent schedule, the employee could take one day (one-fifth of a week) for up to fifty-two (52) weeks (or one year) to get the full twelve (12) weeks of Family Care and Medical Leave.
- Under a reduced schedule for Family Care and Medical Leave, if a full-time employee who regularly works five days a week must take off one half of the workweek, one half week (or two and one half days) of leave under this

Policy is used each week. Thus it could take the employee up to twenty-four (24) weeks to use the entire entitlement of Family Care and Medical Leave.

- An exempt employee's taking Family Care and Medical Leave by the hour is not a violation of the employee's exempt status under the Fair Labor Standards Act.

If leave is taken on an intermittent or reduced work schedule, the County retains the discretion to transfer the employee temporarily to an alternative position with equivalent pay and benefits that better accommodates the employee's leave schedule.

Notification Procedure

You are responsible for notifying your immediate supervisor, in writing, that a leave will be required, the reason for the leave as well as the anticipated duration of the leave. Your immediate supervisor will notify Human Resources, which will provide you with a FMLA Notice.

Human Resources is responsible for compliance with this policy and ensuring that all employees eligible for Family Care and Medical Leave are granted time off in a non-discriminatory manner. Human Resources is responsible for ensuring that you are provided with a written notice detailing the specific expectations and your obligations and explaining the consequences of a failure to meet these obligations. Medical certification is required for leave due to your own serious health condition or that of family member **before** approving a request for family or medical leave or **before** an employee may return to work at the conclusion of a leave.

Your immediate supervisor may require you to report periodically (typically every two weeks) on the status of the situation and your intention to return to work. You are responsibly for remaining in contact with your supervisor during your absence.

Pay During Leave

All Family and Medical Leaves of Absences are unpaid. An employee must exhaust all available and accrued paid leave, including sick, annual and compensatory leave and then shall be in a leave without pay status for the balance of the twelve (12) week leave period. Any sick and/or annual leave time taken will be regarded as part of FMLA leave. **(Revised 6/09/2014)**

You will continue to accrue sick and annual leave time during an approved leave of absence if you remain in pay status; however, employees taking leave shall not accrue sick and annual leave time while in a no pay status. You are considered to be in a pay status any time the County is paying your salary/wages.

Benefits Coverage

Health insurance benefits will continue at the level and under the conditions that coverage would have been provided if you had continued active employment. During any period of leave approved, the County shall continue to contribute the employer's credit portion toward the employee's health insurance plan. You will be eligible to continue their Group Insurance coverage provided you pay the related premiums equal to the employee contribution rates in effect at the time and any subsequent increase that may occur during the leave. During any period of leave approved, the County shall continue to cover the cost of your basic life insurance. During any period of paid leave approved under or during a period of six (6) months or less of unpaid leave approved, the County shall continue to cover the cost your enrollment in the long term disability plan.

During any period of leave approved, you shall make arrangements with Human Resources to pay the cost of other benefits for which you would ordinarily be responsible during any period of unpaid leave.

Payment will be required in advance of the leave date or as soon as practicable after the start of the leave date and will cover the anticipated duration of the leave. Human Resources shall terminate any benefits for which you have not made appropriate payment after such payment is past due for thirty (30) days.

You shall be obligated to repay to Montgomery County Government any health insurance premium which the County paid on your behalf, if you fail to return to Montgomery County Government employment after an approved period of leave and if you fail to return to work for a reason other than the following: 1) the continuation, recurrence or onset of a serious health condition that entitled the employee to leave under this policy, or 2) other circumstance beyond the control of the employee.

Return to Work

When you are due to return to work from a Family Care and Medical leave, you must present a fitness for duty certificate that you are able to resume work. The County may delay reinstatement until the certification is submitted by you. A fitness for duty certification from an employee's health care provider that you are able to resume work shall be in accordance with Montgomery County Government's customary and uniformly applied procedures. Fitness for duty certificate must be completed by the same health care provider that attended the illness that necessitated the FMLA absence.

If you are unable to return to work on the estimated date, you must notify Human Resources prior to the return date and must obtain another statement with another estimated or firm date of return. If you fail to notify Montgomery County Government

or furnish this statement may be subject to disciplinary action up to and including discharge.

An employee who returns from family or medical leave within 12 weeks from the commencement of the leave is entitled to be returned to the same position the employee held when leave commenced, or to an equivalent position with equivalent benefits, pay, and other terms and conditions of employment.

For additional information concerning family and medical leave, employees should consult with Human Resources.

Tennessee Paternal Leave Act

Pregnancy, childbirth and related conditions will be treated the same as any other temporary medical disability with regard to leave policies. Montgomery County Government abides by Tennessee Paternal Leave Act.

T.C.A. Section 4-21-408.

(a) Employees who have been employed by the same employer for at least twelve (12) consecutive months as full-time employees, as determined by the employer at the job site or location, may be absent from such employment for a period not to exceed four (4) months for adoption, pregnancy, childbirth and nursing the infant, where applicable (such period to be hereinafter referred to as “leave”). With regard to adoption, the four (4) month period shall begin at the time an employee receives custody of the child.

(b)(1) Employees who give at least three (3) months' advance notice to their employer of their anticipated date of departure for such leave, their length of leave, and their intention to return to full-time employment after leave, shall be restored to their previous or similar positions with the same status, pay, length of service credit and seniority, wherever applicable, as of the date of their leave.

(2) Employees who are prevented from giving three (3) months' advance notice because of a medical emergency which necessitates that leave begin earlier than originally anticipated shall not forfeit their rights and benefits under this section solely because of their failure to give three (3) months' advance notice.

(3) Employees who are prevented from giving three (3) months’ advance notice because the notice of adoption was received less than three (3) months in advance shall not forfeit their rights and benefits under this section solely because of their failure to give three (3) month’s advance notice.

(c)(1) Leave may be with or without pay at the discretion of the employer. Such leave shall not affect the employees’ right to receive vacation time, sick leave, bonuses, advancement, seniority, length of service credit, benefits, plans

or programs for which the employees were eligible at the date of their leave, and any other benefits or rights of their employment incident to the employees' employment position; provided, that the employer need not provide for the cost of any benefits, plans or programs during the period of such leave unless such employer so provides for all employees on leaves of absence.

(2) If an employee's job position is so unique that the employer cannot, after reasonable efforts, fill that position temporarily, then the employer shall not be liable under this section for failure to reinstate the employee at the end of such leave period.

(3) The purpose of this section is to provide leave time to employees for adoption, pregnancy, childbirth and nursing the infant, where applicable; therefore, if an employer finds that the employee has utilized the period of leave to actively pursue other employment opportunities or if the employer finds that the employee has worked part time or full time for another employer during the period of leave, then the employer shall not be liable under this section for failure to reinstate the employee at the end of such leave.

(4) Whenever the employer shall determine that the employee will not be reinstated at the end of such leave because the employee's position cannot be filled temporarily or because the employee has used such leave to pursue employment opportunities or to work for another employer, the employer shall so notify the employee.

(d) Nothing contained within the provisions of this section shall be construed to:

(1) Affect any bargaining agreement or company policy which provides for greater or additional benefits than those required under this section;

(2) Apply to any employer who employs fewer than one hundred (100) full-time employees on a permanent basis at the job site or location; or

(3) Diminish or restrict the rights of teachers to leave pursuant to title 49, chapter 5, part 7, or to return or reinstatement after leave.

(e) The provisions of this section shall be included in the next employee handbook published by the employer after passage of this section.

Pregnancy disability leave or paternal leave for the birth of a child would be considered qualifying FMLA leave for a serious health condition and may be counted in the 12 weeks of leave so long Montgomery County Government property notifies the employee in writing of the designation.

You may be granted paternal leave by utilizing any combination of annual, sick, compensatory or unpaid leave. Employees utilizing annual, sick or compensatory leave will continue to receive all normal employee benefits including accumulation of sick and annual leave. Once an employee utilizes leave without pay, there will be no accumulation of sick and annual leave. It is the employee's

responsibility to give written notification as to the leave time requested with the projected starting date and return date.

Bereavement Leave

In the case of an immediate family member's death, you may take up to a maximum of three working days to arrange and/or attend the funeral of an immediate family member without charge to your leave time. Two additional days of sick leave may be granted to provide a total of five days absence for this purpose. Any additional time off must first be approved by the employee's supervisor and shall be annual leave or leave without pay. Immediate family includes:

Spouse (Current)	Parent/ Stepparent	Child/ Stepchild
Brother/ Sister	Parent-in-Law (Current Spouse)	Son/Daughter-in-Law
Grandchild	Grandparent	Step-Brother/Sister

With approval, immediate family may be extended to include:

- A person who has acted as the employee's legal guardian;
- A person who has taken the place of a parent;
- Any individual which resides within your residence that you provide care and custody or

You may be paid up to one working day (sick leave will be deducted) for time lost to attend the funeral when the deceased is the:

Aunt or Uncle	Brother/Sister-in-Law	Niece or Nephew	Grandparent-in-law

- You must notify your immediate supervisor of the need for time off in accordance with the County's policy for reporting time off.
- Your immediate supervisor/manager, Department Head or Elected Official may, at their discretion, ask for proof of the deceased, such as a copy of a funeral program or newspaper obituary.

Military Leave

Montgomery County Government recognizes and supports the military leave rights of any employee who is a member of the National Guard, organized Reserve units of any branch of the Armed Forces, or who is called to active duty in the United States Armed Forces.

All employees are entitled to take a leave of absence for active military service for any branch of the United States military or for military reserve duty.

While on leave you will receive their regular compensation for a period not to exceed twenty (20) working days per calendar year, plus any additional days that may result from a call to active state duty by the Governor. Such requested leave shall be supported with copies of the armed forces order.

You will be granted a leave of absence without pay for the purpose of being inducted into or otherwise entering military duty. If not accepted, you will be reinstated at the same rate of pay and without loss of seniority, benefits or status. If accepted for service, you may be eligible for reinstatement upon being released from active duty upon meeting the conditions set out in T.C.A. Title 8, Chapter 33 relative to employees in military service, and in accordance with the Uniformed Services Employment and Re-employment Rights Act of 1994 (USERRA), 38 U.S.C. 4301-4333.

Employees in military service shall be governed by the requirements of, and shall have all of the rights and benefits conferred upon such persons by state law found in T.C.A. Title 8, Chapter 33, and under USERRA.

Leave exceeding this limit may be charged to accrued annual leave, holidays, compensatory time or you may elect to take leave without pay.

If you are required to report for military training you shall show the appropriate orders to your supervisor. A Personnel Action form shall be completed and forwarded, along with a copy of the employee's military orders, to Human Resources.

Upon return from military leave, you will be restored to work in accordance with state and federal laws.

Jury and Witness Duty

All employees are entitled to take a leave of absence for jury duty. If you receive a jury summons, you must notify your supervisor immediately. You must advise your immediate supervisor as soon as a summons or notification is received and also must provide to the supervisor a copy of the notification letter.

You will need to turn in forms furnished by the courts stating time and dates of attendance on jury duty. You will be paid their normal hours of pay for the day served if you submit proof of jury duty service. Time spent on jury duty will not be counted as hours worked for the purpose of computing overtime pay in any given workweek.

When serving on jury duty and are excused any day, or part of any day, you must return to work if there are three (3) or more remaining hours in your normal work shift. Failure to report to work will result in loss of pay for that day.

If you are subpoenaed to appear in Court as a representative of Montgomery County Government, you will be paid regular base pay and will not be required to use annual leave time for this absence. If you are subpoenaed to appear in Court as a witness in a case not involving Montgomery County Government, you will be granted time off from work to appear in Court; however, you will not be paid by Montgomery County Government unless you choose to use your accrued annual leave.

Voting Leave

Montgomery County Government strongly encourages you to fulfill your civic responsibility to your community by expressing your right to vote. If you are entitled to vote in an election in this state you may be absent from work for a reasonable period of time, not to exceed three (3) hours, in order to vote while the polls are open in the county where you reside.

If your shift begins three (3) or more hours after the opening of the polls or ends three (3) or more hours before the closing of the polls of the county where you are a resident, you may not take time off under this section.

Your supervisor reserves the right to stagger personnel in order to cover business needs and specify the time employees may be absent. Request for such absence shall be made to your immediate supervisor before twelve o'clock (12:00) noon of the day before the election. You may not use voting leave to extend scheduled work hours to exceed total scheduled work hours.

To be eligible for voting leave, you must:

- Be registered to vote,
- Vote, and
- Be scheduled to work on Election Day during the hours of 7:00 a.m. & 7:00 p.m. local time.

Overtime is paid on time worked, not time compensated. Time spent on voting leave will not be counted as hours worked for the purpose of computing overtime pay in any given workweek.

Administrative Leave

Elected Officials or Department Heads may, in the incidence of an on-duty critical incident or disciplinary investigation, need to place you on immediate leave status. The leave may be paid or unpaid.

Leave of Absence without Pay

At the discretion of the Elected Official or Department Head, you may be granted leave without pay for sufficient reason. Employee must exhaust all available and accrued paid leave, including sick, annual and compensatory leave before requesting and receiving leave of absence without pay. During this period of leave, you will not accrue annual leave, sick leave, or other benefits.

On-the-Job Injury Leave

If you experience a work-related injury which is compensable under Montgomery County Government's On-the-Job Injury program, and after an approved claim has been filed, you will be entitled to the benefits and services provided through the County On-the Job Injury program. On-the Job Injury benefits are based on a predetermined formula and are generally less than the employee's normal pay.

On-the-job injury benefits provide medical benefits for work-related injuries or illness, and also provide weekly disability payments to replace lost income. These benefits are provided through the County self-insured policy funded entirely by Montgomery County Government. Coverage begins when your job starts and continues as long as you are working. You are entitled to immediate and continuing medical treatment in case of work-related injury or illness. Employees are required to immediately report any work-related accident, illness or injury.

Modified Work Program

Montgomery County Government is dedicated to finding a suitable work environment for you as soon as possible after a work-related injury or illness. A faster recovery may occur if you are provided the opportunity to return to work early.

In the event of an injury or illness resulting in time off, you are expected to maintain weekly contact with your supervisor and Human Resources. Human Resources may contact you through telephone calls or letters, to provide you with modified duties, if available. These duties will be provided when available after consultation with you, your physician and your supervisor. This will enable you to recover faster. The intent of this program is to return you to your pre-injury position as soon as possible.

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WORKPLACE BEHAVIOR

Anti-Harassment Statement

Montgomery County Government is committed to maintaining a work environment that is free of discrimination. In keeping with this commitment, we will not tolerate harassment of County employees by anyone, including any supervisor/manager, elected official, co-worker, vendor, consultant, or visitor of this government entity.

Harassment consists of unwelcome conduct, whether verbal, physical or visual, that is based upon a person's protected status, such as gender, color, race, ancestry, religion, national origin, age, disability, sexual orientation or other protected group status. Montgomery County Government will not tolerate harassing conduct that affects tangible job benefits, that interferes unreasonably with an individual's work performance, or that creates an intimidating, hostile, or offensive working environment.

Sexual harassment warrants special mention. Unwelcome sexual advances, requests for sexual favors, and other physical or verbal conduct based on gender constitutes sexual harassment when: (1) submission to the conduct is an explicit or implicit term or condition of employment, (2) submission to or rejection of the conduct is used as the basis for an employment decision, or (3) the conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment. Examples of sexual harassment include explicit sexual propositions, sexual innuendo or suggestive comments, sexually oriented jokes or teasing, foul or obscene language or gestures of a sexual nature, display of foul or obscene printed or visual material of a sexual nature, and unwelcome physical contact such as patting, pinching, or brushing against another's body.

All employees are responsible to help assure that we avoid harassment in the workplace. If you feel that you have experienced or witnessed harassment, you are to immediately notify supervisor, manager, Department Head, Elected Official, the Department of Human Resources staff or the Director of Human Resources. Montgomery County Government forbids retaliation against anyone for reporting harassment, assisting in making a harassment complaint, or cooperating in a harassment investigation.

Montgomery County Government's policy is to investigate all harassment complaints thoroughly and promptly. To the fullest extent practicable, Montgomery County Government will keep complaints, investigative records, and the results of the investigation confidential. If an investigation confirms that harassment has occurred, Montgomery County Government will take corrective action, including appropriate discipline, up to and including termination.

Harassment

Montgomery County Government will neither tolerate nor condone any speech or conduct that is intended to, or has the effect of abusing or harassing any employee because of his/her race, age, ethnic origin, sexual orientation, gender, disability, religious beliefs, or any other legally protected classification. Any form of on-the-job harassment by a supervisor, Department Head, Elected Official, co-worker, guest or vendor is strictly prohibited. Examples of such conduct include, but aren't limited to, vulgar or abusive language, epithets or slurs; threats, intimidations, or hostile acts, written, electronic or graphic materials that denigrate, show hostility, or show aversion toward an individual or group, which are placed on walls, bulletin boards, or anywhere on County property or are circulated in the workplace.

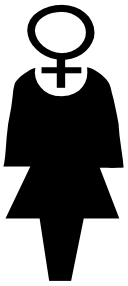
Montgomery County Government will pursue the matter seriously, promptly and as confidentially as we can under the circumstances. Such actions destroy employee morale and camaraderie. You should treat your fellow employees with the same respect you expect. If you believe that you have been subjected to discrimination or harassment, you should follow the following procedure:

1. The incident should be discussed informally between you and your immediate supervisor (should the immediate supervisor be a party to this complaint, then the next line of supervision will be utilized). If the complaint includes these people, or if you just don't feel comfortable telling your supervisor, Department Head or Elected Official then you should speak directly with Human Resources. Your supervisor (or next line of supervision) will then conduct an investigation and contact Human Resources to assist in determining the validity of the charges.
    a. Within five working days, your supervisor will make a written response to you, the Elected Official or Department Head and the Human Resources Director.
2. If still dissatisfied, you have five working days from receipt of the response from your supervisor, to appeal the decision, in writing, to the Elected Official or Department Head. The appeal shall include the following:
    a. The date, time, and place of the alleged act of discrimination/harassment;
    b. The person or persons alleged to have discriminated/harassed the employee or applicant;
    c. The basis of the discrimination/harassment: race, color, religion, national origin, gender, age, or handicap; and
    d. All other circumstances surrounding the alleged act of discrimination/harassment, with documentation.

The person who initially responds to your complaint may ask you to make your complaint in writing to assist with any investigation. The person who investigates your complaint will attempt to limit the disclosure of your complaint to the person(s) involved with it and those who must participate in the complaint's investigation and resolution. Your complaint should include details of the incident(s), names of the individuals involved, names of any witnesses, and all other information that may support your complaint.

The County will never punish you in any way for making a good-faith complaint of unlawful harassment of for your participation in an investigation. We will not tolerate any retaliation by management, employees, or co-workers. All employees are expected to fully cooperate in the investigation of a complaint. An employee who does not cooperate, or who is dishonest about a complaint, will be appropriately disciplined. This could even include losing their job.

Sexual Harassment



Like other types of harassment, sexual harassment of employees is against the law and will not be tolerated. Because Montgomery County Government is serious about the problem of sexual harassment, we have a separate section dedicated to this (sexual harassment is also covered by the previous unlawful harassment section that prohibits harassment in general). Many people seem to disagree about what is or is not sexual harassment, so let's take a closer look at what Montgomery County Government and the law prohibits.

What is Sexual Harassment?

If asked about sexual harassment, most of us think, "I know it when I see it." That may sometimes be true. But let's make sure we know the legal definition of sexual harassment. Knowing the legal definition helps employees recognize sexual harassment and can also help prevent it.

Sexual harassment is a form of gender discrimination that violates Title VII of the Civil Rights Act of 1964. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitutes sexual harassment when submission to or rejection of this conduct explicitly or implicitly affects an individual's employment, unreasonably interferes with an individual's work performance or creates an intimidating, hostile or offensive work environment.

Sexual harassment can occur in a variety of circumstances, including but not limited to the following:

- The victim as well as the harasser may be a woman or a man.
- The victim does not have to be of the opposite sex.
- The harasser can be the victim's supervisor, an agent of the employer, a supervisor in another area, a co-worker, or a non-employee.
- The victim does not have to be the person harassed but could be anyone affected by the offensive conduct.
- Unlawful sexual harassment may occur without economic injury to or discharge of the victim.
- The harasser's conduct must be unwelcome.

It is very serious to be accused of sexual harassment. Don't let it happen to you because you didn't understand our policy. Let's take a look at what can be considered sexual harassment. These are just a few examples; this list is not all inclusive.

- Physical sexual harassment includes unwelcome sexual advances, propositions, or demands for sexual favors. It also includes unwelcome physical touching (like pinching, patting, or intentional brushing against another person's body).

- Sexual harassment includes verbal harassment, such as offensive and unwelcome sexually oriented or gender-abusive speech or conduct. No one (co-workers, supervisor/managers, elected official or guests) is allowed to verbally harass another person in the workplace.

- Examples of conduct prohibited by the sexual harassment policy include sexually suggestive comments, such as sexually offensive jokes, materials (whether written or electronic), tricks, and nonverbal sexual messages, such as suggestive looks or gestures.

- Another prohibited kind of sexual harassment is when a member of management such as a supervisor, Department Head or Elected Official makes (or threatens to make) job-related decisions based on an employee's submission to sexually harassing conduct. Such threats could be either direct or implied – it's still sexual harassment!

- Sometimes harassment, especially verbal harassment, happens unintentionally. This can happen when people are not communicating well with each other. For example, one person may misunderstand a comment, and the other may not realize that their comment is offensive or unwelcome.

- All employees are encouraged to avoid jumping to conclusions, and to try to work the situation out with the other person, if possible. In most cases, simply telling the person that their words are offensive, unwelcome, or could be misunderstood is enough to fix the problem. You should directly inform the other person that the conduct is unwelcome and must stop.

Supervisors, Department Heads and Elected Officials should keep in mind that subordinates often feel uncomfortable about criticizing their superiors in any way. Whether a supervisor, Department Head or Elected Official means it or not, the idea that supervisor, Department Head or Elected Official has “power” makes this kind of communication hard for the employee. Supervisors, Department Heads and Elected Officials shall be sensitive to this and cautious in these situations. In addition, no one should interpret silence as consent.

If there is any possibility that your conduct will be misunderstood, don’t do it!

Other Kinds of Sexual Harassment

Montgomery County Government also prohibits harassment of our employees in the workplace or on the job, by individuals who aren’t employees, but with whom you must work in order to do your job. This includes vendors, repairpersons, and sometimes even guests.

Of course, Montgomery County Government has limited ability to control these individuals in many cases, but the County pledges to take action to stop such harassment. These situations should be reported immediately.

Stopping Harassment

Know your rights. Sexual harassment is illegal.

Speak up at the time. Be sure to say "NO" clearly, firmly and without smiling. There is a chance that the harasser does not realize the behavior is offensive; you must be firm in saying that you are offended. If you smile or act unsure of yourself, the harasser may think you're saying "Yes" instead of "No." Practice with a friend until you can say "That behavior offends me" in a way that is firm and clear.

Keep records. Keep track of what happens in a journal or diary and keep any letters or notes or other documents or artifacts you receive. Write down the dates, times, places, and an account of what happened. Write down the names of any witnesses.

Identify an advocate. An advocate is someone who is supposed to help you use the resources of the workplace effectively.

Write a letter. People have successfully stopped sexual harassment by writing a letter detailing the behavior that is offensive and asking the person who is harassing them to stop the behavior. The letter should be polite, unemotional, and detailed. Such a letter seems to be more powerful than a verbal request. The recipient of the letter seldom writes back; the person usually just stops the behavior.

Report sexual harassment to the appropriate person within the County. As an employer, the County is required to have policies and procedures for dealing with sexual harassment. You can use those policies and procedures to make an informal or a formal complaint against the person who harasses you.

How to Report a Situation

If you can't resolve a situation with someone directly, you need to report the sexual harassment as soon as you can. Even if you aren't sure that the actions are sexual harassment, but they just make you uncomfortable, report it. Do not let the problem go on.

1. If you believe you or another employee has been sexually harassed immediately tell your immediate supervisor (should the immediate supervisor be a party to this complaint, then the next line of supervision will be utilized).
2. If the complaint includes these people, or if you just don't feel comfortable telling your supervisor, Department Head or Elected Official then you should speak directly with Human Resources. Your supervisor (or next line of supervision) will then conduct an investigation and contact Human Resources to assist in determining the validity of the charges. In certain situations, Human Resources may conduct the investigation.
    a. You can contact Human Resources at 931-648-5715. Your complaint will be handled seriously and investigated.
    b. The person who initially responds to your complaint may ask you to make your complaint in writing to assist with any investigation. The person who investigates your complaint will attempt to limit the disclosure of your complaint to the person(s) involved with it and those who must participate in the complaint's investigation and resolution. Your complaint should include details of the incident(s), names of the individuals involved, names of any witnesses, and all other information that may support your complaint.

What to Expect

If the County determines that sexual harassment has occurred, we will take appropriate corrective action. There will be no retaliation.

Montgomery County Government will never punish you for making a good-faith complaint of sexual harassment or for your participation in an investigation. We also will not tolerate retaliation by Department Heads, Elected Officials, employees, or co-workers.

All employees, Department Heads, and Elected Officials are expected to fully cooperate in the investigation of a complaint. An employee, Department Heads, or Elected Official who does not cooperate, or who is dishonest about a complaint, will be appropriately disciplined. This could even include losing their job.

Threats, Violence, and Weapons

The potential for workplace violence is an unfortunate reality. No matter what the reason, Montgomery County Government will not tolerate any type of violence or threats of violence of any sort committed by or against employees or students.

This list of behaviors, while not inclusive, provides examples of conduct that is prohibited:

- Any form of harassment, verbal abuse, inappropriate communication, telephone and e-mail harassment;
- Stalking, threats, intimidation, horseplay, physical attacks, fist fighting, unwelcome physical touching, sexual or otherwise;
- Defacing of property, trespassing, invasion of privacy, and confining or restraining victims;
- Aggressive or hostile behavior that creates a reasonable fear of injury to another person or subjects another individual to emotional distress.

Montgomery County Government will actively intervene at any indication of a possibly hostile or violent situation.

It is important to know the signs of potential violence. Experts tell us that factors leading to workplace violence can include such things as severe personality conflicts among personnel, family and marital problems, drug and alcohol abuse, anxiety, or extreme stress. If you are aware of threats or a potentially violent situation against yourself or your co-workers, tell someone immediately!

If you are feeling overwhelmed, either because of job-related or personal reasons, or you know someone who is, please talk with your immediate supervisor, your supervisor's manager, Department Head or Elected Official. You should also feel free to contact Human Resources to ask for referrals for professional help by dialing 931-648-5715, extension 7215.

In order to protect you and all our staff, the County does not allow the possession of any dangerous weapon of any sort, including but not limited to, guns, knives, or any other perceived dangerous weapon, while on County premises or property. This includes county-owned or leased facilities, buildings, parking lot(s), driveways, or sidewalks. Additionally, you may not carry any weapon while in a County-owned vehicle, or while conducting Montgomery County Government business.

- This applies even to those weapons that are licensed and lawfully concealed.
- This does not apply to duly authorized peace officers.
- Any exception must be in writing and signed by the Mayor or designee.

Violations of this policy could result in disciplinary procedures which mean you could lose your job.

Drug- and Alcohol-Free Workplace

We want to help keep our employees safe and healthy, and our goal is to have a working environment free from substance abuse. Every employee should report for work in a suitable mental and physical condition. Therefore, Montgomery County Government is committed to a drug- and alcohol-free work place.

Required Conduct

As an employee of Montgomery County Government, you should obey state and federal laws on drug and alcohol usage. Do not put yourself or others in danger. You should never come to work or enter County premises, with any illegal drugs or alcohol in your body. If you are taking prescribed medication which could affect your job performance, or jeopardize your safety, or that of others, you should report this to your immediate supervisor before starting work. If necessary, the County will take appropriate action to make sure everyone is safe.

We expect employees to assist in maintaining a work environment that is free from the use and effects of alcohol, drugs, and other mood-altering substances. The transfer, sale, receipt, possession or use of alcohol or other drugs, legal or illegal, while on County premises or during work hours or meal breaks is

prohibited. This includes all forms of alcohol, narcotics, depressants, stimulants, hallucinogens, marijuana and other mood altering substances or substances that could influence job performance.

Request for Referral

The County offers an Employee Assistance (EAP) benefit for employees and their dependents. The EAP provides confidential assessment, referral and short-term counseling for employees who need or request it. If an EAP referral to a treatment provider outside the EAP is necessary, costs may be covered by the employee's medical insurance; but the cost of such outside services is the employee's responsibility.

Confidentiality is assured. Information regarding the nature of the personal problem will not be made available to supervisors, nor will it be included in the permanent personnel file.

Participation in the EAP will not effect your career advancement or employment, nor will it protect you from disciplinary action if substandard job performance continues. The EAP is a process used in conjunction with discipline, not a substitute for discipline. The EAP can be accessed by an employee through self-referral or through referral by a supervisor.

If you need rehabilitation or counseling for drug or alcohol abuse you can ask Human Resources for confidential referral to programs offering these services. Depending on job type, employees who request such referral may be placed on a leave of absence.

If you are having a problem with drugs or alcohol, you are encouraged to seek help before the drug or alcohol abuse is detected through reasonable suspicion testing or before their behavior creates a need for disciplinary action. Once an employee has been asked to take a drug test, or is under investigation for drug use, his or her request for rehabilitation referral will not influence disciplinary action.

Testing for Drug or Alcohol Use

If your workplace behavior suggests a problem with drugs or alcohol, you may be asked to take a drug/alcohol test (particularly if safety is involved).

- Whenever Montgomery County Government has a reasonable suspicion that an employee's performance or on-the-job behavior may have been affected in any way by alcohol, drugs, controlled substances, or that an employee has otherwise violated this policy, Montgomery County Government may require the employee to submit a urine and/or blood sample for alcohol and drug testing. An employee who tests positive for

alcohol, drugs or controlled substances as a result of such a test will be in violation of this policy.

- Whenever an employee may have contributed to an accident, on County property or on work time and the accident involved a fatality, bodily injury, or damage to property, Montgomery County Government has the right to require the employee to submit a urine and/or blood sample for alcohol and drug testing. An employee who tests positive for alcohol and/or drugs as a result of such a test will be in violation of this policy.

- A request for drug testing is at the sole discretion of Montgomery County Government and will follow state and federal laws.

- Montgomery County Government will use reliable, medically accepted methods of screening for drug use and alcohol levels, such as urine screens, blood tests, or other medically accepted procedures.

- Whenever a person is required to submit to a drug or alcohol test, that person's written consent will be obtained before the test. If an employee refuses to consent in writing to a drug or alcohol test, this is considered a violation of policy, and that employee may lose their job.

Tobacco Free Workplace

Montgomery County Government does not wish to regulate our employees' private lives, but it must take steps to protect employees from potential harmful substances. Tobacco is a known health risk that cannot be ignored and Montgomery County Government wishes to promote a healthy and comfortable working environment. Therefore, the County has developed a tobacco-free policy that promotes wellness and protects our employees. This policy bans the use of products such as pipes, cigars, cigarettes, chew and snuff; spit less tobacco and clove cigarettes including electronic cigarette (e-cig) or e-cigarette), personal vaporizer (PV) or electronic nicotine delivery system (ENDS).

Use of tobacco is prohibited in all County owned or leased buildings, any area enclosed by the perimeter (outermost) walls of the building, including restrooms, warehouses, storage spaces, garages, bay areas, atriums, balconies, stairwells and other similar building features considered "within a building" under the County's ownership or control. Due to the potential infiltration of secondhand smoke, use of tobacco products is allowed outside all County owned and leased facilities away from entrances and air intakes. County vehicles are covered by this policy at all times regardless of whether they are on County property at the time. Employees are strictly prohibited from using tobacco products while operating all county equipment, including but not limited to lawnmowers, tractors or any other combustible engines.

An employee who violates this policy will be subject to disciplinary action up to and including termination. ***(Revised 06/09/2014)***

Code of Ethics

You have an individual responsibility to deal ethically in all aspects of the County's business and to comply fully with all laws, regulations, and policies. You are expected to assume the responsibility for applying these standards of ethical conduct and for acquainting yourself with the various laws, regulations, and policies applicable to your assigned duties.

Honesty and Fairness

As a fundamental standard, Montgomery County Government expects from each of its employees honesty and openness in dealing with others. All employees are expected to accept responsibility for their actions and to report information accurately to fellow employees and managers.

County Records

All County records and other essential data must be prepared accurately. Preparing an intentionally false or misleading report or record of measurement is considered a serious offense. Records containing personal data on employees are confidential. They are to be carefully safeguarded and kept current, relevant, and accurate. They should be disclosed only to authorized personnel having a "need to know" or pursuant to lawful process as approved by Human Resources.

County Funds

Every employee who has control over Montgomery County Government funds (e.g., accounts payable, accounts receivable, grants, payroll, travel and entertainment, etc.) is accountable for such funds. When spending Montgomery County Government money or personal money that will be reimbursed, you should make sure the expense is warranted and justifiable. Anyone approving or certifying the correctness of any voucher or bill should have reasonable knowledge that the expense and amounts involved are justifiable.

Use of Montgomery County Government Resources

You have a responsibility to use Montgomery County Government resources, including time, materials, and equipment for business purposes only. Montgomery County Government property (such as grounds, building or office equipment, tools, materials, assets and facilities) should not be used by employees for other than Montgomery County Government purposes, unless authorized by the County Mayor, or designee. Montgomery County Government

property shall not be sold, loaned, given away, intentionally damaged, destroyed, or otherwise disposed of, regardless of condition or value, without proper authorization. Copyright material (including books, articles, computer software programs and tapes) should not be infringed.

Gifts, Gratuities, and Favors

Montgomery County Government's business decisions should be made impartially and fairly, and not on the basis of gratuities. You are expected to exercise good judgment in deciding whether a gift or entertainment is nominal value.

Entertainment and Hospitality

Offers of entertainment, hospitality, business courtesies, or favors, no matter how innocent in appearance, may be a source of embarrassment to all concerned. You should exercise good judgment and moderation and should offer business courtesies to customers only to the extent that they are in accordance with reasonable practices in the marketplace.

Violations

Any violation of the basic standards of business conduct will subject you to disciplinary action, up to and including dismissal, and criminal prosecution where appropriate.

Conflict of Interest

You are asked to refrain from engaging in any activity, practice, or conduct with, or appear to be in conflict with, the interests of Montgomery County Government. Since it is impossible to describe all of the situations that may cause or give the appearance of a conflict of interest, the prohibitions are not intended to be exhaustive and include only some of the more clear-cut examples.

You are expected to represent Montgomery County Government in a positive and ethical manner; therefore, you have an obligation to avoid conflicts of interest. You should not, directly or indirectly whether on or off the job, engage in any conduct that is disruptive or damaging to Montgomery County Government.

- You, your spouse or a child living in the same household should not accept gifts, except those of nominal (i.e. less than $50.00) value, or any special discounts or loans from any person or firm doing, or seeking to do, business with Montgomery County Government. The meaning of gifts, as example, the acceptance of entertainment and free travel and lodging.

- You should not give, offer, or promise, directly or indirectly, anything of value to any representative of a financial institution in connection with any transaction or business that Montgomery County Government may have.

Any conflict or potential conflict of interest must be disclosed to Montgomery County Government; failure to do so will result in discipline, up to and including termination.

CODE OF ETHICS
MONTGOMERY COUNTY, TENNESSEE

Section 1. Definitions

(1) "County" means Montgomery County, which includes all boards, committees, commissions, authorities, corporations or other instrumentalities appointed or created by the county or an official of the county, and specifically including the county school board, the county election commission, the county health department, and utility districts in the county.

(2) "Officials and employees" means and includes any official, whether elected or appointed, officer, employee or servant, or any member of any board, agency, commission, authority or corporation (whether compensated or not), or any officer, employee or servant thereof, of the county.

(3) "Personal interest" means, for the purpose of disclosure of personal interests in accordance with this Code of Ethics, a financial interest of the official or employee, or a financial interest of the official's or employee's spouse or child living in the same household, in the matter to be voted upon, regulated, supervised, or otherwise acted upon in an official capacity.

Section 2. Disclosure of Personal Interest in Voting Matters

An official or employee with the responsibility to vote on a measure shall disclose during the meeting at which the vote takes place, before the vote and to be included in the minutes, any personal interest that affects or that would lead a reasonable person to infer that it affects the official's or employee's vote on the measure. In addition, the official or employee may, to the extent allowed by law, recuse himself or herself from voting on the measure.

Section 3. Disclosure of Personal Interest in Non-Voting Matters

An official or employee who must exercise discretion relative to any matter other than casting a vote and who has a personal interest in the matter that affects or that would lead a reasonable person to infer that it affects the exercise of the discretion shall disclose, before the exercise of the discretion when possible, the interest on the attached disclosure form and file the disclosure form

with the county clerk. In addition, the official or employee may, to the extent allowed by law, recuse himself or herself from the exercise of discretion in the matter.

Section 4. Acceptance of Gifts and Other Things of Value

An official or employee, or an official's or employee's spouse or child living in the same household, may not accept, directly or indirectly, any gift, money, gratuity, or other consideration or favor of any kind from anyone other than the county:

(1) For the performance of an act, or refraining from performance of an act, that he would be expected to perform, or refrain from performing, in the regular course of his duties; or

(2) That a reasonable person would understand was intended to influence the vote, official action, or judgment of the official or employee in executing county business.

It shall not be considered a violation of this policy for an official or employee to receive entertainment, food, refreshments, meals, health screenings, amenities, foodstuffs, or beverages that are provided in connection with a conference sponsored by an established or recognized statewide association of county government officials or by an umbrella or affiliate organization of such statewide association of county government officials.

(2)(a) It shall not be considered a violation of this policy for an official or employee or an official's or employee's spouse, or child living in the same household, to receive any item of value in an amount of Fifty Dollars ($50.00) or less, whether received, directly or indirectly, from anyone other than the county.

Section 5. Ethics Complaints

A County Ethics Committee (the "Ethics Committee") consisting of five members shall be appointed to one-year terms by the County Mayor with confirmation by the county legislative body, to be appointed each year at the same time as internal committees of the county legislative body. At least three members of the committee shall be members of the county legislative body; one member shall be a constitutional county officer or, should no constitutional county officer be willing to accept appointment, an additional member of the county legislative body; and the remaining member may be either a member of a board, committee, commission, authority, corporation, or other instrumentality governed by this policy, or an additional member of the county legislative body. The Ethics Committee shall convene as soon as practicable after their appointment and elect a chair and a secretary. The records of the Ethics Committee shall be

maintained by the secretary and shall be filed in the office of the county clerk, where they shall be open to public inspection.

Questions and complaints regarding violations of this Code of Ethics or of any violation of state law governing ethical conduct should be directed to the chair of the Ethics Committee. Complaints shall be in writing and signed by the person making the complaint, and shall set forth in reasonable detail the facts upon which the complaint is based.

The County Ethics Committee shall investigate any credible complaint against an official or employee charging any violation of this Code of Ethics, or may undertake an investigation on its own initiative when it acquires information indicating a possible violation, and make recommendations for action to end or seek retribution for any activity that, in the Committee's judgment, constitutes a violation of this Code of Ethics. If a member of the Committee is the subject of a complaint, such member shall recuse himself or herself from all proceedings involving such complaint.

The Committee may:

(1) refer the matter to the County Attorney for a legal opinion and/or recommendations for action;
(2) in the case of an official, refer the matter to the county legislative body for possible public censure if the county legislative body finds such action warranted;
(3) in the case of an employee, refer the matter to the official responsible for supervision of the employee for possible disciplinary action if the official finds discipline warranted;
(4) in a case involving possible violation of state statutes, refer the matter to the district attorney for possible ouster or criminal prosecution.

The interpretation that a reasonable person in the circumstances would apply shall be used in interpreting and enforcing this Code of Ethics. When a violation of this Code of Ethics also constitutes a violation of a personnel policy or a civil service policy, the violation shall be dealt with as a violation of the personnel or civil service provisions rather than as a violation of this Code of Ethics.

Section 6. Applicable State Laws

In addition to the ethical principles set out in this Code of Ethics, state laws also provide a framework for the ethical behavior of county officials and employees in the performance of their duties. Officials and employees should familiarize themselves with the state laws applicable to their office or position and the performance of their duties. To the extent that an issue is addressed by state law (law of general application, public law of local application, local option law, or

private act), the provisions of that state law, to the extent they are more restrictive, shall control. Following is a brief summary of selected state laws concerning ethics in county government. For the full text of these statutes, see the Tennessee Code Annotated (T.C.A.) sections indicated.

Campaign Finance - T.C.A. Title 2, Chapter 10, Part One (campaign financial disclosure) requires candidates for public office to disclose contributions and contributors to their campaigns. Part Three (campaign contribution limits) limits the total amount of campaign contributions a candidate may receive from an individual and sets limits on the amount a candidate may receive in cash.

Conflict of Interest - T.C.A. § 12-4-101 is the general conflict of interest statute that applies in all counties. It prohibits anyone who votes for, lets out, or in any manner supervises any work or contract from having a direct financial interest in that contract, purchase or work, and it requires disclosure of indirect financial interests by public acknowledgment.

Conflict of Interest - T.C.A. § 49-6-2003 applies to the department of education in all counties and prohibits direct and indirect conflicts of interest in the sale of supplies for use in public schools.

Conflict of Interest - T.C.A. § 5-1-125 applies in all counties and prohibits county officials and employees from purchasing surplus county property except where it is sold by public bid.

Conflict of Interest - T.C.A. § 54-7-203 applies in all counties that are governed by the County Uniform Highway Law. It prohibits officials and employees in the highway department and members of the county legislative body from having any personal interest in purchases of supplies, materials, machinery, and equipment for the highway department.

Conflict of Interest - T.C.A. § 5-14-114 applies in counties that have adopted the County Purchasing Law of 1957. It prohibits the purchasing agent, members of the purchasing commission, and all county officials from having any financial or other personal beneficial interest in any contract or purchase of goods or services for any department or agency of the County.

Conflict of Interest - T.C.A. § 5-21-121 applies in counties that have adopted the County Financial Management System of 1981. It prohibits all county officials and employees from having any financial or other personal beneficial interest in the purchase of any supplies, materials or equipment for the county.

Conflict of Interest - T.C.A. §§ 5-5-102 and 12-4-101 govern disclosures and abstentions from voting due to conflicts of interest of members of county legislative bodies.

Conflict of Interest Disclosure Statements - T.C.A. § 8-50-501 and the following sections require candidates and appointees to local public offices to file a disclosure statement with the state ethics commission listing major sources of income, investments, lobbying activities, professional services provided, bankruptcies, certain loans, and other information, and to keep these statements up to date.

Gifts - T.C.A. § 5-14-114 applies in counties that have adopted the County Purchasing Law of 1957. It prohibits the purchasing agent, members of the purchasing commission, and all county officials from receiving anything of value, directly or indirectly, from anyone who may have or obtain a contract or purchase order with the county.

Gifts - T.C.A. § 5-21-121 applies in counties that have adopted the County Financial Management System of 1981. It prohibits the finance director, purchasing agent, and employees in those departments from accepting anything of value, directly or indirectly, from anyone who furnishes supplies, materials or equipment to the county.

Honoraria - T.C.A. § 2-10-116 prohibits elected officials from accepting an honorarium (including money or anything of value, but not including reimbursement for actual expenses) for an appearance, speech, or article in their official capacity.

Private Use of Public Property - T.C.A. § 54-7-202 applies in counties that are governed by the County Uniform Highway Law. It prohibits the private use of equipment, rock, and other highway materials.

Court Sales - T.C.A. § 39-16-405 prohibits judges, clerks of court, court officers, and employees of court, from bidding on or purchasing any property sold through the court for which such person discharges official duties.

Rules of the Supreme Court - Rule 10, Cannon 5 (Code of Judicial Conduct) establishes ethical rules for judges and other court personnel when exercising judicial functions.

Fee Statutes - T.C.A. §§ 8-21-101, 8-21-102, and 8-21-103 set out circumstances where fees are authorized, prohibit officials from requiring payment of fees in advance of performance of services except where specifically authorized, and set penalties for charging excessive or unauthorized fees.

Consulting Fee Prohibition for Elected County Officials - T.C.A. §§ 2-10-122 and 2-10-124 prohibit officials from receiving compensation for advising or assisting a person or entity in influencing county legislative or administrative action.

Crimes Involving Public Officials - T.C.A. § 39-16-101 and the following sections prohibit bribery, soliciting unlawful compensation, and buying and selling in regard to offices.

Official Misconduct - T.C.A. § 39-16-402 applies to public servants and candidates for office and prohibits unauthorized exercise of official power, acting in an official capacity exceeding the servant's power, refusal to perform a duty imposed by law, violating a law relating to the servant's office or employment, and receiving a benefit not provided by law.

Official Oppression - T.C.A. § 39-16-403 prohibits abuse of power by a public servant.

Bribery for Votes - T.C.A. §§ 2-19-121, 2-19-126, and 2-19-127 prohibit bribery of voters in elections.

Misuse of Official Information - T.C.A. § 39-16-404 prohibits a public servant from attaining a benefit or aiding another person in attaining a benefit from information which was obtained in an official capacity and is not available to the public.

Ouster Law - T.C.A. § 8-47-101 sets out conduct that is punishable by ouster from office, including misconduct in office and neglect of duty.

Political Activity

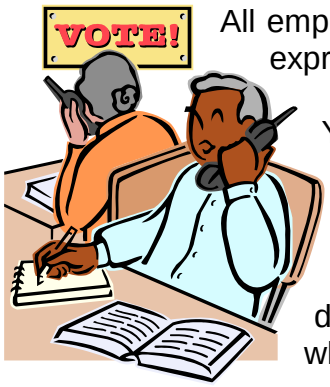
It is Montgomery County Government's intent to promote more efficient public service by relieving public employees of political pressure and to protect against a clear, substantial, and direct threat to the efficiency, integrity, or morale of County employees, by regulating the political activities of its employees.

The use of Montgomery County Government employee work time, equipment, supplies or funds to assist political parties or candidates for public offices is prohibited.

- No County employee shall use his/her official authority or influence for the purpose of endorsing, promoting, or interfering with an election or a nomination of office or coercing or influencing another person's vote or affecting the result thereof.
- No County employee shall directly or indirectly coerce or attempt to coerce, command, or advise any employee to pay, lend, or contribute any part of his salary, or any money or anything else of value to any party, committee, organization, agency or person for political purposes.

Contributions, which are strictly voluntary in nature for political purposes, are permitted.

- No County employee shall directly or indirectly coerce or attempt to coerce, command or advise any such employee as to where he/she might purchase commodities or to interfere in any other way with the personal right of said employee.



All employees retain the right to vote as they may choose and to express their opinions on all political subjects and candidates.

You may express opinions on candidates or issues and participate in political campaigns only during off-duty hours. You can not take part in any political campaign while on duty, in uniform, or while wearing Montgomery County Government insignia, or within any period of time during which you are expected to perform services for which you receives compensation from the County.

Federal Hatch Act

The Federal Hatch Act may extend to County employees whose principal employment is in connection with an activity which is financed in whole or in part by loans or grants made by the United States. Such employees may not:

- Use his/her official authority or influence for the purpose of interfering with, or affecting the results of an election or nomination for office.
- Directly or indirectly coerce, command, or advise another employee to pay, lend or contribute to a party, committee, organization, agency or person for political purposes.
- Be a candidate for public elective office in a partisan election (candidacy for political party office is not prohibited).

Insurability

All employees whose duties require driving must be insurable at standard automobile insurance rates at all times to keep their jobs. This means you need to keep a good personal driving record to protect your job.

- Drive safely at all times, both on and off the job.
- If you have traffic violations that take you out of

the standard auto insurance rate, you risk losing your job.

- If your job requires driving, and you are ticketed for driving under the influence of an intoxicating substance, you risk losing your job.

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SAFETY

Montgomery County Government takes safety very seriously, and works hard to provide a safe workplace for employees. To help keep this safe environment, it is very important that you immediately report unsafe conditions or violations of safety rules. In addition, Montgomery County Government believes that the prevention of accidents must be an integral part of every employee's job and must be considered equal to all other responsibilities.

Safety rules are established for our benefit to:

- prevent accidents and injuries;
- minimize the possibility of fire;
- protect County property; and
- provide a clean, respectable place for us to work.

Each of us has a personal responsibility to Montgomery County Government, our fellow employees, and to ourselves to maintain high standards of order, safety and cleanliness. This responsibility includes ensuring that we understand and strictly follow safety rules and safe work practices. However, it is also essential that everyone take an active role in finding ways to continually improve the safety of Montgomery County Government.

All Department Heads and Elected Officials are be committed to fostering safe work practices in their area. Your area or job may have special requirements to ensure safe operation. If there are any questions regarding safe operation, check with your immediate supervisor before proceeding.

General Safety Rules

- You should work in a safe manner, using common sense and safety awareness when performing their job.

- You should use proper lifting procedures, and obtain help, physical or mechanical, if the load is too heavy.

- Possessing, consuming, offering for sale or trade, or being under the influence of alcoholic beverage or illegal drugs while on Montgomery County Government property is strictly prohibited.

- Intimidating, fighting, or threatening other employees or supervisor, or possessing, using or threatening to use weapons or any instrument as a weapon is strictly prohibited.

- Horseplay and practical jokes of any kind will not be tolerated.

- Due to the possibility of a fire hazard, open flames such as candles, are not allowed inside Montgomery County Government owned buildings (exception may be allowed for use by food services or others providing receptions/catered events).

- “Danger,” “Caution,” and warning tags and signs must be strictly observed.

- You, and all employees, have a personal responsibility to keep your work areas clean and orderly and to dispose of all litter and refuse in proper containers.

- Access to fire extinguishers, hoses, alarms, exits, and emergency equipment must be kept clear and free of obstruction at all times.

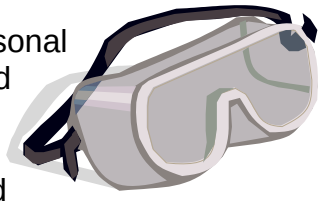
- You are responsible for the care and use of all items of personal protective equipment (if applicable) issued for your assigned task. Damaged or inoperable equipment must be reported immediately.

- You should not attempt to operate machinery unless qualified and authorized to do so.

- You shall not operate any machinery unless appropriate safeguards are in place and the machine is in proper working order. You shall not by-pass or otherwise alter any machine safeguard.

- You shall not put their hands into moving machinery and shall follow the safe work practices established for the job being performed.

- When handling chemicals, appropriate personal protective equipment is required. Goggles and gloves are the minimum requirement.

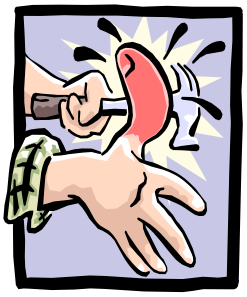


- Lock Out/Tag Out procedures must be used whenever maintenance is being performed on equipment.

- Always keep a lookout for potential hazards, unsafe conditions, and unsafe practices. If an unsafe condition or accident occurs (even if no one is injured), you should report it to your immediate supervisor as soon as possible. Then you should make sure the situation is fixed.

- If it isn’t, or you not sure about it, you must document your report in writing to your Department Head, Elected Official or to Risk Management located in Human Resources.

Accident Reporting & Investigation



All accidents, regardless of severity, should be reported to your immediate supervisor/manager. Your supervisor will provide immediate and temporary first aid. If care beyond first aid is required or if there are questions regarding proper care, your supervisor will arrange for transportation or emergency treatment. You should report all injuries to your supervisor immediately and complete any appropriate paperwork.

Emergency Situations

It is our goal at Montgomery County Government to maintain a safe work environment for our community and employees through employee training and protection as well as the communication of issues which may involve employee risk.

Threats or Acts of Violence

Threats or acts of violence against County employees and/or property will not be tolerated. A threat is a perceived or received indication from a source of danger, harm, etc., or an imminent danger directed at individuals or property. A threat may be:

- An individual displaying or describing behavior potentially harmful to County owned or leased property;
- An anonymous or source-identified telephone call received by any member of the County;
- The unauthorized presence of individuals at County facilities accompanied by a threatening action;
- Actual verbal/physical threat received by any individual, staff or patron.

Acts of violence are usually unpredictable and occur quickly. These situations can be life threatening, can involve minor or serious personal injury, can cause minor or extensive property damage, and can easily create panic and hysteria among patrons and/or personnel. Upon observation of or receipt of a threat or act of violence, **call 911**.

Media Relations

Make no contact with the media. If you are contacted by the media state politely, “I am not able to comment at this time, please contact our Public Information Officer.”

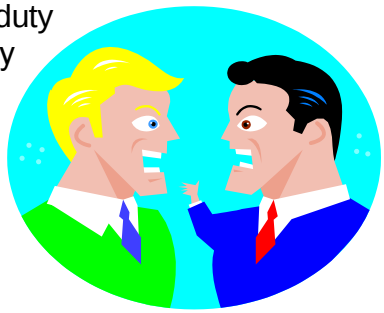
Individual Situations

While we do not expect you to be skilled at identifying potentially dangerous persons, you are expected to exercise good judgment and to inform their supervisor, Human Resources or the Sheriff's Department if any individual (employee or non-employee) exhibits potentially violent or destructive behavior which could lead to a potentially dangerous situation. Such behavior includes:

- Bringing, or the discussion of bringing, weapons to the workplace (excludes a sworn officer of the law);
- Displaying overt signs of extreme stress, resentment, hostility, anger, or intimidation;
- Making threatening remarks;
- Sudden or significant deterioration of performance;
- Displaying irrational or inappropriate behavior.

Workplace Violence (Employee or Non-employee)

Montgomery County Government strives to provide a workplace for you and your co-workers that is free from violence by establishing preventative measures, holding perpetrators of violence accountable and by providing assistance and support to victims. Committing violent acts, whether on-duty or off-duty, has the potential to impact an employee's ability to perform their job.



Workplace violence is defined as those situations in which violent behavior is being displayed or is likely. Violence may come from strangers, personal relationships or co-workers.

As an employee of Montgomery County Government you violate our Workplace Violence policy if you:

- engage in workplace violence as defined herein;
- use, possess or threaten to use an unauthorized weapon during a time covered by this policy; and
- misuse authority vested to any employee of Montgomery County Government in such a way that it violates this policy.

A violation of this policy shall be considered unacceptable personal conduct as provided in the Discipline Policy in this handbook. Acts of violence, as defined herein, may be grounds for disciplinary action, up to and including termination.

An act of off-duty violent conduct may also be grounds for disciplinary action, up to and including termination. In these situations, the County must demonstrate that the disciplinary action, suspension or termination is supported by the

existence of a rational nexus between the type of violent conduct committed and the potential adverse impact on a County employee's ability to perform the assigned duties and responsibilities.

What to Do

You should take the following actions when involved in a workplace disturbance:

- Consider personal safety first if guns/weapons are used. Stay out of range, move away from windows and doors, lie flat on the floor, and do not confront subject.
- Do not restrain the suspect if this will put you or others in immediate danger.
- If possible, call 911 and explain the situation.
- Remain as calm as possible. Do not speak unless spoken to and do not argue.
- If the person wants to engage in conversation, try to calm and stall him/her until emergency personnel arrive.
- If the suspect is attempting to locate a particular employee/office, make an attempt to notify the individual or office and give such information to the 911 operator. **DO NOT DIRECT THE PERSON TO THE INDIVIDUAL OR OFFICE.**
- Try to direct the suspect away from crowds or larger groups of employees.
- Be prepared to secure facility if the suspect leaves.
- Look for identification marks on subject.
- When threat is no longer present, notify 911 as soon as possible.

Reporting Procedures

Any potentially dangerous situations must be reported immediately. If possible, notify a supervisor or the Sheriff's Department. Reports or incidents warranting confidentiality will be handled appropriately and information will be disclosed to others only on a need-to-know basis. The County shall actively intervene at any and all indications of a possibly hostile or violent situation.

Dangerous/Emergency Situations

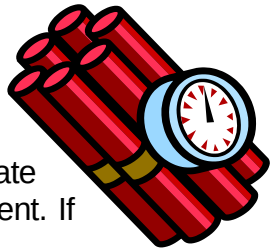
If you come in contact with or encounter an armed or dangerous person, you **should not** attempt to challenge or disarm the individual. **Call 911**. You should remain as calm as possible, make constant eye contact, do not speak unless spoken to and do not argue. If a supervisor can be safely notified of the need for assistance without endangering the safety of yourself or others, such notice should be given. Otherwise, cooperate and follow the instructions given.

Definitions

- **Workplace Violence** includes, but is not limited to, intimidation, threats, physical attack, domestic violence or property damage and includes acts of violence committed by County employees, clients, customers, relatives, acquaintances or strangers against County employees in the workplace.
- **Intimidation** is engaging in actions that includes but is not limited to stalking or behavior intended to frighten, coerce, or induce duress.
- **Threat** is the expression of intent to cause physical or mental harm. An expression constitutes a threat without regard to whether the party communicating the threat has the present ability to carry it out and without regard to whether the expression is contingent, conditional or future.
- **Physical Attack** is unwanted or hostile physical contact such as hitting, fighting, pushing, shoving or throwing objects.
- **Domestic Violence** is the use of abusive or violent behavior, including threats and intimidation, between people who have an ongoing or prior intimate relationship. This could include people who are married, live together or date or who have been married, lived together or dated.
- **Property Damage** is intentional damage to property and includes property owned by the County, employees, visitors or vendors.

Bomb Threat

You **should not** move, tamper or attempt to disarm a suspected bomb or explosive. **Do not** touch or go near the object once it is discovered! **Call 911**.



Once notified of a bomb threat, you should:

- Do a quick visual search (while exiting) of the immediate area to see if any unusual packages or devices are evident. If any are seen, report to the Incident Commander.
- NOT use phones of any type (landlines or cell) or any type of radio communications.
- NOT turn any lights on or off.
- NOT use camera flashes, copiers, or any electrical equipment.
- Evacuate the building according to the evacuation plan or any special instructions **BUT** only after you have been informed to evacuate.

Fire

If you denote a Fire Emergency in your area, **Call 911** the follow the R-A-C-E procedure:

- Rescue anyone in danger
- Activate the fire alarm
- Contain the fire by closing doors
- Evacuate to designated assembly areas

Immediately evacuate upon hearing the fire alarm. Move to assigned division assembly area, take clients, co-workers, visitors with you and leave disabled in stairwells. Do not use the elevator in the case of a fire.

Chemical Spill

In the event of a hazardous material spill/release or bioterrorism alert in your area immediately notify member of management; follow instructions and don't leave building without authorization.

Basic Security Guidelines

The following security considerations are offered to assist you in your responsibilities in maintaining a secure workplace.

- Be alert to anyone loitering near the office for no apparent reason; such places as parking areas, walkways, entrances/exits and service areas are generally where "strangers" might congregate. Report any suspicious person(s) or activities to your supervisor.
- Questionable mail which renders threats or is objectionable in any way should be treated differently. Immediately upon recognizing such correspondence, do not unnecessarily handle it but isolate it, and if possible, place it in a plastic cover or folder. Notify your supervisor.
- Do not advertise the travel plans of your supervisor, and/or co-workers. Treat travel itinerary as a confidential matter.
- Maintain control over all lockable files and/or cabinets. Secure them at the close of business or when called away from your work area for a prolonged period. Do not leave keys in or around your desk.
- Do not place valuable personal articles in or around your work station which will be accessible to transient employees and non-employees through the work area.
- Safeguard all County confidential material/memorandums. Properly safeguard their integrity.
- Clear away your own work area and make sure that your immediate area of accountability is properly secured each day at the close of business.

Inclement Weather Conditions

If an emergency or severe weather conditions exist which affect normal operations, Montgomery County Government may make a decision not to open the facility, to delay, or to discontinue operations temporarily. It is our intent to remain open each working day unless it is clearly impossible to do so.

Announcements of any closings or delays will be made through the local radio and television stations. When you lose work hours due to an official County delay, early closure or if the County declares a full day weather closing, you will be paid for the hours you were scheduled to work. You are not required to use earned time to pay for such absences. Employees on previously approved sick or annual leave, travel or training are not affected by the closing and are not eligible for the paid administrative leave.

If you conclude that you must arrive late or leave work early when no official closing has been announced, with supervisor approval, you can:

- Make up the time within the pay week from the occurrence of the absence; or
- Take annual leave or compensatory time for lost hours; or
- Take leave without pay for the lost hours.

Time off due to the announced closing shall not be considered as time worked for overtime compensation purposes. Overtime is paid on time worked, not time compensated.

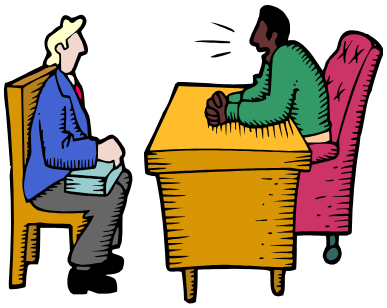
There are certain departments and personnel essential to the protection of life and property, Highway Department, Bi-County landfill, EMS, E-911, Sheriff's Department, Jail, etc. and the continuation of Montgomery County Government. Your supervisor will communicate to you positions within your department designated as essential operational personnel.

COMMUNICATIONS

Employee Problems and Complaints

In any situation where people are working together, disagreements or misunderstandings will occasionally arise. When this happens or whenever you feel a Montgomery County Government policy has been incorrectly applied, the best course of action is to discuss these differences in an attempt to reach a prompt and fair resolution of the problem.

If you are having a problem or question related to the work, supervisor, or co-worker should use the Open Door Policy by first discussing the matter with your immediate supervisor as soon as possible. These are the people who are responsible for the work assignments in their areas and are usually your best sources of information.



- If your supervisor seems unwilling or unable to address the matter, you have the option to discuss your concerns with your Department Head or Elected Official.
- If your problem or complaint is a situation that constitutes a violation of Federal, State or local laws and the Department Head or Elected Official seems unwilling or unable to address the matter, you have the right to discuss your concerns with the Director of Human Resources.
- You can also ask to speak to any other supervisor or Human Resources, without your supervisor being present. However, in this case, the person with whom you meet has the right to share information from this meeting with your supervisor.

Public Information and Media Relations

Montgomery County Government makes every attempt to cooperate as fully as possible with news media inquiries and communicate truthfully with the media on County matters appropriate for public knowledge.

To avoid duplication of information disclosed, to manage content and timing of information released, and to maintain accurate records of media contact, you should coordinate requests for interviews and information through the Public Information Officer. Requests shall be directed to the County Mayor's office during the Public Information Officer's absence. This includes all forms of media

requests from television, radio, newspaper, or other media for requests for information, interviews, photography, and video taping with County employees, Commissioners, or Elected Officials.

Requests of a routine or non-controversial nature (e.g. reports, statistical or background information) should be handled according to departmental procedure.

This is not intended to hinder communications between media representatives and emergency response personnel during the course of newsworthy events (e.g. traffic accidents, power outages, natural disasters, or occurrences of an event likely to affect large segments of the population for brief periods of time).

Media representatives will sometimes stop at worksites to investigate activities; when this occurs they should be referred to the appropriate Department Head or Elected Official or the Public Information Officer if the work is of a sensitive or controversial nature. Media representatives or television crews arriving unannounced at a Department office with the intent of securing an interview should be referred to the appropriate Department Head or Elected Official Public Information Officer.

You may answer brief, non-controversial, questions from the media related to the day-to-day operation or services with clearance from your Department Head or Elected Official. In this case you should show mature judgment and discretion in deciding what material is appropriate to release. This does not apply to personnel or financial information which shall continue to require clearance from the appropriate departments before release.

Confidentiality

In the course of your work, you may have access to confidential information about Montgomery County Government, elected officials or other employees. It is your responsibility to keep any confidential information confidential. This does not include information that is routinely made open to the public. If you have any doubt, don't disclose the information and contact Human Resources.

Solicitation and Distribution

In order to prevent disruption in the operation of Montgomery County Government, interference with work and inconvenience to other employees; employees shall not engage in solicitation or distribution of literature of any kind during working time. Working time, unlike meal periods and rest periods, is for work. Working time does not include break time, meal periods, or other periods during which employees are not required to perform their job duties.

Distribution by Non-Employees

Non-employees of the County are prohibited from distributing literature of any kind on County premises, including common areas, break rooms and bulletin boards. Persons who are not employed by the County are prohibited from soliciting funds or signatures, conducting membership drives, distributing gifts, offering to sell merchandise or services, or engaging in any other solicitation or similar activity without prior approval of the Department Head or Elected Official. If such sales interfere with work activities, they will be stopped.

Distribution by Employees

In order to prevent disruption in the operation of Montgomery County Government, interference with work and inconvenience to other employees; employees shall not engage in solicitation or distribution of literature of any kind during working time. The only exception to this rule pertains to children of employees who, within reason, sell fund raising items for school, athletics or leadership organizations (e.g. Boy Scouts, Girl Scouts, Cub Scouts, Sheriff's Reserve, etc.) such as candy, Christmas items, fruit, etc. within the employee's own department and with the approval of the Department Head or Elected Official. If such sales interfere with work activities, they will be stopped.

Employees who are not on working time, such as employees who are on a lunch or rest break, may not solicit any employee who is on working time for any cause or distribute literature of any kind to that person. Solicitations during non-work times such as scheduled coffee breaks or lunch period, and in non-work areas, although discouraged, are not restricted.

Montgomery County Government maintains bulletin boards to communicate only official County information to employees and to post notices required by law. These bulletin boards are for the posting of County information and notices only, and only persons designated by the Department Director, Elected Official or the

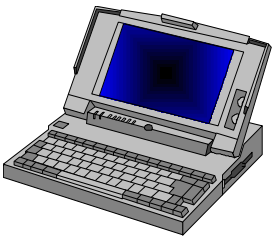
Human Resources Department may place notices on or take down material from the bulletin boards.

Violation of this policy shall be considered unacceptable and may be grounds for disciplinary action, up to and including termination.

Departmental collection of money for co-workers to be used for wedding gifts; baby showers; flowers for employee hospitalization, birthdays, or deaths; traumatic events; etc. is not considered a violation of this policy. Participation is strictly voluntary and there will be no discrimination against employees because of their willingness or unwillingness to participate. Employees shall not engage in this activity during work time and collection is at the discretion of the Department Head or Elected Official. If such activity interferes with work activities, they will be stopped.

Electronic Communications and Internet Usage

The Internet is a large network that links millions of computer users, including many public, government, corporate, commercial, and educational sites. Internet users can access and share a great deal of information. This makes the Internet an important resource for Montgomery County Government and its employees in the conduct of County Government business. But we need to make sure the Internet is used properly.



Because the Internet is a public forum, as opposed to a private or secure network, Montgomery County Government may be held accountable for the abusive, inappropriate or unethical behavior of employees who access the network from County facilities. For this reason, we want to clearly identify what is, and what is not, acceptable use of the Internet.

Montgomery County Government provides employees with different kinds of electronic communication devices that help us be more efficient and maximize our business efforts. These include, but aren't limited to, computers, e-mail, Internet access, fax machines, telephones, voice mail, and pagers. All electronic communications and Internet technology, including all software and hardware, remain the sole property of Montgomery County Government.

Employees do not have personal privacy rights when it comes to information composed, created, received, downloaded, retrieved, stored, or sent using Montgomery County Government's electronic communications devices, except as excluded by "Intellectual Property" rights. While the County respects the privacy and security needs for all individuals, authorized County representatives

has the right to access and review electronic files, messages, mail, etc. for legitimate business reasons.

Electronic communications and the Internet are for use on job-related activities. However, it is okay to use e-mail and the Internet for personal (not for profit) use on a very limited basis. But remember, this is a privilege. Any and all communications may be monitored, and if you abuse this privilege, the County may take it away from you.

You should also keep in mind that any personal e-mail you compose or receive on the system could be read, just like all other system e-mail. All information handled on our systems (including your personal e-mail) could be made available to another party, such as law enforcement. So make sure the information in your e-mails is accurate, appropriate, ethical, and lawful.

E-Mail and Voice Mail

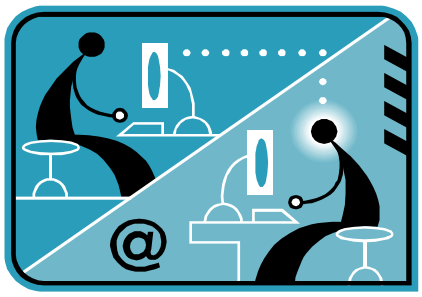
Using communication devices in any manner that is discriminatory, harassing, obscene, illegal, or against Montgomery County Government policy is a violation. Any information you compose, transmit, access, or solicit electronically and through e-mail and/or voice mail message may not contain content that may be reasonably considered discriminatory, slanderous, offensive, obscene, threatening, harassing, intimidating, or disruptive to any employee or other person.

- Other examples of unacceptable content may include, but aren't limited to, viewing or exchanging pornography or other obscene materials; making sexual comments or images, racial slurs, gender-specific comments, or any other comments that would offend anyone on the basis of his or her race, age, sexual orientation, religious or political beliefs, national origin, disability or any other characteristic protected by law; sending or posting messages that defame or slander other individuals; sending or posting discriminatory, harassing, unwelcome or threatening messages or images to employees or others.

Please keep in mind that using County facilities or equipment in an abusive, unethical or inappropriate way will not be tolerated. An employee who engages in such behavior could lose communications, Internet, or e-mail privileges. That employee could also face other disciplinary action and lose his/her job.

Personal Web Sites and Web Logs

Personal web sites and web logs (blogs) have become methods of self-expression in our culture. Montgomery County Government respects the right of employees to use these mediums during their personal time. If you choose to identify yourself as a County employee on a web site or web log, you must adhere to the following guidelines:



- Make it clear to the readers that the views expressed is yours alone and that they do not necessarily reflect the views of Montgomery County Government.
- Do not disclose any information that is confidential or proprietary to Montgomery County Government or to any third party that has disclosed information to Montgomery County Government. Consult the County's confidentiality policies for guidance about what constitutes confidential information.
- Uphold Montgomery County Government's value of respect for the individual and avoid making defamatory statements about County government employees, elected officials, constituents, affiliates and others.
- Not allow blogging to interfere with your job or commitments.

If your blogging activity is seen as compromising to the County, you will be asked to cease of such commentary and you may be subject to counseling and, potentially disciplinary action, up to and including termination.

Cellular Telephones

If your job responsibilities include regular or occasional driving and you are issued a cell phone for business use, you are expected to not use your phone while driving except with speaker phone assistance. Safety must come first before all other concerns.

Regardless of the circumstances, including slow or stopped traffic, you are strongly encouraged to pull off to the side of the road and safely stop the vehicle before placing or accepting a call. If acceptance of a call is unavoidable and pulling over is not an option, you are expected to keep the call short; use the provided hands-free options (i.e. car mounts, headsets); and keep your eyes on the road. You should take special care in situations where there is traffic, inclement weather or

if you are driving in unfamiliar area. Under no circumstances should employees place themselves at risk to fulfill business needs. If you are charged with traffic violations resulting from the use of their phone while driving you will be solely responsible for all liabilities that result from such actions.

Cell phones may be provided to you to improve customer service, enhance business efficiency, and provide safety and/or security while on required business travel. The phones are not a personal benefit and shall not be a primary mode of communication.

Use of cell phones (personal or issued by Montgomery County Government) is strictly prohibited in restrooms, changing rooms (any area where employees expect privacy), and other areas where credit cards or other sensitive personal information is kept.

Personal Cellular Telephones

You may carry personal cellular phones with you while on Montgomery County Government time but excessive use of personal cellular phones for personal business during duty hours is not allowed. While at work you are expected to exercise the same discretion in using personal cellular phones as is expected for the use of company phones.

The County does not encourage employees to use their personal cellular telephones for County business. Use of these telephones for County business is strictly voluntary on the part of the employee. **The County is not liable for the loss of or damage to personal cellular phones brought into the workplace.**

Camera Phones

You are strictly prohibited from using camera and video phones to take photos or videos in restrooms, changing rooms (any area where employees expect privacy), and other areas where credit cards or other sensitive personal information is kept. You will be disciplined on a case-by-case basis and appropriate disciplinary action will be taken for violation, up to and including termination.

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EMPLOYEE RESPONSIBILITIES

Performance Guidelines

There are general performance guidelines that govern our conduct at work, just as there are laws to govern our conduct in a community. Our guidelines are generally stated with the understanding that you will use good judgment and exercise personal responsibility for your actions. We want our employees to:

- Achieve set goals and look for opportunities to improve performance;
- Be honest in dealings with Montgomery County Government, the community, and co-workers;
- Support and follow our policies, guidelines and philosophies;
- Exhibit professionalism in our conduct and appearance; and
- Refrain from actions that are negative or disruptive.

Performance Reviews

Performance feedback is a continual process between you and your supervisor to foster growth, learning and change. Periodically, performance information is communicated and documented in a formal performance review process. We intend to review the performance of new employee's after six (6) months of employment (review only), and then again on your one year anniversary. Thereafter, each employee is normally reviewed annually. A performance review is an excellent opportunity to openly discuss where you stand and how you are contributing to the success of Montgomery County Government.

Attendance and Punctuality

Why is this so important? We are all members of a team, and no team does its best unless everyone is ready to work on time. This means you should always show up on time and be ready for work.

- If you have to be late or miss work, make sure to call your immediate supervisor with as much notice as soon as possible, at least 30 minutes before and not later than 15 minutes after the start of work on the first day of absence. Follow any additional guidelines set by your supervisor concerning late/absences.
- Be sure your supervisor gets your messages; do not rely upon your co-workers delivering your message. Calls from relatives on the employee's behalf are unacceptable unless the employee is physically unable to call.
- You are expected to complete your scheduled work shift. Failure to complete a scheduled work shift without permission may result in disciplinary action.
- You are expected to leave for and return from breaks and lunch within a specified time schedule. Exceeding the time schedule set for lunch and breaks may result in disciplinary action.

Employees who aren't at work, or who are always late, places your co-workers and department at a disadvantage. Because of this, employees who are repeatedly late for work, or who have unexcused absences from work, will be disciplined. They could even lose their jobs.

If you have to miss three or more days of work for medical reason, you need to give your supervisor a written statement from your doctor stating that you must miss work. In addition, the County may ask that you provide a note from your doctor saying that you are medically able to return to work.

Progressive discipline will be used to address absentee problems. It may be necessary to terminate your employment if you have been absent because of continuing instances of illness or injury; such terminations are made necessary because of the need to plan and complete the work of the department or section.

Unexcused Absences

If you have two or more unexcused absences in a thirty-day period or, three or more unexcused absences in a sixty-day period, your supervisor will address your attendance by issuing a written warning.

Tardiness or Early Departure

If you have three or more unexcused tardies/early departures in a thirty-day period or four or more unexcused tardies/early departures in a sixty-day period, your supervisor will address your attendance by issuing a written warning.

No Call, No Show

If you have not reported to work as scheduled and have not informed the department of your absence within fifteen (15) minutes of shift time you will receive a written warning for the first occurrence. The second occurrence of no call/no show without a valid excuse will result in further disciplinary action up to and including termination of employment.

Job Abandonment

If you do not come to work, have not or do not obtain approval to be absent for three consecutive work days the County will have no other choice than to consider that you have abandoned your job and self-terminated. When employees abandon their jobs, they will be terminated immediately and will not be considered as “resigning in good standing” and not eligible for reemployment.

Performance Discipline and Corrective Action

Montgomery County Government has adopted a positive, progressive policy that allows you every opportunity to meet the requirements of the job, and the policies and regulations pertaining to continued employment. The County reserves the right, at their discretion, to recommend immediate discharge for violations that are of a serious nature or any other type of misconduct.

Whenever an employee's breach of work rules, misconduct, poor performance, or other unacceptable conduct comes to the attention of the County, you may receive a verbal or written disciplinary warning. Such warnings are intended to make you aware of the seriousness of the problem and the need for immediate corrective action. All warnings will be delivered privately in both oral and written form. You will be asked to sign any written warning and will be given a copy. In addition, a copy of the written warning will be placed in the employee’s personnel file.

Corrective Counseling

When appropriate, Montgomery County Government utilizes a corrective counseling approach to deal with conduct or performance issues. Your supervisor may determine to take other disciplinary action deemed appropriate under the circumstances, including demotion, suspension or termination of employment in lieu of a warning.

Step One: Verbal Warning

A "verbal" warning is an informal discussion of marginal performance or unacceptable conduct and is normally the initial step in the progressive discipline process. This counseling is documented but if no further infraction occurs, does not have to be filed in your Personnel File.

Step Two: Written Warning

Written warnings are initiated when counseling fails to produce the desired result and serve as formal notices of unacceptable performance or conduct. Your immediate supervisor will state the concerns in writing and in detail (where appropriate, identifying specific policies or job description items), discuss expectations, and inform you that repeated infractions or failure to improve performance will result in further action up to and including termination.

Step Three: Second (Final) Written Warning

A second (final) written warning may be issued for the same or for other performance/conduct concerns. This stage will provide you with written documentation that further infractions might result in termination of employment. This final written warning is usually issued before termination is considered. A final written warning prevents pay increases or promotions for six (6) months from the date of issuance. This step may be skipped depending on the severity of the infraction.

Suspension

Suspension may be used either as another step in progressive discipline or as a separate disciplinary action resulting from a serious violation.

Step Four: Termination

For employees with repeated violations of County policies, termination may be the only recourse.

Active Status of Warnings

All warnings remain active for twelve (12) months from the date of issuance. At the end of 12 months a warning becomes inactive if no other warnings have been issued. An inactive warning may not be used in further disciplinary action, although warnings will remain in the Human Resources file indefinitely.

If you believe a warning is not justified, you are entitled – and encouraged – to freely discuss the situation with your supervisor.

Immediate Termination

To ensure orderly operations and provide the best possible work environment, the County expects you to follow basic rules of conduct that protect the interest and safety of all employees. However, there may be certain things an employee does that are by nature so serious that employment may be terminated immediately, without previous warnings. Some types of disciplinary problems are sufficiently severe to warrant immediate termination without previous warnings.

This list of offenses and behaviors is not intended to be all inclusive and other types of offenses will be handled in a like manner:

- Violation of the County's substance abuse policy.
- Fighting (not including self-defense) or using obscene, abusive, threatening language or gestures.
- Theft of property from co-workers, residents or from Montgomery County Government.
- Unauthorized possession of any dangerous weapon on County owned or leased premises or while on County business.
- Blatant disregard for safety or security regulations and practices that endanger the safety of self, other employees, visitors, or constituents.
- Negligence or improper conduct leading to damage of County owned or leased property.
- Refusal to perform a reasonable work assignment.
- Falsifying employment or other County records including time sheets.
- Violating the County’s nondiscrimination and/or non-harassment policies.
- Excessive, unnecessary, unauthorized use of County supplies or equipment, particularly for personal use.
- Unauthorized use of County personnel or facilities for personal gain.
- Unauthorized use of telephone services and long distance services.
- Violation of the County's Electronic Communication Policy.
- Conviction of a criminal felony offense.
- Criminal convictions for acts of conduct on or off the job which are related to job performance or are of such a nature that to continue the employee in the assigned position could constitute negligence to the county’s duties to the public or to other employees.

Any employee arrested and charged with a criminal offense may, upon investigation of the charges by the Elected Official or Department Head, and in consultation with the Human Resources Department and the County Attorney, be retained in work status, suspended pending final disposition of the case, or be terminated from employment.

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EMPLOYEE BENEFITS

Your Group Insurance Benefits

Montgomery County Government has established a variety of employee benefit programs designed to assist you and your eligible dependents in meeting the financial burdens that can result from illness and disability, and to help you plan for retirement. The various benefit programs are not only an important part of your compensation; they also provide security and protection for you and your dependents.

This portion of the handbook contains a very general description of the benefits to which you may be entitled as an employee of Montgomery County Government. Please understand that this general explanation is not intended to, and does not, provide you with all the details of these benefits. Therefore, this handbook does not change or otherwise interpret the terms of the official plan documents. Your rights can be determined only by referring to the full text of the official plan documents, which are available for your examination from the Human Resources Department. To the extent that any of the information contained in this handbook is inconsistent with the official plan documents, the provisions of the official documents will govern in all cases.

Please note that nothing contained in the benefit plans described herein shall be held or construed to create a promise of employment or future benefits, or a binding contract between Montgomery County Government and its employees, retirees or their dependents, for benefits or for any other purpose.

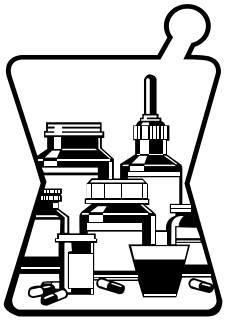
For more complete information regarding any of our benefit programs, please refer to the Summary Plan Descriptions, which were provided to you separately or contact the Human Resources Department. If you lost or misplaced those descriptions, please contact the Human Resources Department for another copy.

Health Benefits

Montgomery County Government offers all full and part time employees and their eligible dependents health insurance coverage for treatment of non-work related illness or injury. You are eligible to participate in the group insurance plan immediately; coverage is effective the first of the month following the month in which you begin employment. Although Montgomery County Government pays the largest portion of the insurance cost for employees, you are also expected to share in the cost of health benefits. Employee may chose to pay their share of

the premiums on a pretax basis, which enables all of us to work together to contain health costs.

Providing affordable, comprehensive benefits for employees and their families is an important goal for Montgomery County Government. Several plans, including medical, dental and vision plans are available tailored to fit individual needs. Flexible Spending Accounts are offered as a special way to pay for health care and/or dependent care expenses with pre-tax dollars.



Complete and official details of insurance plans are contained in the group benefit handbook, which you will receive during benefit orientation. During that orientation, our group insurance programs will be discussed and enrollment materials will be provided so that you can determine your costs for your selected coverage. The descriptions in this handbook are only brief summaries.

Each year you will have an opportunity to change the health care coverage that you initially select. Otherwise, no changes will be made unless a family status change has occurred. In order to ensure your benefits are kept current, it is important that any family status changes (births, deaths, marriages, divorces, or loss of spouse's job) be reported to Human Resources promptly.

The following benefits are summarized in separate booklets and/or Summary Plan Descriptions (SPDs) available to all eligible employees:

- Medical, Prescription, Vision and Dental Insurance
- Life/ AD&D Insurance
- Long-Term Disability Insurance
- Short-Term Disability Insurance
- 401(k) Savings Plan and Supplemental Retirement Plans
- Section 125 Flexible Spending Accounts
- Supplemental Employee Purchased Insurance

Employer Contribution to Employee Benefits

Currently the County pays 85% of a regular full-time employee's health insurance and 75% of a regular part-time employee's health insurance. You pay 100% of your dental and vision insurance. You may opt out of medical insurance coverage without proof of coverage on another plan.

Insurance Deductions

All insurance deductions will be taken out one month in advance. Insurance payments are due the first of the month; therefore, the payment must be deducted in advance as to schedule payment at the proper time.

Open Enrollment

An open enrollment for the medical, vision, dental and Section 125 plans is held annually to allow employees to switch plan options, or to add or delete coverage. Employees are not permitted to make such changes to their insurance plans at other times during the year unless a change in family status occurs. Assignment of employer benefit dollars is only allowed during open enrollment; benefit dollar reassignment is not allowed for qualified status events.

Qualified Status Events

"Change in family status" is the Internal Revenue Service rule that allows employees to adjust benefit selections when unforeseen circumstances occur between open enrollments. Only specific events qualify as a change in family status.

Qualifying events include:

- Employee marriage
- Employee gains dependent through birth
- Employee gains dependent through adoption/foster placement
- Employee divorce or annulment
- Employment status change
- Employee/Dependent changes from part-time to full-time
- Employee/Dependent changes from full-time to part-time
- Dependent gains eligibility for insurance in another program after a waiting period
- Dependent moves out of health/dental service area
- Other-than-natural child loses eligibility for the state's insurance program due to moving out of the member’s household
- Death of dependent
- Employee gains Medical Support Order (MSO) to provide coverage for a dependent; a spouse may be covered until the divorce is final
- Employee denied/obligation expires for Medical Support Order (MSO) coverage for a dependent
- Employee /dependent gains eligibility for Medicare/Medicaid
- Employee /dependent loses eligibility for Medicare/Medicaid
- Employee experiences a significant cost change by a day care provider.
- Employee experiences a significant cost change in cost/coverage of a dependent's health or dental plan, excluding HD health or dental.

If a qualifying event occurs, an employee must report it within 30 days, and the family change must relate to the benefit change an employee is requesting. As an example, adding or dropping medical plan dependents is common in the case of birth, marriage, or divorce.

Employees who do not request a change in benefits within the 30-day period following the family change cannot make changes until the next open enrollment period.

The change in family status provision doesn't apply to the health care flexible spending account program. A health care FSA cannot be modified, even if the employee has a change in family status.

Legally Mandated Benefits

A number of benefits are mandated and cover all employees in the manner prescribed by law. These include:

Social Security
Unemployment Insurance
Group Insurance Continuation at Termination
Family Care and Medical Leave
Military Leave

Non-mandated County Sponsored Benefits

The following benefits are detailed in separate sections of this handbook:

Annual Leave
Sick Pay
Holidays
Jury Duty
Bereavement Leave
Voting Leave

Flexible Spending Accounts

IRS Code Section 125 relating to pre-taxed insurance premiums also allows for other pre-taxed plans. Montgomery County Government has the following plans for eligible employees to participate in if they so choose:

- Medical, Prescription, Vision and Dental Insurance
- 401K/457 (Deferred Compensation)

Group Health Plan Continuation Coverage – COBRA

If you leave Montgomery County Government for any reason other than termination for gross misconduct on your part, you and your eligible dependents are eligible to continue to be covered by the County's health plan.

In addition, your eligible dependents may continue coverage under County's health plan if they cease to be covered as your dependent by reason of your death, divorce, legal separation, "aging out" of the plan in the case of children, or because you qualify for Medicare. The qualified person will have to pay the entire premium.

Options for continued health insurance coverage are available for up to eighteen (18) months in the event of voluntary or involuntary termination (except in the event of termination for gross misconduct); up to 29 months in the case of total disability; and up to 36 months for your spouse and/or dependent children in the event of your death, divorce, or legal separation, your coverage ceases under Medicare, or a covered child ceases to be a dependent as defined in the plan.

Since you are in the best position to know if there has been a legal separation or divorce; or whether a dependent child is no longer entitled to coverage; the law provides that **"you or your dependent notify Montgomery County Government within 60 days of the occurrence"** of any one of these events.

Qualifying Events

Should any of the following events occur and a loss of health care coverage under the County's health care plan results, a qualifying event for purposes of continuation of health care coverage would occur:

- An employee is terminated for any reason, other than gross misconduct on the employee's part - qualifying event is for the employee, spouse and dependent child(ren).
- An employee's working hours are reduced to the point that the employee loses some or all of his/her health care coverage under the plan - qualifying event is for employee, spouse and dependent child(ren).
- An employee becomes divorced or legally separated - qualifying event is for employee's spouse and dependent children.
- An employee's spouse is divorced from employee or obtains a legal separation-qualifying event is for employee's former spouse.
- An employee become entitled to Medicare - qualifying event is for employee's spouse and dependent child(ren).
- An employee's dependent child loses dependent status as defined by the plan - qualifying event is for that dependent child.

- An employee does not return to work after Family and Medical Leave Act (FMLA) leave ends - qualifying event is for employee and dependents.

If a qualifying event is experienced, you will be given the opportunity to continue the group health care coverage you had at the time the qualifying event occurs. The coverage that you will be offered is the same coverage offered to similarly situated plan beneficiaries that have not experienced a qualifying event, which includes any changes that occur within the plan while you are under continuation coverage. You are responsible for the same deductibles and co-payments under the plan that you were responsible for before coverage was lost.

Employee Assistance Program (EAP)

Montgomery County Government cares about the health and well-being of its employees and recognizes that a variety of personal problems can disrupt their personal and work lives. While many employees solve their problems either on their own or with the help of family and friends, sometimes employees need professional assistance and advice.

Through the Employee Assistance Program (EAP), the County provides confidential access to professional counseling services for help in confronting such personal problems as alcohol and other substance abuse, marital and family difficulties, financial or legal troubles and emotional distress. EAP is available to all employees and their immediate family members offering problem assessment, short-term counseling and referral to appropriate community and private services.

EAP is strictly confidential and is designed to safeguard your privacy and rights. Information given to the EAP counselor may be released only if requested by you in writing. All counselors are guided by a professional code of ethics. Personal information concerning your participation in the EAP is maintained in a confidential manner.

There is no cost for you to consult with an EAP counselor. If further counseling is necessary, the EAP counselor will outline community and private services available. The counselor will also let you know whether any costs associated with private services may be covered by their health insurance plan. Costs that are not covered will be your responsibility.

Child Care

Montgomery County Government employees may not care for their own children during any working hours at any County facility. The County wants to provide an environment which allows employees to enjoy work and not be distracted by concerns about dependent children. If a dependent child is ill and another adult is available to care for the dependent, you are expected to be at work.

You may use sick days to care for an ill dependent child. Employees with dependents who have a health problem should contact their Department Head or Elected Official concerning eligibility for leave.

Elder Care

Just as some employees need time off in order to care for their children, others need time off to care for an ill parent. If an elderly parent is ill and other sources of care are available, you are expected to be at work. If you need time off to care for an elderly parent you should speak with your supervisor concerning eligibility for leave. Employees may use sick days to care for an ill parent.

Employee Wellness

Montgomery County Government provides you with wellness programs designed to prevent illness, disease or premature death through behavioral and organizational change. The County encourages you to maximize your fitness by including regular exercise in your daily activities, maintain a healthy and well-balanced diet, avoid common health risks and get back to work as quickly as possible after any period of sickness absence.

To support this proactive approach, the County assists you with meeting the reasonable costs of:

- Private health insurance for you and your family.
- Regular health checks by a physician (as approved by health insurance).
- No cost-low cost visits at Montgomery County Government on-site clinics.
- Annual flu vaccinations.

A Healthy Working Environment

In order to promote a healthy working environment, Montgomery County Government does not permit of tobacco products, the use of narcotic stimulants or the consumption of alcohol in any of its premises.

Violence and Bullying

Montgomery County Government operates a policy of zero tolerance towards any form of physical or mental violence between co-workers, supervisors or any individual employed by the County or an elected official of the County. This includes abuse, intimidation, obscene gestures and aggressive, bullying behavior.

The Sensible Limits to Privacy

To protect your own well-being, Montgomery County Government request that you voluntarily inform your immediate supervisor if you suffer from diabetes, epilepsy, asthma or any other condition that may cause you to require assistance from co-workers. It is important that work colleagues are aware of any danger signs affecting your safety and that asthmatics carry their ventilators with them at all times.

Protection from Injury and Exposure to Infection

You should wear any protective clothing supplied in connection with your job during all times that they are subject to the risks for which it was provided. Employees who are called upon to give assistance after an accident at work, or are otherwise involved in handling blood, should always wear gloves.

Protecting Colleagues from Exposure to Infection

Employees who contract influenza or any other readily contagious illness such as mumps, measles, chickenpox or any other airborne contaminant, should remain at home and contact their immediate supervisor, Department Head, Elected Official or designee as soon as possible on the first workday after it has become evident. Exceptions to this rule may occur in the case of hospitalization, or continued attendance at work to meet an urgent commitment. In the later case, you should avoid unnecessary contact with others and return home at the earliest opportunity. Where circumstances allow, it may be possible to arrange for you to work at home.

Professional Development/Educational Assistance

Montgomery County Government encourages our employees to seek additional education in order to enhance their promotion opportunities and increase their skill level in the work they currently perform.

Training and courses selected must be related to your job or part of a work-related curriculum/program, which if successfully completed, will enhance your ability to better perform in your current position or to qualify for advancement at Montgomery County Government.

To qualify for the professional development/educational assistance, you must:

- Be a regular full-time hourly or salaried employee, work 37.5 or more regularly scheduled hours per week and have completed one year of service; and
- Demonstrate the potential to handle increased responsibility.

To qualify for the educational assistance, the course of study must:

- Be offered at an accredited technical school, college or university.
- Be an accredited correspondence school course if full course credits are given when the course is completed.

You should make every effort to enroll in educational courses that are offered during non-working hours. You may use annual leave, compensatory time, or flexible scheduling as worked out with supervisors prior to application and in conjunction with supervisor approval. Work schedule modifications depend on specific job requirements and are subject to supervisory approval. You do not receive any compensation for time nor mileage to and from school.

If you are interested in participating in this program you should contact your immediate supervisor.

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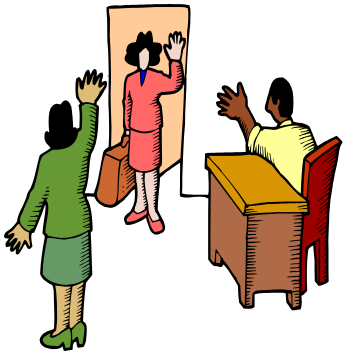
LEAVING MONTGOMERY COUNTY GOVERNMENT

Resignation

You may resign at any time, however, your supervisor and Human Resources would like the opportunity to discuss the resignation before final action is taken. Montgomery County often finds during this conversation that another alternative may be better.



If, after full consideration you decide to leave, it is requested that you notify us in writing of your intent to resign, and the effective date of resignation. This notice should be given at least two weeks prior to the effective date of resignation.

Whenever an employee desires to resign, the County may choose to either allow you to continue to work until the effective date of resignation, request that you cease work immediately depending on the circumstances surrounding the termination, or any mutually acceptable combination of the above. When you resign, all property of Montgomery County Government must be returned.

Revocation of Voluntary Resignation

On occasion, your may wish to revoke the notice of resignation. Revocation of the resignation notice is treated on a case-by-case basis; strictly at the discretion of your supervisor, Department Head or Elected Official. There is no guarantee that the employee may return to the same position.

Post Resignation/Termination Procedures

Your supervisor will make arrangements to schedule a post resignation exit prior to your last day of employment and for arranging the return of County property, which may include:

- County-issued technology
- County-issued credit cards
- County manuals
- Building/Office Keys
- Any additional County-owned or issued property

Exit Interview

We are dedicated to the development and retention of employees. And as such, the exit interview plays an integral part in understanding why employees choose to leave. It's important to capture information about our work environment and the factors that may lead to your choice to leave the County.

You should receive an exit interview survey, along with a self-addressed, pre-paid envelope, within 60 days after leaving the County to complete and return to Human Resources. The survey will solicit information from you about yourself, your department, and management. Additionally, the survey will ask about satisfaction levels with different aspects of the County that may have influenced your decision to leave the County's employment.

Exit interviews are confidential and will be used by Human Resources to improve the County's work environment. In a situation where an employee is being involuntarily terminated, the employee shall not be forced to be complete the survey.

Resignation without Notice Procedure

Employees abandon their jobs when they do not come to work and have not obtained approval or do not obtain permission in a timely way. When employees abandon their jobs, they will be terminated, will not be considered as resigning in good standing, and will <u>not</u> be eligible for:

- paid time after the last day that they worked; and
- reemployment with the County.

Employees who abandon their jobs are eligible for:

- pay for work through the last day of work;
- cash out of annual leave; and
- purchase of benefits under COBRA; with the exception of gross misconduct.

Failure to Call In

Any employee, who does not report to work or call in to the supervisor or Human Resources for three (3) consecutive working days, is considered to have voluntarily resigned without notice. When this occurs, the supervisor must notify Human Resources as soon as possible so that the employee can receive written notification of his/her employment status. Human Resources will notify the employee in writing of his/her employment status. Human Resources will be responsible for delivery of any wages due the terminating employee.

Failure to Return From Leave of Absence

Employees who do not return to active employment at the expiration of an authorized Leave of Absence are considered to have voluntarily resigned as of the ending date of the leave. When this occurs, the supervisor must notify Human Resources as soon as possible so that the employee can receive written notification of his/her employment status. Human Resources will notify the employee in writing of his/her employment status. Human Resources will be responsible for delivery of any wages due the terminating employee.

Benefits

Benefits (Life, Medical and Dental) ends on your last day of employment. You have the option to convert to individual life insurance, and/or to continue Medical/Dental Benefits in accordance with The Consolidated Omnibus Budget Reconciliation Act ("COBRA") regulations.

COBRA

If you leave County Government for any reason other than termination for gross misconduct on your part, you and your eligible dependents are eligible to continue to be covered by the County's health plan.

Options for continued health insurance coverage are available for up to eighteen (18) months in the event of voluntary or involuntary termination (except in the event of termination for gross misconduct); and for up to 29 months in the case of total disability. Refer to the Benefits section for eligible dependents coverage under Montgomery County Government's health plan.

Final Paycheck

You must return all County owned property (office/building keys, technology, etc.), before your final paycheck can be issued. This final paycheck will be mailed during the next normal pay period. If there are unpaid obligations to Montgomery County Government, the final paycheck will reflect the appropriate deductions.

Termination of Employment

Your employment with Montgomery County Government is a voluntary agreement between you and the County. We regret when it becomes necessary to terminate the employment of one of our employees. The length of service standing of an employee shall automatically terminate if any one of the following conditions occurs:

- You resign.
- You are discharged.
- You fail to report for work for three (3) consecutive days without notification.
- You fail to report for work at the termination of a leave of absence or a vacation.
- You signify your intent to leave employment and leave the premises.

Reference Request

Montgomery County Government will limit any response to a legitimate request for reference information of a current or former employee to the following information:

- Current or last position
- Dates of employment

RECEIPT AND ACKNOWLEDGEMENT

By signing this statement, I acknowledge that I have received a copy of the employee handbook issued by my employer, Montgomery County Government. I acknowledge that it is my responsibility to read and comprehend the information contained in this handbook, including the statements in the foreword describing the purpose and effect of the handbook, and to consult with my supervisor/manager if I have any questions concerning its contents.

I understand and agree:

1. that this handbook is intended as a general guide to personnel policies at Montgomery County Government and that it is not intended to create any sort of contract between Montgomery County Government and any one or all of its employees;

2. that this handbook states Montgomery County Government's policies and practices in effect on the date of publication,

3. that Montgomery County Government may modify any or all of these policies, in whole or in part, at any time, with or without prior notice; and

4. that in the event Montgomery County Government modifies any of the policies contained in this handbook, the changes will become effective immediately upon issuance of the new policy by Montgomery County Government.

I further understand and agree that my employment with Montgomery County Government may be terminated by me or by Montgomery County Government at any time, for any reason permitted by law. I understand that no person other than the Mayor (or designee) has any authority to enter into any contract of employment for any specific period of time and further understand and agree that the Mayor (or designee) may do so only in a written document signed by the Mayor and myself.

I understand that as an employee of Montgomery County Government I am required to review and follow the policies set forth in the employee handbook and I agree to do so.

_____ _____

Employee Name (Printed) Date

_____

Employee Signature

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Montgomery County Tennessee
Computer Access Security Agreement

I, _____, hereby acknowledge receipt of my computer access code and my use of them demonstrates my agreement to the following guidelines:

I shall maintain confidential all computer information and resources to which I have access or control.

I shall take appropriate measures to safeguard and protect the information and computer resources of Montgomery County Government that are made available to me.

I shall use the information and computer resources only for authorized Montgomery County Government business and not disclose any information or documentation obtained from, or pertaining to, the Montgomery County Government computer system(s) to any third party, except in the routine lawful conduct of the County's business.

I shall be accountable for and accept full responsibility for all transactions performed using my computer access code.

I shall maintain all computer access codes in the strictest of confidence; immediately change them if I suspect their secrecy has been compromised, and report suspected misuse to the Human Resources Department.

I have read and agree to comply with the guidelines set forth above.

I understand willful violation of, or disregard for, any of these guidelines may result in disciplinary action up to and including the termination of my employment, termination of my business relationship with Montgomery County Government and possible prosecution under the provision of the Computer Crimes Act as cited in T.C.A 39-14-601 et seq.

_____ _____

Employee Name (Printed) Date

_____

Employee Signature

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EMPLOYEE ACKNOWLEDGMENT

I, _____, by my signature, hereby verify that I accept a copy of the Code of Ethics Policy for Montgomery County Government, Tennessee and the Conflict of Interest Disclosure Statement and understand that it is my responsibility to read and comply with its contents.

_____ _____
Employee Name (Printed) Date

_____
Employee Signature

_____
Department

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MONTGOMERY COUNTY CODE OF ETHICS

CONFLICT OF INTEREST DISCLOSURE STATEMENT

Instructions: This form is for reporting personal interests required to be disclosed under Section 3 of the Code of Ethics of this county. Officials and employees are required to disclose personal interests in matters that affect or would lead a reasonable person to infer that it would affect the exercise of discretion of an official or employee.

1. Date of disclosure: _____

2. Name of official or employee: _____

3. Office and position: _____

4. Description of personal interest (describe below in detail):

_____ _____

Signature of official or employee Signature of witness

_____

Printed name of witness

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