



**Shelby County
Tennessee**

**EMPLOYEE
HANDBOOK**

ACKNOWLEDGMENT OF EMPLOYEE HANDBOOK

I acknowledge that I have received a copy of the Shelby County Government Employee Handbook. I agree to read it thoroughly including the 'About This Handbook' section describing the purpose and effect of the Handbook. I agree that if there is any policy or provision in the Handbook that I do not understand, I will seek clarification from the Human Resources Department. Under no circumstances can this Handbook create a contract of employment between Shelby County and an employee. All provisions, limitations, and exclusions are not covered in this Handbook. No rights accrue to any Shelby County employee by any statement or omission from this Handbook. I also understand that this Handbook states the County's policies and practices in effect on the date of publication. Shelby County Government reserves the right to alter or to modify the contents of the Shelby County Employee Handbook at its sole discretion.

Employee

Date

**SHELBY
COUNTY
GOVERNMENT**

EMPLOYEE HANDBOOK

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**THE SHELBY COUNTY HUMAN RESOURCES DEPARTMENT
160 N. MAIN STREET MALL
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**ELECTED OFFICIALS
OF
SHELBY COUNTY GOVERNMENT**

**ELECTED OFFICIALS
OF
SHELBY COUNTY GOVERNMENT**

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Mayor

Shelby County Board of Commissioners
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Chairman

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District 1 Heidi Shafer
District 1 Steve Basar
District 2 Walter Bailey
District 2 Henri Brooks
District 2 Melvin Burgess
District 5 Steve Mulroy

District 3 James Harvey
District 3 Sidney Chism
District 3 Justin Ford
District 4 Terry Roland
District 4 Wyatt Bunker
District 4 Chris Thomas

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Chancery Court Clerk & Master
Circuit Court Clerk
County Clerk
Criminal Court Clerk
General Sessions Court Clerk
Juvenile Court
Juvenile Court Clerk
Probate Court Clerk
Register
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Wayne Mashburn
Kevin Key
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INTRODUCTION

Shelby County Government is a large and complex organization, which exists to serve the citizens of Shelby County who support the work through the payment of taxes and fees.

All County employees, beginning with the elected officials and continuing throughout the ranks of all departments, has responsibilities.

The responsibilities of every employee are:

- To give high quality workmanship and services;
- To show courtesy at all times to the public and to fellow employees;
- To minimize absenteeism, tardiness, and leave only at the end of the workday;
- To follow all safety practices while on the job;
- To retain one's individuality, yet maintain a high level of appearance, good grooming, hygiene, and dress that reflect the professional nature of the job;
- To provide the County and the public with accurate information without misrepresentation;
- To avoid conflicts of interest and the appearance of conflicts that would diminish the level of the integrity of County Government in the eyes of the public;
- To maintain a current address and telephone number with your department management at all times;

County's management responsibilities in turn are:

- To maintain the highest level of service possible with the resources that are available;
- To minimize waste and to ensure the efficient use of all tax dollars;
- To provide employees with reasonable compensation with the financial resources available to the County;
- To provide employees with fair consideration for promotions;
- To provide employees consistent and non-discriminating interpretation and implementation of personnel policies and practices.

Working together, we can provide quality services to the taxpayers of this community and improve the quality of life for all citizens.

ABOUT THIS HANDBOOK

This Handbook has been prepared to provide general information about employment and responsibilities with Shelby County Government. It is not meant to be a contract or a governing document.

This Handbook summarizes personnel policies as set out in Volume I and Volume II of the Personnel Management System of Shelby County Government and provides administrative interpretation of certain policies. In the event there is a conflict between the information in this Handbook and any policy in the Personnel Management System, the policy as set out in Volume I and/or Volume II of the Personnel Management System will govern. Copies of these volumes are maintained in each department, the County intranet and are available for review upon request.

Information contained in this Handbook may vary for employees in bargaining units covered by Memoranda of Understanding. In those cases, the Memorandum of Understanding is always the governing document.

For additional information or if there are questions on the information presented in this Handbook, call the Shelby County Human Resources Department at 222-2327.

HISTORY OF SHELBY COUNTY GOVERNMENT

On November 24, 1819, Shelby County was carved from Hardin County on West Tennessee land that had been purchased from the Chickasaw Indian tribe.

The first governing body, the County Quarterly Court (or "Court"), was called into session on May 1, 1820, in a log cabin near Main and Winchester in the frontier settlement of Memphis, located on the Fourth Chickasaw Bluff above the Mississippi River. The County's population was about 300.

As the only governmental authority in the area, the Quarterly Court appointed County officials, including the sheriff, constable, register, trustee, coroner, prosecutor, and clerk. The Court also set bounties on animals, such as \$3 for a wolf pelt.

Court members quickly appropriated \$175 to build a log courthouse, jury room, and jail on Market Street.

The County seat was relocated from Memphis to Raleigh in 1827 and remained there until after the Civil War on the basis that Raleigh was closer to the center of the County. Memphis was again named the county seat in 1886.

The Quarterly Court did not meet from May 1862 to September 1864. After the Civil War the Court addressed itself to problems caused by the effects of the war and by a growing population.

The Court was abolished during the administration of Tennessee's Reconstruction Governor, W. G. Brownlow, who came to power following the Civil War. Although it was replaced by a five-man commission appointed by Governor Brownlow in 1868, the County Court was re-established and the commission abolished a year later. In 1870, the state constitution was changed to provide that County officials must be either elected by the people or selected by a vote of the County Quarterly Court, thus effectively preventing future governors from making such appointments.

In 1911, E. H. Crump secured several changes in County government, including a reduction in the number of County Court members. The number of civil districts was reduced from 19 to 7, and limits were placed on the rights of towns to elect members. The number of the districts wavered in the ensuing decades, but by 1965 had settled at nine.

In 1968, after the landmark Supreme Court decision of Baker vs. Carr, the legislature directed the Court make-up to be apportioned in line with the population. The role of the chairman of the Quarterly Court grew in stature again, particularly in the areas of finance and accounting. The executive branch of County government was composed of three County Commissioners. As a result, executive authority in the County was split between the chairman and the executive branch of County government. In an effort to delineate

responsibilities, a bill was passed by the legislature on March 21, 1974, to restructure County government. A referendum received overwhelming approval in August of that year.

On January 1, 1976, the three-member commission was abolished and the County's first Mayor took office. Duties and responsibilities of the executive and legislative body changed, with the Mayor responsible for all executive duties and the Commissioners responsible for all legislative duties. The modern Board of Commissioners has 13 members.

The importance of County government is reflected in the seats of government over the decades. In 1909, the Shelby County Courthouse, occupying a city block in downtown Memphis, was opened and served as the center of government in Shelby County for six decades. Built for \$1.1 million, the Courthouse stands as a historic link with Shelby County's rich past. In 1967, County government built a \$5.4 million administration building at 160 North Main to house operations. The Shelby County Criminal Justice Complex opened in 1981 at a cost of \$58 million. Built to replace the old County jail, the 10-story facility at 201 Poplar became the home of the Memphis Police Department, Shelby County Sheriff's Office, Attorney General's Office, Public Defender's Office, City Courts, Criminal Courts, and General Sessions Criminal Courts.

Another major change in the operations of County government came in September 1986 when the County began operating under a Home Rule Charter. The Charter gave Shelby County Government the authority to adopt its own legislation. The Home Rule Charter, which was overwhelmingly approved by the voters, replaced the old Restructure Act, thereby eliminating the state legislature from much of the decision-making in Shelby County. Under Home Rule, a majority vote of the Board of Commissioners is required on most resolutions, with a two-thirds vote being required on certain issues.

Armed with a more effective organization, Shelby County Government has provided aggressive leadership that has resulted in economic gains and record job growth.

**THE
SHELBY COUNTY
CIVIL SERVICE MERIT SYSTEM**

The Civil Service Merit System of Shelby County Government was enacted by law to provide for a fair and consistent personnel management system for all employees.

Created by the Tennessee Private Acts of 1971 (Chapter 110), the Civil Service Merit System provides for a unified personnel system that operates under the direction of a five-person citizen board chosen by the elected officials of County government. The Administrator of Human Resources serves as the Board's Secretary.

In 1975, the Civil Service Merit Board and Quarterly Court hired the Lawrence-Leiter Company, a personnel consultant, to study the existing system to recommend policies and to create a classification and pay system. As a result of this study, The Personnel Management System of Shelby County Government, encompassing three volumes was created to provide for the operation of the system. In October of 1987, Volumes I and II were revised in line with changes in federal and state law and County Commission resolutions. Volume III, which contained the Job Classification Descriptions, was revised during the Job Family Classification Study in September of 1984.

Since its inception, the Civil Service System has operated to ensure the rights of all employees while maintaining a high level of public service for the taxpayers of Shelby County.

UNIFIED PERSONNEL POLICY COMMITTEE

The UPPC was established in 1969 by resolution of the County Quarterly Court, now known as the County Commission.

The purpose of this Committee is to prepare, investigate, review, and recommend personnel policies and benefit changes for approval by the County Commission.

The UPPC is composed of thirteen members, which include four elected officials selected by their peers; five non-management employees selected by the Board of Commissioners; two retiree members, selected by current members of UPPC; the Administrator of Human Resources, who serves as secretary; and the Deputy Chief Administrative Officer, who serves as the chairperson.

There is an election for employee representatives once a year. Representatives must have five years of continuous service and must be non-managers. Employees must submit a nomination form to the chairman of the County Commission supported by a petition containing at least 50 approved signatures of employees who have completed their probationary periods.

Employees are eligible to serve two two-year terms. Elected officials also serve two two-year terms and are eligible to serve again with a break in service.

Anyone may attend the committee meetings.

EMPLOYMENT POLICIES

APPOINTING AUTHORITY (DEFINITION)

This title is given to all elected officials of the County or to the heads of County departments who are charged with hiring, promoting, demoting, disciplining, or terminating personnel under their direction.

RESIDENCY

As specified in the Home Rule Charter, all employees hired after September 1, 1986, must be residents of Shelby County at the time they begin work and continue to reside in Shelby County as a condition of their employment.

MINIMUM WORKING AGE

The State of Tennessee labor laws prevail in determining the minimum age for employment. Under most circumstances, the minimum working age for regular employment is 18.

NEW EMPLOYMENT PROBATION

New employees hired or rehired into a regular or durational position must successfully complete a probationary period of not less than six months or more than nine months duration. Before the end of the probationary period, a performance evaluation should be completed to document performance during the probationary period. If performance does not reach a competent and effective level within the probation period, employment probation may be extended by the Civil Service Merit Board by as much as three months. Until probation is completed satisfactorily, classified employees do not attain regular status entitling them to the rights, privileges, and protection of the Civil Service Merit System.

A new employee must serve a six- or nine-month probation, while a current employee who is promoted or moved to a new position shall serve a 90-day or 180-day probation. The length of the probation is set by the employee's supervisor.

Other types of probation are:

1. Performance Probation (See page 13)
2. Disciplinary Probation (See page 27)

ORIENTATION AT TIME OF EMPLOYMENT

A special orientation session is held for all new regular and durational (full-time and part-time) employees on the first work day of each semi-monthly pay period. Shelby County policies, procedures, benefits, and other employment matters are explained. Identification cards are made and payroll paperwork is completed. This orientation is conducted by the Human Resources Department.

CATEGORIES OF EMPLOYMENT

STATUS AND RANK

Status - refers to the terms and conditions of your employment with Shelby County Government. The status categories are:

1. **Regular** - An employee who has successfully completed the new employment probation period. Such employee is eligible to receive benefits. This may be a full-time or part-time employee;
2. **Durational** - An employee who is hired through a grant or special-funded project contract, which is usually for a period of at least 12 months. Such employee is eligible to receive benefits. *Durational* employees differ from regular employees in the term of their employment and their layoff/recall rights. This may be a full-time or part-time employee;
3. **Temporary** - An employee whose time of employment is for less than 12 consecutive months. Such employee receives no benefits. This may be a full-time or part-time employee. A temporary employee employed for 12 months should be off the payroll for a minimum of two (2) weeks before being re-employed.

Rank refers to your coverage under the Civil Service Merit System. The rank categories are:

1. **Classified** - In general, includes regular and durational employees who have successfully completed new employment probation and are subject to Civil Service Merit System rules and protection;
2. **Unclassified** - Includes appointed employees whose positions have specifically been "unclassified" by the Civil Service Merit Board and are not subject to Civil Service Merit System regulations. Temporary employees and elected officials are also unclassified.

FAILURE TO BE RE-APPOINTED

If an appointed unclassified employee is not re-appointed at the end of an elected official's term or the appointment is withdrawn during the term and the employee held a civil service classified position immediately prior to the appointment, then an employee can request immediate reinstatement to the previous classified position or equivalent upon 30 days written notice to the Civil Service Merit Board subject to the provisions in the Civil Service Merit System ordinance.

REDUCTION IN FORCE

While Shelby County strives to provide maximum job security, lack of funds or curtailment of work may require the Appointing Authority to reduce the number of regular employees. In the event of a layoff, consideration will be given to length of service and performance ratings.

If laid off, a regular classified employee may request the Administrator of Human Resources to place his or her name on a re-employment register that allows for preferential placement for as long as one-year.

Appointed unclassified employees who were not in a classified civil service position immediately prior to appointment in an unclassified position have no preferential placement rights if laid off.

REINSTATEMENT

Any employee who held regular or durational status, and who separated in good standing, may be reinstated under the following conditions:

1. That rehire is made within two years of separation;
2. That re-entry into the County's employment system is made through the normal hiring process.

Reinstatement will entitle the employee to service credit for time earned during the previous employment period, which will give the employee an adjusted service date "for benefit purposes." Civil Service status is also retained when a former employee is reinstated, which makes the employee eligible immediately to accrue annual, sick, and bonus leave based on the adjusted service date.

No accrued leave left on the books from the previous employment period may be retained.

Employees who are reinstated are subject to the provisions of the retirement system in determining specific plan participation upon reinstatement. Please contact the Retirement Office at 222-1950 for more details.

RE-EMPLOYMENT

A former employee of County government who has been gone from employment for more than two years and is returning to County employment will be "re-employed" or re-hired as a new employee without prior service credit or benefits.

JOB PERFORMANCE AND COMPENSATION

CLASSIFICATION AND COMPENSATION

The basis for the determination of civil service job classification is the actual job description. Jobs are periodically evaluated to ensure proper classification and pay.

Pay is determined by an employee's classification and corresponding grade as set out in the Civil Service Pay Tables.

The Compensation Policy, which outlines pay practices for the fiscal year and updates the pay tables, is approved annually by the Civil Service Merit Board and the County Commission during the budget process.

All employees shall be compensated in line with the provisions of the Equal Pay Act of 1963 as amended.

PROMOTIONS

The intent of the County is to fill as many vacancies through internal promotions as possible when there are highly qualified, hardworking employees available. In order to prepare for greater responsibilities, an employee should build a record of excellent employment and take advantage of opportunities on and off the job for individual development.

Regular or durational employees who have completed probation may apply for posted "open" and "closed promotional" positions. Certain types of positions may require an examination to qualify. County employees may keep abreast of job opportunities by accessing the County Human Resources Department webpage or on various official bulletin boards where job announcements are regularly posted.

Employees on "new employment probation" may only apply for open posted positions. No employee on new employment probation, disciplinary probation or suspension may apply for closed promotional positions.

If an employee transfers, he or she will be required to serve a three month or six month new job probation. Within the first 90 days of probation, an employee can be returned to the previous classification within the same elected official's jurisdiction without Civil Service appeal rights.

DEMOTIONS

An employee who has completed new employment probation in a position may be demoted within a department or agency to a position in a lower grade. A demotion is defined as the movement of an employee from a job assigned to one grade to a job with a lower grade.

An involuntary demotion will result in a reduction in salary of at least 5%, generally not to exceed 15%. If the reduction exceeds the maximum of the range, the salary will be reduced to the maximum. No employee may exceed maximum of the salary range of the grade assigned.

When an employee initiates a transfer to a lower graded position by request or through applying internally for posted jobs, the pay rate is determined based on consideration of pay rates of current employees with equal or greater years of experience in the same job classification in the department where the employee is transferring.

ATTENDANCE AT WORK SITE

Employees are required to be at their workstations ready to begin work at the start of the scheduled work period.

Where operations are continuous, an employee shall not leave his or her post until replaced by the next shift employee or until relieved by the shift supervisor.

WORK PERIOD

Five days per week constitutes a normal workweek for most employees. This period may vary for certain categories of employees in special work assignments.

For employees working a normal work period, the number of regular hours worked can be either 37.5 or 40 hours per week. Employees will be informed by supervisors at the time of employment of the number of hours required and their work schedule.

When working conditions allow, an effort will be made to provide two work breaks of no more than 15 minutes, subject to department requirements. These breaks are not guaranteed and may be taken at a workstation, if necessary.

When determining eligibility to earn sick or vacation leave for that month, 51% of an employee's scheduled work hours per month constitute a full work month.

PAY PERIODS

County employees receive their pay semi-monthly on the working day nearest the 15th and the last working day of the month.

PERFORMANCE EVALUATIONS

Performance evaluations are given primarily to inform an employee of how well he or she is performing job assignments, to offer constructive guidance as to how performance can be improved, as well as determining eligibility for pay increases. Performance evaluations

may also be used in determining the order of promotion or layoff and as a basis for retention, demotion, transfer, or discharge.

Other purposes of performance evaluations are to:

- Assist in improving employee performance;
- Promote a stronger supervisor/employee relationship;
- Provide employees with insight into their supervisor's assessment of their work performance;
- Identify training needs;
- Identify job requirements and standards and to alert employees and supervisors to any deviations;
- Reward employees who provide outstanding service to the County;
- Provide an assessment of probationary employees;
- Provide a means of assessing the overall program for employee development and in-house promotions.

A formal performance evaluation will be made at the end of the new employment probation period (during the sixth month) and annually thereafter. Management may evaluate at any time when there is a decline in performance. Other reasons for which evaluations may be given are:

1. At the end of a performance or disciplinary probation period; or
2. When an employee leaves a job, whether by promotion or termination.

When a supervisor leaves his or her position, all employees supervised should have a current evaluation.

Interim (informal) evaluations can be given at any time and are encouraged at the mid-point of any probationary or rating period.

Evaluations are made in writing by the direct supervisor and approved by higher management. Employees are encouraged to discuss with their supervisors the standards by which they are to be evaluated at the start of the evaluation period. It is important that an employee fully discuss all aspects of the evaluation when it is given.

If an employee disagrees with an evaluation after fully discussing it with the supervisor, the employee may, within 10 working days, submit a written statement that will be attached and become a part of the evaluation. An employee may also utilize the administrative grievance procedure to file a complaint if she/he disagrees with the evaluation.

An employee's evaluation is kept in the master file and will be a permanent part of the work record.

PERFORMANCE PROBATION

Whenever an employee's performance has declined to the point that it is judged by the immediate supervisor to be below competent or

not meeting standards and is documented, usually on the Performance Evaluation rating form, an employee may be placed on performance probation for a set period of time that is sufficient to allow the employee time to improve performance. At the end of that time, another written evaluation should be done and if that performance continues to be below competent, further appropriate action may be taken.

REASSIGNMENTS

The Appointing Authority **may reassign an employee from one position to another in the same classification for which he or she is qualified.** The employee will retain the same status and classification in the new position. An employee who is reassigned does not have the right of appeal.

TRANSFERS

Applying for posted positions through the normal employment process is the standard method for initiating a transfer. There are several other methods through which a transfer may occur:

1. By the Appointing Authority with the mutual consent of the Appointing Authority in the receiving department; or
2. By the employee locating a similar position and receiving the consent of the Appointing Authority; or
3. At the request of a permanent or durational employee or Appointing Authority, an employee may be transferred between positions in the same classification to an available position in a different classification having the same grade provided the employee meets the minimum qualifications of the new position. This is called a lateral transfer.

The Administrator of Human Resources must review and approve a transfer that is not a part of the posting procedure. Employees who laterally transfer are subject to a three month new job probation.

The employee retains the same status in the new position when the transfer is within the same classification unless the Appointing Authority requires the employee to serve a new job probation period in the new position.

SAFETY

Shelby County strives to provide a safe and healthy work environment. Toward this end, all employees are required to know and observe all safety policies and rules applicable to their job. Employees should use safe work practices and protective equipment as necessary. **Any accident or injury must be reported immediately to a supervisor** (See Shelby County Risk Management *On-the-Job Injury* Policy, page 45). Failure to follow safety regulations or to report on-the-job accidents or injuries in a timely manner will be grounds for disciplinary action.

PROHIBITION AGAINST VIOLENCE

Shelby County Government does not tolerate any form of violence. This includes any type of physical or verbal attack on anyone in the workplace.

Shelby County expects respectful behavior at all times toward all persons in the workplace including co-worker and citizen customers. Any form of violence or failure to act in a respectful way towards any person in the workplace will subject employees to disciplinary action which may include termination.

DANGEROUS WEAPONS

No employee is allowed to bring or to possess a dangerous weapon on County property unless specifically authorized to do so or is so required as a regular part of the employee's job. Violation of this prohibition may subject an employee to termination.

ALCOHOL AND DRUG FREE WORKPLACE

It is the policy of Shelby County Government to maintain a drug free safe work environment. The unlawful manufacture, distribution, dispensing, possession, purchase, sale, transfer, or use of drugs or alcohol while on the job or in the workplace is strictly prohibited. Employees should not be under the influence of drugs or alcohol during their work hours for Shelby County regardless of whether those drugs or alcohol were consumed prior to or during work hours. Shelby County Government reserves the right to randomly conduct alcohol and drug testing of employees in accordance with state and federal laws.

EQUAL EMPLOYMENT OPPORTUNITY

Shelby County Government is an Equal Opportunity Employer and has an Affirmative Action Program in place. This program is administered by The Shelby County Office of Equal Opportunity Compliance, which reports directly to the Shelby County Board of Commissioners.

The Office of Equal Opportunity Compliance (EOC)

The Office of Equal Opportunity Compliance is located in the Shelby County Administration Building (160 N. Main Street Mall, Memphis, Tennessee, 38103) Phone: 222-1100.

The County EOC Office monitors compliance with rules, regulations, and guidelines established to ensure fair employment practices. The Office is available to all employees and to those seeking employment with Shelby County Government for resolution of perceived acts of discrimination, in accordance with the provisions of Title VII of the Civil Rights Act of 1964, as amended. It is an unlawful employment practice to discriminate against any individual because of race, color, religion, sex, or national origin. EOC also takes complaints filed under the Age Discrimination Employment Act of 1967; the Equal Pay Act of 1963; the Americans with Disabilities Act of 1990, as amended; Section 504 of the Rehabilitation Act of 1973; the Tennessee Fair Employment Practices Law, and the Tennessee Handicap Law Discrimination.

Prohibition of Discrimination and Equal Opportunity Compliance

Each individual has the right to work in a professional atmosphere, which promotes equal opportunity and prohibits discriminatory practices. Equal employment opportunity shall be assured in the County system and affirmative action shall be provided in its administration. Discrimination against any person in recruitment, examination, appointment, training, promotion, retention, discipline, or any other aspect of personnel administration because of race, color, sex, national origin, age, creed, religion, disability, or other non-merit factors is prohibited. The aforementioned list of non-merit factors is not exhaustive. Other examples of non-merit factors include, but are not limited to sexual orientation or transgender status, familial association(s) and marital status. The aforementioned list of non-merit factors is not exhaustive. An example of a merit factor would be the loss of a professional license or certification that is required for the position. Equal employment opportunity shall be ensured through an Affirmative Action Plan. The Administrator of EOC shall be responsible for overall implementation of the Affirmative Action Plan.

Equal Opportunity Compliance (EOC) EOC Complaint Discrimination Procedure:

- All complaints must be filed within 180 days of the alleged discriminatory act;

- EOC will notify, in writing, the appropriate department head of a formal charge;
- An investigation will be conducted;
- The Administrator of EOC will review the findings, make a determination, and recommend possible solutions;
- The findings and recommendations are forwarded to the chairperson of the Shelby County Board of Commissioners for review. They are then forwarded to the Mayor or the elected official who has jurisdiction over the responding department;
- The complainant and the appropriate department head are notified by EOC regarding the determination and any recommendations;
- Steps are taken to implement the recommendations.

HARASSMENT POLICY

The Harassment Policy applies to all employees of Shelby County Government and to all Shelby County elected officials. Shelby County Government encourages reporting of all allegations of unlawful harassment regardless of whom the offender may be, in accordance with the method set out in the Harassment Complaint Procedures.

GENERAL POLICY

Shelby County Government has long been committed to providing its employees with a work environment that is free of discrimination, including harassment, on the basis of any legally protected status. Accordingly, Shelby County Government prohibits any form of discrimination, including harassment based on race, color, sex, national origin, age, creed, religion, disability, sexual orientation or transgender status, familial association(s), marital status or other status protected by law is prohibited. Shelby County Government is committed to maintaining a work environment in which all individuals are treated with respect and dignity. Each individual has the right to work in a professional atmosphere, which promotes equal opportunity and prohibits discriminatory practices, including harassment. Harassment, whether at the work site or in other work settings, whether verbal, physical or environmental, is unacceptable and will not be tolerated.

Examples of such harassment could include, but are not limited to:

- Oral or written epithets, slurs, negative stereotyping or intimidating acts based on an individual's protected status;
- Gestures or conduct rooted in prejudice or other considerations that signal contempt toward others based on the individual's protected status;
- Circulating or posting of writing or graphic materials that show hostility toward an individual because of his or her protected status.

SEXUAL HARASSMENT

Definition – Behavior that includes, but is not limited to, **unwelcome** sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature **when:**

- (1) Submission to such conduct is made either implicitly or explicitly a term or condition of employment; or
- (2) Submission to or rejection of such conduct by an individual is used as a basis for employment decisions affecting such individual; or
- (3) Such conduct has the purpose or effect of unreasonably interfering with the individual's work performance or creating an intimidating, hostile, or offensive working environment.
- (4) Examples of such behavior include, but are not limited to:
 - unwanted sexual advances;
 - unwelcome letters, phone calls, or materials of a sexual nature;
 - unwelcome pressure for dates;
 - demands for sexual favors in exchange for favorable treatment or continued employment;
 - repeated sexual jokes or humor with sexual overtones;
 - unwanted flirtations;
 - unwelcome sexual advances or propositions;
 - verbal abuse of a sexual nature;
 - graphic or verbal commentary about an individual's body, sexual prowess or sexual deficiencies;
 - leering, whistling, pinching, or other inappropriate touching;
 - unnecessary touching or brushing against another's body;
 - unwelcome kissing (attempted or actual) or fondling;
 - implied or overt sexual threats;
 - sexual assault, coerced sexual acts, or rape;
 - suggestive, insulting, obscene, or demeaning comments or gestures of a sexual nature; or
 - display in the workplace of sexually suggestive objects or pictures.

Behavior included in the above section or conduct similar in nature is unacceptable whether it occurs in the workplace itself or in other work-related settings such as business trips, training seminars or other County related events.

Sexual harassment can involve conduct from male to female, female to male, female to female, or male to male. Sexual harassment can occur from supervisor to subordinate, subordinate to supervisor, coworker to coworker, non-employee to employee and vice versa.

CONSENTING ROMANTIC AND/OR CONSENTING SEXUAL RELATIONSHIPS

1. Coworkers — Consenting romantic and/or consenting sexual relationships between employees or between a supervisor or management representative and his/her subordinate may lead to unforeseen complications. Each Employee should be aware of the possible risks of even a consensual romantic and/or sexual relationship.

An Appropriate Management Representative within the work unit may alter the responsibilities or assignments of coworkers

engaged in a consenting relationship to diminish the professional contact they may have with each other when there is even a remote possibility that such a relationship could interfere with the performance of work duties or interfere with the overall productivity of any work unit.

2. Supervisor/Management Representative/Subordinate — Consenting romantic and/or consenting sexual relationships between a supervisor or management representative and his/her subordinate are strictly prohibited.

Sexual Favoritism – Employment decisions based on sexual favoritism are strictly prohibited.

HARASSMENT COMPLAINT PROCEDURES

1. Notification of Complaint — An employee of Shelby County Government has available four basic avenues for making a harassment complaint. They are: (1) Notification to the Offender; (2) Notification to Appropriate Management Representative within the work unit; (3) Notification to Shelby County Human Resources Department; and/or (4) Notification to Shelby County EOC. Employees are encouraged to utilize any or all of these internal methods of notification.
 - a. Notification to Offender — Any employee who believes that he or she is being harassed in violation of this policy is encouraged to clearly and promptly notify the offender that his/her conduct is unwelcome.
 - b. Notification to Appropriate Management Representative within the work unit — If the employee is uncomfortable with speaking with the offender, or if the confrontation does not end the harassment, he/she should notify one (or more) of the following:
 - Immediate Supervisor;
 - Department Manager;
 - Department Administrator;
 - Division Director (or comparable classification within an elected official's organization); or
 - Elected Official (or his/her designee)
 - c. Shelby County Human Resources Administrator — At any point, an individual may report the conduct directly to the Shelby County Human Resources Administrator at 222-2327.
 - d. EOC Office — An Employee may contact the Shelby County Equal Opportunity Compliance office at 222-1100, with questions, concerns, or complaints concerning harassment.

2. Management Representative's Responsibility Upon Receipt of Harassment Complaint — A Management Representative has three responsibilities upon receipt of an oral or written complaint of harassment:
- a. If a Management Representative receives a harassment complaint, he or she must immediately (before the close of business) notify the Human Resources Administrator;
 - b. A Management Representative must obtain or prepare a written description of the conduct. The Appropriate Management Representative should make an effort to have the complaint signed by the complainant, however a signature is not required. In the event the complainant should not wish to sign the complaint, the refusal to sign should be documented; and
 - c. A Management Representative must file a copy of the written description of the complaint with the Administrator of Shelby County Human Resources Department. The Management Representative should make every effort to submit such report to Human Resources **within two (2) work- days of the initial complaint.**

NOTE: Nothing in this policy is intended to interfere with the normal and customary chain of command required within an office.

3. Shelby County Human Resources Administrator's Responsibility Upon Receipt of Harassment Complaint — If at any time an individual makes a harassment complaint to the Shelby County Human Resources Administrator, the Administrator, or his or her designee, will obtain a written statement. Upon receipt of a harassment complaint, Shelby County Human Resources will promptly notify the appropriate Management Representative within the work unit.

4. Time for Employee Reporting Complaint of Harassment - Prompt reporting of complaints is strongly encouraged as it allows for rapid response and resolution of objectionable behavior or conditions of the complaining individual and any other affected employees.

EMPLOYEES MAY USE ANY OF THE NOTIFICATION OPTIONS LISTED ABOVE. AN EMPLOYEE MAY UTILIZE ANY OTHER METHOD OF NOTIFICATION MECHANISM AVAILABLE UNDER STATE OR FEDERAL LAW.

CONFIDENTIALITY

To the extent possible and consistent with ascertaining the facts, complaints will be processed confidentially, but all complaints will be investigated in the manner described in these policies.

PROTECTION AGAINST RETALIATION

Retaliation against any employee making a harassment complaint or assisting in an investigation is strictly forbidden. Retaliation is a serious violation of this policy and should be reported immediately in accord with the Complaint Procedures as described above. Any person found to have retaliated against an individual will be subject to discipline which may include termination.

EMPLOYEES MAY HAVE ACCESS TO A COMPLETE COPY OF THIS HARASSMENT POLICY THROUGH THEIR IMMEDIATE SUPERVISOR; COUNTY'S HUMAN RESOURCES DEPARTMENT; OR THE COUNTY'S INTRANET HUMAN RESOURCES WEBPAGE

AMERICANS WITH DISABILITIES ACT

Shelby County Government operates under Titles I and II of the Americans with Disabilities Act of 1990, as amended in 2008. This Act prohibits discrimination against individuals with disabilities in employment and requires full opportunity for their participation in offered services, programs, and activities. Questions, suggestions, and complaints may be directed to the Human Resources Administrator at 222-2327 or EOC at 222-1100.

GENERAL PERSONNEL POLICIES

ATTENDANCE AND TARDINESS

Regular attendance and being at the workstation ready to work at the start of the work period are essential parts of any job performance. It is an important factor in determining promotions, transfers, and pay raises.

If an employee is going to be absent or late, he or she must call the supervisor with as much advance notice as possible or according to departmental policy, but always by the time work is scheduled to begin. Another member of management should be contacted if the supervisor is not available. Notifying a non-management employee is unacceptable unless allowed by department policy.

Poor attendance, tardiness, and improper reporting of absenteeism or tardiness are grounds for disciplinary action, which may include termination.

If an employee fails to call in or report for three consecutive workdays, he or she will be considered to have abandoned the job, and appropriate disciplinary action will be taken, which may include termination.

CAREER COUNSELING

Career counseling is available from the Human Resources Department upon request. Individuals can be assisted in defining their training and education needs, setting personal goals, and identifying County jobs for which they want to prepare themselves.

COUNTY PROPERTY

All County property must be returned at the time of job severance prior to receipt of final paycheck.

Such County property might include keys, identification cards, uniforms, electronic equipment, safety equipment, work tools, or a vehicle for use during term of employment.

DEPARTMENT WORK RULES

Although all departments operate under countywide rules as set out in the Shelby County Personnel Management System, each department has specific rules that are unique to the needs of that department in carrying out its responsibilities. These rules are generally more specific procedures and guidelines in accordance with Countywide policy.

DRESS AND APPEARANCE

As a County government employee who provides vital services to the community, appropriate dress and appearance that reflect a professional appearance are required.

Men in office situations are encouraged to wear coats and ties and are required to do so when dealing with the public.

Women in office situations are encouraged to wear dresses, suits, or coordinated pants outfits and are required to do so when dealing with the public.

Employees who work in the field, those who require uniforms, and others in similarly situated jobs, are exempt from wearing normal business attire, but should always dress in appropriate well-maintained clothing or uniforms.

Daily grooming and hygiene are required of every employee.

EMPLOYEE IDENTIFICATION CARDS

Employee Identification Cards are required for all regular or durational (full-time and part-time) employees. These cards are provided as follows:

1. Identification Cards are free to new employees and are made at the time of the Orientation Program;
2. New, updated, or replacement cards will be made only upon written approval from the employee's department head or elected official;
3. There is a nominal cost for a replacement card that is to be paid by the employee in advance;
4. New, updated or replacement cards are made in the Human Resources Department, Shelby County Administration Building.

EMPLOYEE ORGANIZATIONS

Every employee shall have the right to join or refrain from joining an organization for purposes of representation. The nature and extent to which organizations may represent member employees and the right of collective bargaining, if any, shall be in accordance with the laws of the State of Tennessee and of the internal administrative policy of the respective elected official. No applicant shall be refused employment, nor shall any employee be discriminated against by virtue of being a member or not being a member of a labor or other collective bargaining organization.

The County will deduct dues only from employee members of bargaining units covered by a Memorandum of Understanding or as otherwise specified by state law.

EXIT INTERVIEW

The Shelby County Human Resources Department, upon request of a department administrator or employee, will conduct an exit interview for any regular or durational employee at the time of termination. This interview will determine the employee's reasons for leaving Shelby County Government, and he or she will be encouraged to express opinions about his/her employment.

INCLEMENT WEATHER

Only the elected official or his/her designee may authorize a general excused absence because of weather conditions. Any such authorization may not be applicable to certain operations as specified by the elected official or designee, due to the specific regular nature of some operating units, i.e. 24-hour operations, public safety, emergency response, etc.

If not authorized, pay for such absence must be approved by the supervisor to use annual, bonus or compensatory time. If the absence is not approved to be paid as annual, bonus or compensatory time, there may be cause for disciplinary action. Lack of such leave will prohibit the employee from being paid for hours missed.

Sick leave cannot be used to cover an inclement weather absence, unless the employee is sick and can document it in writing from a physician if requested to do so.

MASTER PERSONNEL FILE

Master Personnel Files are kept in the Shelby County Human Resources Department located in the Shelby County Administration Building. These are the permanent records of each employee and contain basic employment information, the employee's current home address, telephone number, and person to notify in case of an emergency. It is the employee's responsibility to keep this information current at all times. Records contained in the Master Personnel Files are a public record, excluding an employee's home address and telephone number.

During normal work hours and upon presentation of proper identification, an employee may review his or her file in the Human Resources Department. Copies of any documents from a file are available at a nominal cost per page.

PERSONNEL POLICY MANUAL

All departments have a complete copy of the Shelby County Government Personnel Management System, which in its two volumes contains the basic personnel policies for Shelby County Government.

With proper notice and at a convenient time and place, any employee may review any of the volumes. Many of the policies in these volumes are condensed in this Handbook.

These two policy volumes may also be reviewed on the Human Resources intranet webpage or in the Human Resources Department during normal business hours.

POLITICAL ACTIVITY

An employee has the right to express freely his/her view as a citizen and to cast his or her vote. Coercion for political purposes of and by employees and use of their positions for political purposes are prohibited.

Employees in federally grant-aided programs may be covered by prohibitions listed under the state and federal Hatch Political Activities Act, as amended, and they may be prohibited from participation in partisan political activity and are subject to all other prohibitions of the Hatch Act.

SECONDARY EMPLOYMENT ("MOONLIGHTING")

If there is no conflict of interest, appearance of a conflict of interest, or impairment of work performance for Shelby County, secondary employment may be permissible if a written request describing the work and hours of work has been approved in writing by the appointing authority. Failure to receive prior written approval for secondary employment may result in disciplinary action and/or refusal to grant permission to continue the secondary employment. Secondary employment privileges may be retracted by management based on attendance, job performance and/or change in operational needs of the department.

SMOKING

All Shelby County Government facilities are smoke-free. Violation of this regulation will subject the employee to disciplinary action.

All smoking must be done outside County government facilities.

VOTING

Employees are encouraged to exercise their constitutional right to vote in all elections and to participate in early voting if available.

Under state law, employees are allowed a "reasonable period of time" to vote on election day if the starting time for work begins less than three hours after the opening of the polls and ends less than three hours before the closing of the polls. Any time taken off to vote must be approved by the department head and must follow departmental procedures.

DISCIPLINARY PROCEDURES

GROUND FOR DISCIPLINARY ACTION

County employees are expected to maintain a high standard of conduct, cooperation, efficiency, and economy in their work and to correct any faults in performance. Employees also are to avoid behavior and actions that conflict with County rules or regulations.

When work is unsatisfactory or County rules or regulations are violated, disciplinary action may be taken. If disciplinary action is taken, it will be documented in writing stating the reason for discipline, the level of discipline, and the date it takes effect. An employee will be asked to acknowledge by signature the written disciplinary action only to show that he or she has received it. An acknowledgment of receipt does not mean that the employee agrees with management's decision. A copy of the disciplinary action will be placed in the master personnel file.

MAJOR AND MINOR OFFENSES

There are two types of disciplinary offenses: major and minor. Major offenses normally warrant a higher level of disciplinary action and do not generally follow progressive discipline.

Offenses that are considered major for disciplinary purposes include but are not limited to:

- Violation of the County's residency requirement;
- Conviction of a job-related felony;
- Acts of insubordination;
- Intentional failure to carry out instructions or willful disregard of lawful orders;
- Misappropriation, destruction, theft and/or conversion of County property;
- Neglect or carelessness resulting in damage to County property;

- Acts of misconduct while on duty or in uniform;
- Absence without authorized leave;
- Falsification of any information required by the County;
- Failure to report accidents or personal injuries;
- Possession, use, or being under the influence of illegal drugs or alcohol while on the job;
- Acts of incompetence;
- Habitual tardiness and/or habitual absenteeism not otherwise covered by law;
- Selling, distributing, using or being under the influence of alcohol or illegal drugs while on the job.

Minor offenses cover other rule violations and conduct not categorized as major. Minor offenses usually require progressive discipline.

DISCIPLINE PROCEDURES FOR CLASSIFIED CIVIL SERVICE EMPLOYEES

Progressive Discipline

Discipline is usually given in a progressive manner unless the offense is major. Formal progressive discipline can be a five-step process:

- Step 1 Discussion and counseling;
- Step 2 Oral reprimand;
- Step 3 Written reprimand;
- Step 4 Or any combination of the following:
 - Suspension without pay for a period not to exceed 30 calendar days
 - Reduction in pay within the pay range of the classification
 - Demotion to a lower classification
 - Disciplinary probation
- Step 5 Dismissal

Pre - Disciplinary Hearing

Whenever suspension without pay; or demotion; or dismissal is considered as possible discipline, the employee must receive notice of, an administrative hearing which must be held prior to the determination of the discipline to allow the employee an opportunity to present his or her position on the matter.

Suspension

The Appointing Authority may suspend an employee without pay for just cause for a period not to exceed 30 calendar days, unless court action is pending, in which case the suspension may be extended until the court action is resolved. A suspension without pay for more than ten working days may be appealed to the Civil Service Merit Board.

An employee who has been charged with a criminal offense may be suspended without pay pending an investigation and/or resolution of the charge. However, if a criminal charge or action is pending against an employee, then the employee may be suspended without pay pending the pre-disciplinary hearing. If an employee is suspended without pay based upon a pending criminal charge or action, and the charge is dropped or the employee is found not guilty, the employee's pay may be restored upon review by the Administrator of Human Resources.

Dismissal

A classified civil service employee may be dismissed for just cause, and any termination for cause can be appealed to the Civil Service Merit Board, if the employee has successfully completed new employment probation. A termination may be voluntary (resignation) or

involuntary (discharged for cause). The termination date is the effective date of the resignation or discharge as approved and recorded in the Master Personnel File.

Appeals of Disciplinary Action

There are two types of appeals of disciplinary action:

1. **Administrative Grievance Procedure** - For appeals of any disciplinary action that cannot be appealed to the Civil Service Merit Board;
(The procedure for filing an Administrative Grievance is outlined on page 29.)
2. **Civil Service Merit Board** - For discipline involving a demotion in rank or compensation, suspension without pay for more than 10 days and termination.

To be eligible for a Civil Service Merit Board appeal, an employee must file a written request with the Administrator of Human Resources within seven calendar days of receipt of the written notice of the disciplinary action.

Within 30 days of the filing of an appeal, the Board will schedule a hearing on the matter. An employee is entitled to appear, have a public hearing, produce evidence, and be represented by legal counsel. At the end of the hearing, the Board will deliberate and publish its decision. The Board may affirm, modify, or revoke the discipline.

Within 60 days following publication of the decision of the Board, either party may appeal the decision to Chancery or Circuit Court.

NOTE: Meetings of the Civil Service Merit Board are open public meetings under state law.

ADMINISTRATIVE GRIEVANCE PROCEDURE

The Administrative Grievance Procedure may be used to grieve any complaints affecting status or conditions of employment that are not subject to Civil Service Merit Board appeal. This procedure is designed to resolve such problems or issues at the lowest management level possible.

The procedure is usually a three- or four-step process that should always start at the lowest appropriate step. Most administrative grievances follow the following steps:

(NOTE: If formal discipline has been given, the first step is the next level of management above the person issuing the discipline.)

ALL GRIEVANCES MUST COMMENCE WITHIN THREE WORKING DAYS OF THE DECISION OR ISSUE THAT IS BEING GRIEVED.

Step 1: **Supervisor** - Discuss the matter first with an immediate supervisor to effect a settlement;

Step 2: **Next Level of Supervision** - Grievances not settled satisfactorily at the first step must then be presented in writing to the next level of supervision within three working days of the initial discussion of the grievance;

The supervisor shall write his or her disposition of the grievance and send copies to the employee and the department head within two working days of receipt of the grievance.

Step 3: **Department Administrator** - If the grievance is not resolved at Step 2, the grievance then can be presented in writing to the department administrator for review within five working days. The department administrator will then give a written response to the employee of his or her findings within a reasonable time frame. A decision as to whether a hearing is necessary is made by the administrator;

Step 4: **Administrator of Human Resources/Elected Official** - If the department administrator is unable to resolve the grievance to the employee's satisfaction, the employee may file a written request for disposition of the case with the Administrator of Human Resources (acting as designee of the elected official) within three working days of receipt from the department administrator of his or her written response.

An investigatory meeting may be called if the Administrator of Human Resources or his or her designee is unable to resolve the grievance satisfactorily based on the documented evidence submitted. All of the facts will be gathered and presented in a written report to the elected official, who will make the final decision.

An employee may seek legal redress if he or she is not satisfied with the outcome of the grievance.

Employee grievances will be considered promptly and adjusted equitably. Whenever possible, the cause of grievances should be addressed informally. Both supervisors and employees are expected to make every effort to resolve problems and disputes as they arise.

BENEFITS

Shelby County Government provides comprehensive benefits for all regular and durational employees. For most employees, these benefits are valued to as much as 40% of base salary. Efforts to maintain quality benefits are ongoing and will continue to be a primary concern of Shelby County Government.

A number of benefits and benefit options are offered to employees through Shelby County's Flexible Benefit Plan, which allows the employee contribution to be paid with pre-tax earnings. Under this program, changes in benefit plans may be made only once a year during an annual open enrollment period, unless there is a change in family status as specified in the Plan's guidelines.

Employee benefits are subject to change at any time by action of the County Board of Commissioners in accordance with the law.

Shelby County employees who are eligible for benefits have several important responsibilities to ensure the full provisions of these plans. They are:

- To keep a current list on file with the Shelby County Employee Benefits Office of all dependents an employee covers under the chosen Health Plan. Information required includes: name, address, age, social security number, and proof of relationship;
- To keep current the beneficiary or beneficiaries on file for life insurance and/or plans of the Shelby County Retirement System;
- To complete an application and provide proof of relationship within 30 days in order to have coverage of a new dependent;
- To notify the Employee Benefits Office when an adult dependent child/children reaches 26 years of age and complete proper forms to remove from medical, dental, and/or vision plans;
- To notify the Employee Benefits Office within 30 days of divorce or legal separation, and complete proper forms to remove from all applicable plans. Should benefits be paid on behalf of an ineligible dependent, the employee is responsible for reimbursing all of the claim expense to the health plan;
- In the event an employee is on leave without pay or misses a benefit payroll deduction, the employee must contact the Employee Benefits Office. The Employee Benefits Office will notify contracted vendor to bill employee for premium payments. The employee must make direct payments to the vendor for benefits to remain in force during the period he/she is off work. Benefits may be suspended for nonpayment.

- The above changes are to be made with your department payroll clerk within the specified time as indicated above.

All County benefits are administered through the Shelby County Human Resources Employee Benefits Office in the County Administration Building, 160 N. Main Street Mall, Memphis, Tennessee, 38103 or call 222-2346.

MANDATORY INSURANCE

Health and life insurance are mandatory for all regular and durational full-time employees at the time of employment. It is optional for part-time regular and part-time durational employees.

A "no coverage" option allows full-time employees to withdraw from the health insurance program when they have comparable coverage from other sources outside the County. A request for withdrawal may be submitted upon employment or during the annual open enrollment period. A change in family status as specified under the County's Flexible Benefit Plan may also permit withdrawal.

HEALTH INSURANCE

The County offers three plan choices of medical coverage. Each plan is described in the Summary of Benefits and Coverage (SBC). An employee should take time to review these options thoroughly before making a selection. The plans are self-insured as are most large group plans; this saves premium dollars for the employee and for the County. Just as these plans have been designed to help keep up with national trends in health care, future plans will be reviewed as they develop so that updates may be made to the County program. The County contributes seventy percent (70) of the cost for employee health insurance.

IMPORTANT NOTICE CONTINUATION OF HEALTH INSURANCE

In accordance with federal laws, an employee and his or her dependents are entitled to elect to remain in the employer group health plan after it would normally end without proof of insurability. There will be no employer contributions for this extended coverage. The duration of coverage is as follows:

- Covered dependents who are terminated from the health plan because of divorce or death of the employee or Medicare - 36 months;
- Covered dependent children who would lose coverage because of their ineligibility - 36 months;
- Loss of coverage through:
 - a. reduction in hours - 18 months;
 - b. termination (other than for gross misconduct) - 18 months;
 - c. lay-off for economic reasons - 18 months;
 - d. voluntary resignation - 18 months;

- Employees and covered dependents who have been determined to be disabled under the Social Security Act may continue coverage for 29 months. The disability must exist prior to the date of the qualifying event and the member must provide notice of the disability determination to the employer within 18 months and no later than 60 days after the date of the Social Security Administration's determination.

The Employee Benefits Office will have the contracted vendor to notify the employee of availability of coverage continuation upon termination from the County. The employee has 60 days from the date of notice from the vendor to elect continuation coverage. In the case of divorce, legal separation, or a dependent child ceasing to be a dependent child, IT IS THE EMPLOYEE'S RESPONSIBILITY TO NOTIFY the Employee Benefits Office in writing immediately in order for the dependent/s to be eligible for continuation of group coverage. For more information, contact the Employee Benefits Office.

Complete details on each plan are found in booklets provided at orientation and available at the Employee Benefits Office.

LIFE INSURANCE

The County has a group-term life insurance plan that provides a death benefit. Coverage is based on two times the amount of an employee's annual salary, rounded to the next highest thousand dollars, to a maximum of \$350,000 of protection. The amount of coverage is reduced to 65% at age 65. When an employee reaches age 70 or when he or she retires, whichever occurs earliest, this insurance will be reduced by 50 percent of the scheduled amount that an employee had before the age of 65. Coverage may vary for some part-time employees. For detailed information, a plan booklet is available at the Employee Benefits Office. Coverage is mandatory for regular and durational employees, optional for part-time employees.

LONG-TERM DISABILITY INSURANCE

This coverage provides continuation of income for personal (non-job related) medical disabilities that exceed 180 days. The plan provides for as much as 60 percent of monthly salary with a maximum benefit of \$5,000 per month. These benefits are coordinated with Social Security and County pension benefits as well as any other income received while disabled. Only full-time regular and durational employees are eligible for this coverage. Coverage is guaranteed when enrollment is within 30 days of employment. Additional details are in the plan booklet, which is available from the Employee Benefits Office;

SUPPLEMENTARY INSURANCE (VOLUNTARY)

These insurance plans are made available to supplement other insurance (an employee pays 100 percent of the premium):

Short-Term Disability Insurance

Employees can enroll for voluntary short-term disability insurance within 31 days of hire date or during open enrollment. The coverage provides an option to select a weekly benefit of 50% or 60% of your pre-disability earnings (reduced by deductible income) if you suffer a non-work-related illness or injury. Employees pay the entire cost for this coverage on a post-tax basis. The coverage pays a weekly benefit of 50% of your pre-disability earnings (reduced by deductible income) if you suffer a non-work-related illness or injury. The minimum benefit is \$25 per week and the maximum is \$1,500 per week. Benefits are payable after a 14 day waiting period if you enroll within 31 days of employment. If you enroll after your first 31 days of employment, except for accidental injuries, no benefits will be paid during the first 12 months until you have been disabled for 60 consecutive days and for 14 days occurring after 12 months.

For accidental injuries, there is no waiting period, regardless of your enrollment date. Benefits are paid from the first day.

Benefits are continued while you remain disabled, up to a maximum of 180 days minus the length of the waiting period. Benefit payments are not automatic. You must file a claim to receive benefits.

Cancer/Intensive Care Insurance

This coverage is a supplement to the basic hospitalization plan and applies to special medical circumstances. This plan is offered through an independent agent, who will provide information about the plan and its benefits upon request. There is an "open enrollment period each year when changes in coverage are available to current employees. Employee pays 100% of premium.

Dental Insurance

The County offers two options for dental insurance coverage. Coverage details and enrollment information are given at new employee orientation and during annual open enrollment by the Employee Benefits Office. Please contact the Employee Benefits Office if you have questions. Employee pays 100% of premium.

Vision

Vision insurance coverage is available and the employee pays 100% of the premium cost. Coverage details and enrollment information are given at new employee orientation and during annual open enrollment by the Employee Benefits Office. Please contact the Employee Benefits Office if you have questions.

Dependent Life Coverage

Optional coverage for eligible dependents (spouse and children) is available under the County's life insurance plan at a flat premium rate per month regardless of the number of eligible dependents. Unmarried, dependent children age 19 up to 25 must be a full-time student to be eligible for dependent coverage. The employee pays 100% of premium. Additional details are given at New Hire orientation and through the Employee Benefits Office

Voluntary, Optional Term Life Insurance

Additional life insurance is available up to \$400,000 maximum for any employee. Details are provided at new employee orientation, annual open enrollment and by the Employee Benefits Office. Employees pay 100% of premium.

From time to time, other benefits may be offered that would be 100% paid for by the employee. Information regarding such offerings will be disseminated as they become available.

Additional information regarding employee benefits offered by Shelby County Government may be viewed on line at www.shelbycountyttn.gov. or by calling the Employee Benefits Office, (901) 222-2346.

SHELBY COUNTY RETIREMENT SYSTEM (Pension)

The retirement system consists of four plans - Plan A, Plan B, Plan C and Plan D. All employees hired on or after December 1, 1978 are automatically participants in Plan A. Some employees on board prior to December 1, 1978 exercised their option to join Plan A. All employees hired on or after March 1, 2005 are automatically participants in Plan C. Some employees on board prior to March 1, 2005 exercised their option to transfer from Plan A to Plan C. All employees hired on or after July 1, 2011 are automatically participants in Plan D. Specific information on each plan is available in the Retirement Office in the County Administration Building.

The Retirement System of Shelby County is administered by the Retirement Board, which is composed of elected officials, employee representatives, citizens at large, and retirees. Any change in the Retirement System requires a resolution approved by the Shelby County Board of Commissioners.

At time of retirement, an employee has a one-time option to continue life and health insurance benefits. Some optional benefits may also be continued. The Board of Commissioners can change all retiree health benefits at any time for all employees.

LEGAL HOLIDAYS

Holiday pay shall only be given to regular or durational (part-time or full-time) employees. Temporary employees do not earn holiday pay.

The County observes the holidays listed below unless otherwise specified by a memorandum of understanding; most County facilities are closed on these days:

New Year's Day	January 1;
Dr. Martin Luther King, Jr.'s Birthday	Third Monday in January;
Good Friday	Friday before Easter Sunday;
Memorial Day	Last Monday in May;
Independence Day	July 4;
Labor Day	First Monday in September;
Veterans Day	November 11;
Thanksgiving Day	Fourth Thursday &
(2 days)	Friday in November;
Christmas Day (2 days)	December 25 - plus one day.

When December 25 falls on:

Monday, Tuesday
Wednesday
Thursday, Friday
Saturday, Sunday

The following are holidays:

Monday, Tuesday
Tuesday, Wednesday
Thursday, Friday
Friday, Monday

When a legal holiday falls on Saturday, offices will be closed the preceding Friday; when it falls on Sunday, offices will close the following Monday.

For regular employees whose workweek is other than Monday through Friday or those employees who must work because of necessary emergency operations, the department administrator shall designate the day(s) that the holiday will be observed. Any employee who shall be required to perform work on a scheduled holiday and is unable to receive a compensatory day of leave shall receive appropriate compensation.

Any employee on leave without pay the day before or after a holiday shall not be paid for the holiday(s).

ANNUAL LEAVE

ANNUAL VACATION LEAVE WITH PAY

Annual leave is granted to full-time, part-time, and durational employees in recognition of the need for periodic vacation time away from the job.

Definitions:

Credited - Earned leave that is computed on the employee's record;

Accrual - Leave that is earned but not necessarily recorded on the employee's record;

Earned - Leave that an employee is entitled to whether it is recorded or not on the employee's record.

EARNING ANNUAL LEAVE

Eligibility:

1. All classified/unclassified full-time and part-time regular and durational employees are eligible to earn and use annual leave with the exception of the Chief Administrative Officer, County Attorney, and Division Directors (under the Mayor's administration); (space issue)
2. Elected officials do not earn or accrue annual leave;
3. New employees must successfully complete new employment probation before credited annual leave is earned;
4. Temporary, provisional, and emergency employees do not earn annual leave;
5. Annual leave will be earned according to the following schedule:

	Days Earned Per Year	37.5 hr. Employee Per Month	40 hr. Employee Per Month
After the first year through the 5th year	10 days	6.25 hrs. or 6 hrs. 15 mins.	6.664 hrs. or 6 hrs 39 mins.
From the beginning of the sixth year	11 days	6.875 hrs. or 6 hrs. 52 mins.	7.33 hrs. or 7 hrs. 21 mins.
From the beginning of the seventh year	12 days	7.5 hrs. or 7 hrs. 30 mins.	8.0 hrs. or 8 hrs.
From the beginning of the eighth year	13 days	8.125 hrs. or 8 hrs. 7.5 mins.	8.66 hrs. or 8 hrs. 39 mins.
From the beginning of the ninth year	14 days	8.75 hrs. or 8 hrs. 45 mins.	9.33 hrs. or 9 hrs. 21 mins.
From the beginning of the tenth year	15 days	9.375 hrs. or 9 hrs. 22.5 mins.	10.0 hrs. or 10 hrs.
From the beginning of the eleventh year	16 days	10.0 hrs. or 10 hrs.	10.66 hrs. or 10 hrs. 39 mins.
From the beginning of the twelfth year	17 days	10.625 hrs. or 10 hrs. 37.5 mins.	11.33 hrs. or 11 hrs. 21 mins.
From the beginning of the thirteenth year	18 days	11.25 hrs. or 11 hrs. 15 mins.	12.0 hrs. or 12 hrs.
From the beginning of the fourteenth year	19 days	11.875 hrs. or 11 hrs. 52.5 mins.	12.66 hrs. or 12 hrs. 39 mins.
From the beginning of the fifteenth year through the sixteenth year	20 days	12.5 hrs. or 12 hrs. 30 mins.	13.33 hrs. or 13 hrs. 21 mins.
From the beginning of the seventeenth year through the eighteenth year	21 days	13.125 hrs. or 13 hrs. 7.5 mins.	14.0 hrs. or 14 hrs.

From the beginning of the nineteenth year through the twentieth year	22 days	13.75 hrs. or 13 hrs. 45 mins.	14.66 hrs. or 14 hrs. 39 mins.
From the beginning of the twenty-first year through the twenty-second year	23 days	14.375 hrs. or 14 hrs. 22.5 mins.	15.33 hrs. or 15 hrs. 21 mins.
From the beginning of the twenty-third year through the twenty-fourth year	24 days	15.0 hrs. or 15 hrs.	16.0 hrs. or 16 hrs.
From the beginning of the twenty-fifth year and over	25 days	15.625 hrs. or 15 hrs. 37.5 mins.	16.66 hrs. or 16 hrs. 39 mins.

USE OF ANNUAL LEAVE

1. All new classified employees must **SUCCESSFULLY COMPLETE NEW EMPLOYMENT PROBATION** before annual leave can be earned or taken.
2. Annual leave is to be taken after it is earned. Annual leave days may not be credited or used in advance of accrual.
3. For record keeping purposes, annual leave accrued according to the schedules above may be posted to the master leave record on a 12-month basis.
4. No more than one-half a full year's accrual of annual leave can be carried over from one year to the next. At no time can an employee have accrued on his or her anniversary date or calendar year accrual date (whichever is applicable) more than one and one-half times the amount of leave able to be earned in the current year.

FAILURE TO USE LEAVE THAT RESULTS IN THE ACCRUAL OF MORE THAN ONE AND ONE-HALF THE AMOUNT OF LEAVE THAT CAN BE EARNED IN ONE YEAR WILL RESULT IN AUTOMATIC LOSS OF ALL LEAVE ABOVE THE MAXIMUM ON THE DAY FOLLOWING THE COMPLETION OF THE EMPLOYMENT ANNIVERSARY YEAR OR THE CALENDAR YEAR ACCRUAL DATE, WHICHEVER APPLIES.

5. Annual leave is to be scheduled at the mutual convenience of the employee and management. Sufficient notice of request for leave by the employee must be given to allow adjustment in the department's work schedule.
6. An employee may not begin annual leave until the request is approved in writing by the Appointing Authority or his or her designee using the County's Request for Leave form.
7. Unless approved by the Appointing Authority, annual leave may not be taken less than one full week at a time. However, at least

one full week of earned annual leave (five consecutive days) should be taken each year.

8. At the option of the employee, any earned annual leave may be used for National Guard or Military Reserve duty.
9. An employee has the option to use annual leave for long-term sickness, but only when all earned sick leave has been used and it is approved by the Appointing Authority.

ANNUAL LEAVE PAY POLICIES

1. There will be no pay in lieu of vacation, except at termination and AT THE TIME A CURRENT EMPLOYEE BECOMES AN ELECTED OFFICIAL, THE CHIEF ADMINISTRATIVE OFFICER, THE COUNTY ATTORNEY, OR A DIVISION DIRECTOR (under the Mayor's administration). Such pay in lieu of vacation will be calculated based on the last rate of pay earned while eligible to accrue annual leave.
2. Legal holidays falling within a period are not counted as vacation days.
3. Final Pay at termination:
 - a. Payment of final earnings because of termination will be made in one check NO LATER THAN the next pay date following termination. This payment will include all accrued annual, bonus, and compensatory time. This does not apply to any employee retiring under the Shelby County Retirement System.
 - b. Accrued but unused annual leave, bonus days, and compensatory time must be verified by the terminating department and forwarded to the Human Resources Department and a Leave Verification Form completed before such days are used for calculating final pay.
 - c. The last paycheck received by an active employee or an employee who is on approved leave will have applicable taxes and benefits taken from it. Any final paycheck for accrued annual leave will only have applicable taxes taken from it.
 - d. It is the responsibility of the department to forward immediately to the Human Resources Department the appropriate forms that indicate termination as soon as the date of termination is known. This will allow time for the Human Resources Department and Finance Department to verify leave and issue the final check. No payment for leave is permissible without a written resignation or other appropriate termination document.

- e. Should accrued annual leave, bonus days, and/or compensatory time extend final pay for more than one pay period, the terminating department should pay out the employee with one check for all remaining pay.
- f. The amount of the final pay will be charged to the appropriate salaries and labor account of the terminating department.
- g. In no event will an employee at the time of job severance be paid vacation pay if he or she has not successfully completed the new employment probation.
- h. The maximum amount of payout for annual leave at termination is one and one-half time the amount of leave the employee can earn in one year.
- i. RETIRING EMPLOYEES ON CONTINUOUS TERMINATION LEAVE CANNOT ACCRUE ADDITIONAL LEAVE OF ANY KIND. (space)

4. When an employee directly transfers to County service from the City of Memphis or Attorney General's Office, service credit is given for the purpose of determining accrual of annual leave. Accrued annual leave is not transferable.

5. No annual leave will accrue in a month when an employee has been absent with or without pay more than 51% of the schedule work hours (excluding absences because of annual, bonus, compensatory time, or holidays).

SICK LEAVE

Paid sick leave days are provided for employees as a form of insurance to prevent the loss of pay while an employee is absent from work for personal illness or injury.

Paid sick leave days are intended to cover a period of temporary disability when return to work is anticipated.

Each employee is responsible for being available for a maximum number of workdays to perform efficiently and effectively the work for which he or she is employed.

DEFINITIONS

Credited - Earned leave that is computed on the employee's record.

Earned - Leave that an employee is entitled to whether it is recorded or not on the employee's record.

ELIGIBILITY

All classified/unclassified regular and durational full-time and part-time employees are eligible to earn and use sick leave with the

exception of the Chief Administrative Officer, County Attorney, and Division Directors of the Mayor. Elected officials do not earn sick leave.

USE OF SICK LEAVE

Sick leave benefits will commence on the first day of a temporary disability and can continue for as many as 12 months as long as sick leave credits remain and it is medically anticipated the employee will recover and be able to return to work within one year of the date of initial absence, provided such leave is properly approved BY THE APPOINTING AUTHORITY. Regardless of the remaining amount of the accrued sick leave, the Temporary Disability Policy #807 will be followed after six months of absence because of an illness or injury.

Generally, an employee will be eligible for sick leave:

1. When he or she is incapacitated by personal sickness or injury to the extent that the employee cannot reasonably carry out his or her job responsibilities;
2. For routine medical, dental, and optical diagnosis and/or treatment when non-work hour appointments are not possible and when prior approval has been given by the Appointing Authority or his or her designee;
3. To make necessary arrangements for the care of a sick member of an employee's immediate family and, when necessary, to care temporarily for that family member until other means of care are available. The employee's immediate family is defined as one of the following:
 - a. Spouse;
 - b. Child, stepchild, or legally adopted child;
 - c. Parent or step-parent;
 - d. Brother or sister;
 - e. Any relative living in the home of the employee.

A department shall require an employee who wishes to use accumulated sick leave for an immediate family member to file for department head approval. Documentation supporting said leave is required if leave is more than 20 days in a calendar year. The Human Resources Department shall provide the form to be used;

4. After exposure to a contagious disease, when certified by a qualified doctor that the employee may jeopardize the health of others;
5. For purposes of maternity leave.

Sick leave requires the written approval of the Appointing Authority or his or her designee using the County's Request for Leave form.

SICK LEAVE PAY POLICIES

UPON SUCCESSFUL COMPLETION OF NEW-EMPLOYMENT PROBATION, all full-time and part-time regular and durational employees shall be eligible UPON WRITTEN APPROVAL OF THE APPOINTING AUTHORITY OR HIS/HER DESIGNEE to receive pay for sick absences to be charged against accumulated sick-leave time. Regular and durational employees can accumulate unlimited sick leave as outlined below:

For employees hired before February 22, 1993, the following schedule applies:

1. One day for each month of service during the first five years of service;
2. One and one-half days for each month of service for the sixth year through the tenth year of service;
3. Two days for each month of service for the eleventh year through the fourteenth year of service;
4. Two and one-half days for each month of service for the fifteenth year and thereafter.

For employees hired on or after February 22, 1993, one day of sick leave can be earned for each month of credited service through the 10th year, thereafter one-and-one-half days of sick leave will be earned for each month of credited service.

For PART-TIME REGULAR AND DURATIONAL employees, sick-leave accrual is calculated on a pro-rata basis.

For the purpose of calculating leave credit, credit includes all continuous work time spent as a FULL-TIME OR PART-TIME regular or durational employee of the County. Continuous permanent service with the City of Memphis, Attorney General, or Agricultural Extension Service immediately prior to a direct transfer to County employment is also creditable. This does not include temporary service. This sick-leave credit is relinquished once an employee terminates employment.

To prevent abuse of sick-leave privileges, the APPOINTING AUTHORITY HAS THE RESPONSIBILITY TO ENSURE THAT THE EMPLOYEE IS GENUINELY ILL BEFORE APPROVING ANY SICK LEAVE. ANY absence may require a doctor's certificate THAT MAY REQUIRE SPECIFIC INFORMATION ABOUT THE ILLNESS, TREATMENT, PROGNOSIS, and certify that the employee was too ill to perform his/her job duties. Any absence in excess of three workdays shall require a doctor's certificate to return to work if in the opinion of the immediate supervisor such action is deemed appropriate.

When an employee is absent from work with or without pay for 51% (excluding days off on annual leave, bonus leave, holidays or

compensatory time) of the available workdays in the month, no sick leave accumulates for that month.

PAY FOR UNUSED SICK LEAVE AT RETIREMENT

Employees earning less than \$60,000 annually and who meet the eligibility requirements of the Shelby County retirement plan in effect at the time of their employment and receive a monthly retirement check shall be compensated in cash for accumulated unused sick leave when they retire. The limit is 75 days. The amount for unused sick leave is calculated on the employee's rate of pay in effect on the pay date immediately preceding retirement (not to exceed a base of \$20,000 per year). Such payment shall not be counted as compensation for the purpose of computing retirement benefits.

Employees receiving a cash out of their retirement benefit are not eligible for payment of unused sick leave.

BONUS LEAVE

Bonus leave days are given as a reward to employees for not using any leave other than annual, bonus leave, or compensatory leave during a given three-month period. After the first year, as many as four days of leave may be earned per year.

Provided there have not been absences for any reason during new employee probation, one bonus day will be earned when the probation period is successfully completed. Thereafter, bonus days are earned on a quarterly calendar year basis.

PURPOSE

Bonus days are given as a reward for NOT USING SICK LEAVE OR ANY TYPE OF LEAVE WITHOUT PAY.

ELIGIBILITY

All classified/unclassified full-time and part-time regular and durational employees are eligible to earn and use bonus leave days with the exception of elected officials, the Chief Administrative Officer, County Attorney, and Division Directors of the Mayor's administration.

Part-time regular and durational employees earn bonus days on a pro-rata basis.

USE OF BONUS DAYS

After the first six months of continuous employment and upon successful completion of original probation, the following can be earned: one bonus day to be taken within 12 months from the day it is earned;

subsequently, as many as four days a year may be earned and **MUST BE TAKEN WITHIN 12 MONTHS FROM THE DAY THEY ARE EARNED.**

ALL BONUS DAYS ARE EARNED QUARTERLY ON A CALENDAR YEAR BASIS.

Under no circumstances can an employee accrue more than four bonus days. Any bonus days not used within the twelve-month period from when they were earned will result in automatic loss of the day(s).

FAMILY MEDICAL LEAVE

As provided for by the Family and Medical Leave Act of 1993, Shelby County Government will provide as much as 12 weeks of job-protected leave to "eligible" employees for certain family and medical reasons. Employees are eligible if they have worked for Shelby County Government for at least one year, and for 1,250 hours over the previous 12 months.

Leave may be granted for any of the following reasons:

- To care for employee's child after birth or placement for adoption or foster care;
- To care for an employee's spouse, son or daughter, or parent, who has a serious health condition;
- For an employee's serious health condition that makes him/her unable to perform his/her job; or
- For qualifying exigency military family leave. To find out more about the special provisions for this leave, please contact the Human Resources Family Medical Leave Section.

In order to be eligible for part or all of this leave, the employee will be required to provide at least 30 days advance notice. If 30 days is not possible, as much advance notice as possible must be given. When it is not possible to provide the required 30-day notice, the employee will supply the medical certification as required by the County within 15 calendar days of said request.

To find out more about the provisions of family medical leave and to obtain the special leave request and medical certification forms that must be used, contact your department management or the Human Resources Family Medical Leave Section.

MATERNITY LEAVE

Shelby County Government will comply with all provisions of any state or federal laws that are applicable to maternity leave. As provided for by the Tennessee Maternity Act of 1987, as amended, employees

may be eligible for as many as four months of leave directly related to the birth or adoption of a child. Sick leave pay would only be granted during this leave while the employee is medically unable to work. Any earned annual or bonus leave can be used to be paid during this time. The remainder of maternity leave would be without pay.

In order to be eligible for part or all of this extended four months leave, at least three months' notice of intent to use this leave must be given except in emergency situations. An employee may find out more about the provisions of this leave and obtain the special leave request form that must be used from department management.

Leave taken under the Tennessee Maternity Act counts as family/medical leave under the Family and Medical Leave Act and runs concurrently.

SHELBY COUNTY RISK MANAGEMENT ON THE JOB INJURY (OJI) POLICY

OJI Eligibility

Employees eligible to receive OJI benefits include all permanent, durational, and temporary employees, whether full-time or part-time. Volunteers and/or individuals who receive from Shelby County Government less than \$1,000 in annual earned income as defined by the United States Internal Revenue Code are not eligible to receive OJI benefits. Exceptions are Shelby County Sheriff Reserve Deputies.

OJI Procedures

Failure to follow procedures may result in denial of claim.

1. Any injury, no matter how minor, must be reported to a supervisor **before the end of the work shift on the date of the event.**
2. An Injury/Accident/Illness Report must be completed and **emailed or faxed to Risk Management immediately at 222-7670.** The original Report must be sent to the Risk Management Office, 1075 Mullins Station Road, Second Floor-Northwest Wing, Memphis, TN. 38134.
3. A medical doctor must be seen within seven **days** of the event believed to have caused the injury.
4. An appropriate doctor's statement must be submitted for **any absence from work** for which OJI leave is sought. **Backdated** statements are not acceptable. The original doctor's statement must be turned in to the supervisor as soon as possible and forwarded to Risk Management.
5. An employee is allowed up to three hours of OJI leave to attend a medical or therapy appointment. The employee must first report to work before their appointment and return to work after the appointment unless the medical provider directs otherwise. Overtime will not be paid for an employee to attend a medical or therapy appointment on their off time.

6. Modified duty work may be available in most cases; check with management in your department.
7. **Visits to Chiropractors and Nurse Practitioners are not covered under the Shelby County OJI Plan.**
8. To avoid out-of-pocket expenses, employees must choose a medical practitioner, hospital or minor medical facility on the Shelby County Referral List of Providers.
9. **ONLY USE THE REGIONAL MEDICAL CENTER IN CASE OF EXTREME, LIFE- OR LIMB-THREATENING TRAUMAS.**
10. Employees should have the doctor's office or hospital contact Risk Management at **222-7671** if an in-patient admission is required.

Only Risk Management can approve or deny a claim for On the Job Injury benefits.

Seeking Assistance

When an employee needs treatment from a medical specialist, the OJI Specialists in the Department of Risk Management will provide resource information. The OJI Specialists will act as liaison between the employee, doctor, and department, to assist the employee in recovering from their injury/illness and returning to normal activities as quickly as possible. The Risk Management staff can be reached from 8:00 a.m. to 4:30 p.m. Please call the OJI specialist assigned to your department.

The Department of Risk Management cannot approve for OJI benefits any stress claim that does not arise out of a single traumatic incident. General workplace stress problems should be referred to the Employee Assistance Program.

For a possible blood borne exposure injury during the working hours of 8:00 to 4:30, the employee must go to Employee Health at the Health Department, Room 214, 814 Jefferson. After those hours, the employee must go to Baptist Hospital East. Please see the detailed protocol in existence at the time of injury. If these instructions are not followed, the claim will not be validated as an OJI. Not following these rules will put the employee's health at risk.

Only one visit to the emergency room or to a minor medical facility will be covered, except in extraordinary circumstances, and the second visit must specifically be authorized in advance by the Risk Management Department. On the Job injuries are expected to be treated by authorized physicians by appointment. Second visits to the emergency room also may not be covered by group health as they are workplace injuries.

Salary Continuation

Employees disabled because of bodily injury or illness that arises out of and in the course of performing their assigned duties and

approved by the Risk Management Department as an OJI may qualify for as many as six months of injury leave with full salary, provided they have complied with Shelby County OJI Policy and procedures. If the employee remains off work on an OJI for more than six months, pay will be reduced to 60 percent of base pay. After six months of OJI leave, an employee must submit an application for long-term disability. This application will not interfere with OJI benefits. Long-Term-Disability benefits would only take effect after 11 months of OJI leave. The six months includes every day taken off as a result of an injury.

At a point to be determined by Risk Management and not to exceed 11 months, the employee must do one of the following: return to prior position; go off the payroll; apply for disability retirement; or obtain another job within Shelby County Government.

Close out of Claims

The OJI specialist who has been working with a claim will close out that file if there has been no activity for the preceding three-month period and no additional benefits will be available.

Appeal Process

If a request for OJI benefits has been denied by the OJI specialist, the employee may appeal that decision in writing to the manager of Risk Management, within 10 regular County business days of the denial. If the employee wishes to appeal the decision of the Risk Management manager, an appeal in writing must be sent to the Deputy Chief Administrative Officer (CAO) within 10 days of the manager's decision. The Deputy CAO review is the final administrative step of the appeals process.

DISABILITY LEAVE

Temporary Disability Leave is intended to apply to an extended period of medical disability at the end of which it is expected that the employee will have recovered sufficiently to return to his or her job.

ELIGIBILITY

All employees who are eligible to earn and use sick leave.

QUALIFICATIONS FOR TEMPORARY DISABILITY LEAVE

Temporary Disability Leave may begin under one of these circumstances:

1. When a period of extended disability for a personal illness or injury has resulted in use of all accrued paid sick leave days and other available annual days, bonus days, and compensatory time to compensate for work days lost and the disability period has not reached six months; or
2. When a period of continuous disability for a personal illness or injury covered by sick leave with pay has reached six months.

APPLICATION AND APPROVAL

Based on a written request from the employee, on a form provided by the County, the Appointing Authority and the Administrator of Human Resources will initiate a review of the request for Disability Leave. This review should be completed prior to the commencement of any such Disability Leave and no later than six months from the date of initial absence. This review is to determine if the Temporary Disability Leave should be granted. If the employee does not submit the form request within the proper time frame referenced above, all paid leave will be stopped until the request is received and processed.

A medical evaluation by consultants selected and paid for by the County may be requested to help in determining whether Disability Leave is justified. The employee is required to cooperate with any medical evaluation, which may include the release of relevant medical information. Failure to cooperate will result in denial of Temporary Disability Leave.

After the completion of the leave review, one of the following options will be selected:

1. If it is determined that the employee will be able to return to work within six) months, leave continuation in the form of Temporary Disability Leave will be granted for as many as six months, which will require periodic medical or other documentation necessary to support the continuation of this leave;
2. If it is determined that the employee will be able to return to work within six months, but not in the job previously held, the

employee's department and the Human Resources Department will seek to locate another job that can be offered for which the employee has medical clearance. This job may or may not be at the employee's former job classification level. A position representing a promotion cannot be offered in this circumstance;

3. If it is determined that the employee is medically incapable of performing any job available in the County or it is not anticipated that the employee will improve medically within six months to be able to perform such a job, the employee has the following options:
 - a. Apply for disability pension, if eligible; or
 - b. Accept termination for medical reasons and retain preferential employment rights in the event that the employee improves medically to the point where he or she may resume work activity with the County.

IMPORTANT NOTICE: The preferential employment right must be requested in writing within 30 days of termination by letter to the Administrator of Human Resources.

At the time an employee is able to return to work, a letter must be sent to the Administrator of Human Resources requesting preferential placement, and such letter must be accompanied by medical documentation verifying the ability of the person to return to active work;

4. If at the end of the approved Disability Leave period the employee is unable to return to work, the employee has the options as stated in sections 3A and B above.

FILLING JOBS

After six months of absence from the job, the position the employee occupies may be filled by the department. At the time the employee is ready to return to work, the department and Human Resources Department will work together to locate a position for the returning employee. The employee will retain preferential employment rights.

DURATION AND BENEFITS

No employee can remain on Temporary Disability Leave beyond one year from the initial date of absence.

The County will pay the employer's portion of benefit cost for six months from the date of the initial absence. Thereafter, the employee must pay 100% of the premium while in a leave status. Regular benefits will cease after one year.

PAY

With no paid leave available, the employee is placed on a leave without pay status while on approved Temporary Disability Leave.

While on Temporary Disability Leave, a shift employee will be assigned to a Monday through Friday day-shift schedule.

SPECIAL LEAVE

Special leave shall be defined as time off from regular hours that may be granted with or without pay at the discretion of the Appointing Authority or his/her designated representative. Such leave will include death or natural catastrophe in an employee's immediate family, which requires the employee's presence, as well as serving under subpoena as a witness in court. Any such leave will not be more than 10 days per calendar year, unless otherwise specified in a specific leave description.

FUNERAL LEAVE (Bereavement)

For the purpose of applying this provision of leave, the definition of "family" will be: legal spouse; mother or father; brother or sister; son or daughter; grandparent of employee; grandchild; mother-in-law or father-in-law; step-parent or step-brother/sister of employee..

1. Special leave for these family members will be allowed for as many as three days associated with the funeral of the deceased.
2. Special leave of one day may be allowed to attend the funeral of an employee's aunt; uncle; brother-in-law or sister-in-law; or persons with whom an employee may have lived as a child for a period of five or more years.
3. Employees may request all or part of annual leave days or bonus days for funeral services of persons with whom they have special personal relationships. Such leave will be requested in advance and be approved at the discretion of the department head.
4. Funeral leave is a form of special leave with pay that shall not exceed 10 days per year, unless written joint approval is received from the Appointing Authority or his/her designated representative based on recommendations made by the Administrator of Human Resources.

Special leave will not be substituted for sick leave.

NOTE: Under no circumstance can special leave with pay be given until the employee has successfully completed probation and has attained regular or durational status.

COURT LEAVE

An employee may be paid to attend court while serving under a subpoena as a witness, provided that the employee has no interest in the litigation either because of friendship or relationship to the parties in the dispute.

LEAVE WITHOUT PAY

When an employee is on leave without pay 51% of the month, no leave accumulates. This includes suspension without pay.

EDUCATIONAL LEAVE

Educational leave of absence without pay may be granted to an employee. This leave must be approved by the Appointing Authority or his/her designated representative. Requests for leave shall be submitted in writing, stating reasons for the request, the date the requested leave will begin, and the probable date of return. Educational leave of 30 days or more with pay must have the approval of the Appointing Authority.

MILITARY LEAVE

Any regular or durational employee who is a member of the United States National Guard, Army Reserve, Air Force Reserve, Marine Reserve, or any of the Armed Forces of the United States will be granted military reserve duty leave for any field training. The County will pay for as many days as allowable in a calendar year pursuant to the provisions of the Tennessee Military Leave Law. Such leave will be granted upon presentation of the employee's official orders to the department head. While on Military Reserve Duty Leave, the employee will receive his/her regular base pay and will be allowed to retain military pay.

JURY SERVICE LEAVE

Employees selected for jury service shall be excused from their assigned duties for the actual duration of the jury duty upon presentation of proper documentation. Temporary employees must have worked six (6) months to be eligible for paid jury leave. If an employee summoned for jury duty is working a night shift or is working during the hours preceding those in which court is normally held, the employee shall be excused from employment for the shift immediately preceding the day of service. When the employee's responsibility for jury duty exceeds three (3) hours during a day, then the employee shall be excused for the day or from the person's next scheduled work period occurring within the next 24 hours. An employee will receive their regular pay during jury service.

SPECIAL NOTE:

No appointing authority, division director, or department head may award an employee special leave credit (in the form of annual vacation leave, bonus leave or any other form of paid time off) in exchange for participating in a charitable event, including, but not limited to, United Way, food bank, Angel Tree, or blood bank drives.

Further, no appointing authority, division director, or department head may award an employee special leave credit (in the form of annual vacation leave, bonus leave or any other form of paid time off) for holiday shopping time, e.g., Christmas 'shopping' days.

PAID TIME OFF NOT EXPRESSLY PROVIDED BY THE PERSONNEL POLICY IS STRICTLY PROHIBITED.

UNAUTHORIZED LEAVE

No employee shall be absent from duty without authorized leave. An employee who is absent without authorized leave for three consecutive workdays may be terminated for job abandonment.

ADDITIONAL BENEFITS

ADDITIONAL DEATH BENEFITS

Upon the death of a full-time regular or durational employee, his or her estate shall receive the next due payroll check, an additional two weeks full pay, plus pay for unused annual leave and bonus days, minus any distribution to spouse and children allowed under state law. Further, the family and/or estate shall be given complete assistance by the department head and Human Resources Department in settling pension, life and hospital insurance, and credit union benefits.

DIRECT DEPOSIT OF PAYCHECK

Employee pay is deposited directly to the financial institution of the employee's choice. This is mandatory.

DEFERRED COMPENSATION

The County offers an optional long-term tax deferred retirement savings plan for all employees. A wide range of savings options is available. For more information, contact the Employee Benefits Office of Human Resources.

FLEXIBLE BENEFIT PLAN

This Plan is a premium conversion plan governed by Section 125 of the Internal Revenue Code. It allows employees to pay premiums for certain insurance plans with pre-tax dollars. For more information, see the Employee Benefits Office of the Human Resources Department.

CREDIT UNION

Membership in Shelby County Employees Federal Credit Union is open to all regular and durational employees and members of their immediate family living with them. To find out more about the credit union, visit or call the downtown office, phone 545-4414 or the office on Sycamore View, phone 377-8929.

UNITED WAY

Payroll deductions are available for the convenience of employees contributing to the United Way through monthly installments.

TRAINING AND EDUCATION

Training and development opportunities are available through the Human Resources Department. The Training Office offers a wide range of courses, seminars, informational workshops, and conferences designed to enhance the quality of services provided by the County.

Course offerings are primarily job specific and relate to information needed to effectively address the needs of our internal and external customers. Participation in course offerings are initiated primarily by individual department management. Open course offerings to employees must have department management approval.

Shelby County will reimburse employees for educational course work that is **job-related**, provided that the funds are available in the department's budget, the employee has completed new employment probation, and the employee receives **advance** written authorization (prior to course registration) from his/her department head and the Human Resources Department. Additionally, the course must be taken from an accredited institution and the employee must earn a passing grade of "C" or higher. No reimbursement will be made for books or fees other than actual tuition.

Supervisors/managers have the necessary paperwork to begin the tuition reimbursement process. For more information regarding tuition reimbursement, contact the Human Resources Department.

EMPLOYEE ASSISTANCE PROGRAM

Shelby County Government employees and their family members are eligible to receive services provided through the Employee Assistance Program (EAP). The EAP will assist employees and their families in receiving professional treatment for a wide range of

conditions and circumstances, some of which may be substance dependence, stress, depression, marriage and family difficulties, psychosomatic disorders, anxiety, grief, and many others. Six months of continuous employment is required for employees to be eligible for mental health benefits coverage in the insurance programs offered to employees. Six months is required for dependents to be eligible. EAP counseling services, however, do not require any specific length of service.

All visits are strictly confidential. Appointments should be arranged prior to visitation to the EAP. EAP referral is mandatory for any usage of mental health insurance benefits. There is no cost to employees for consultation or counseling with the EAP staff. Employees can take time off from regular working hours for all appointments at the EAP Office. Proof of visitation must be given to your supervisor upon return to the workplace.

To arrange an appointment or for more information call 458-4000 or (800) 445-5011.

EMPLOYEE RECOGNITION AND ACTIVITIES

Shelby County Government believes that outstanding employees should be recognized for their contributions and that all employees should be given the opportunity to participate in a wide range of activities.

Included in recognition efforts are the annual service awards, annual luncheon for long term employees, newsletter articles and various department and office-level recognition awards.

Activities include the annual free employee picnic, United Way, Operation Feed, Angel Tree, and various other authorized campaigns.

GENERAL INFORMATION

TELEPHONE USE

As a public employee, courtesy is always the first rule in using the telephone. For many taxpayers, who are our employers, the phone is the only contact they will have with County government.

All personal calls must be kept to a minimum and should only be made if absolutely necessary or if an emergency exists. Non-work related long-distance calls are prohibited.

Your department will maintain instructions for the telephone system set up in your work location.

MAIL SERVICE

The following procedures are recommended for efficient mail service:

- Inter-office mail should be channeled through the Messenger Service;
- Mail opened by mistake should be resealed, notated "Opened by Mistake" and forwarded to proper addressee;
- Out-going business mail should be left in marked boxes for mail pickup;
- Personal mail should be sealed and stamped when brought to the mailroom;
- All mail should be bundled separately for Inter-office or outgoing.

PARKING FACILITIES

Downtown parking facilities that are located in the garage of the Shelby County Administration Building, Justice Complex, and Office Building lot are reserved. The outside lot under the expressway viaduct between Second Street and Third Street is on a "first-come" basis. All parking permits are issued by Support Services.

Rules and Regulations for Garage Parking:

- All vehicles utilizing parking facilities must have a parking sticker;
- Large trucks, except service trucks, are not allowed garage parking;
- Double parking is prohibited because of fire and safety regulations;
- The garage speed limit is five MPH and must be observed at all times.

Questions regarding parking permits or other parking related issues should be referred to the Support Services Department.

BULLETIN BOARDS

The posting of information on official Shelby County Bulletin Boards is the responsibility of the Public Affairs Office. Employees may submit information for posting on the bulletin boards, provided small cards are used for posting information. Public Affairs must approve posting or removal of any bulletin. Job postings are the responsibility of the Human Resources Department.

The posting of information on any bulletin board other than official Shelby County Government bulletin boards, such as department bulletin boards, requires prior approval of the appropriate department head or elected official.

USE OF ELECTRONIC MEDIA/COMMUNICATIONS EQUIPMENT AND SYSTEMS

All of Shelby County Government's Communications Media and Information Systems are installed for the purpose of conducting County business. These systems and equipment are an employer-provided work tool and, as such, management retains the right at any time to view any messages and other data on these systems.

Electronic media communications include: Two-way radios, telephones, fax machines, E-mail, internet communications

associative electronic equipment such as personal computers and modems/PC communications products, pagers, and beepers.

Electronic mail can be a public record under the Public Records Act of Tennessee and, therefore, may be subject to public inspection.

Improper, illegal, inappropriate, or offensive conduct in the usage of displayed, transmitted, received, and exchanged electronic communications is subject to discipline up to and including termination of employment.