

# **CITY OF GALLATIN**



# **EMPLOYEE HANDBOOK**

## **PREFACE**

This Employee Handbook is intended as a ready source of reference for your use throughout your career with the City of Gallatin. This guide provides a very brief condensation of some, but not all, of the provisions contained in the Municipal Code, Personnel Rules and Regulations, the employee retirement plan, group insurance plans, and other benefit summaries (“official documents”). In publishing this booklet, every reasonable attempt has been made to provide current and factual information in an easy-to-understand format; however, it must be emphasized that the information is subject to change. In the event of any differences in wording between this Employee Handbook and the official documents, the contents of the official documents shall prevail and apply in all situations. Copies of the official code, rules and regulations, and other official documents are available for examination by you or your representative at any time during normal working hours.

Your Employee Handbook is not to be interpreted as a legal document or an employment contract. Employment with the City of Gallatin is “at will” and can be terminated at any time.

Nothing in this handbook constitutes an express or implied contract or assurance of continued employment.

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## **MESSAGE FROM THE MAYOR AND CITY COUNCIL**

We wish you every success in your position in the public service with the City of Gallatin. You are a part of a city that we believe to be among the most progressive in the State.

We believe that the growth and progress of Gallatin will be achieved by the successful application of our employees' skills to our activities, and we feel our employees will play a major role in our City's success.

We believe in and hold the highest respect for the rights and individual dignity of each of our employees. To the best of our ability, we will create an atmosphere within the City that will allow all employees to feel a genuine sense of accomplishment. In complying with the provisions of all applicable state and federal civil rights laws, at no time will we knowingly discriminate or allow discrimination toward an employee or citizen because of age, sex, race, color, religion, physical limitations, national origin, or any other lawfully protected reason.

Your job is an extremely important one. We know that you will help us in providing the best possible service to the citizens of our City. We hope you will enjoy working for the City and working with us in making Gallatin an even better place in which to live.

Sincerely,

Mayor and City Council

## **THE EARLY HISTORY OF GALLATIN**

Sumner County was once the hunting ground for the Chickasaw, Creek, and Cherokee. The first settler, Thomas Sharp Spencer, spent the winter of 1776-77 in a hollow sycamore tree. Spencer returned in 1779 to clear land, build a cabin, and plant the first patch of corn in Middle Tennessee. The first permanent settlement in the county was made in 1780 at Bledsoe Lick, now known as Castalian Springs. This was the first of many forts or stations erected for protection from the Indians whose attacks lasted until 1795.

In November of 1786, Sumner County was created by an act of the General Assembly of the State of North Carolina. The county was named for a Revolutionary War Soldier, Colonial Jethro Sumner. Gallatin was established in 1802 as the permanent county seat. The name was chosen to honor Albert Gallatin, Secretary of Treasury to Presidents Jefferson and Madison. One year later, when the town was surveyed and platted, Andrew Jackson was one of the first to purchase a lot. In 1803, the first courthouse and jail were built. In 1815, the town was first incorporated and now functions under a Charter established by a 1953 Private Act of the State Legislature.

The first means of public transportation was the Mail Stage. One traveled from Nashville to Louisville, stopping three times weekly. Another operated on a semi-weekly schedule between Gallatin and Carthage. The Louisville and Nashville Railroad was completed through the county in 1859. Another form of transportation available at this time was the steamboat, which landed at Elliott Branch.

At the first approach of the Civil War, the citizens of Gallatin and Sumner County were generally opposed to secession from the Union but, when the time came to choose sides, they were almost unanimous in their support of the Confederacy. With the first outbreak of hostilities in April of 1861, soldiers from Sumner County began joining ranks. The Union Army first captured the town in February 1862. In July of that year, General John H. Morgan recaptured Gallatin and held it until the Confederate forces fell back to Chattanooga.

After the war, Gallatin was left with occupational forces. Upon their departure, the area returned to being a small southern community with a solid and steady growth. The area was primarily agricultural until mid-century; but, by 1970, industrialization resulted in only 50% of the county population being considered rural. Agriculture remains a major factor in the local economy, the leading crops being corn, tobacco, grains, and fruits, with livestock and dairy products contributing materially to farm income.

Today, Gallatin continues to grow and welcomes many new people and industries into the community. With continued commercial and industrial growth, major retailers and industries are finding Gallatin to be an attractive place to start new businesses.

## FORMS OF GOVERNMENT

The City of Gallatin is governed by a fulltime Mayor and a City Council consisting of seven Alderpersons.

The Council is the legislative arm of the city government, and the Mayor is charged with certain executive and administrative responsibilities. A City Recorder is also elected for a four-year term. The Recorder is responsible for recording the actions of the City Council and also serves as a tax collector and judge of the city court.

Various officials are appointed to be responsible for the day-to-day operations of the City:

1. **Building Official** is responsible for administration of the City's overall codes system, including permits issuance, field inspections, and building and codes compliance.
2. **City Attorney** is the legal advisor to the Mayor, City Council, and City management.
3. **City Engineer** is responsible for planning and coordinating civil engineering projects related to City growth and maintenance.
4. **City Planner** reviews plans and presents findings to the Planning Commission and Council. Makes long-term recommendations on the growth of the City.
5. **Director of Finance** is responsible for financial management, contracts and agreements, accounting and budgeting, risk management, payroll and other administrative matters.
6. **Director of Leisure Services** supervises all recreation programs and activities including those of all parks, civic center, athletic fields, playgrounds, swimming pools, and cemeteries.
7. **Executive Director of Economic Development Agency** facilitates progressive and diverse economic development through anticipating, encouraging, managing, and embracing viable community growth by recruiting new retail and industrial businesses.
8. **Fire Chief** is responsible for firefighting, fire prevention, arson investigation, and fire code enforcement. The Chief also serves as the City's Safety Officer.
9. **Personnel Official** is responsible for administration of the City's overall personnel system including compensation, classification, counseling, and benefits.
10. **Police Chief** is responsible for law enforcement, crime investigation and prevention, and traffic control.
11. **Superintendent of Public Utilities** is responsible for natural gas, water, sewer systems including customer billing, collection, and accounting.
12. **Superintendent of Public Works** is responsible for streets, sanitation, vehicle and building maintenance, and animal control.

## PERSONNEL SYSTEM

In January 1979, the City Council adopted a personnel ordinance establishing a personnel system. This ordinance is included in the Municipal Code as Chapter 13. The ordinance declares the personnel policies of the city as follows:

- a. Employment in the city government shall be based on merit, efficiency, and fitness, free of personal and political considerations.
- b. Just and equitable incentives and conditions of employment shall be established and maintained to promote efficiency and economy in the operation of the municipal government.
- c. Positions having similar duties and responsibilities shall be classified and compensated for on a uniform basis.
- d. Appointments, promotions, and other personnel actions requiring the application of the merit principle shall be based on systematic tests and evaluations.
- e. Every effort shall be made to stimulate high morale by fair administration of this system and by every consideration of the rights and interests of employees, consistent with the best interests of the public and the City.
- f. Tenure and compensation of employees covered by this system shall be subject to good behavior, satisfactory performance of work, necessity for the performance of work, and authorization of available funds.

Based on the authority of this personnel ordinance, a set of “Personnel Rules and Regulations” was adopted in March 1979. This handbook summarizes the parts of the personnel system that are most important to you, the employee. This handbook does not represent a reproduction of the Personnel Rules and Regulations. Should any personnel rule, policy, or procedure in the handbook be in conflict with official documents, the official documents would be controlling.

Copies of the personnel chapter of the City Code and the Personnel Rules and Regulations are available to you in your department, in the Personnel Office, and in the Recorder’s Office.

## **EMPLOYEE CLASSIFICATIONS**

There are a number of categories within the City's Personnel System.

**CLASSIFIED** employees are those who have been hired for an indefinite period of time, are employed in a budgeted position on a full-time or part-time basis, and have completed their probationary period.

**PROBATIONARY** employees are those who have been hired for an indefinite period of time, are employed in a budgeted position on a full-time or part-time basis, and are serving a probationary period to demonstrate that they can adequately perform the duties of the position after a reasonable period of training and evaluation. Upon satisfactory completion of the probationary period, these employees will become Classified employees.

**NONCLASSIFIED** employees are selected or appointed by the Mayor, City Council, or other officials as provided for in the Municipal Code.

**TEMPORARY** employees are appointed for relatively short periods of time or to do occasional work. Included in this category are seasonal workers.

**VOLUNTEER** employees serve in a few jobs without compensation or with only token compensation.

**CONTINGENCY** employees are hired to meet the immediate requirements of an emergency condition that threatens life or property, such as fire, flood, earthquake, riots, etc.

### **PROBATIONARY PERIOD**

Every person appointed or promoted to fill a classified position within the city service must successfully complete a probationary period before becoming a classified employee. The probationary period is a "work test" period, normally lasting six months (or 12 months for law enforcement officers) from the date of appointment or promotion. During this period, the probationary employee's work is evaluated frequently so that the supervisor may determine whether or not the employee is capable and willing to perform his or her duties in a satisfactory manner.

The department head may take certain action if, in his or her opinion, the probationary employee is unwilling or unable to satisfactorily perform the duties of the position. A new employee failing to complete the probationary period will be dismissed from city service. During the probationary period, the employee may be rejected at any time without cause and without right of an appeal or hearing, and the decision of their department head is final.

Sometimes, an extended probationary period may be determined necessary in the training and evaluation of an employee. A one-time extension, not to exceed six months, may be directed by the department head with concurrence of the Mayor. Upon satisfactory completion of the probationary period, the employee is notified and designated as classified.

## YOUR JOB AND PAY

**Job Classification.** The contents of your job have been carefully analyzed and described in a written job description, a copy of which should be provided to you by your supervisor. The job description is an important document and provides the basis for future evaluation of your performance as well as other personnel actions such as training, promotion, reclassification, transfer, etc. The job description contains your title, a general definition of your job and reporting (supervisory) relationship, and a list of the commonly found tasks in your job. Not all tasks are listed, of course, and you will be expected to perform other reasonable tasks as they relate to your job. Also found in your job description are expected knowledge, skills, and abilities, required education and experience, and other special requirements for the job such as occupational licenses, certifications, driver's license, etc. as applicable. If you do not understand any part of your job description or you feel some changes should be made, do not hesitate to discuss this with your supervisor.

**How Your Pay Rate is Determined.** Based on your job classification, your position has been assigned to one of the pay grades in the city's pay plan. Your pay grade is determined from a number of factors, including level of responsibility, working conditions, qualifications required in the job (such as education, experience, licenses, certification, training, etc.) and comparability studies to determine what other public and private employers are paying for similar labor. Newly appointed employees' pay rate will normally be set at the lowest step (Step A) within their pay grade, and they will advance one step annually on their job anniversary review date provided they meet work and other requirements of the Personnel Rules and Regulations. These step increases recognize that, as your experience and ability to do the job increases, your value to the City increases as well and your pay is increased accordingly.

**General Pay Increases.** The City Council may, at its discretion, approve from time to time a general pay increase to adjust for cost-of-living or market wage conditions. In the event such increase is approved, its percentage equivalent shall be applied equally to all grades of the pay plan in order to maintain the same degree of spread between grades and steps within grades.

**Pay Days.** All employees are currently paid on a weekly basis. Your paycheck includes the hours worked in the pay period ending in the prior week. You will receive your paycheck from your supervisor along with an itemized statement of your earnings and deductions. These deductions include federal income tax (FIT), social security withholding (FICA), Medicare and, if applicable, other contributions such as your portion of the premiums for health/dental insurance coverage, retirement contributions, savings bond purchases, Christmas savings, dependent life insurance premiums, uniform charges, and wage assignments. You should review the statement of earnings and deductions very carefully and retain it as an important record. If you have any questions, contact your supervisor, Payroll, or Personnel.

**Work Hours.** Your hours of work and workdays may vary depending on the nature of your job. Most City jobs are 40 hours per week but others are rotating shifts of various lengths, have weekend and holiday work required, and other arrangements. Your department head has assigned the work schedule necessary for peak performance of your work unit. You are required to accurately report the time you work on the job and your supervisor will show you how to do this.

**Overtime.** At times, you may be asked by your supervisor to work more than the regularly assigned hours of your job. Because the need for overtime often is not known very far in advance, you may not be given as much advance notice as may be desirable; however, every effort will be made to assign overtime as fairly and equitably as possible. If you are an hourly (nonexempt) employee, overtime work shall be compensated at the rate of one and one-half times the hourly rate of pay for all hours actually worked in excess of 40 hours in the established seven-day work week. The work period for police officers and their supervisors is 171 hours in 28 days. For firefighters and their supervisors, the work period is 212 hours in 28 days. Hours paid for approved absences, such as vacation, holidays, sick leave, etc. do not count towards the maximum allowed to calculate overtime compensation. Employees may agree in advance to the use of compensatory time, but compensatory time shall not be used as a means of circumventing the overtime requirements of the Fair Labor Standards Act. Some employees are exempted under federal law and will not be paid overtime regardless of hours worked. This exemption extends to certain salaried executive, professional, and administrative employees.

### **THE CITY'S POLICY REGARDING DRUGS IN THE WORKPLACE**

The City of Gallatin recognizes that the use and abuse of drugs and alcohol in today's society is a serious problem that may involve the workplace. Employees are expected and required to report to work on time and in appropriate mental and physical condition for work. It is our intent and obligation to provide a drug-free, healthful, safe, and secure work environment. All City of Gallatin property is subject to inspection at any time without notice.

The unlawful manufacture, sale, distribution, dispensation, possession, or use of a controlled substance on City premises or while conducting City business off City premises is absolutely prohibited. Violations of this policy will result in disciplinary action, up to and including termination, and may have legal consequences. Drug and alcohol testing may be required under a number of certain situations.

In the event that a City Employee is dependent upon or an abuser of drugs and/or alcohol and sincerely wishes to seek professional medical care, that employee should voluntarily discuss his/her problem with the respective department head in private. Such voluntary desire for help will be honored by the City and will be eligible for such benefits and treatment arrangements that are available.

This policy does not preclude the appropriate use of legally prescribed medication that does not adversely affect the employee's ability to perform his/her duties. However, it is the employee's responsibility to inform the proper supervisory personnel of such use.

Employees must, as a condition of employment, abide by the terms of the above policy and report any conviction under a criminal drug statute for violations occurring on or off City premises while conducting City business. A report of a conviction must be made within five days after the conviction.

Those employees who are required to hold a CDL or are employed in a Safety Sensitive position are subject to more stringent regulations in both hiring and job retention as set forth in the City of Gallatin Drug and Alcohol Policy.

## **POLICY ON EMPLOYEE RELATIONS**

Employees of the City of Gallatin are not represented by a union and, as such, they may deal directly with management with the full right to think and speak for themselves. You are urged to openly discuss situations with your supervisor. If your supervisor is unable to handle a problem, he/she will bring the matter to the attention of other staff members who can help. All of us work together to create an atmosphere of cooperation and teamwork where each employee is assured of dignity and respect. The appointed managers and elected representatives are committed to doing everything possible to continue to improve this excellent working relationship. Your ideas and suggestions for improving our procedures and policies are encouraged and welcomed.

You should know that if anyone ever asks you to sign a union authorization card or membership card or union petition, you have the right to refuse to sign these documents. Regardless of what you may be told, a union card or petition is a legal document. Signing it is like signing a blank check. It means that you, as an individual, are no longer interested in dealing directly with city supervisors but want to authorize someone else to do your talking for you. Signing an authorization card or petition can be the equivalent of joining the union or voting to have a union represent you. If the union gets enough signed cards or names in a petition, it can, under some circumstances, be recognized as the legal collective bargaining agent without an election ever being held.

The City of Gallatin respects your rights and we want to make sure that others also respect your rights. If anyone should ever try to threaten or coerce you into signing a union card or petition against your wishes, you should see your supervisor and we will make certain that such illegal harassment is stopped immediately.

## **SAFETY**

The City strives to maintain a safe and healthy work place and to provide its employees safe equipment, clothing, and protective devices to do the job. Not only is this an obligation imposed by the Occupational Safety and Health Act (OSHA), it is a commitment that all City employees and supervisors share. As an employee, your obligations include:

1. Taking every precaution to prevent accidents involving you, your fellow employees, and the public. This requires that you be continually alert and that you maintain your equipment in top shape.
2. Immediately reporting all unsafe conditions, suggestions for improved work procedures, and all accidents to your supervisor.
3. If you become involved in an accident on the job, you must seek immediate first aid or emergency care without delay; then, make certain that your supervisor is notified of the accident and your condition as soon as possible.

Prompt accident reporting is essential to protect the interests of both the employee and the City and to correct and maintain a safe working environment. The City's disciplinary policy requires you to immediately report any accident involving you or a fellow worker, even if the accident was minor and did not require medical attention.

Periodically, supervisors and department heads meet to review certain work-related injuries in an effort to determine what procedures, equipment, or other factors may be introduced or modified in an effort to provide all employees with the fewest possible hazards on the job. Errors do occur and from this review process we learn from our mistakes.

The City also schedules from time to time various training sessions by risk management experts to help you work safely. For example, sessions on body mechanic/safe lifting methods are designed to reduce the likelihood of costly back injuries.

The most important safety tool is always your own effort to keep alert and practice good safety methods and work habits. Think before you act, then work carefully. You will prevent injury to yourself and fellow workers. Good safety is good thinking.

### **ATTENDANCE POLICY**

Ideally, if every employee reported to work promptly each scheduled workday, no attendance policy would be necessary. Because some employees do not maintain a regular attendance pattern, some guidelines are necessary to establish what kind of attendance is expected and required.

The City reserves the right to authorize or refuse to authorize the advance request of an employee for permission to be absent; to investigate absences; and, to deny pay for unexcused absences. Our attendance policy measures occasions rather than days or hours of absence. One occasion of absence is defined as one or more consecutive days or hours of absence for the same reason. Any absence requires adjusting crews and work schedules; however, it is more desirable for an employee to be absent from work on one occasion during the year, even if that absence totals five or six days, than for that employee to be absent on several occasions totaling the same or fewer number of days. By measuring attendance in terms of occasions rather than total days of absence, the employee who must be absent for a lengthy period on one occasion is not unduly penalized when he has an otherwise good attendance record.

Approved absences are not included in measuring an employee's attendance record. Attendance will be considered satisfactory when the employee meets the following guidelines:

**Probationary and employees other than classified** – No more than one occasion of an unexcused absence in any three-month period.

**Classified Employees** – No more than two occasions of unexcused absence in any four-month period.

Punctuality is also a necessary characteristic of a City employee. Whenever an employee reports for work late or is tardy in returning from lunch, etc., this may cause the

same problems as absenteeism. The supervisor does not know whether the employee will show up or not and must adjust crews or schedules in the same way that he/she would if the employee were absent. Consequently, punctuality may be as important as dependable attendance.

Tardiness is defined as being more than one minute late at the beginning of the shift, end of lunch, etc. Punctuality will be considered satisfactory for all employees when there are no more than four occasions of unexcused tardiness in any six-month period and no more than one occasion of unexcused tardiness in any period of 7 calendar days.

Because approved absences are not considered in measuring your attendance, you should always contact your supervisor or department head when you are unable to report for work or return to work as scheduled.

The successful accomplishment of each employee's job requires that he or she be reasonably available to work as scheduled. Habitual or excessive absenteeism and long or frequent absences for any reason may be a basis for terminating the employee for unavailability to meet the requirements of the job for which employed.

### **UNEXCUSED ABSENCES**

An unexcused absence is an absence from duty which was not authorized or approved and for which either a request for leave was not made by the employee or such request was denied. Unexcused absences may subject an employee to disciplinary action as the department head deems necessary in accordance with the Personnel Rules and Regulations.

If you are unable to report to work as scheduled, you must notify your immediate supervisor or department head not later than the beginning of the first scheduled workday, or sooner if required by your department head. You must indicate the reason for your absence and the date of your expected return. Your supervisor or department head will then either approve your absence or disapprove your request and require you to report to work. In addition to possible disciplinary action for an unexcused absence, your employment may also be terminated for abandonment of your position in the event you do not personally contact your supervisor or department head prior to an absence of three consecutive work shifts (or more than one consecutive 24-hour work shift if you are a firefighter).

### **LEAVE WITHOUT PAY**

If you are a classified employee in good standing, you may request in writing a leave of absence without pay for sickness, disability, or other reasons considered to be in the best interests of the City and employee. A short leave of absence not in excess of 10 work days without pay may be approved by your department head. A longer leave of absence not to exceed 40 weeks or any leave of absence totaling more than 10 work days during each 12 month period of employment requires the approval of your supervisor, department head, and the Mayor. Leaves of absence for other employment will not normally be considered.

During periods of unpaid absence, you will not accrue paid leave (sick, vacation, or holiday). Continued coverage under the group health insurance plan requires you to pay the full premium during your unpaid absence over 10 work days. Other benefits and creditable service are affected and you should consult with the Personnel Official prior to your absence.

## **YOUR EMPLOYEE BENEFITS**

**GENERAL.** Employee benefits are a form of compensation that you receive over and above your pay for time worked. The City of Gallatin continuously reviews its employee benefit programs to ensure that its work force is provided a highly competitive package of benefits. In so doing, the City is able to attract and retain high caliber personnel, protect their income against illness, injury, disability and death, provide a more financially secure retirement, and comply with all existing federal and state laws. Many of the City's benefits are provided without cost to you if you are a full-time classified employee. Part-time classified employees are eligible for certain benefits such as prorated vacation, sick leave, holidays, retirement plan contributions, and partially-paid health insurance, based on the number of hours worked. Temporary, volunteer, and contingency employees are eligible for benefits as required by law. For a more detailed description of benefits, you should refer to the specific plan description or booklet dealing with each benefit, or contact the Personnel Office for more information. The following brief benefit summaries reflect the benefits in effect at the time of this handbook's printing. The Personnel Office will provide you with the latest information when you are hired.

**Medical Coverage.** The City provides you and your eligible family members with an excellent plan to pay most of your hospital, surgical, prescription, and other medical costs. Coverage begins on the 1<sup>st</sup> day of the month after you complete 30 days of employment. The City pays all premiums for your coverage (except part-time classified employees, whose premiums are prorated based on the number of hours worked) and some of the premiums for family coverage, if coverage is desired. Your share of the optional family coverage will be deducted from your paycheck. A separate booklet explains the coverage in detail and an identification card will be forwarded to you and other covered family members just before the effective date of coverage. Under a federal law known as COBRA (Consolidated Omnibus Budget Reconciliation Act) coverage is allowed to you and eligible family members for an extended period (you must pay the full premium plus a small service charge) following termination of employment, divorce, and certain other qualifying events. It is very important that you keep Personnel informed of any address changes, changes in marital status, and the addition or deletion of eligible family members, so that you and your family may receive the benefits afforded under the law.

**Life Insurance.** The City provides its full-time classified employees with term life insurance. The death benefit is 150% of annual base earnings plus \$5000 rounded to the next higher \$1,000. This benefit is reduced for employees over age 65. Coverage begins on the 1<sup>st</sup> day of the month after 90 days as a full-time employee. The City pays the entire cost for this insurance. If you terminate employment, you may convert the coverage to an individual policy. Additional life insurance can be obtained at your expense.

**Dependent life Insurance.** Dependent life insurance is available to full-time and part-time classified employees for coverage of all eligible family members. The

premium cost is very nominal and is deducted once monthly from your paycheck. Contact Personnel for further information.

**Accidental Death and Dismemberment Insurance.** A benefit of \$5,000 will be paid your survivor, in addition to life insurance benefits, in the event of your accidental death. There are also paid benefits in the event of dismemberment. Coverage begins on the 1<sup>st</sup> day of the month after you have completed 90 days as a full-time employee. The City pays the entire cost of this benefit.

**Dental Coverage.** The City also offers dental insurance coverage. Coverage begins on the 1<sup>st</sup> day of the month after you complete 30 days of employment. The premium cost for you and any eligible dependents is paid entirely by the employee. Contact Personnel for further information.

### **Retirement:**

**1. Social Security.** Per Federal Law an amount is deducted from your pay each week and deposited in your social security (FICA) account. The City contributes a like amount. If you become disabled or retire, payments are made from this governmental-controlled fund in the form of monthly benefits. Your eligible family members may receive benefits in the event you die or become physically unable to earn an income prior to your retirement.

**2. Retirement 401(k) Plan.** You will be enrolled on January 1<sup>st</sup>, April 1<sup>st</sup>, July 1<sup>st</sup> or October 1<sup>st</sup>, whichever date occurs first after you complete 12 or more months of continuous active employment of at least 1,000 hours. The City then contributes to your account an amount equal to 5% of your taxable earnings and will match up to 4% of your own voluntary contributions. You may contribute the maximum amount allowed by law. These contributions, withheld from your pay check weekly, are “tax-deferred” which means that your federal income taxes will be computed on earnings reduced by the amount of your contributions into the 401(k) plan; thus, you save more toward retirement by avoiding a higher tax liability. When you reach retirement age as specified in the Retirement Plan Document, you may apply for retirement and receive the periodic payments, annuities, or lump sum. Should you leave the City’s employment before retirement you are fully entitled to your contributions and earnings and, if you were employed with the City at least two creditable years, you are entitled to a portion of the City’s contributions and earnings as well. Full vesting (entitlement to) City contributions occurs upon completion of 6 creditable years of service. Certain tax penalties may apply for withdrawal prior to reaching a qualified retirement age or for certain other non-qualified early withdrawals. Complete details of this excellent plan will be provided to you shortly before your enrollment date.

**3. Other Retirement Benefits.** Employees retiring at age 62 or older, or who have completed at least 20 years of service, and certain other employees who must retire at an earlier age due to disability, are entitled to a partial cash settlement of 20% to 50% of their accrued and unused sick leave balance at the time of retirement. This amount is calculated from the hourly earnings rate on the effective date of retirement.

**Vacation.** You will begin accruing vacation time at the beginning of your first full month of full-time employment. Classified full-time employees accrue five working days

in their first year of employment. From years 2 through 10, the accrual rate is 10 days per year. Thereafter, the accrual rate increases by one day per year for each year of service completed. The maximum accrual is 20 days per year after completing 20 years of service. Part-time classified employees accrue a prorated amount of vacation based on their hours employed. Accrued vacation is forfeited if you do not complete your initial probationary period. Vacation may normally not be taken during the initial probationary period. Thereafter, it may be taken in whole or in part as approved by the department head. Upon termination of employment, classified employees are paid for accumulated and unused vacation leave at the pay rate in effect on the termination date. You may carry accrued vacation from one year to the next, up to the limit of one year's accrual. If you are on vacation and become ill or otherwise qualify for sick leave, you should contact your supervisor without delay in order to change a portion of your absence to sick leave rather than to your accrued vacation. If you are on vacation when a holiday is observed for which you would otherwise be paid holiday pay, your accrued vacation will not be charged for that holiday and you will receive holiday pay instead for that day. Any one vacation leave should generally not exceed 10 consecutive working days.

**Holidays.** The City observes the following holidays:

New Years Day	Dr. Martin Luther King, Jr. Day
Good Friday	Memorial Day
Independence Day	Labor Day
Thanksgiving Day	Friday after Thanksgiving Day
Christmas Eve	Christmas Day

Holidays falling on a Saturday or Sunday will be observed on either Friday or Monday. Full-time classified employees are paid 8 hours straight time for holidays after 60 days full-time employment, except that employees paid on a 42 or 56-hour-per-week basis are paid 8.4 or 11.2 hours respectively for holidays. Part-time classified employees receive prorated holiday pay based on hours worked.

Most employees are granted the day off on the officially observed holiday; however, in the event your supervisor requests that you work on the holiday, you will be paid for the time actually worked on the holiday and then you will be given an alternate day off with pay; or, you may be paid in lieu of being off on an alternate day. Alternate days off must be taken within a limited period of time near the official holiday. An employee who is on an unexcused absence immediately preceding or following the day set aside for observance of the holiday shall forfeit entitlement to pay for the holiday.

**Sick Leave.**

1. Entitlement. Sick leave is considered a benefit and not a right for the employee to use at his or her discretion. Accumulated sick leave is your assurance of a regular continuing income in the event of your personal illness or physical incapacity, exposure to a contagious disease that would endanger the health of other employees, personal illness within your immediate family, disability resulting from pregnancy, childbirth, or other medical conditions, enforced quarantine in accordance with community health regulations, or appointment with a licensed medical doctor, dentist or other recognized practitioner.

2. **Accrual.** Full-time employees accrue sick leave at the rate of one day (8 hours) per month, except that employees paid on a 56-hours-per-week basis accrue 11.2 hours per month. Classified part-time employees accrue sick leave prorated based on their budgeted work hours. Since there is no limit to the number of sick leave days you can accumulate, you should use sick leave wisely. Abuse of sick leave or false or misleading statements or claims regarding sick leave is an offense which could lead to disciplinary action up to and including dismissal from City service.

3. **Pay for Sick Leave.** Your sick leave compensation is your straight-time hourly rate of pay in effect as of the date sick leave is taken. Employees terminating service with the City are not paid for accrued and unused sick leave, except upon retirement at age 62 or later, or with at least 20 years of service, or certain retirements for disability regardless of age.

4. **Use of Sick Leave.** If you need time off for one of the reasons indicated in (1), you must notify your immediate supervisor or department head no later than the beginning of the scheduled work shift. An earlier notice may be required by your department head, so you should determine your department's policy before sick leave is needed. When you request sick leave, you must advise your supervisor or department head of your expected date of return. If properly documented by medical certificate, sick leave may be granted up to the time any short-term or long-term disability coverage may be provided. In no case shall you be allowed to draw both sick leave and disability or workers compensation payments.

5. **Medical Statements.** You may need to provide a medical statement upon your return to work if your supervisor or department head requires the statement or, in all cases, when your absence is for three consecutive work shifts or longer (or more than one 24-hour shift if you are a firefighter). The medical statement from the licensed practitioner treating you or your family must confirm that you were unable to work for the period in which you were absent. If your absence was due to personal injury, contagious disease, cardiovascular problem, or other condition which might make your return to work hazardous to yourself or others, you must provide a doctor's statement upon your return to work to indicate that you are again physically able to perform your duties.

6. **Other Paid Time Off While Sick.** If you become ill during a vacation, sick leave may be substituted for your paid vacation. Paid holidays falling within a paid sick leave period will not be charged to your sick leave balance. Absence due to job-related injuries or illnesses approved for worker compensation will not be charged to your sick leave balance. If you require additional time off after exhausting your sick leave balance, your department head may approve the use of accrued and unused vacation leave. When both sick leave and vacation leave balances are exhausted and absence continues, your pay ends unless you are a member of the Sick Leave Pool and additional time is granted by the Pool's Board of Trustees. Contact the Personnel Department for more details about enrolling in the Sick Leave Pool.

7. **Excessive Absences.** The successful accomplishment of each employee's job requires that he or she be reasonably available to work as scheduled. Habitual or excessive absenteeism and long or frequent absences because of illness may be a basis for termination of employment due to unavailability to meet the requirements of the job for which employed.

**Longevity Pay.** In order to recognize those City employees who have provided continuous service and at the same time create an incentive for employees to remain in the City service, longevity pay provides additional compensation as follows:

<u>Years of Service</u>	<u>Amount</u>	<u>Years of Service</u>	<u>Amount</u>
5	\$ 150	14	\$ 475
6	175	15	525
7	200	16	600
8	225	17	675
9	250	18	750
10	275	19	825
11	325	20	900
12	375	over 20	900
13	425		

Longevity pay is made in a single payment each year on the second Friday in December. To be eligible, employees must be on the payroll as of November 30<sup>th</sup> of that year and have completed the required length of continuous service as indicated above. An exception is made to allow otherwise eligible employees to draw a prorated amount of longevity pay when they retire earlier in the year due to disability.

**Worker’s Compensation.** If you are injured on the job or contract a work-related illness, your medical expenses will be fully paid through a worker’s compensation fund. Additionally, if you are absent from work due to a work-related illness or injury and your absence extends more than seven days, you may be eligible for a temporary disability benefit of up to 2/3rds of your regular earnings. The City makes annual payments to an insurance pool to cover the costs of these benefits and administration of the plan. To preserve your rights under this program, it is essential that you immediately report the injury to your supervisor without delay so that first aid or other medical treatment may be immediately offered to you for any work-related injury. All work-related injuries, no matter how insignificant, must be immediately reported to your supervisor. The City’s Drug and Alcohol Policy has requirements that pertain to work-related incidents.

State law on workers’ compensation requires the City to provide the names of 3 or more physicians for initial medical treatments. If the injured employee seeks treatment from a doctor not authorized by the City, the City is not responsible for the medical expense.

After initial examination and/or treatment, the examining physician may refer you to another licensed practitioner for further treatment. After initial treatment you should immediately notify Personnel so our Worker’s Compensation carrier may be notified. A bulletin board posting is available in your department, which provides detailed instructions and lists the panel of physicians to choose from.

**Occupational Disability or Injury Leave.** If you are a classified employee and are absent from work because of job-related disability, the City will supplement benefits received from the workers’ compensation fund so that you will not lose any of your regular

income for up to three months. The Mayor may approve extensions beyond three months if warranted.

**Unemployment compensation.** If you are laid off for lack of work, you may be eligible for a limited weekly income to assist you and your family until you can find other work. These benefits are covered by state law and application procedures will be explained to you at the time of your termination.

**Long-Term and Short-Term Disability Benefits.** After six months of continuous full-time classified employment, you are protected under a group long-term and short-term disability insurance plan. The plan pays up to 60% of your income if you are unable to work for more than 30 calendar days (short-term) or more than six months (long-term) due to any disability. These payments may continue from short-term into long-term under the terms of the insurance contract until age 65 or for the duration of the disability, as determined by the insurance company. The plan also includes survivor benefits in the event of your death while disabled.

**Family and Medical Leave.** As required by federal law, disabilities incurred as the result of childbirth, pregnancy, or related conditions, entitle you to leave in the same manner as any other disability. Special additional provisions are granted by law:

1. An employee may request a family leave of absence without pay for the purpose of the employee or official caring for a spouse, son, daughter or parent who has a serious health condition, or due to a serious health condition rendering the employee or official unable to perform their job, or bonding with his or her newborn or adopted child. Absence not to exceed 12 weeks per 12 month period of employment will be granted provided the employee has been on the payroll of the Municipal Government as a full-time classified employee for at least 12 continuous months and worked at least 1,250 hours.

2. Approved Family and Medical leave shall not affect the employee's right to receive vacation time, sick leave, bonuses, advancement, seniority, length-of-service credit, benefits, plans, or programs for which eligible at the date of the leave and any other benefits or rights of employment incident to the employee's position; however, only those benefits provided other employees on a leave of absence without pay status, as described in Section 8.3 of the Personnel Rules and Regulations, will be provided. The one exception is that coverage under the City health insurance program will continue and any share of the premiums owed by the employee are the responsibility of the employee.

3. Upon return from family and medical leave, an employee shall be restored to the previous or similar position with the same status, length-of-service credit, and seniority held as of the date of departure on leave, provided at least three months advance notice was given to the department head prior to the employee's anticipated date of departure, indicating the length of leave and intention to return to full-time employment after family leave (except the three-month requirement for notice shall be waived if the attending physician indicates the employee was unable to give the advance notice due to a medical emergency or in the case of adoption); and, there is no evidence during the absence that the employee used the absence to actively pursue other employment opportunities or held any position with another employer during the absence.

4. Restoration of an employee returning from family leave to a previous or similar position shall not be required when the department head has determined that the absence has been used for purposes indicated in 3.; or, when the department head determines that the employee's position is so unique that the position cannot be filled temporarily during the employee's absence.

**Other Leave With Pay.**

Bereavement Leave. Not to exceed three work shifts (one 24-hour shift if you are a firefighter) in a calendar year, may be granted by your department head in the event of a death in your immediate family. "Immediate family" includes your spouse, parents, children, brothers or sisters, grandparents, grandchildren, or other close relatives as determined on a case-by-case basis by the Mayor. This bereavement leave is not charged to your vacation leave or sick leave credit.

Voting Leave. You may be granted sufficient time off with pay to vote in a national, state, or municipal election, if your department head determines that your working hours would prevent you from voting.

Military Leave. Classified employees are paid up to 15 working days in any one calendar year for training in any military reserve component as well as any additional days as required by law for a call to active duty. To obtain this compensation, not chargeable to your vacation or sick leave, you must provide a copy of your military orders.

Jury Duty Leave. If you are ordered to perform jury duty, you are entitled to full pay for the necessary absence. When you receive the jury notice, you must inform your department head in advance of your absence. You will then be advised of the procedure for collecting your pay during jury duty.

**Training and Travel.** If you are required to undergo training as a part of your job, you will receive normal compensation for training and travel time.

**Reporting Pay.** If you report for your regularly scheduled shift and are unable to perform assigned or alternate duties through no fault of your own, you may be paid a minimum of two hours reporting pay. Examples of such situations are sanitation workers unable to work in severely adverse weather or clerical workers unable to operate equipment due to power failure. The intent of this special pay is to compensate you for your expense in reporting to work when you are unable to work a full shift.

**Education Expenses.** If you are required in your job to attend educational courses or other training, tuition and other related expenses will be paid by the City.

**Tuition Reimbursement Program.** The City also provides a Tuition Reimbursement Program for eligible employees who have been employed at least 6 months to continue their education and to expand upon position-related skills. Contact Personnel for details prior to beginning classes.

**Civic Center Membership.** Full-time classified employees and appointed officials are eligible upon hiring for a full membership only at the Gallatin Civic Center at a 50% discount. Interested employees can go to the Civic Center for details.

**Direct Deposit Benefit.** Full-time classified employees and appointed officials may choose to have their net pay directly deposited into a qualifying bank of their choice. Personal savings account deductions are also available.

**Savings Plans.**

U.S. Savings Bonds. You can arrange to purchase U.S. Savings Bonds through convenient payroll deductions. Contact Personnel for details.

Christmas Club. Annually, employees are afforded the opportunity to sign-up for a Christmas Club account. Payroll deductions provide a systematic savings plan to help defray seasonal expenses. Details are posted on bulletin boards in November.

Credit Union. After your initial probationary period has been completed you are eligible to join the Credit Union. This operates similar to a bank with savings, checking, and loans. Payroll deductions again provide a systematic way for your membership. Details are available in Personnel.

## **DRIVING RECORDS**

Many jobs within the City workforce require a valid driver's license for the operation of vehicles and other equipment both on City property and on public roads. It is your responsibility as a City employee to maintain a valid driver's license and a good driving record.

If your job requires a driver's license and the license expires, is suspended or revoked, or other restrictions are placed on your driving privileges, you must report this fact to your immediate supervisor as soon as possible but no later than the beginning of the next worked shift after you become aware of the restriction, suspension, revocation, or expiration of the license.

Under the State Law, a Commercial Drivers License (CDL) may be required for operation of certain equipment. When a CDL is necessary in your City job, you may have to pass certain written and road tests and meet strict eligibility criteria.

When you are appointed as a classified employee to a job requiring a driver's license, the City obtains your driving record from the Department of Safety. Periodically thereafter, an updated driving record is obtained. Additionally, department heads and supervisors conduct random spot checks to ensure that employees are carrying a valid driver's license when required in their job. Finally, your department head is required to take any necessary actions within one week after notification of the temporary or permanent loss of a driver's license when required by your job.

These measures are all considered necessary to lessen City liability and provide a safer work environment. We hope every City employee shares our concern for safe driving...and, remember: **BUCKLE UP!! IT'S THE LAW!!**

## **PERFORMANCE EVALUATIONS**

During your probationary period, your performance will be evaluated in writing on at least three occasions. After successfully completing your work test period, your performance is evaluated at least annually on or near your anniversary review date. Your “anniversary review date” is normally one year from the date you were initially hired or appointed, but this date may be adjusted for promotion, breaks in service, or for other reasons as spelled out in the Personnel Rules.

The performance evaluation is an important communications device between you and your supervisor. Your strong and weak points are made a matter of record in your employee file. Clear, specific examples of your performance are noted and objectives for improvement are clearly defined. The performance evaluation serves as a valuable tool in determining promotions, transfers, training, and numerous other personnel-related actions. You should use the evaluation session as an opportunity to discuss your job, clear up any questions you may have about what is expected of you, and make recommendations for improvement in your job and work unit.

Your supervisor is required to evaluate your performance as fairly and objectively as possible. There will always be a possibility of disagreement in any appraisal system. If you feel that you were not properly rated, attempt to get the matter resolved by discussion with your supervisor and, if necessary, your department head. If this fails, you may submit a grievance under the procedures outlined in the Personnel Rules and elsewhere in this Employee Handbook.

## **PROMOTIONS**

The City provides promotional opportunities whenever possible to qualified employees. You are urged to attain further training and/or study to become qualified for positions of higher responsibilities. Promotions do not come automatically and are based on your performance and experience in your present job as well as your qualifications. Because a promotion means an increase in your duties and responsibilities as well as pay, you can see the need to give your best performance on your present job.

Whenever a vacancy occurs, notices are posted on several bulletin boards and distributed to each department. These notices include a description of the vacant position, grade and rate of pay, minimum required qualifications, and a closing date (usually one week after the date of the announcement). You should frequently check the bulletin boards for important announcements and, if you are interested in and qualified for a vacant position, submit an Employee Application. Your supervisor or Personnel can help you.

Shortly after the closing date, an eligible list will be established by the Personnel Official. This list contains the best qualified applicants for the vacant position and from that list the department head will select the candidate whose qualifications and background most closely match the position requirements.

If you are promoted to a new position, you will be required to undergo another probationary period to determine whether or not you can perform your new duties in a satisfactory manner. During the probationary period, you may be rejected at any time without cause and without right of an appeal or hearing. Your pay upon promotion is

adjusted to at least the minimum rate for the new position. If your pay is already above the minimum rate of the new position, your pay is increased to the appropriate step level in the new grade that will provide the smallest pay increase in that grade. With the Mayor's approval and based on evidence of a compelling reason, your pay could be established at a step in class other than the above options.

## **TRANSFERS**

If you are a classified employee and have successfully completed your probationary period, you may request a transfer to the same or similar job in a different department or division. If your request is approved, you will not be required to undergo an additional probationary period. Transfers do not have any rights to return to their previous job or department once they have accepted the new position.

In addition to voluntary requests for transfers to meet the personal needs of employees, the City may make transfers for other reasons to include, but not limited to, the following:

1. Layoff.
2. Abolishment of a position.
3. To provide further employee training and development.

## **DEMOTIONS**

An employee may be demoted for a variety of reasons, including, but not limited to, the following:

1. Abolishment of a position.
2. Another employee returning from a leave will occupy the position to which the employee is currently assigned.
3. The employee does not possess the necessary qualifications to render satisfactory service in the position he/she holds.
4. The employee voluntarily requests such demotion.
5. Violation of Personnel Rules affecting the employee's position.

## **SERVICE RECOGNITION**

Each year, employees who have completed 5, 10, 15, 20, or additional five-year periods of city service are honored with a presentation of a service award indicating the number of years of employment. These awards are presented in a suitable ceremony by the Mayor and department head. When you become eligible for a service award, you will be notified of the time and place for the presentation. Employees completing 25 years of continuous service will receive a one time award of 3 days off with pay (33.6 hours for firefighters).

## **MEDICAL EXAMINATIONS**

The City requires employees to pass a medical examination prior to appointment as a probationary employee. Periodic medical examinations after hire may be required to verify that employees are physically and mentally able to continue to perform the work of the position in which they are employed. This determination is made by a licensed medical doctor or doctors as designated by the Personnel Official and confirmed by the Mayor. All medical examinations required by the City shall be at no expense to the employee.

## **EMPLOYMENT OF CLOSE RELATIVES**

Close relatives (spouse, parents, children, and siblings) will not be employed where one of the parties would have authority to supervise, appoint, remove, or discipline the other; where one party would be responsible for auditing the work of the other; where both parties would report to the same immediate supervisor; where other circumstances might lead to potential conflict among the parties or conflict between the interest of one or both parties and the best interests of the City as determined by the department head; or where one of the parties is a department head of the City, unless the other employee works in a different department and the Mayor determines in writing that employment will not be detrimental to the City. If two current employees in the same department become close relatives by marriage and are subject to the above, they may decide between themselves who shall leave the department and who shall stay.

## **OUTSIDE EMPLOYMENT**

No employee may accept outside employment without the written authorization of his or her department head and the Mayor. Forms for this purpose are available in Personnel. Before submitting your request, you should consider:

1. Could the outside job cause a conflict of interest?
2. Is the outside job incompatible with my City job?
3. Will the outside job interfere with satisfactory performance of my City job?
4. Is the outside job likely to bring discredit or create embarrassment to the Municipal Government?

A “yes” response to any of the above questions would be justification to disapprove your request.

If you are granted permission to accept outside employment, you must keep your department head informed, in writing, of the place of outside employment, your duties, your working hours, and the telephone number at which you can be reached.

## **RESIGNATION**

If you find it necessary to leave the City’s service, you may resign by submitting, in writing, the reasons for your resignation and the effective date. Your letter of resignation must be given to your department head as far in advance as possible. A

minimum of two weeks notice is required. Failure to submit a complete letter of resignation or give sufficient notice may be considered in future recommendations for employment and/or reemployment with the City.

In order to comply with certain laws regarding your rights for continuation and/or conversion of some benefits, you must clear through the Personnel Office prior to your last day of work. You should schedule this time with your supervisor or department head.

You must also turn in all City property, uniforms, etc., before receiving your final pay.

### **RETIREMENT**

When you leave City employment you will be considered a retiree, regardless of your age, if you were continuously employed by the City for at least 20 years. You will also be considered a retiree if your employment of five or more continuous years ends as the result of a disability or when you reach age 65 while on the active payroll.

### **REEMPLOYMENT**

If you are a probationary or classified employee whose employment with the City ends through no fault of your own, you may be given priority consideration for such reemployment upon your request. If you want such consideration, you must submit your request in writing within three months from the official date of separation and still be qualified to perform the duties. Your name will then be placed on the City's reemployment list for any vacant position requiring basically the same qualifications as the position you held within City service. You may remain on the list for a period not to exceed one year from the date your name was first entered on the list unless you are rehired at an earlier date or are determined by the Personnel Official to no longer be qualified for the position.

### **POLITICAL ACTIVITY**

You are encouraged to individually exercise your right to vote and to privately exercise your political views as a citizen. While you are on duty or acting in an official capacity, you cannot take an active part in any political campaign or fund-raising effort or serve as a member of a political party, club, or organization. This includes distributing badges, pamphlets, handbills, etc. favoring or opposing any candidate's election or nomination. You cannot seek or attempt to use any political endorsement in connection with any appointment, demotion, or dismissal within the classified service.

### **OBSTRUCTION OF RIGHTS**

No official or employee of the City shall deprive any person of any rights to which such person is entitled under any law, ordinance, rule, or regulation of the city government, state government, or federal government.

## **PECUNIARY INTERESTS AND GRATUITIES**

Except for the receipt of compensation allowed by law, our employees may not have any direct or indirect financial interests or profit from any business dealings with the City Government. This means that, as an employee, you must guard against accepting any money, gift, gratuity, favor, preferred services, benefits, concessions, or considerations of any kind, from any person or company whenever these might reasonably be interpreted as an attempt to influence your actions in your performance of City duties.

## **GARNISHMENTS AND WAGE ASSIGNMENTS**

Financial responsibility is a requirement for continued service with the City. An attachment of your wages for a just debt requires the following action:

1. Upon receipt of the first garnishment within a 12-month period, you are counseled regarding the City's policy against financial irresponsibility. You will be encouraged to seek appropriate legal assistance or petition the court for relief as allowed under the law. Consequences of future garnishments will be explained.
2. Upon receipt of a second garnishment within a 12-month period, your department head will determine appropriate disciplinary action and issue a written letter of reprimand for your file unless evidence shows mitigating circumstances as allowed under the Personnel Rules.
3. Upon receipt of a third garnishment within a 12-month period, your department head will determine appropriate disciplinary action and, in the absence of clearly mitigating circumstances, dismiss you from City service.

No disciplinary action is taken for court-ordered wage assignments for child support, debt liquidation plans under Chapter 13 or other bankruptcy proceedings, when a subsequent garnishment is issued for the same indebtedness, or for any other wage assignment where disciplinary action is legally forbidden by the issuer.

## **STRIKES**

No municipal officer or employee shall be a party to, participate in, or instigate any strike against the Municipal Government.

## **DEPARTMENTAL RULES**

Your department may have a current set of rules and procedures specifically concerning your department activities. These rules will help guide you in your day-to-day activities on the job. Violation of department rules subject employees to the same disciplinary action as violation of the requirements contained in the Personnel Rules and Regulations or other official directive.

You are responsible for becoming familiar with all rules, regulations, and procedures governing your employment and work activities. If you have not seen a copy of your departmental rules in your work area, ask your supervisor for a copy.

## **USE OF MUNICIPAL TIME AND EQUIPMENT**

In your job, you may be assigned the use of a City vehicle or other equipment. You are expected to treat the equipment with proper care and handling as if it were your own. The cleanliness, repair, and appropriate use of the equipment is your responsibility. Your job and personal safety may well depend on the care you give the equipment.

You may not use or authorize the use of municipal time, facilities, equipment, or supplies for private gain or advantage for yourself or any other private person or group.

All computer, electronic mail, and telephonic communication systems are the property of the City of Gallatin and are intended to be used for City purposes and, except for minimal convenience, are not to be used for personal business. Examples of minimal convenience include maintaining a list of personal as well as business commitments in a calendar or organizer file, or use of such equipment for short personal issues. If in doubt, check with your supervisor. There shall be no display, printing, downloading, or transmission of sexually explicit images, jokes, or other offensive or inflammatory material. All email and voice mail messages are subject to classification as public records.

## **SOLICITATION**

City employees are not allowed to solicit for any purpose on working time or in working areas, to include all City-owned property, unless specifically authorized by the Mayor or City Council. If you have any questions concerning this policy, consult with your department head or the Personnel Official.

## **GRIEVANCES**

The City recognizes that there must be an open channel of communication to allow employees the opportunity to express a complaint, misunderstanding, or disagreement that may arise between employees and their supervisors. The grievance procedure assures employees that their problems and complaints will be considered fairly and quickly.

Any subject may be considered as a grievance except the following: (1) personnel actions arising out of a position classification, (2) matters involving pay; (3) any disciplinary action whatsoever; (4) any interpretation or alleged violation of the Municipal Ordinance or the Personnel Rules and Regulations; (5) demotions, transfers, and lay-offs because of the abolishment of positions; and, (6) employee evaluations except where the employee's eligibility for a pay increase is affected.

Except for those matters indicated above, if you desire to submit a grievance, you should follow the procedure outlined below. Each step along the way has definite time frames that must be adhered to in order to provide a timely response at all levels. The Personnel Official is available to explain to you your rights and assist in the submission of your grievance.

1. Discuss the matter with your immediate supervisor. Often your supervisor is in the best position to resolve the dispute or disagreement to your satisfaction so that further action is found to be unnecessary.

2. If you are not satisfied with your immediate supervisor's response to your grievance, obtain a grievance form from Personnel. In completing the form, include a complete statement of what you feel your grievance to be and what you would like done about it. Deliver the completed form to your immediate supervisor.
3. Your supervisor is required to provide you a written answer to your grievance. If this answer satisfies your grievance, the process ends at this step.
4. If you are not satisfied with your immediate supervisor's written reply to your grievance, you may then submit your grievance to your department head.
5. Your department head is required to provide you a written response to your grievance. If this answer satisfies your grievance, the process ends at this step.
6. If you are not satisfied with your department head's response, you may request in writing that your department head refer the grievance to the Mayor for a ruling.
7. The Mayor can utilize any resources or methods deemed necessary to assist in the decision making process. The Mayor then renders a written decision which may be in your favor (overturning the department head's action), in your department head's favor (denying your grievance), or some compromise. The disposition of the alleged grievance by the Mayor in such cases shall be final and binding on all parties with no further appeal rights.

No reprisals will be taken against any employee for exercising his or her rights to submit a grievance. Used properly, the grievance system can assist in allowing free expression, surfacing problems that need prompt action, and establishing a harmonious, cooperative, working relationship among all employees. Such a relationship is essential to the effective operation of the Municipal Government.

### **SMOKING POLICY**

In compliance with Tennessee state law, specifically the Non-Smoker Protection Act, smoking is prohibited in all enclosed public places and city vehicles. Smoking is permitted outside so long as smoke does not infiltrate areas where smoking is prohibited. If you have any questions concerning this policy, consult with your supervisor or department head.

## HARASSMENT POLICY

Harassment of employees due to their age, ancestry, color, creed, marital status, medical condition, national origin, physical handicap, race, citizenship, religion, gender, or sex/sexual preference by fellow employees and non-employees is demeaning to both the victims and the City. It can result in high turnover, absenteeism, low morale, poor productivity, and an uncomfortable atmosphere to work in, therefore, the City **will not** tolerate any such harassment of its employees and will take affirmative steps to stop it. It is specifically prohibited by Rule XII, Section 7.27 of the Personnel Rules and Regulations.

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when this conduct explicitly or implicitly affects an individual's employment, unreasonably interferes with an individual's work performance, or creates an intimidating, hostile, or offensive work environment.

Other harassment can be jokes, comments, or other personally offensive and unwelcome behavior based on a person's age, ancestry, color, creed, marital status, medical condition, national origin, physical handicap, race, citizenship, gender, or religion that results in the loss of tangible job benefits or creates a hostile, obnoxious, or intimidating work atmosphere.

If you think another employee is harassing you because of your age, ancestry, color, creed, marital status, medical condition, national origin, physical handicap, race, religion, gender, or sex/sexual preference, tell him or her that you find such behavior offensive and that such behavior is against City policy. Ask him or her to immediately stop that behavior. It is important to let your fellow employees know when you consider such behavior offensive, since the City hires people from a wide variety of cultural and ethnic backgrounds and that person may not realize that the behavior he or she thinks is proper could be seen by others as offensive.

If that employee continues to "pester" you, immediately utilize the grievance procedure by contacting your supervisor, in writing, about the problem. If you feel that you cannot seek help from your supervisor, contact his or her supervisor or the Personnel Official, in writing, for assistance.

If you see another employee being harassed because of his or her age, ancestry, color, creed, marital status, medical condition, national origin, physical handicap, race, religion, gender, or sex/sexual preference, tell him or her that the City has a policy prohibiting such behavior; that he or she can demand the other person stop such behavior; and, that he or she can contact his or her supervisor, in writing, for help.

If another employee tells you that he or she finds your behavior offensive, do not get angry or feel insulted. People have different ethnic values and standards and may be offended by behavior that you think is proper. Tell the employee that you did not realize he or she would be offended by your behavior, and then stop the complained-of conduct.

If you are harassed by a non-employee, contact your supervisor, in writing, for help. The City of Gallatin cannot control the offensive behavior of non-employees, but it will try to remedy the situation if possible.

Upon being told of such possible harassment, supervisory employees are expected to take prompt effective action to determine whether or not the harassment has or is taking place and to stop such behavior where it does exist. Supervisors must submit a written report to the Personnel Official, including statements from the employees involved and any other documentation, reporting the incident and detailing what actions they took. Any supervisor who condones, participates in, or initiates harassment will be severely disciplined, including possible demotion or termination. Any employee knowing of a supervisor abusing his or her official position by condoning, participating in, or initiating such harassment should inform a higher-level supervisor or the Personnel Official, in writing, so that the City can take action against the supervisor if appropriate.

No employee will be disciplined or otherwise retaliated against for complaining about such harassment. It is important that you inform the City about such harassment, as the City cannot do anything to remedy a situation if it does not know it exists.

## **DISCIPLINARY RULES & PROCEDURES**

### **Reasons for Rules of Conduct**

Rules govern almost every aspect of human life and conduct. Whatever the situation, rules are necessary to assure fairness and harmony. The City's disciplinary rules establish standards for performance, attitude, work habits, and personal conduct. At the same time, an established set of rules guarantees freedom from the arbitrary and irresponsible act of others.

### **Responsibilities**

One of the responsibilities of every employee is to know and abide by the rules that govern on-the-job conduct and performance. These rules include both the general rules discussed in this Employee Handbook and also your specific department's rules. Your supervisor and department head will assist you in becoming familiar with these rules. The City's responsibility is to make available the rules along with a clear indication of what happens when the rules are not followed. The Employee Handbook that you are now reading is evidence that the City has accepted its responsibility; it is now up to you to become fully familiar with the Handbook's contents, as well as the City of Gallatin Personnel Rules and Regulations, and any departmental policies that may govern your employment.

### **Disciplinary Action**

The Department Head, in accordance with the provisions of this Rule, may demote, dismiss, reduce in pay, or suspend without pay for not more than thirty (30) calendar days in any calendar year (except that suspensions may be extended pending any investigation and hearing), any employee for any one or more of, but not limited to, the following reasons:

- Dishonesty, intemperance, immoral conduct, insubordination, unsatisfactory performance of duties, failure to adhere to these Rules and Regulations or other written instructions, any

other act of omission or commission, whether on-duty or off-duty, tending to injure the public service, any other willful failure on the part of the employee to conduct himself/herself properly, or any willful violation of the provisions of the Personnel Ordinance or the Personnel Rules and Regulations.

- Failure to adhere to the City's policy on discrimination, which shall include any act of harassment.
- Conviction of a felony, a misdemeanor involving moral turpitude, or a misdemeanor reflecting upon the employee's ability to perform public service or for which a jail sentence is imposed.
- Drug abuse, refusal to participate in a City-approved rehabilitation program deemed needed by the Mayor from substantiating evidence, or refusal to submit to pertinent testing in accordance with a city approved drug and alcohol testing program.
- An employment history with the City that demonstrates a consistent pattern of disciplinary and/or performance problems and a lack of corrective action by the employee, in spite of documented warnings and counseling efforts by the City to encourage improvement, so as to cause sufficient doubt as to whether continued employment is in the best interest of the individual and/or the City.

### **Disciplinary Guidelines**

It is the policy of the City to utilize disciplinary action to correct job behavior and/or performance problems when justified for cause. Disciplinary action shall be remedial rather than punitive in nature whenever possible, with the organizational objective of directing and motivating employees to fully carry forth their work obligations to the City. Employees shall be informed of standards of conduct and performance. These Rules and Regulations shall be fairly and consistently applied considering the seriousness of the infraction, mitigating circumstances, previous work record, and other relevant criteria.

- Department heads are granted authority to discipline employees, up to and including termination.
- The normal progression of discipline shall be as follows:
  - Oral Reprimand: Oral notification to an employee by the employee's supervisor of performance or conduct that does not meet job expectations. This notification shall include an explanation of the proper performance or conduct expected and a warning that continued activity shall result in additional disciplinary action. An oral reprimand shall be documented in informal departmental records.
  - Written Reprimand: A formal notification to an employee by the employee's supervisor detailing performance or conduct which does not meet job expectations, including an explanation of the proper performance or conduct expected, and a warning that continued activity shall result in additional

disciplinary action. A written reprimand detailing job performance which does not meet expectations may include reinstatement of probationary status for a period of time of up to three (3) months, which period may be extended as necessary, up to an additional three (3) months. A copy of this notification shall be forwarded to the Personnel Department for inclusion in the City's official personnel file for that employee.

- Suspension with Pay: Usually utilized when the outcome of an internal investigation is pending (also called "administrative leave").
  - Minor Suspension: Disciplinary removal from paid status for one (1) to three (3) working days.
  - Major Suspension: Disciplinary removal from paid status for four (4) or more working days, but for not more than thirty (30) calendar days in any twelve month period unless an extension has been made pending any investigation and hearing.
  - Dismissal: Dismissal of an employee from City service for the most serious violation of performance or conduct or as the final step in a series of progressive disciplinary actions.
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- However, there are offenses that are of such a severe or a serious nature that the normal progression of discipline cannot be used. Based on the severity of the first offense, disciplinary action can be started at steps other than the Oral Reprimand step.
  - The guidelines listed below are provided for use by department heads in determining the appropriate level of discipline for various types of misconduct. The examples given are not intended to be all-inclusive nor are they intended to be mandatory or to limit the department head's discretion or authority to discipline employees. The department head shall consider the employee's previous work record and any mitigating circumstances that may be ascertained during the disciplinary investigation.
    - First Group Offenses include those types of behavior which are the least severe in nature, but which require corrective action in the interest of maintaining a productive and well-managed work force. Initial corrective action for these infractions would normally be an Oral Reprimand. If the condition is not corrected, the employee shall be subject to increasing levels of progressive discipline. First Group Offenses include, but are not limited to, the following:
      - Unsatisfactory attendance or excessive tardiness
      - Abuse of City time
      - Obscene or abusive language
      - Inadequate or unsatisfactory performance
      - Failure to comply with these Rules and Regulations, except as otherwise specified herein.
    - Second Group Offenses include acts and behavior that are more severe in nature than First Group Offenses. Initial corrective action for these offenses would normally consist of a Written Reprimand or Minor Suspension. Subsequent

infractions of this type should result in a Major Suspension or Dismissal, depending upon the circumstances surrounding the infraction. Second Group Offenses include, but are not limited to the following:

- Insubordination, which is defined as failure by an employee to follow a supervisor's directive, perform assigned work, or otherwise comply with applicable written policies or procedures.
  - Sexual harassment or other inappropriate behavior.
  - Violation of safety rules or Tennessee traffic laws while driving a city vehicle.
  - Reporting to work when physical or mental ability is impaired by alcohol or the unlawful use of a controlled substance.
  - Gambling on City property or during work hours.
  - Failure to report to work without proper notice to the appropriate supervisor.
  - Unauthorized use or misuse of City property, equipment, technology, or records.
  - Making false or malicious statements that harm or destroy the reputation, authority, or official standing of a City employee or official.
  - Employee misconduct.
- Third Group Offenses includes acts and behavior of such a serious nature that a first occurrence normally warrants dismissal. Third Group Offenses include, but are not limited to, the following:
    - Absence without approved leave for three (3) consecutive working days.
    - Possession or use of alcohol or the illegal possession or use of controlled substances while on duty, unless in the performance of duties.
    - The theft of City owned or controlled property, including supplies, inventory (including criminal evidence and lost & found items), materials, fuel or fuel products, tools, machinery or equipment.
    - Willfully falsifying, damaging, or the theft of City or employee records including, but not limited to, vouchers, reports, insurance claims, leave and time reports, and employment applications.
    - Threatening other employees or acts of physical violence or fighting.
    - Unauthorized sleeping during work hours.
    - Unauthorized possession or use of firearms, dangerous weapons, or explosives.
    - Participation in any kind of work slow-down, sit-down, or similar concerted interference with City operations.
    - Disorderly or immoral conduct, including the conviction of a crime while in the employment of the City, or other acts, occurring either on or off-duty, that are of such a nature that to continue the employee in the current capacity could constitute negligence in regard to the City's duties to the public or other employees.
    - Accepting gifts, favors, or services that might reasonably tend to improperly influence an employee in the discharge of official duties.
    - Use of official position or authority for personal profit or political advantage.
    - Insubordination that constitutes a serious breach of discipline.

- Department heads invoking a Minor or Major Suspension shall furnish the employee an advance written notice containing the nature of the action, the reasons therefore, and the right to answer the charges orally or in writing. This notice shall be furnished at least twenty-four (24) hours prior to the proposed date of suspension. However, an immediate suspension with or without pay, with follow-up written notice, may be imposed when the department head determines that the act or behavior of the employee warrants such an action. An employee who has been placed on suspension shall be prohibited from entering any City employee work place during the suspension unless authorized in advance by the department head, Personnel Official or Mayor.
- The dismissal of an employee shall be preceded by an advance written notice explaining the nature of the action, the reasons therefore, and the right to answer charges orally or in writing at a pre-dismissal hearing as provided for in Sections 9 & 10 of Personnel Rule XII.
- Prior to issuing a notice of dismissal, the department head shall consult with the Personnel Official on whether the pre-dismissal procedures followed to date have been appropriate and whether the department head's decision to dismiss the employee is a reasonable one under the circumstances. This consultation is not intended to substitute the judgment of the Personnel Official for that of the department head on whether the employee should be dismissed.
- Unless the work infractions are of a similar recurring nature, infractions should not be counted against an employee for progressive discipline purposes that extend beyond a two-year period.
- In addition to the loss of pay resulting from disciplinary suspensions, other forms of discipline that may be invoked include denial of annual merit increases and demotion in pay grade, class, and salary.
- These procedures are designed to be utilized strictly as guidelines, and it is expected that department heads shall use their individual discretion when applying and/or recommending discipline. These guidelines are not in any way designed to restrict the department head from using personal judgment in handling disciplinary matters.

### **Notice of Intended Dismissal**

Notice of intended dismissal actions must be in writing and served either personally or by certified mail on such employee. Such notice of intended dismissal shall contain a statement of the reasons for the action taken and a statement informing the employee of the right to request in writing, within five (5) City business days of receipt of the notice of intended dismissal, a pre-dismissal hearing to be conducted by the Mayor. The employee may, however, be suspended either with or without pay until a written determination following the pre-dismissal hearing has been rendered. Notification will be delivered or mailed to the employee's telephone/address on payroll records. It is the employee's responsibility to keep all payroll and personnel information current.

## **Pre-Dismissal Hearing**

The purpose of pre-dismissal hearings is to provide the basis for making a determination of whether the department head's decision to dismiss the employee is a reasonable one under the circumstances. Any employee who has received a notice of intended dismissal shall have the right to make a written request, to be submitted to the Personnel Official within five (5) City business days of receipt of the notice of intended dismissal, for a pre-dismissal hearing with the Mayor.

- The Mayor shall, within five (5) City business days of receiving the written request, set the date, time and location for a pre-dismissal hearing, and shall notify the employee, the immediate supervisor and the department head of this information. The hearing shall be set for a date that is not less than five (5) City business days but not more than ten (10) City business days after the Mayor notifies these individuals of the date.
- The employee's attorney may be present at the hearing for the sole purpose of advising the client, and shall not be permitted to interfere with the proceedings. The Mayor may request the City Attorney to attend the hearing in order to serve in an advisory capacity. The hearing shall be recorded using audiotape, digital technology or any other reliable process.
- Within ten (10) City business days of the conclusion of the hearing, the Mayor shall render a written decision to the employee, the employee's department head and the Personnel Official. The Mayor may confirm, modify in any way, or overturn the department head's decision to terminate the employee.
- With the exception of classified employees reporting directly to the Mayor, the Mayor shall have no ability to initiate disciplinary proceedings against any employee. This limitation shall not be construed to limit the Mayor's authority to report directly observed conduct of an employee to the department head or to report conduct of an employee communicated to the Mayor by a third party to the department head.
- In the event of dismissal, the employee may request review by the City Council, who may, but is not required to conduct such a review. The employee must make the request by the end of the third business day following the date of the Mayor's decision to terminate the employee. The City Council shall, at its next regularly scheduled meeting, decide whether to review the Mayor's decision. If the City Council chooses to review the Mayor's decision, it shall, within seven (7) calendar days, call a special meeting for the sole purpose of reviewing the decision. The City Council may confirm, modify or overturn the Mayor's decision to terminate the employee.

## **Reinstatement; Reimbursement of Lost Wages**

If at the conclusion of the appeal process an employee is found to have received a notice of intended dismissal without sufficient or adequate cause or merit, then that employee shall be reinstated effective immediately to the same position from which dismissed. In

such a case, if the employee was suspended without pay pending the results of the pre-dismissal hearing then that employee shall be reimbursed on the next regular pay date following final resolution of the matter for all lost wages for the hours of work for which the employee would have been otherwise normally scheduled, and all benefits, leave time, etc. shall be reinstated/reimbursed.

## CODE OF ETHICS

In 2007, the City adopted an Ethics Policy mandated by the Tennessee General Assembly. This policy not only is directed to elected officials but also to all employees who exercise discretion in their jobs. Common sense is the most important tool an employee has with respect to the ethics policy. As adult employees, you should recognize right from wrong and how to conduct yourself as a paid employee. It shouldn't be necessary to tell you that accepting bribes, or using city time or equipment for personal use, or revealing confidential information, or using your position to secure any privilege is inappropriate.

There are several topics discussed in this handbook with respect to ethical work behavior. For instance, you should carefully read the sections on Outside Employment, Pecuniary Interests and Gratuities, Use of Municipal Time and Equipment, and Solicitation. Most issues that present an ethics concern can be handled by making a disclosure. If you have a concern, ask your department head to contact the city attorney for an ethics opinion. Violations of the ethics policy can result in immediate dismissal.

## COMMUNICATIONS

Good communications are necessary in just about everything we do. Get to know—and communicate—with the following people, for they can make your job a lot easier and much more enjoyable.

**YOUR SUPERVISOR** is your closest point of contact with the City's management staff. In your first few months on the job, he or she is your instructor. Throughout your employment, your supervisor is your evaluator and a source of ready information for you. If you have a problem that is affecting your work performance, you should not hesitate to discuss the matter with your supervisor.

**YOUR DEPARTMENT HEAD**, along with your supervisor, is responsible for your professional development. While the department head supervises a much broader scope of operations, he or she recognizes that your job is just as important as anyone else's in the City service and that we must all work together as a team.

**THE PERSONNEL OFFICIAL** is appointed to administer the City's overall personnel system which includes compensation, position classification, manpower utilization, and the development of programs for improvement of personnel effectiveness, including training, safety, health, counseling, and welfare. The Personnel Official is available to every City employee and is your best source of reference in matters involving your benefits, utilization, compensation, and other personnel-related matters. The Personnel Official maintains your official employee file to provide a complete history of your performance and development as a City employee. If you have a question concerning any matter in this Handbook or in the Personnel Rules and Regulations, feel free to contact the Personnel Official.

## **KEEPING YOU INFORMED.....**

**Bulletin boards** are located throughout high-traffic areas. You should check these at least once weekly or more frequently for special announcements that may pertain to you. If you are interested in another City position, be alert for job vacancy notices. These are posted on the bulletin boards as positions become available and your prompt application is essential to assure your consideration for such openings.

**Other Communications** are included with your paycheck or sent to you directly from time to time. You should read these important messages.

**The Employee Handbook** you are reading is one of the best condensed sources of information that you need to know as a City employee. Keep in mind, however, that there may be periodic changes and additions to the information and, whenever there is a conflict in wording, the official rules, benefits plans, and other directories always prevail.

**Employee meetings** with your supervisor, department head, Personnel Official, Mayor, benefits representatives, and others may be scheduled as needed to keep you informed.

## **KEEPING US INFORMED .....**

Your personnel file is extremely important to you and the City managing your career. Within this single record can be found your pre-employment information, pay history, status changes, medical examinations (maintained in a separate file per Federal Guidelines), commendations, disciplinary actions, performance evaluations, garnishments, training records, etc. The accuracy and completeness of your records are crucial to properly recognize your attainments for job placement consideration. While the Personnel Office is responsible for maintaining your employee file, you share a major part in that responsibility. You must immediately advise Personnel whenever you have:

1. A change in name, address, or telephone number.
2. A change in marital status or number of dependents.
3. Additional training or education (City sponsored training is noted without any action necessary on your part.)

You are encouraged to review your file at any time during normal business hours. Your file may also be reviewed by your department head, City Council member, or anyone else, with or without your authorization.

Certain changes, such as a change in your designated beneficiary, number of exemptions for tax withholding, level of retirement contributions, or other benefits changes, must be requested in writing. Contact Personnel for appropriate forms for these changes.

**Again, we welcome you as an employee of the City of Gallatin and wish you the best success in your career.**