
THIS HANDBOOK WAS PREPARED BY:

Fentress County
Human Resource Department

101 MAIN STREET
Jamestown, TN 38556

FOR ADDITIONAL INFORMATION:

Human Resource Department
Phone: 931-879-3010

Check This Out

This Employee Handbook contains “check boxes” intended to highlight instructional information. These boxes give special emphasis to important topics and/or tell you the steps to make something happen.



When you see one of these “check boxes,” read the information carefully.

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Introduction

This handbook outlines and summarizes basic personnel policies, employee benefits, employee responsibilities and employee rights. This handbook is intended to be useful for all Fentress County employees.

Fentress County is committed to providing a quality workplace for employees. It is our goal to:

- Provide management that is skilled, fair and concerned about the welfare of our employees;
- Equitably compensate each employee in accordance with our classification and compensation plan;
- Fill vacancies or new positions, when possible, by transfer or promotion from within the County;
- Discuss willingly and frankly any problems, complaints or questions on County personnel policies; and
- Keep employees informed of any changes that may affect them or their families.

The foundation of this handbook is the Base Personnel Policies that were approved by the Fentress County Commission. This handbook revokes and supersedes all prior handbooks, amendments, policies or communications related to the employee handbook.

This handbook was developed to provide general guidelines about Fentress County Government's policies and procedures for employees; however, it does not contain promises to any employee about how any particular situation will be handled. It is a guide to assist employees in becoming familiar with some of the benefits and obligations of employment, including our policy of at-will employment. None of the guidelines in this handbook are intended to give rise to contractual rights or obligations, and are not a guarantee of employment for any specific period of time or any specific type of work. These guidelines, except the policy of employment at-will, are subject to modification, amendment or revocation by Fentress County Government at any time, without advance notice. It is the intention of Fentress County Government to adhere to all State and Federal laws. Any personnel policy found to be in conflict with a State or Federal law will be changed to ensure compliance with the law.

- Amendments may be made periodically in the following process:
- Reviewed by the Law Department;
- Presented to the County Commission and Approved (if required);
- Filed in the Fentress County Clerk's Office, Finance and Human Resource Departments
- Communicated to all Fentress County employees;

It is your responsibility to ensure you have the most up-to-date version of the Handbook. All questions pertaining to information found in this Handbook should be referred to the Human Resources Director.

Policies for Employees of Elected Officials

Elected officials (defined in T.C.A. § 5-23-102 as county trustees, registers of deeds, county clerks, judges who employ county employees, clerks of court, sheriffs, assessors, boards of education, and the chief administrative officer of the highway or public works department; this also includes county mayors who choose to adopt separate policies under T.C.A. § 5-23-103(e)) have the jurisdiction to create, maintain and administer separate personnel policies and procedures. In these cases, the elected officials will provide the Handbook and policies for their employees. A copy of these documents are on file in the Fentress County Clerk's Office, Finance and Human Resource Departments. T.C.A. § 5-23-103(a) outlines the initial procedure for elected officials to adopt base personnel policies and procedures separate from a county's base personnel policies.

Policies for General County Employees

All Fentress County employees who do not work in an elected official's office as defined in T.C.A. § 5-23-102 (see above) will follow the policies as defined in the Fentress County Employee Handbook. These department include, but are not limited to, Finance, Solid Waste, Emergency Medical Services (EMS), EMA, Senior Citizens Center, Library, Archives, Employees of the Election Office, County Probation, Veteran Services, Human Resource and Courthouse Custodial.

Department personnel policies which are different than the basic policies in this handbook can be found in the Appendix of this handbook under the specific department.

State and Federal Laws

Equal Employment Opportunity Policy

It is the policy of Fentress County to provide equal employment opportunities to all individuals regardless of race, color, religion, sex, national origin, age, disability, status as a Vietnam-era veteran or special disabled veteran, or status in any other group protected by law. This policy extends to all terms and conditions of employment, including but not limited to hiring, placement, promotion, termination, layoff, recall, transfer, leaves of absence, compensation and training. It is the policy of Fentress County to make reasonable accommodations for qualified individuals with known disabilities unless doing so would result in undue hardship.

It is the policy of Fentress County to maintain a respectful work and public service environment. Fentress County prohibits and will not tolerate any form of unlawful harassment by or toward any employee or official on the basis of race, color, religion, sex, national origin, age, disability, status as a Vietnam-era veteran or special disabled veteran, or status in any other group protected by law. Any employee or official who engages in such behavior is subject to disciplinary action, up to and including termination of employment.

Employees or applicants with questions or concerns about any type of discrimination or harassment in the workplace are encouraged to bring these issues to the attention of the immediate supervisor or department head or the Human Resource Director. Employees can raise concerns and make complaints without fear of reprisal and with the assurance of protection from harassment or retaliation.

Anyone found to be engaging in discrimination or harassment in violation of county policy will be subject to disciplinary action, up to and including termination of employment. A finding of a violation of county policy does not amount to a finding of unlawful discrimination or harassment; in order to further its objective of equal employment opportunities the county may, but shall not be required to, interpret its policy more broadly than federal or state law mandates.

Definitions

Discriminatory Behavior can be verbal or physical and occurs when someone is treated less favorably than others because of attributes, rather than your ability to do the job. Discrimination/Harassment can come in the form of jokes and offhand comments that seem harmless to or even go unnoticed by the person saying them. Other forms of harassment include, but are not limited to, epithets, slurs, hostile acts, and threats; as well as display or circulation of objects or pictures through email, mobile phones, other electronic devices, or social media, which degrade or show hostility toward any individual or group, on the basis of race, color, religion, sex, national origin, age, disability, genetic information, veteran status, or status in any other group protected by law.

Disability is defined as an individual who has a physical or mental impairment that substantially limits one or more major life activities, a record of such an impairment, or who is regarded as having such an impairment.

Employer Responsibility

Fentress County expects that all Supervisors, Department Heads and Elected Officials, as well as others who are in positions of authority uphold their responsibility to ensure that healthy and appropriate behaviors are exhibited at all time and that complaints to the contrary are addressed in a timely manner.

Supervisors will:

- Provide a working environment as safe as possible by having preventative measures in place and by dealing immediately with reports of harassment.
- Provide good examples by treating all with courtesy and respect.
- Ensure that all employees have access to and are aware of policies and explain the procedures to be followed if a complaint of inappropriate behavior at work is made,
- Be vigilant in looking for signs of inappropriate behaviors at work through observation and information seeking and taking action to resolve the behavior before it escalates.
- Respond promptly, sensitively, and confidentially to all situation where harassment is observed or alleged to have occurred.

Employee Responsibility

Employees or applicants with questions or concerns about any type of discrimination in the workplace are encouraged to bring these issues to the attention of their Supervisor, Department Head, or the Human Resource Director/ Title VI Coordinator.

Employees shall treat all other employees with dignity and respect. No employee shall engage in harassment. Employees are expected to take personal responsibility to promote fairness and equity in the workplace and report any incidents of harassment in accordance with Fentress County's policies.

Employees should cooperate with preventative measures introduced by Fentress County and recognize that a finding of unacceptable behaviors at work will be dealt with through appropriate disciplinary procedures.

If an employee or applicant needs an accommodation, it is the employee/applicant's responsibility to make known the need for an accommodation.

Training for Supervisors

All Supervisors and Department Heads under the Fentress County Employee Handbook are required to undergo annual training on how to prevent discrimination and how to recognize a need for an accommodation based on a disability as directed by Fentress County. All supervisors under other personnel policies are encouraged to undergo annual training on how to prevent discrimination and how to recognize a need for an accommodation based on a disability as directed by Fentress County. Training should include applicable law information, steps on how to prevent discrimination and how to handle reports of discrimination and requests of accommodations.

Training for Employees

All employees under the Fentress County Employee Handbook are required to undergo annual training on discrimination prevention as directed by Fentress County. All employees under other personnel policies are encouraged to undergo annual training on discrimination prevention as directed by Fentress County. Training should include applicable law information, steps on how to prevent discrimination, what constitutes a disability, how to report suspected discrimination and how to make a request for an accommodation for disabilities.

Workplace Harassment/Abusive Conduct Prevention Policy

It is the policy of Fentress County to maintain a respectful work and public service environment. Fentress County prohibits and will not tolerate any form of unlawful harassment by or toward any employee or official on the basis of race, color, religion, sex, national origin, age, disability, or status in any other group protected by law. Any employee or official who engages in such behavior is subject to disciplinary action, up to and including termination of employment.

Harassment of any person in the form of verbal or physical conduct relating to a person's race, color, religion, sex, national origin, age, or disability is prohibited when such conduct:

1. Has the purpose or effect of creating an intimidating, hostile or offensive work environment; or
2. Has the purpose or effect of unreasonably interfering with an individual's work performance; or
3. Otherwise adversely affects an individual's opportunities associated with employment.

In 2017 Tennessee passed The Healthy Workplace Act (HWA) TCA 50-1-502, in which abusive conduct is classified as any act or omission that a reasonable person would find abusive, based on the severity, nature, and frequency of the conduct such as:

- repeated verbal abuse in the workplace, including derogatory remarks, insults, and epithets.
- verbal, nonverbal, or physical conduct of a threatening, intimidating, or humiliating nature in the workplace; or
- the sabotage or undermining of an employee's work performance in the workplace.

A single act generally will not constitute abusive conduct unless such conduct is determined to be severe and egregious.

Abusive Conduct is not:

- Disciplinary procedures in accordance Fentress County Employee Handbook
- Routine coaching and counseling, including feedback about and correction of work performance.
- Reasonable work assignments, including shift, post, and overtime assignments.
- Individual differences in styles of personal expression
- Passionate, loud expression with no intent to harm others.
- Differences of opinion on work-related concerns
- The non-abusive exercise of management decision-making

Employer Responsibility

Supervisors and others in positions of authority have a particular responsibility to ensure that healthy and appropriate behaviors are always exhibited and that complaints to the contrary are addressed in a timely manner.

Supervisors will:

- Provide a working environment as safe as possible, by having preventative measures in place, as well as, by dealing immediately with threatening or potentially violent situations.
- Set a good example by treating all with courtesy and respect.
- Ensure that all employees have access to and are aware of the abusive conduct prevention policy and be able to explain the procedures to followed if a complaint of inappropriate behavior at work is made.
- Be vigilant for signs of inappropriate behaviors at work through observation and information seeking and take action to resolve the behavior before it escalates.
- Respond promptly, sensitively, and confidentially to all situations where abusive behavior is observed or alleged to have occurred.

Employee Responsibility

Employees shall treat all other employees with dignity and respect. No employee shall engage in threatening, violent, intimidating, or other abusive conduct or behaviors. Employees are expected to assume personal responsibility to promote fairness and equity in the workplace and report any incidents of abusive conduct in accordance with this policy.

Training for Supervisors and Employees

All supervisors and employees under the Fentress County Handbook are required to undergo annual training on abusive conduct prevention as directed by Fentress County. All supervisors and employees under other personnel policies are encouraged to undergo annual training on abusive conduct prevention as directed by Fentress County. Training should identify factors that contribute to a respectful workplace, familiarize participants with responsibilities under this policy, and provide steps to address an abusive conduct incident.

Sexual Harassment

Fentress County is opposed to sexual harassment and maintains a zero-tolerance policy regarding sexual harassment of its employees in the workplace. Fentress County strives to ensure that all employees have a workplace free from intimidation, hostility, or offensive behavior by supervisors/department heads, co-workers, and visitors. All employees are expected to consider and respect the rights of their co-workers and refrain from any behavior or conduct that could be interpreted as sexual harassment.

Definition

Sexual Harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when, for example:

- submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment,
- submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or
- such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Offenders can be employees at all levels, customers/clients, and member of the same sex.

Sexual harassment encompasses a wide range of conduct. Some examples of prohibited sexual harassment include, but is not limited to, offensive or unwelcome physical contact, lewd or sexually suggestive comments, texts, emails, tweets, or other forms of social media, sexual propositions, sexually oriented teasing or kidding, jokes of a sexual nature, or any display of sexually explicit pictures, photos, cartoons, books, magazines, greeting cards, or other objects.



If you believe you are the victim of harassment or abusive behavior you must report or complain as soon as possible to your supervisor, to your director or to the Human Resources Director. You may decide to which of these three persons the report will be made.

Employer Responsibility

Supervisors and others in positions of authority have a particular responsibility to ensure that healthy and appropriate behaviors are always exhibited and that complaints to the contrary are addressed in a timely manner.

Supervisors will:

- Provide a working environment as safe as possible, by having preventative measures in place, as well as, by dealing immediately with reports of sexual harassment.
- Set a good example by treating all with courtesy and respect.
- Ensure that all employees have access to and are aware of the sexual harassment policy and be able to explain the procedures to be followed if a complaint of inappropriate behavior at work is made.
- Be vigilant in looking for signs of inappropriate behaviors at work through observation and information seeking and take action to resolve the behavior before it escalates.
- Respond promptly, sensitively, and confidentially to all situations where sexual harassment is observed or alleged to have occurred.

Employee Responsibility

Employees shall treat all other employees with dignity and respect. No employee shall engage in sexual harassment. Employees are expected to assume personal responsibility to promote fairness and equity in the workplace and report any incidents of sexual harassment in accordance with this policy.

Employees should co-operate with preventative measures introduced by Fentress County and recognize that a finding of unacceptable behaviors at work will be dealt with through appropriate disciplinary procedures.

Training for Supervisors

All Department Heads under the Fentress County Employee Handbook are required to undergo annual training on how to prevent sexual harassment as directed by Fentress County. All Elected Officials and Department Heads under other personnel policies are encouraged to undergo annual training on how to prevent sexual harassment. Training should include applicable law information, steps on how to prevent sexual harassment and how to report and respond to reports or observations of harassment swiftly and correctly.

Training for Employees

All employees under the supervision of the Fentress County Employee Handbook are required to undergo annual training on how to prevent sexual harassment as directed by Fentress County. All employees under other personnel policies are encouraged to undergo annual training on how to prevent sexual harassment. Training should include applicable law information, steps on how to prevent sexual harassment and how to report suspected sexual harassment.

Workplace Violence Policy

Fentress County is committed to providing a safe and healthful workplace for all employees. Employees are expected to perform their duties in a safe and productive manner, without violence or threats of violence toward other co-workers or clients.

OSHA defines workplace violence as “any act or threat of physical violence, harassment, intimidation or other threatening disruptive behavior that occurs at the work site.”

Fentress County will not tolerate workplace violence, threats of workplace violence or intimidation toward a co-worker or client.

Workplace Violence can include, but is not limited to:

- Causing physical injury to another person.
- Making threatening remarks.
- Displaying aggressive or hostile behavior that creates a reasonable fear of injury to another person or subjects another individual to emotional distress.
- Intentionally damaging employer property or property of another employee.
- Possessing a weapon while on company property or while on company business.
- Committing acts motivated by, or related to, sexual harassment or domestic violence.

Firearms

Employees who are on duty and have a valid handgun-carry permits are allowed to only bring firearms and ammunition into the parking lots of Fentress County Government, provided that the firearm and ammunition are kept in the employee’s vehicle and locked in the trunk, in accordance with Tenn. Code Ann. 39-17-1313.

Employer Responsibility

Fentress County expects that all Supervisors, Department Heads and Elected Officials, as well as others who are in positions of authority uphold their responsibility to ensure that healthy and appropriate behaviors are exhibited at all time and that complaints to the contrary are addressed in a timely manner.

Supervisors will:

- Provide a working environment as safe as possible by having preventative measures in place and by dealing immediately with reports of violence.
- Provide good examples by treating all with courtesy and respect.
- Ensure that all employees have access to and are aware of the workplace violence policy and explain the procedures to be followed if a complaint of inappropriate behavior at work is made,
- Be vigilant in looking for signs of inappropriate behaviors at work through observation and information seeking and taking action to resolve the behavior before it escalates.
- Respond promptly, sensitively, and confidentially to all situations where dangerous or potentially dangerous behaviors is/has been observed or alleged to have occurred.

Employee Responsibility

Employees are expected to treat all others with dignity and respect. and are prohibited from making threats or engaging in violent activities. Employees are expected to assume personal responsibility to promote fairness and equity in the workplace and are expected to report any potentially dangerous situation to their Supervisor/Department Head immediately.

Employees should co-operate with preventative measures introduced by Fentress County and recognize that a finding of unacceptable behaviors at work will be dealt with through appropriate disciplinary procedures.

Training for Supervisors and Employees

All supervisors and employees under the Fentress County Employee Handbook are required to undergo annual training on workplace violence prevention as directed by Fentress County. All supervisors and employees under other personnel policies are encouraged to undergo annual training on workplace violence prevention as directed by Fentress County.

Reporting Abusive Conduct, Harassment, Sexual Harassment and Workplace Violence

Prevention is everyone's responsibility.

Fentress County cannot prevent or remedy abusive conduct, harassment, sexual harassment or workplace violence, unless it knows about it.

Any employees exhibiting continuing emotional or physical effects from the incident in question should be informed of established employee assistance programs or other available resources.

Employee/Witness

Any employee, who has been subjected to behavior that may constitute abusive conduct, harassment, sexual harassment and/or workplace violence is encouraged to report such behavior to your elected official, supervisor/department head or to the Human Resource Office.

Anyone who witnesses or becomes aware of potential instances of abusive conduct, harassment, sexual harassment and/or workplace violence should report such behavior to your elected official, supervisor/department head or to the Human Resource Office.

Any reports of abusive conduct, harassment, sexual harassment and/or workplace violence may be made verbally or in writing. A form for submission of a written complaint is attached to this Policy and all employees are encouraged to use this complaint form. Employees who are reporting abusive conduct, harassment, sexual harassment and /or workplace violence on behalf of other employees should use the complaint form and note that it is on another employee's behalf.

While not the preferred method of reporting, anonymous reporting is permitted. When using this method, it is important to identify all individuals with knowledge of the incident/matter when reporting to allow for a more thorough investigation.

Supervisors/Department Heads

Supervisors/Department Heads must report any incident that they know of or complaint that they receive of abusive conduct, harassment, sexual harassment and /or workplace violence to the Human Resource Director, appointing authority or investigator.

Supervisors/Department Heads must take reasonable steps to ensure that the complainant feel safe and protected. Reasonable steps include but are not limited to separation of employees involved.

Notification of the Accused

The employee/person who has been accused will be notified that an allegation has been made against them and they will be informed of the investigative process.

Investigation

The purpose of an investigation is to ascertain whether the behaviors reported occurred and will be conducted as soon as practicable and in accordance with the policies and practices of Fentress County.

The investigation will include interviewing the complainant, accused, and witnesses with direct knowledge of the alleged behaviors and will be conducted thoroughly, objectively, with sensitivity, and with due respect for all parties. All interviews will be appropriately documented.

The investigator will provide a copy of the investigative report to the appointing authority for further action. All affected parties will be informed of the investigation's outcome.

False Allegations

While Fentress County encourages all employees to raise any concern(s) under this policy and procedures, we recognize that intentional or malicious false allegations can have a serious effect on innocent people. Individuals falsely accusing another of violations of this policy will be disciplined in accordance with the disciplinary policy of the Fentress County Employee Handbook.

Corrective Action

In the event the investigation concludes with a finding of abusive conduct, discrimination, harassment-including sexual harassment or workplace violence, the employer will take immediate and appropriate corrective action.

Fentress County will base their decision of action by determining the severity and frequency of the incidences and in accordance with existing disciplinary policies of Fentress County Employee Handbook.

If the individual who has perpetrated abusive conduct, discrimination, harassment-including sexual harassment or workplace violence against the employee and is not employed by the county, the county will take corrective action to the extent possible.

Any employee who engages in conduct that violates this policy or who encourages such conduct by others will be subject to corrective action. Corrective action may include but is not limited to participation in training, changes in job duties or location or disciplinary action up to and including termination.

Any Supervisor/Department Head who allows abusive conduct, discrimination, harassment -including

sexual harassment or workplace violence to continue or fails to take appropriate action upon learning of such conduct will be subject to corrective action. Corrective action may include but is not limited to participation in training, changes in job duties or location or disciplinary action up to and including termination.

When abusive conduct, discrimination, harassment - including sexual harassment or workplace violence has been confirmed, Fentress County will continue to keep the situation under review and may take additional corrective actions if necessary. Preventative measures may also be taken to reduce the reoccurrence of similar behavior or action.

Confidentiality

All complaints and investigations are treated confidentially to the extent possible, and information is disclosed strictly on a need-to-know basis. The identity of the complainant is usually revealed to the parties involved during the investigation and the Human Resource Director takes adequate steps to ensure that the complainant is protected from retaliation during and after the investigation. All information pertaining to a sexual harassment complaint or investigation is maintained in secure files within the Human Resource Department.

Retaliation

Workplace retaliation is when a Supervisor/Department Head or a person who has a place of authority takes negative action against an employee who files a formal complaint about workplace harassment or discrimination.

Filing a complaint is considered a “protective activity”; therefore, employees can raise concerns and make complaints without fear of reprisal and with the assurance of protection from harassment or retaliation.

Unlawful retaliation can be any action that could discourage a worker from coming forward to make or support a claim. Adverse action need not be job-related or occur in the workplace to constitute unlawful retaliation.

Protected activity occurs when a person has:

- made a complaint of sexual harassment, either internally or with any anti-discrimination agency.
- testified or assisted in a proceeding involving sexual harassment.
- opposed sexual harassment by making a verbal or informal complaint to management, or by simply informing a supervisor or manager of harassment.
- reported that another employee has been sexually harassed; or
- encouraged a fellow employee to report harassment.

Even if the alleged harassment does not turn out to rise to the level of a violation of law, the individual is protected from retaliation if the person had a good faith belief that the practices were unlawful. However, the retaliation provision is not intended to protect persons making intentionally false charges of harassment.

Americans with Disabilities Act (ADA)

Fentress County Government complies with the Americans with Disabilities Act of 1990, Public Law 101-336 (ADA), which prohibits discrimination on the basis of disability. The ADA prohibits employers with 15 or more employees from discriminating against qualified job applicants and employees who are or become disabled.

Fentress County Government is committed to ensuring that there shall be no discrimination in terms of employment opportunities, wages, hours of work, or other terms or conditions of employment or benefits.

An individual with a disability is one who has a physical or mental impairment that substantially limits one or more major life activities, a record of such an impairment, or who is regarded as having such an impairment.



If you have a disability and need an accommodation to perform your job duties or to receive any regular benefit or condition of employment, you should make the request to your supervisor verbally, in a written memo or by using a special form. Any other person may assist in making this request.

Application Process

Persons with disabilities are guaranteed the same application process as other applicants. Assistance may be provided when needed, such as the following:

- a. A reader may be provided for completing an application or written examination for qualified applicants who are vision-impaired or functionally illiterate.
- b. Waiver of a driver's license may be requested for qualified disabled applicants who are not allowed to drive.

Employment Physical

New employees working in safety sensitive positions (EMT's, Paramedics, Firefighters, Dispatchers, Law Enforcement Officers, Maintenance) are required to take a physical examination after an offer of employment has been made. The physical examination will be conducted by a local healthcare provider designated by Fentress County Government, at county expense. If a physical limitation is determined which prevents an otherwise qualified individual from performing the essential functions of the job, the appointee can still retain the position if reasonable accommodation can be made. The possibility of reasonable accommodation shall be determined by the applicant and the employer. Information obtained in the pre-employment physical shall be confidential to the extent provided by law, except for the following:

- a. Supervisors shall be informed of any restrictions on the duties required for reasonable accommodation.
- b. Safety personnel shall be informed of any possibility of emergency treatment.

Reasonable Accommodation

A department shall make reasonable accommodation to the known physical or mental limitations of an otherwise qualified individual with disabilities. The specific accommodations needed shall be determined jointly by the individual and the employer with technical assistance provided by the ADA Coordinator for Fentress County. Reasonable accommodation may include, but shall not be limited to:

- a. making facilities readily accessible to and usable by persons with disabilities, and
- b. job restructuring, job sharing or modified work schedule, acquisition or modification of equipment
- c. or devices and other similar actions.

In determining whether an accommodation would impose an undue hardship on the operation of the department, factors to be considered include:

- a. the overall size of the specific work area or program with respect to the number of employees and budget,
- b. the type of operation, and
- c. the nature and cost of the accommodation needed.

It is the responsibility of the employee or applicant to make known to the employer the need for an accommodation.

Accessibility

Each department is required periodically to survey its programs and physical facilities to determine if they are accessible to persons with disabilities. If structural problems are found, it is the responsibility of Fentress County to budget for changes. Non-structural problems requiring some form of reasonable accommodation will be addressed on an individual basis. The ADA Coordinator will provide technical assistance in areas of accessibility related to employment.

Complaints

Individuals who believe that they have been subjected to discrimination on the basis of a disability are encouraged to report the incident in accordance with the complaint procedure included with the county's policy on Equal Employment Opportunity or discuss the matter with the county's ADA Coordinator.

Title VI of the Civil Rights Act of 1964

Fentress County Government complies with Title VI of the Civil Rights Act of 1964. This act requires that agencies receiving federal money develop and implement plans to ensure that no one receiving benefits under a federally funded program is discriminated against on the basis of race, color, or national origin.



FENTRESS COUNTY ENSURES COMPLIANCE WITH THE TITLE VI OF THE CIVIL RIGHTS ACT OF 1964; 49 CFR, PART 21; RELATED STATUTES AND REGULATIONS TO THE END THAT NO PERSON SHALL BE EXCLUDED FROM PARTICIPATION IN OR BE DENIED THE BENEFITS OF, OR BE SUBJECT TO DISCRIMINATION UNDER ANY PROGRAM OR ACTIVITY RECEIVING FEDERAL FINANCIAL ASSISTANCE FROM THE U.S. DEPARTMENT OF TRANSPORTATION ON THE GROUNDS OF RACE, COLOR, SEX, OR NATIONAL ORIGIN.

To report any complaints or to receive additional information about Title VI, contact the Title VI Coordinator or Human Resource Director at (931) 879-3010.

HIPPA

Fentress County Government complies with the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and follows guidelines involving the protected health information of employees, dependents and patients.

Employee Conduct

Purpose

It is the policy of Fentress County Government to uphold, promote and demand the highest standards of ethics from all employees, officials (elected or appointed), servants, or any member of any board, agency, commission, authority or corporation (whether compensated or not) of the county. Accordingly, all County employees should maintain the utmost standards of personal integrity, truthfulness, honesty, and fairness in carrying out their public duties; avoid any improprieties in their roles as public servants; and never use their County position or powers for improper personal gain.

Duty to Report

If you have direct or indirect knowledge of any suspected illegal, improper, wasteful or fraudulent activity involving an employee with Fentress County, you must immediately report such activities to your supervisor, department head, the Director of Human Resources or the State Comptroller's Toll-Free Hotline at 1-800-232-5454. Failure to report such activity may lead to disciplinary action up to and including termination.



If you know or suspected any illegal, improper, wasteful or fraudulent activity involving an employee of Fentress County call Tennessee Comptroller Fraud Hotline
1-800-232-5454

County Property

Fentress County employees have a clear responsibility to protect and conserve county property and information, acquired through their employment, as well as to obey all rules and regulations governing its use. Employees cannot directly or indirectly use or allow another individual to use county owned property or information for other than officially approved activities.

Gift and Contributions

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

1. For the performance of an act, or refraining from performance of an act, that he would be expected to perform, or refrain from performing, in the regular course of his duties; or
2. That a reasonable person would understand was intended to influence the vote, official action, or judgment of the official or employee in executing county business.

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

Exceptions:

It shall also not be considered a violation of this policy for a County official or employee to receive a benefit with a monetary value of less than twenty dollars (\$20.00) U. S.

Employee Appearance

Fentress County employees should observe good habits of grooming, personal appearance, and personal hygiene. Please dress appropriately when performing your job duties. For certain department positions, the department supervisor may establish more specific guidelines for suitable appearance. Concern for safety or the portrayal of professionalism may necessitate that a particular type or style of clothing be worn while on duty. In some positions, uniforms may be required to be worn during working hours.

Notification of Arrest or Filing of Information

Employees must notify their appropriate department head or elected official if they have been arrested within 72 hours (24 Hours for Patrol Officers) of said arrest (or if a criminal "information" has been filed against them) so that a determination may be made whether the charged offense would constitute an impediment to their job performance or a conflict of interest concerning their employment with Cumberland County. All such determinations must be made upon the advice of the County Attorney including any actions taken to suspend or terminate the employee. Failure to provide this notification may lead to disciplinary action, up to and including dismissal.

Classification and Compensation

Employee At-Will

No policy, benefit, or procedure contained herein creates an employment contract for any period of time, or a contractual obligation of any kind. All full-time, part-time and temporary employees of Fentress County Government are considered employee-at-will. Just as an employee has the right to resign from their position at any time, the County reserves the right to terminate employment at any time, with or without cause and without prior notice, but they shall not be terminated for an illegal purpose.

Employee Classification

New Hire Employee

A new-hire designation will be used for those employees who are in their initial period of employment. The initial period of employment will begin on the first day of work and extend for 90 days.

New-Hire employees will not accumulate Annual/Vacation leave until they reach Regular/Full-Time Status.

New-Hire Employees will accrue sick leave during their initial 90 days.

Regular

A regular designation will be used for those employees who have met the initial period of employment.

Seasonal/Temporary

A designation will be used for those positions which are hired on a temporary basis and the duration is generally 6 months or less. A seasonal designation can be given to either a full time or part time position. **Seasonal employees are not eligible for any benefits and will be paid only for actual time worked or established wage for job.**

PRN

A PRN designation is used for Emergency Medical Service employees who are not regularly scheduled employees with defined hours but may pick up open shifts. A PRN employee is eligible to work as many shifts as they are approved for by the Shift Supervisor or the Department Head.

PRN's will be paid only for time worked and On -Call as defined by the Emergency Response Policy.

PRN employees are not eligible for any benefits afforded to a full-time or part-time employee, regardless to the number of hours they work, except for health insurance upon meeting eligibility as defined by the Affordable Care Act.

Part-Time

A part-time employee designation will be used for those employees who's regularly assigned work schedule generally includes no more than 29-hours per week or absolutely no more than 129 hours per month.

Part-time employees are only compensated for actual time worked.

Part-time employees are eligible for leave benefits and other various benefits as set forth in this handbook.

Full-Time

A full-time employee designation will be used for those employees who are regularly scheduled to work 35 hours or more per week.

Regular full-time employees are eligible for the various benefits offered by the County.

Compensation Plan

The compensation plan for Fentress County Government intends to provide equal compensation for work of equivalent responsibility, knowledge, skills and abilities. Each employee will be compensated based upon the classification that is assigned to their position. No full-time employee shall be paid at a rate less than the base rate for their position as provided by the wage scale. The wage scale establishes a starting wage for each job and annual raises will be at the Department Head's recommendation to the budget committee and approved by the Commission.

Employees are generally hired at the base rate of the position's classification but may receive a higher rate depending on experience and skill level.

Full and Part Time employees are eligible for annual raises as recommended by Department Head's and approved by the Commission.

Pay Periods

Employees of Fentress County are paid on a bi-weekly basis. Payday will occur on the Thursday following the pay period and will be direct deposited into the current bank account on file at the Fentress County Finance Office.

Exempt and Non-exempt Employees

Classifying a position

Exempt (Salaried – No Rights Under FLSA Law)

If you are an exempt employee, you are not covered by the overtime provisions of the Fair Labor Standards Act. There are several categories of exempt employees, including those in bona fide executive, administrative and professional positions.

All salary exempt employees as deemed by the county commission, in guidance with FLSA and wage and hour law, will be required to clock in and out for the purpose of tracking sick leave, benefits, and paid time off.

Pay may only be reduced or time required to be used in the instance of a full day absence for personal matters, or a full day absence for sick leave. Sick or personal time will not be required to be used to account for hours over 40 hours per week. Pay will only be reduced if sick or personal time has been exhausted.

Non-exempt (Rights Under FLSA Law)

If you are a non-exempt employee, you are covered by the overtime provisions of the Fair Labor Standards Act. You will receive time-and-a-half compensatory time or overtime wages for any time actually worked beyond 40 hours in a work week. (Time off such as holidays, annual leave, sick leave or any type of leave does not count as time worked).

Hourly- Employees who are paid based on an hourly rate for hours worked.

Employees who are paid on an hourly rate will receive compensation at their regular rate of pay for all hours worked up to forty (40) hours in the work week.

Salary – Employees who receive a salary rate for a fixed number of hours. However, when the employee exceeds the fixed number of hours for a week and works more than 40 hours per week the employee will receive overtime compensation or compensatory time in accordance with FLSA law.

Employees who are paid on a non-exempt salary basis will receive their salary for all hours worked up to and including forty (40) hours in the work week.

In the event that a salaried employee's hourly rate of pay needs to be determined, the hourly rate will be calculated by dividing the annual salary by 2080 hours.

Work Week and Hours

Work Week:

The work week will begin at 12:00 a.m. on Monday and end at 11:59 p.m. on the following Sunday. Employees who are paid on an hourly rate or salary will receive compensation in accordance with the FLSA law for all hours worked.

Employees that are classified as Emergency Medical Services the work week begins Monday at 7:00 a.m. and ends on the following Monday at 6:59 a.m. Employees who are paid on an hourly rate will receive compensation at their regular rate of pay for all hours earned up to and including forty (40) hours in the work week.

Working Hours:

Full time employees shall work a set schedule Monday through Friday, from 8:00 am until 4:00 pm, which includes a 30-minute meal break each day.

There are, however, departments, such as but not limited to, Law Enforcement, Emergency Management Services, Public Works and the Library, that will require different work schedules. In this situation, the employee should check with their Supervisor to determine when they are to work

Overtime Compensation/Compensatory Time

The provisions of the Fentress County's Overtime Policy comply with all requirements of the Fair Labor Standards Act (FLSA). For non-exempt hourly employees "Overtime" is defined as time worked in excess of 40 hours. Non-exempt employees, as defined herein, who work (**time off such as lunch, holidays, annual leave, sick leave or any type of leave does not count as time worked**) over 40 hours in a workweek are entitled to compensation for such hours, either in cash or compensatory time at the rate of:

All hours worked over 40 will be compensated at "**Premium Overtime**" which is one and one-half

times their regular rate of pay, or compensatory time off at the rate of one and one-half hours for each hour of overtime worked.

Employees shall not work overtime without first receiving the approval of their supervisor.

When there is a deviation from an employee's regular schedule which allows overtime or compensatory time to accrue, an explanation shall be provided on an employee's time sheet.

Law enforcement and certain public safety employees have their overtime calculated by a different formula and should check with their Department Heads to determine when they are eligible for overtime compensation.



If you wish to use "comp time," you should request leave using the procedure in place in your department. Be aware that work and staffing may impact approval, but your supervisor should make a reasonable effort to honor your request.

Compensatory time is cumulative during the fiscal year, however, may not exceed 80 hours (53 hours of actual overtime worked) at the end the fiscal year. All hours of compensatory time an employee has accrued in a fiscal year must not exceed the maximum of 80 hours, except under the following circumstances:

If your additional work hours were for a public safety activity, an emergency response activity, or a seasonal activity, you may accrue no more than 160 hours of compensatory time (106 hours of actual overtime worked).

If an employee has a balance, at the end of the fiscal year, of accrued compensatory time, which is above the allowable limit, the excess amount will be paid at the end of the fiscal year, providing that the Finance Committee has approved the disbursement. If the disbursement is not approved the excess compensatory time will be allowed to carry over into the new fiscal year.

Accrued Compensatory Time must be used before annual or sick leave is used.

Lunch and Working During Lunch Periods

Fentress County Employees are given a 30-minute duty free lunch which is paid.

There are positions in various departments that employees will not have a scheduled lunch due to the nature of the business/work environment. These positions have been identified as having ample opportunity to rest or take an appropriate break.

A workday may not be shortened by “working through” or reducing the lunch period on a voluntary basis. Eliminating or reducing your lunch period requires prior approval from your immediate supervisor. Such approvals must be limited and will typically be for one day due to unusual or special circumstances.



If you need to make a one-time adjustment to your work schedule, you may ask your immediate supervisor, in advance, for permission to reduce or eliminate your lunch period on the day in question. This may not be used on an on-going basis.

Breaks

Employees may take one (1) fifteen (15) minute rest period for each four (4) hours worked. Such rest periods shall be considered a privilege and not a right and shall never interfere with the proper performance of the work responsibilities and work schedule of each department. Break time shall not reduce working time under FLSA.

Working Before/After Regular Hours

You may not voluntarily begin work early, or work after hours, to extend your workday for the purpose of accumulating compensatory time. Prior approval of the immediate supervisor is required for any adjustment to the work schedule.

Emergency Response Policy

Return to Work from Home - When a non-exempt employee is required to return to work for an emergency situation, (as defined by your supervisor and cannot wait until your next scheduled work shift) without prior notice, the employee’s pay shall be determined under the Emergency Response Policy. When an emergency requires the employee to work two (2) hours or less, the employee will get credit for two (2) hours of work time. This guarantees to an employee a minimum of two (2) hours of work time for the inconvenience of returning to work. If the emergency requires the employee to work more than two (2) hours, the employee will receive work time credit for the actual hours worked. Emergency response time begins when the employee arrives at the work site and ends when the employee leaves the work site.

Emergency Medical Services (EMS)

Emergency Medical Personnel, who are full time, are expected to maintain an on-call status for the opposite shift of their scheduled rotation as a condition of employment. Employees who are

classified as PRN may accept on-call status; however, they are not required to as a condition of employment.

On Call status is to try and ensure that there are sufficient Medical Service Technicians available to provide Fentress County citizens services during increase call volume time, which has all scheduled medical service employee out on calls.

Employees who are on call:

- Are not required to remain in the county, unless otherwise advised; however, the employee must remain available by telephone, text, radio or pager while on call.

- Must be within proximity to allow the employee to return to service with 1 hour of receiving the message or call.

- While an employee is not required to restrict his or her activities while on-call, they must remain free from influence of alcohol or illegal drugs. In addition, the employee should not take any prescription or over the counter substances that could adversely affect their ability to perform their job duties safely and effectively. Particular attention should be given to, antihistamines (Benadryl, etc...), pain medications, anti-anxiety medications and sleep aides. If an employee has concerns about complying with this requirement, the employee should consult with Human Resources.

- If an employee is unable to be on-call, they are expected to secure replacement coverage and have the schedule change approved by Shift Supervisor and/or Department Head.

- Employees who fail to adhere to the expectations are subject to disciplinary action up to and including termination.

EMS On Call Pay:

- The employee assigned or on record as covering the On Call period will be compensated a set amount as approved by the Ambulance Committee.

- When an employee is called to return to work and they work two (2) hours or less, the employee will get credit for two (2) hours of work time. This time is credited as time worked for the purposed of calculating overtime.

- Emergency response time begins at the time Dispatch calls the employee and ends when the employee clocks out, or at a time the emergency, that required the response, has been resolved.

- When an employee covering an on-call shift, there is potential to be call back to work multiple time during an on-call shift. If an employee is call back to work multiple time, the employee is only eligible to be credited time work equal to the total hours for the on-call shift.

Injury/Illness While on Duty

Any employee sustaining an injury or an illness during the course and scope of his or her employment which is determined to be a compensable injury under the provisions of the Workers' Compensation Law shall be entitled to receive Injury Leave. This leave shall not be counted against any accrued leave which the employee has accumulated. Benefits which are received by the employee will be determined by the provisions of the Workers' Compensation Law.

- 1) Notice of injury - Every injured employee or his or her representative shall, immediately upon the occurrence of an injury, however minor, give or cause to be given to the employer written notice of the injury which results in a submission of a 1st Report and drug screen. The employee shall not be entitled to benefits hereunder from the date of the accident to the giving of such notice, unless it can be shown that the employer had actual knowledge of the accident.
- 2) Injuries Not Covered -No benefits shall be allowed for an injury due to the employee's willful misconduct or intentional, self-inflicted injury, or due to intoxication, or sports-related injury unless participation in sports activities is required by the job description, or willful failure or refusal to use a safety appliance or perform a duty required by law. This exclusion does not apply to mandatory physical fitness programs as developed and mandated by the employer.
- 3) Medical Treatment- Medical treatment will be provided for as long as required by the authorized treating physician at no cost to the employee if the injury is designated as a compensable injury. If an employee seeks medical treatment for an injury that is deemed non-compensable, the employee is responsible for medical expenses incurred.
- 4) Compensation Received – If an employee meets the eligibility for Temporary Disability Benefits during their time of disability an employee wage replacement is usually two-thirds of you average weekly wages earned during the 52 weeks prior to the injury.
- 5) Temporary Disability Benefits (Wage Replacement)– An employee is eligible for wage replacement in accordance with Worker's Compensation Law. Wage replacement for a compensable injury will begin on the eighth day of the disability. When the disability lasts fourteen (14) days or longer, benefits will be paid back to the first date of the disability. Time of disability shall begin when the authorized treating physician takes an injured employee off work due to the injury. Time of disability will extend for such time as the injured employee is unable to return to work as determined by the authorized treatment

physician, as well as by the provisions of the Workers' Compensation Law.

- a. Compensation for the 1st 7 Days of an Injury-
 - i. The day the injury occurs, the employee will be considered on duty and compensated for their scheduled work hours, providing a 1st Report and drug screen has been submitted.
 - ii. The first 7 days of a compensable injury in which the employee does not receive wages through Workers' Compensation the said employee shall be granted Injury Leave for the employees normal scheduled time.
 - iii. If a question or clarification is needed regarding the compensability of an injury the employee will be required to use accrued leave until the questions regarding compensability of an injury have been resolved.
 - b. The employee will continue to earn vacation and sick leave while on Injury Leave.
- 6) Use of Accrued Leave - An employee who is injured while on duty and is receiving Temporary Disability Benefits can use only enough accrued leave per pay period to cover the employee portion of health insurance premiums that are deducted through payroll. No other use of accrued leave during this time is permitted.
 - 7) Role of Physician Panel – Fentress County maintains a current panel of providers which an employee is required to choose from if medical treatment is required for injury/disability. The employee must choose a physician identified on the Physicians Panel as their authorized treating physicians to determine the character, degree and duration of occupational disability. Employees will be required to return to work upon the approval of the authorized treating physician.
 - 8) Extended Injury Leave - Whenever an employee is on extended leave due to a work-related injury or illness, the employee must provide the employer with an update of the employee's medical condition at least every 30 calendar days.
 - 9) Release to Work – Upon notice to the employer by the employee (which the responsibility it shall be deemed) or the Fentress County's Workman's Compensation carrier, whom may or may not notify, that an employee has been release to return to work at any capacity. The employer shall determine, within 7 days, if there is a job in which the employee can return to, considering the capacity or restrictions which the employee has been given by the authorized treating physician on the final return to work statement.
 - 10) All decisions of Fentress County's Workman's' Compensation carrier are final and if any particular provision above, at any time, is in conflict with our Workman's' Compensation Carrier or authorized treating physician's direction or decision the above is void and the

decision and/or the direction of the carrier and authorized treating physician will be followed per Tennessee Workers' Compensation Law.

Termination Pay

An employee whose employment is being terminated, either voluntarily or involuntarily (except as a result of gross misconduct or possible commission of a crime), shall be paid for all regular earning which are due and accrued plus all accrued annual leave and compensatory leave time and then only documented unused annual leave up to a maximum, of 240 hours will be paid. The rate of pay for such compensatory time shall be based on the employee's current rate of pay.

Accumulated sick leave has no value except for the purpose granted, and in the event of separation, all sick leave shall be forfeited. However, upon retirement or termination from Fentress County, any employee who has unused accumulated sick leave at the date of his/her separation may be able to receive retirement credit for unused sick leave.

In the event of death of an employee, the amount owing hereunder to the employee shall be paid to the employee's estate to the employee's current direct deposit account on file.

Final check will be no later than the next regular payday following the date of termination, either voluntary or involuntary, or twenty-one (21) days following the date of discharge or voluntary leaving, p

General Personnel Policies

Attendance

You are an important member of the Fentress County Government team. We are committed to providing the highest level of government services and functions to better serve the community. In order to accomplish this, your prompt and regular attendance is required.



You must telephone your supervisor (or next-level manager or designee) and speak directly to that person to give notification of absence or tardiness. Leaving a message does not meet this requirement.

In case of an illness or injury that would prevent you from reporting to work at the scheduled time, you are required to speak directly to your supervisor. If your supervisor is unavailable, you are required to speak directly to the next-level manager or director, or to the person designated by your supervisor.

Failure to provide notification of absence for three consecutive workdays may result in removal from the payroll as having resigned without notice. Employees who resign under such circumstances may not be eligible for rehire.

Time Records

All employees, officials, as well as Election and County Commissioners are required to record, accurately, all work, leave, holiday and compensatory hours on the forms provided for this purpose. The forms should be completed for non-exempt employees, as well as, exempt employees. At the end of the pay period, the time record should be signed by the employee, verified and signed by the Supervisor and then forwarded to payroll for review and processing.

Directors and Department Heads, exempt or non-exempt, of County General Departments (page 3) are to submit their signed bi-weekly time record to the County Executive for verification and signature prior to being submitted to payroll.

Employees should be sure that their actual hours worked and all leave time taken is recorded accurately.

It is the responsibility of the Supervisor to ensure that all leave time is recorded accurately.

Falsifying these records is a crime under T.C.A. § 39-16-504.

Inclement Weather

It is Fentress County's policy to continue operations despite weather conditions, however unless severe conditions occur which can make transportation impossible or dangerous employees are expected to come to work.

Inclement Weather policy applies to all employees who are scheduled to work (Full and Part-Time) except for Emergency Medical Personnel.

Inclement Weather without Official Closing: Absence due to inclement weather requires you to make a personal judgment pertaining to your safety in traveling to and from work. Loss of work time for this reason, is charged to your compensatory time first and then to accrued leave. If you have no compensatory time or accrued leave, then the time is charged as leave without pay.

Official Closings Due to Inclement Weather: The County Mayor will decide if Fentress County Offices will be closed on normal workdays during inclement weather. The official outlet for closing information will be local media sources or your direct supervisor, however each elected official may make the same or different decisions for their office.

County Facility closed the entire day:

If you are scheduled to work but are not required to work during an inclement weather closing, you will receive administrative pay for your regularly scheduled working hours during the period of closure.

If you are not scheduled to work during an inclement weather closing, you will not receive administrative pay for the closing.

If you are on annual, sick, or any other leave with pay during the declared times of closing, you will be considered on leave and will not receive administrative pay for the closure.

If you are required to work during inclement weather closing you will receive wages plus compensatory time for the hours actually worked.

County Facility closed for partial day:

If the County Facility opens and is forced to close early or delays opening because of the weather, all employees who report to work will be paid for a full day.

An employee who was scheduled to work and made no effort to come to work, will be required to take compensatory time first then accrued leave. If you have no compensatory time or accrued leave, then the time is charged as leave without pay.

Administrative Closing of County Offices

There may be occasions when the County Mayor deems it necessary to close the County Offices. Administrative closings can occur for a variety of reasons and may not affect all County Offices. Therefore, County Offices should contact the County Mayor in regards to their department status for the Administrative closing.

County Facility closed the entire day:

If you are scheduled to work but are not required to work during an administrative closing, you will receive administrative pay for your regularly scheduled working hours during the period of closing.

If you are not scheduled to work during an administrative closing, you will not receive administrative pay for the closing.

If you are on annual, sick, or any other leave with pay during the declared times of closing, you will be considered on leave and will not receive administrative pay for the closing.

If you are required to work during the administrative closing you will receive wages plus compensatory time for the hours actually worked.

County Facility closed for partial day:

If the County Facility opens and is forced to close early or delays opening, all employees who report to work will be paid for a full day.

An employee who was scheduled to work and made no effort to come to work or an employee who was on leave, will be required to take compensatory time first then accrued leave. If you have no compensatory time or accrued leave, then the time is charged as leave without pay.

Central Personnel Files

An individual personnel file will be maintained for each employee in the Human Resource Office. It is the responsibility of each employee to provide accurate information to the County. Employees are also responsible for promptly reporting to the County any change in the information which they have previously provided. Knowingly providing false or erroneous information may subject the employee to disciplinary action up to and including dismissal.

Immigration Papers (I-9 form)

Upon employment, all employees are required to attest that they are lawfully eligible to work in the United States.

Continuous Service Credit (Leave Rate)

Provided there is no break in employment, the time between an employee's date of hire as a full-time employee and their date of termination will be considered a period of continuous service. If an employee with a break in service is rehired by the County, their period of continuous service starts over on the date of rehire. The period of continuous service shall be broken under the following conditions:

1. Discharge with or without cause
2. Voluntary resignation
3. Changing status from regular full-time employment to part-time employment

The Human Resource Director and Department Heads shall be responsible for determining the continuous service credit of an employee on the basis of information contained in the employee's official personnel file.

Transfers/Promotions (Pay Rate)

Transfers or Promotions:

Transfers within Fentress County General Government:

If an employee changes positions and it is considered a transfer or promotion, the employee's pay will be determined by the classification and the step level will be determined on a case by case basis with consideration being given to their years of service with the County and their experience as it pertains to the position.

Any full-time employee of any office, or department of the Fentress County General Government who transfers to another agency, office or department of the County without a break in service shall have all vacation and sick leave transferred to the new department.

Any outstanding compensatory time for back overtime will be paid by the department from which the employee is transferring.

Any payment for vacation leave upon termination which is later found to have been in violation of this policy shall be repaid to the County by the terminating employee.

Transfers from Fentress County Highway Department or Board of Education:

When an employee is hired into a position, the employee's pay will be determined by the classification and the step level will be determined on a case by case basis with consideration being given to their years of service with the County and their experience as it pertains to the position as it is determined by the department head and approved by the Finance Director and County Executive department head.

Leave with Fentress County Government will be determined by the number of continuous years of service to Fentress County.

Example of Continuous Service: An employee works for BOE (hire date of 9/2/2010 and is currently working. Employee is hired to work for the Fentress County Government and leaves the BOE and immediately starts working for Fentress County Government on 6/24/2017, leave accrual rate would be determined at 7 years of continuous service.

Example of Break in Service: An employee works for the FC Highway Department (hire date of 9/2/2010 and is leaving the Highway Department on 3/8/2013. Employee is hired to work for Fentress County Government and begins work on 6/28/2015 leave accrual rate would be determined at 0 years of continuous service due to the break in service from 2013 to 2015.

Employees who leave employment with the Fentress County Board of Education (BOE) or Fentress County Highway Department to accept positions with the Fentress County Government may not transfer any unused leave time to their new position. The agency in which the employee is leaving is responsible for payment of any accrued but unused leave or compensatory time as determined by their policies.

Progressive Discipline Procedure

In cases where an employee displays inappropriate conduct or poor performance – and the activity does not call for automatic dismissal – Fentress County may or may not follow a progressive discipline process. This is a system that consists of corrective action, documentation and adverse action.

The three steps of progressive discipline include:

1. Verbal – The first step is usually a verbal warning from the Department Head to identify the problem and to state the corrective action needed. The Department Head documents this step (including dates, times, and details of incidents of improper conduct or poor performance) and has the employee sign and date the warning when it is reviewed with them. The Department Head sends this signed documentation to the Human Resources Director who will review it and place it in the employee's personnel file. The employee may submit a separate written statement for the file, if desired.

If there have been no other disciplinary actions taken after one year, the employee can make a written request that the verbal warning be removed from the personnel file.

2. Written – The second step in the process is a written warning with specific examples cited. The Department Head prepares a letter or memo that states a specific time frame in which the employee must improve and gives the exact consequences of failure to improve. Prior to issuing the letter/memo to the employee, the Department Head must review it with the Human Resource Director. The employee will sign and date the warning letter/memo when it is given to them and a copy of the signed and dated warning is forwarded to the Human Resources Director for placement in the employee's personnel file. The employee has the option of submitting a written statement that will also be placed in the file.
3. Adverse Action – If repeated attempts at corrective action fail to produce satisfactory results, some form of adverse action may be taken. The term "adverse action" means actions involving suspension, demotion, or dismissal. Before any adverse action becomes effective, the Department Head must review the adverse actions to be taken with the Human Resource Director to ensure protocol.

Any employee who receives three documented warnings in a 12-month period is subject to dismissal as is the employee who receives repeated disciplinary actions for any reason.

Fentress County is under no obligation to follow these steps in sequence or even follow them at all. Fentress County reserves the right to terminate anyone's employment immediately without warning. Either you or Fentress County may terminate your employment at will, without cause or prior notice, at any time.

Suspensions

The Department Head, may suspend an employee for cause and without pay for a period of time not to exceed 10 working days in any three-month period.

You may not take annual leave, sick leave, or compensatory leave (“comp time”) while on suspension.

The progressive discipline process may be followed prior to suspension, unless the situation warrants automatic suspension.

Demotions

An employee may voluntarily request a demotion. The employee’s request shall be in writing to the Department Head. When an employee is demoted for cause or as the result of a voluntary request, their hourly rate will be determined by the classification and the years of service with the County.

Dismissal/Terminations

Immediate dismissals may be made for cause, including, but not limited to, your action or behavior that constitutes:

- Insubordination (refusal to follow supervisor’s instructions);
- Endangering your own health or safety or the health or safety of other employees or citizens;
- Making fraudulent statements on employee applications or job records;
- Absence from work without authorization or notification;
- Theft, vandalism, or willful destruction of County or employee property;
- Any violation of the County Alcohol and Drug Policy;
- Falsifying a time and attendance record;
- Improper or unsafe operation of a county vehicle; and
- Any other infraction when dismissal is determined to be in the best interest of the County.

Dismissals that follow the progressive discipline process are permitted for reasons that include, but are not limited to:

- Misconduct;
- Willful neglect of duties;
- Failure to perform job duties;
- Repeated tardiness or absence;
- Violation of departmental rules;
- Email abuse; and
- Internet abuse.

Any employee who receives three documented warnings in a 12-month period is subject to dismissal as is the employee who receives repeated disciplinary actions for any reason.

Fentress County is under no obligation to follow these steps in sequence or even follow them at all. Fentress County reserves the right to terminate anyone's employment immediately without warning.

Resignations

Employees who decide to leave the County through resignation are expected to give at least two (2) weeks' notice and more if possible. Failure to give proper notice will become part of the employment record and may be noted in any reference requests.



To resign your job, give a written notice to either your immediate supervisor or department director. You must do this at least 10 working days before your last day of work.

Reduction in Force

A reduction in force is the release of an employee due to lack of funds, curtailment of work, or reorganization. If you are discharged because of a reduction, you are considered terminated unless you are offered and accept another position.

The department director will determine when a reduction in force is warranted and which employee(s) will be released. The decision about individual employees is made with consideration of job knowledge, skills, and work performance. If you lose your job through a reduction in force, you may apply for other posted positions, now or in the future.

Employee Safety and Monitoring

Workplace Safety

Fentress County is committed to providing a safe and healthful working environment for its employees. However, this can only be accomplished with the cooperation of the employees by reporting any unsafe conditions to your Department Head.

Firearms

Employees who are on duty and have a valid handgun-carry permits are allowed to only bring firearms and ammunition into the parking lots of Fentress County Government, provided that the firearm and ammunition are kept in the employee's vehicle in accordance with Tenn. Code Ann. 39-17-1313.

Workplace Privacy

Fentress County strives to maintain a balance between the need to operate a safe and efficient workplace and employees' reasonable expectation of privacy. Therefore, employees should be aware that Fentress County may use:

1. Video surveillance with or without sound,
2. GPS and location tracking devices on County owned devices and vehicles, and
3. Monitor emails, calls and internet use

as defined and in accordance with law.

Fentress County reserves the right to search locked and unlocked property it owns for legitimate business reasons-such property includes, but is not limited to desks, lockers, and file cabinets, and electronic devices- even while the property is used by an employee. Employees should not have a reasonable expectation of privacy while using County provided equipment or while on County property.

Note: Tennessee state law prohibits the photographing or videotaping of any person where the person has a reasonable expectation of privacy (i.e. bathrooms, dress areas), without that person's prior effective consent.

Drug Free Work Place

Fentress County Government is committed to providing a safe work environment and to fostering the well-being and health of its employees. This commitment is jeopardized when any Fentress County Government employee illegally uses drugs on or off the job, comes to work under the influence, possesses, distributes, or sells drugs in the workplace, or abuses alcohol on the job. Therefore, Fentress County Government has established the following policy pursuant to Tennessee Code Annotated Section 50-9-100 et. Seq.:

1. It is a violation of Fentress Government policy for any employee to use, possess, sell, trade, offer for sale or offer to buy illegal drugs or otherwise engage in the illegal use of drugs on or off the job.
2. It is a violation of Fentress County Government policy for an employee to report to work under the influence of or while possessing illegal drugs in his or her body, blood, or urine, in any detectable amount.
3. It is a violation of Fentress County Government policy for any employee to report to work under the influence or impaired by alcohol or to engage in the use of alcohol during work hours.
4. It is a violation of Fentress County Government policy for any employee to use prescription drugs illegally, i.e. to use prescription drugs that have not been legally obtained or in a manner or for a purpose other than prescribed. *Note that this policy in no way precludes the appropriate use of legally prescribed medications.*
5. Violations of this policy are subject to disciplinary action up to and including terminations.
6. As a condition of employment, employees must abide by the terms of this policy and must notify Fentress County Government in writing of any conviction of a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction.

SCOPE:

Employees Subject to Testing:

All employees of Fentress County Government will be subject to testing for the use of alcohol and illegal drugs.

Alcohol:

Alcohol is defined as the intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohol including but not limited to methyl and isopropyl alcohol.

No employee shall report to work or remain at work while having an alcohol concentration of 0.04 or greater. Possession of alcoholic beverages at the worksite is prohibited.

No employee shall be on duty or operate a commercial motor vehicle while possessing alcohol, unless the alcohol is manifested and transported as part of a shipment. Employees shall not operate a vehicle in the performance of work duties while having an alcohol concentration of 0.04 or greater.

No employee required to take a post-accident test shall consume alcohol for four (4) hours following the accident or until he/she undergoes a post-accident alcohol test, whichever occurs first. An employee is required to take a post-accident alcohol test immediately provided there is not some reason beyond the employee's control that such testing cannot timely occur. In no case shall more than four (4) hours elapse before the test is administered.

Controlled Substance:

The Tennessee Worker's Compensation Reform Act of 1996 allows for controlled substance testing pursuant to drug testing regulations adopted by the United States Department of Transportation, which includes testing for amphetamines, barbiturates, benzodiazepines, cannabinoids, cocaine, opiates, and phencyclidine.

No employee shall report to work or remain at work while using or under the influence of any controlled substance, except when the use is pursuant to the instructions of a physician who has advised the employee that the substance does not adversely affect the employee's ability to safely perform his or her work functions.

No employee shall report to work or remain at work if the employee tests positive for controlled substances.

Prescribed Medications or Non-Prescribed Over-the-Counter Medications:

All employees taking prescribed medications or non-prescribed over-the-counter medications that could impair their ability to safely perform their work functions must report this to their immediate supervisor prior to engaging in work related activities and as otherwise indicated in this policy.

DEFINITIONS:

1. "Alcohol" as used in these rules shall have the same meaning as in the federal regulations describing procedures for the testing of alcohol by programs operating pursuant to the authority of the United States Department of Transportation as currently compiled at 49 Code of Federal Regulations (C.F.R.) part 40. This definition shall be changed to conform to any future revision of the Department of Transportation's regulations.

2. “Alcohol test” means an analysis of blood, or any other analysis, which determines the presence, absence or level of alcohol as authorized by the relevant regulations of this policy.
3. “Certified laboratory” means any facility equipped to perform the procedures prescribed in this chapter, in accordance with the standards of the United States Department of Health and Human Services (HHS), Substance Abuse and Mental Health Services Administration (SAMHSA), or the College of American Pathologists-Forensic Urine Drug Testing (CAP-FUDT).
4. “Chain of Custody” refers to the methodology of tracking specified materials or substances for the purpose of maintaining control and accountability from initial collection to final disposition for all such materials or substances and providing accountability at each stage in handling, testing, and storing specimens and reporting test results.
5. “Confirmation test”, “confirmed test”, or “confirmed drug test” means a second analytical procedure used to identify the presence of a specific drug, or alcohol, or metabolite in a specimen, which test must be different in scientific principle from that of the initial test procedure and must be capable of providing requisite specificity, sensitivity, and quantitative accuracy.
6. “Covered employer” means a person or entity that employs a person, is covered by the Workers’ Compensation Law, maintains a drug-free workplace pursuant to these rules, and also includes on the posting required by T.C.A. Section 50-9-105 a specific statement that the policy is being implemented pursuant to the provisions of these rules. These rules shall have no effect on employers who do not meet this definition.
7. “Drug” means any drug subject to testing pursuant to drug testing regulations adopted by the United States Department of Transportation. A covered employer may test an individual for any or all of such drugs.
8. “Drug Rehabilitation Program” means a service provider that provides confidential, timely, and expert identification, assessment and resolution of employee drug or alcohol abuse.
9. “Drug test” or “test” means any chemical, biological, or physical instrumental analysis administered by a certified laboratory for the purpose of determining the presence or absence of a drug or its metabolites or alcohol pursuant to regulations governing drug or alcohol testing adopted by the United States Department of Transportation or such other recognized authority approved by rule by the commissioner of labor.
10. “Employee” means any person who works for a salary, wages, or other remuneration for a covered employer.

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11. “Employee Assistance Program” means an established program capable of providing expert assessment of employee personal concerns; confidential and timely identification services with regard to employee drug or alcohol abuse; referrals of employees for appropriate diagnosis, treatment and assistance; and follow-up services for employees who participate in the program or require monitoring after returning to work. If, in addition to the above activities, an employee assistance program provides diagnostic and treatment services, these services shall in all cases be provided by the program.
 12. “Employer” means a person or entity that employs a person and is covered by the Workers’ Compensation Law.
 13. “Injury” means a harm or damage to any employee, occurring in the workplace or in the scope of employment which must be recorded, in accordance with Occupational Safety and Health Administration (OSHA) reporting guidelines, in the covered employer’s OSHA 200 Log.
 14. “Employee” means any person who works for a salary, wages, or other remuneration for a covered employer.
 15. “Employee Assistance Program” means an established program capable of providing expert assessment of employee personal concerns; confidential and timely identification services with regard to employee drug or alcohol abuse; referrals of employees for appropriate diagnosis, treatment and assistance; and follow-up services for employees who participate in the program or require monitoring after returning to work. If, in addition to the above activities, an employee assistance program provides diagnostic and treatment services, these services shall in all cases be provided by the program.
 16. “Employer” means a person or entity that employs a person and is covered by the Workers’ Compensation Law.
 17. “Injury” means a harm or damage to any employee, occurring in the workplace or in the scope of employment which must be recorded, in accordance with Occupational Safety and Health Administration (OSHA) reporting guidelines, in the covered employer’s OSHA 200 Log.
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20. “Employer” means a person or entity that employs a person and is covered by the Workers’ Compensation Law.
21. “Injury” means a harm or damage to any employee, occurring in the workplace or in the scope of employment which must be recorded, in accordance with Occupational Safety and Health Administration (OSHA) reporting guidelines, in the covered employer’s OSHA 200 Log.
22. “Reasonable-Suspicion Drug Testing” means drug testing based on a belief that an employee is using or has used drugs or alcohol in violation of the covered employer’s policy drawn from specific objective and articulable facts and reasonable inferences drawn from those facts in light of experience. Among other things, such facts and inferences may be based upon:
- a) Observable phenomena while at work, such as direct observation of drug or alcohol use or of the physical symptoms or manifestations of being under the influence of a drug or alcohol;
 - b) Abnormal conduct or erratic behavior while at work or a significant deterioration in work performance.
 - c) A report of drug or alcohol use, provided by a reliable and credible source;
 - d) Evidence that an individual has tampered with a drug or alcohol test during his employment with his/her current covered employer;
 - e) Information that an employee has caused, contributed to, or been involved in an accident at work; or
 - f) Evidence that an employee has used, possessed, sold, solicited, or transferred drugs or alcohol while working or while on the covered employer’s premises or while operating the covered employer’s vehicle, machinery, or equipment.
23. “Safety-Sensitive Position” means a position involving a safety-sensitive function pursuant to regulations governing drug testing adopted by the United States Department of Transportation. For drug-free workplaces, the commissioner is authorized, with the approval of the Advisory Council on Workers’ Compensation, to promulgate rules expanding the scope of safety-sensitive position to cases where impairment may present a clear and present risk to co-workers or other persons. “Safety-sensitive position” means, with respect to a public employer, a position in which a drug impairment constitutes an immediate and direct threat to public health or safety, such as a position that requires the employee to carry a firearm, perform life-threatening procedures, work with confidential information or documents pertaining to criminal investigations or work with controlled substances, or a position in which momentary lapse in attention could result in injury or death to another person.
24. “Specimen” means tissue, fluid, or a product of the human body capable of revealing the presence of alcohol, drugs or their metabolites.
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25. “Split Specimen” means the procedure by which each urine specimen is divided in two and put into a primary specimen container and a secondary, or “split”, specimen container. Only the primary specimen is opened and used for the initial screening and confirmation test. The split specimen container remains sealed and is stored at the testing laboratory.

26. “Threshold Detection Level” means the level at which the presence of a drug or alcohol can be reasonably expected to be detected by an initial and a confirmatory test performed by a certified laboratory. The threshold detection level indicates the level at which a valid conclusion can be drawn that the drug or alcohol is present in the employee or job applicant’s sample.

QUALIFICATIONS FOR EMPLOYMENT AND PROHIBITED CONDUCT:

Prohibited Conduct:

Alcohol:

1. Use and/or possession is prohibited during working hours.
2. Reporting for work or remaining at work with an alcohol concentration of 0.04 or greater is prohibited.
3. Operating a vehicle in the performance of work duties with an alcohol concentration of 0.04 or greater is prohibited.
4. Possession of alcohol in an open container on County property or in a County vehicle or during regular work hours is prohibited.
5. Use during the eight hours following an accident or until the employee undergoes a post-accident test is prohibited.
6. Refusal to take a required alcohol test is interpreted as a positive alcohol test result.
7. Driving a County vehicle while under the influence of drugs or alcohol is strictly prohibited.

Controlled Substance:

1. Use of any illegal drug is prohibited during working hours, except by doctor’s prescription written for that individual, and then only if the doctor has advised the employee that the drug will not adversely affect the employee’s ability to safely perform his or her job functions. A supervisor may request the employee provide proof by a doctor’s written statement.
2. Possession of any illegal drug is prohibited any time an employee is on the job unless it is in the performance of his/her work duties.
3. Employee is required to advise his/her supervisor of the use of any prescription medication, over-the-counter medication, or other substance which displays a warning advising the user of a danger of drowsiness or any possible impairment of mental ability or physical dexterity.
4. Refusal to take a required test is interpreted as a positive controlled substance test result.

Consequences and Disqualifications:

1. The employee shall not perform or be permitted to perform a work function if any of the above listed conditions is violated.
2. Any employee reporting to work visibly impaired will be deemed unable to perform required duties and will not be allowed to work. If possible, the employee's supervisor will first seek another supervisor's opinion to confirm the employee's status. Next, the supervisor will consult privately with the employee to determine the cause of the observation, including whether the substance abuse has occurred. If, in the opinion of the supervisor, the employee is considered impaired, the employee will then be sent home or to a drug and alcohol testing facility by taxi or other safe transportation—depending on the determination of the observed impairment—and accompanied by the supervisor or another employee if necessary.

Opportunity to Consent or Explain Test Results:

Employees and job applicants who have a positive confirmed drug or alcohol test result may explain or contest the result to the medical review officer within five (5) working days after receiving written notification of the test result from the medical review officer. If an employee's or job applicant's explanation or challenge is unsatisfactory to the medical review officer, the medical review officer shall report a positive test result back to the County. A person may contest the drug test result pursuant to rules adopted by the Tennessee Department of Labor.

Confidentiality:

The confidentiality of any information received by the employer through a substance abuse testing program shall be maintained except as otherwise prohibited by law.

TESTING CIRCUMSTANCES:

PRE-EMPLOYMENT:

All job applicants at Fentress County Government will undergo testing for substance abuse as a condition of employment prior to beginning official work duties. A confirmed positive result will result in the revocation of the conditional employment

Applicants will be required to submit voluntarily to a urinalysis test at a collection site and conducted by a laboratory chosen by Fentress County Government and by signing a consent agreement will release Fentress County Government from liability.

If the physician, collection site personnel, or lab has reasonable suspicion to believe that the job applicant has tampered with the specimen, the applicant will not be considered for employment.

Fentress County Government will not discriminate against applicants for employment because of a past history of drug or alcohol abuse. It is the current illegal use of drugs and/or alcohol which is of concern. Note that the applicant may be excluded from eligibility for employment through other policies prohibiting the employment of a person with a criminal record which may have resulted from alcohol and/or drug abuse. A past history of drug or alcohol abuse in itself is not an adequate reason for exclusion from employment eligibility.

POST-ACCIDENT TESTING:

Any employee involved in a work-related accident which causes an injury to himself/herself or another person sufficient to require treatment for the injury or which disables a vehicle or equipment while carrying out official duties will be required to submit to an alcohol and controlled substance test. Testing will be administered immediately following the accident or as soon as medically and legally possible. In no case shall more than four (4) hours elapse before the test is administered. It is the employee's responsibility to notify Fentress County Government immediately to ensure actions are taken to meet the testing requirements.

The employee must refrain from consuming alcohol for eight hours following the accident or until he/she submits to an alcohol test, whichever comes first.

The drug test must be administered within four (4) hours following the accident. The employee must remain available for testing or Fentress County Government will consider the employee to have refused to submit to testing. If an injured employee refuses to submit to a test for alcohol and/or illegal drugs, the employee forfeits eligibility for worker's compensation benefits.

In case of non-emergency injuries reported after the fact, the injured employee must submit to testing at the time the injury is entered into the OSHA 300 log or any authorized replacement for the OSHA 300 log.

NOTE: NOTHING IN THIS REQUIREMENT SHOULD BE CONSTRUED TO REQUIRE THE DELAY OF NECESSARY MEDICAL ATTENTION FOR INJURED PERSONS FOLLOWING AN ACCIDENT.

RANDOM TESTING:

Employees of Fentress County Government who are under the CDL guidelines or in a safety-sensitive position will be subject to random testing for controlled substances and alcohol. random testing will be conducted on a percentage basis in a fair and equitable manner.

Safety-sensitive positions are defined as following but not limited to:

- EMT's
- Paramedics
- Firefighters
- Dispatchers
- Law Enforcement Officers
- Maintenance

Drug and alcohol testing may be conducted at any time the employee is at work for Fentress County Government.

Selection of employees for a computer will make random testing based random number generator that is administered by an outside source contracted by Fentress County Government.

Each time a random selection is made, every employee will have an equal chance of being selected. Random tests will be unannounced and spread reasonably throughout the year. When notified that they have been selected for random testing, employees will proceed immediately to the collection site, which may be on the work site.

REASONABLE SUSPICION TESTING:

When there is a reasonable suspicion to believe that an employee is illegally using drugs or abusing alcohol reasonable suspicion testing may be required. Reasonable suspicion is based on a belief that an employee is using or has used drugs or alcohol in violation of Fentress County Government's policy drawn from specific objective and explainable facts and reasonable inferences drawn from those facts in light of experience and/or training.

It shall be a condition of employment for all employees to submit to reasonable suspicion substance abuse testing including but not limited to the following circumstances:

1. Observable phenomena while at work such as direct observation of substance abuse or of the physical symptoms or manifestations of being impaired due to substance abuse.
2. Abnormal conduct or erratic behavior while at work or a significant deterioration in work performance.
3. A report of substance abuse provided by a reliable and credible source.
4. Evidence that an individual has tampered with any substance test during his or her employment with Fentress County Government.
5. Information that an employee has used, possessed, sold, solicited, or transferred drugs while on Fentress County Government's property or while operating Fentress County Government's vehicle, machinery, or equipment.

6. Evidence that an employee has used, possessed, sold, solicited, or transferred drugs while on Fentress County Government's property or while operating Fentress County Government's vehicle, machinery, or equipment.

RETURN TO DUTY TESTING:

Any employee who is allowed to return to duty, based on Fentress County Government's approval, following referral, evaluation, and treatment as a result of positive alcohol or drug test will be required to submit to a return-to-duty alcohol and/or controlled substance test. An alcohol concentration of less than 0.04 and a negative drug test will be required before a return-to-duty decision is made.

FOLLOW-UP TESTING:

In the event an employee is allowed to return to duty following referral, evaluation and treatment, a minimum of four unannounced alcohol and/or drug tests will be required during the next 24 months of employment all at the employee's expense.

Alcohol and controlled substance testing may be performed at any time the employee is at work for Fentress County Government.

ALCOHOL TESTING METHODOLOGY:

Alcohol testing will only be performed by the drawing of blood by trained medical personnel and only tested by a laboratory certified by the Department of Health and Human Services. All alcohol testing will be conducted in a location that affords visual and aural privacy to the individual being tested. Unauthorized persons will not be permitted access to the testing location when a test is in progress.

ALCOHOL TESTING PROCEDURES:

When the result is less than 0.04 no further testing is authorized and the result will be transmitted to Fentress County Government in a confidential manner and will be stored to ensure confidentiality is maintained.

When the results are 0.04 or greater a confirmation test must be performed to verify the initial test. The confirmation test will be conducted no less than 15 minutes and no more than 20 minutes after the initial test. In the event the initial and confirmation test results are different, the confirmation test is deemed to be the final result upon which any action under the terms of this policy shall be based.

Following the completion of the test, a form will be signed to certify the results. The employee will sign the certification and fill in the date on the form. This insures that each employee is attesting to the fact that the reported result is specific to the employee.

Refusal to submit to testing will be treated the same as if the result is 0.04 or greater. Fentress County Government will maintain alcohol and drug tests in a secure and confidential manner, so that disclosure of information to unauthorized persons does not occur. Employee information shall only be released as required by law or as expressly authorized.

An employee shall have access to any of his/her alcohol and drug testing records upon written request. When requested, Fentress County Government shall disclose post-accident testing information to the National Transportation Safety Board as part of an accident investigation.

Fentress County Government will make records available to a subsequent or prospective employer upon receipt of a written request from the tested employee. Fentress County Government may disclose information to the employee or the decision-maker in a lawsuit, grievance, or other proceeding initiated by or on behalf of the individual or in defense of Fentress County Government.

SPECIMEN COLLECTION PROCEDURES:

Specific guidelines provided by the U.S. Department of Transportation will be followed in urine specimen collections for the purpose of drug testing. In accordance with the Department of Health and Human Services (DHHS) guidelines, a clear and well-documented procedure for collection, shipment, and accession of urine specimens from Fentress County Government to the laboratory has been established. Procedures will account for the integrity of each urine specimen by tracking its handling and storage from point of specimen collection to final disposition of the specimen.

Collection facilities chosen by Fentress County Government must meet security requirements as specified by DHHS guidelines. The collection site will be a secure location to allow for privacy, which includes a toilet for completion of urination and a source of water for washing hands excluded from the area provided for urination.

When reporting to a collection site for specimen collection, each employee will be required to provide a photo I.D. Employees will be asked to remove all unnecessary outer garments (i.e., coat or jacket) and secure all personal belongings (individual may retain his/her wallet).

Employee will be required to wash his/her hands prior to providing specimen.

Employee will be allowed to provide his/her specimen in the privacy of a stall or individual restroom.

Specimen cup is equipped with a temperature strip, which must be read between 90 and 100 degrees F. Specimen out of temperature is unacceptable. Employee's temperature may be taken to ensure that body temperature is within normal range. If body temperature is consistent with sample, results will be noted and reported to lab and Medical Review Officer. If body temperature is within range a second sample will be collected and both temperatures reported to lab and Medical Review Officer.

In all cases the employee and the collection site personnel shall keep the specimen in view at all times prior to being sealed and labeled. The specimen will be labeled with tamper proof seals and the employee will sign appropriate places on the Chain of Custody form and initial the seal on the bottle attesting to the fact that the specimen is specific to the person providing the sample. A failure of the employee to cooperate will be considered a refusal to test which is considered a verified positive test result. The terms of this policy will then be administered.

TESTING METHODOLOGY:

Only laboratories certified by the Department of Health and Human Services (DHHS) will be used for drug urinalysis.

Every specimen is required to undergo initial screen followed by confirmation of all positive screen results. This screen confirmation process utilizes highly sophisticated techniques to detect minute levels of prohibited substances in urine.

Reporting of Results:

The laboratory is required to report the test results to the Medical Review Officer within five working days. The report shall indicate the drug/metabolites tested for, whether the results are positive or negative, the specimen number assigned by the collection site, and the drug testing laboratory identification number. As with alcohol testing, every reasonable precaution will be taken to maintain the confidentiality to the test results.

Review of Results/MRO:

The Medical Review Officer (MRO) is a licensed physician and possesses a knowledge of drug abuse disorders. The MRO may be an employee of Fentress County Government or one contracted to provide the services required. The MRO will review and interpret results obtained from the laboratory. The MRO through a verification process will assess and determine whether alternate medical explanations could account for the positive test results.

The MRO may conduct medical interviews of the employee, review the employee's medical history, and review any other relevant bio-medical factors. Additionally, the MRO will examine all medical records and data made available by the tested individual, such as evidence of prescribed medications.

The MRO will give an individual testing positive an opportunity to discuss the test results prior to making a final decision. After the final decision is made, the MRO will notify the Employee Benefits Coordinator or the Finance Director in the absence of the Employee Benefits Coordinator as prescribed below.

If during the course of an interview with an individual who has tested positive, the MRO learns of a medical condition, which could, in the MRO's reasonable medical judgment, pose a risk to safety, the MRO may report that information to Fentress County Government. An employee or applicant should report his/her use of prescription drugs to the MRO prior to taking a drug or alcohol test, or, in any event, no later than the time of the MRO's post-test review of the results with the individual. The individual's disclosure to the MRO of the use of prescription or non-prescription drugs will be kept confidential.

The MRO will notify each employee or applicant who has a confirmed positive test that the individual has 72 hours in which to request a test of the split specimen. If the individual makes such a request, the

MRO will direct, in writing, the laboratory to provide the specimen to another certified laboratory for analysis. If the analysis of the specimen fails to reconfirm the presence of the drug(s) or metabolite(s) found in the primary specimen, or if the specimen is unavailable or inadequate for testing the MRO will cancel the test, report the cancellation, and the reasons for it to the employee and Fentress County Government. A request for re-testing of the sample and associated costs are the responsibility of the individual. Fentress County Government will comply with any additional rules promulgated by the Tennessee Department of Labor regarding the contesting of the drug test results.

If the MRO, after making and documenting all reasonable efforts, is unable to contact the testing person the MRO will contact a designated management official of Fentress County Government. He/She will arrange for the tested person to contact the MRO. If the person does not do so, the MRO will verify the test as positive and report it to the appropriate person.

An employee or applicant may have certain appeal rights to the courts under the Worker's Compensation Reform Act of 1996. It is the employee's or applicant's responsibility to notify the testing laboratory of any administrative or civil action brought pursuant to the Act.

DISCIPLINE AND CONSEQUENCES:

Pre-Employment:

An applicant for employment with a verified positive controlled substance test will be denied employment. If the individual has been allowed to begin performing duties, the person will be compensated for the time worked and terminated.

Reasonable Cause:

Any employee of Fentress County Government subject to the terms of this policy, as a result of reasonable cause testing, with a verified positive controlled substance test result and/or a blood alcohol confirmed test result of 0.04 or greater shall be subject to a disciplinary action up to and including termination. Whether or not he/she is terminated, the employee will be referred to a list of qualified substance abuse professionals.

Post-Accident:

Any employee of Fentress County Government subject to the terms of this policy, as a result of a post-accident test, with a verified positive controlled substance test result and/or a confirmed blood alcohol test result of 0.04 or greater (vehicular or workplace accident) will be subject to disciplinary action up to and including termination. Whether or not he/she is terminated, the employee will be referred to a list of qualified substance abuse professionals.

Random:

Any employee of Fentress County Government subject to the terms of this policy, as a result of a random test, with a verified positive controlled substance test result and/or a blood alcohol test with a confirmed test result of 0.04 or greater, will be subject to disciplinary action up to and including termination. Whether or not he/she is terminated, the employee will be referred to a list of qualified substance abuse professionals.

Return-to-Duty:

Any employee with a verified positive controlled substance test result and/or a confirmed blood alcohol test of 0.04 or higher, as the results of a return-to-duty test will be terminated and referred to a list of substance abuse professionals for evaluation, referral, and treatment. The employee is responsible for any expense incurred under such treatment or rehabilitation.

Follow-up:

Any employee returning to duty after a positive test and a negative return-to-duty test must be tested four (4) times within a 24-month work period. Any employee with a verified positive controlled substance test or blood alcohol test of 0.04 or greater during this period will be subject to disciplinary action up to and including termination.

OTHER CONSIDERATIONS:

In all cases a refusal to submit to a test will be treated as a “positive” test result for purposes of discipline and decision making.

Supervisory and employee training as required under the guidelines of The Tennessee Drug-Free Workplace initiative will be provided.

Should an employee voluntarily approach Fentress County Government administrative personnel for assistance through rehabilitation for drug abuse or alcohol abuse prior to a testing request by Fentress County Government, all possible and positive consideration for a medical leave of absence for treatment and/or counseling will be pursued. The employee will not be discharged or otherwise discriminated against because he/she voluntarily sought treatment, if he/she has not previously tested “positive” for alcohol or illegal drug use or entered an alcohol or drug rehabilitation program. If an employee’s employment is terminated, however, Fentress County Government will not be obligated to provide assistance beyond the last day of employment.

Fentress County Government offers resource information on various means of employee assistance in our community, including but not limited to drug and alcohol abuse programs. Employees are encouraged to use this resource file at the end of this policy statement. In addition, we will distribute this information to employees for their confidential use.

Substance abuse testing for job applicants and employees will include a urinalysis screen and/or blood alcohol test (not required for job applicant testing) for the following drugs:

Alcohol (employees only)

Any “alcoholic beverage”, all liquid medications containing ethyl alcohol (ethanol) or other low molecular weight alcohol including but not limited to methyl and isopropyl alcohol. Please read label for content. For example: Vicks Nyquil is 25% ethyl alcohol, Comtrex is 20%, Contac Severe Cold Formula Night Strength is 25%, and Listerine is 26.9%.

Marijuana

Cocaine

Amphetamine

Methamphetamine

MDMA

MDA

Codeine

Morphine

6-AM (Heroin)

Hydrocodone

Hydromorphone

Oxycodone

Oxymorphone

Phencyclidine (PCP)

If you need further clarification of what each drug tested for may include -you should consult with the test provider &/or the laboratory as Fentress Co does not make any representation as to the individual drug names, trade names or street names, etc that may be included in the categorical description listed above.

Employee Travel

An employee must have prior approval of department head before travel of work can be taken. Employees will be reimbursed for approved travel paid according to Fentress County Travel Policy.

Use of Technology

Electronic Mail

Electronic email is used in almost all county offices. Misuse of email can pose many legal, privacy and security risks, thus it's important for users to understand the appropriate use of electronic communications.

Any employee sending an email from a Fentress County email address or on behalf of Fentress County is required to ensure appropriate use of any email sent, in any capacity as a public official and/or employee or agent operating on behalf of Fentress County.

Employees and officials of Fentress County do not have any right to privacy in any electronic mail (e-mail) that travels over the County's electronic mail system. All e-mail that travels over the County system is subject to being examined not only by officials of the County but also by members of the public as allowed under the public records laws. Personal email accounts used to send business related emails is a violation of Fentress County Employee Email Usage Policy and may also be subject to the public records laws.

County e-mail may never be used by County employees for the following:

- Composing or forwarding chain letters.
- Using e-mail for any personal, commercial or promotional purpose, including messages offering to buy or sell goods or services.
- Composing, forwarding or sending material that contains offensive slurs or jokes, or are otherwise deemed to be harassing, intimidating or abusive.

Fentress County Employee Email Usage Policy is available for more detailed information.

Computers and Internet

As part of this Fentress County's commitment to the utilization of new technologies, many/all of our employees have access to the Internet. In order to ensure compliance with the copyright law, and protect us from being victimized by the threat of viruses or hacking into our server, the following guidelines must be followed:

- Internet access is for official business. Employees are authorized to access the Internet for personal use after-hours, with strict compliance with all other terms within the Fentress County Employee Internet Usage Policy.
- Files that are downloaded from the Internet must be scanned with virus detection software before installing or execution.
- Employees shall not place Fentress County material (internal correspondence, policies, etc.) on any publicly accessible Internet computer without proper permission.

- Alternate Internet Service Provider connections to Fentress County internal network are not permitted.
- **ALL information derived from and/or accessed from a county internet access/portals/service is subject to the Tennessee Public Records Act, 10-7-101 et seq and all applicable Federal & State statutes and that other regulations may apply as related to the type of information contained within the access.**
- Internet server's, portals, access system, etc. shall not to be used for the creation or distribution of any disruptive or offensive messages, including offensive comments about race, gender, color, disabilities, age, sexual orientation, pornography, religious beliefs and practice, political beliefs, or national origin.
- Employees are prohibited from downloading software and/or modifying any such files without permission from the copyright holder.
- This organization reserves the right to inspect an employee's County computer system for violations of this policy.

Fentress County Employee Internet Usage Policy is available for more detailed information.

Personal use of Social Media

Employees should keep professional and personal lives distinct in maintaining social networking accounts on the employee's own personal time. These accounts, while an appropriate forum for the employee to share personal opinions, are not a forum for the employee to present individual opinion as an official agency view. Certain unlawful misconduct, even on a personal account, may render the employee subject to discipline, up to and including termination.

Leave Policies

Leave of any kind, may not be used during any work week to increase the number hours paid to more than an employee's scheduled number of hours to work.

All leave will accrue as it is earned.

Accrued Compensatory Time must be used before annual or sick leave is used.

Leave Request Procedure

To assist with scheduling and operational requirements, all foreseeable leave must be requested at least 3 days prior to the requested leave date. If the leave is unforeseeable, the leave form should be completed and submitted to the supervisor as soon as the employee returns. Please refer to the Leave Request Form on page 80.

Annual Leave

Annual Leave is meant to be used, and employees are encouraged to take their Annual Leave.

Annual Leave will begin accruing 90 days after your first day of work.

You may not consider days off for annual or sick leave as time worked for calculating weekly overtime compensation.

Annual Leave will accrue at the following rates per biweekly pay period for employees:

Years of Continuous Service with Fentress County	Full-Time Employees	Part-Time Employees
	Hours per Pay Period	Hours per Pay Period
Year 1 thru Year 5	4	2
Year 6 thru Year 10	4.5	2.25
Year 11 thru Year 15	5	2.5
Year 16+	6	3

Any person currently earning more than 156 hours annually would retain their existing level.

Leave time accrual rate is determined by your hire date and will change on the first pay period after the anniversary of your employment. It is the employee's responsibility to keep up with their anniversary date and notify their supervisor when there is to be a change in the accrual rate (beginning of year 6, 11 & 16 (example: hire date 9/5/2007 - leave time change 1st pay period following 9/5/2012(4.5 hours), 9/5/2017(5 hours), 9/5/2022(6 hours)).

Employees will be allowed to carry forward a maximum of 240 hours of Annual Leave from one fiscal year to the next. Annual Leave in excess of 240 hours may be converted to Sick Leave at the end of each Fiscal Year and can be carried forward without limits.

Annual Leave Scheduling

You may take your requested annual leave at any time of the year as long as you have accumulated the time, the needs of the department are met and your supervisor has approved the request.

Sick Leave

Sick leave is a benefit and a privilege and not a right, in which an employee is to use only in the case of actual illness or injury, which prohibits employees from performing their duties. Sick leave can be used in the event the employee must be absent because of serious illness or injury of a member of the employee's immediate family (parents, children, spouse, brothers, sisters and grandparents).

For absences in excess of 3 days the department head may require that an employee have a physician's statement of illness or injury. After an absence of illness or injury an employee may be required to provide a physician signed medical release in order to return to work.

Sick Leave Accrual

Sick Leave will be accrued at the rate of 4 hours per biweekly pay period for full-time employees and 2 hours per biweekly pay period for part-time employees. Sick Leave will begin accruing your first day worked. There is no maximum limit for the amount of Sick Leave that can be accrued.

Accumulated sick leave has no monetary value, except for its intended purpose. Upon separation, all sick leave shall be forfeited. However, if an employee so chooses upon separation from Fentress County, any employee who has unused accumulated sick leave at the date of their separation may be able to receive service credit towards retirement for unused sick leave.

While absent due to a personal illness in which the employee is absent from work for longer than 2 weeks regardless of using paid sick leave and/or FMLA, the employees will cease to accrue sick leave until the employee returns to work. Neither annual leave nor sick leave will be accumulated when an employee is on any type of unpaid leave.

Sick Leave Notification and Approval

To be eligible for sick leave with pay, an employee is required to notify his/her department head as early as possible or no later than the time established by the supervisor. You must speak directly to your supervisor. If your supervisor is not available, you must speak directly to the manager, department director or to the person designated by your supervisor.



You must speak with your supervisor (or next-level manager or designee) to give notification of absence. Leaving a message does not meet this requirement.

Sick Leave Accounting

You may not consider days off for sick leave as time worked for calculating weekly overtime compensation.



Sick Leave Summary

You may use your accrued Sick Leave for:

- ***Your own illness or injury***
- ***Family illness or injury (specified family members only)***
- ***Medical appointments for self or family***
- ***Death of persons not in your immediate family***

Sick Leave Donation Between Employees

The intent of allowing employees to donate sick leave is to assist employees who because of a long-term personal injury or illness have exhausted their leave benefits and would otherwise be subject to a severe loss of income during a continued absence from work.

The donor must meet the following conditions in order to donate sick leave:

- Eighty hours per calendar year is the maximum donation allowed per donor;
- To be eligible to donate the donor must have an accumulated sick leave balance of at least 160 hours prior to the donation; and

- Complete the transfer form and acknowledge their willingness to donate sick leave to the recipient.

The recipient must meet the following conditions in order to receive sick leave:

- The recipient must have exhausted all of their accumulated sick, annual, and compensatory time, and have a diagnosed long-term injury or illness, the treatment of which requires the recipient to be absent from work more often than their accumulated leave time would allow or have a qualified FMLA event with proper documentation (i.e. such as a family medical emergency illness). **Except for absences for normal pregnancy, maternity leave, routine or elective surgery, and common illness and injury are specifically excluded even if the event would technically have qualified as FMLA.**
- A recipient may make their need for leave donations known to other employees. Such requests should be informal, brief and without pressure;
- A recipient may not ask for donations from employees under their direct supervision, or offer an incentive to anyone in exchange for donated sick leave;
- A recipient is limited to a maximum of 240 hours of donated sick leave within a 12-month period;
- Donations are not retroactive and will be applied to the pay period following the approval of the donation;
- Donations are applied to the recipient(s) balance on an as needed basis; and
- Retiring or resigning employees will not be eligible to donate sick leave.

Once leave has been transferred to the account of the recipient, it may not be returned to the donor.

Leave of Absence

If you exhaust all your annual and sick leave and still need time off for personal or health reasons, you may apply for a Leave of Absence, months if you are a full-time employee. Each request will be handled on a case by case basis.



To request a leave of absence, submit a written request to your supervisor and the department director at least 30 days in advance, unless the leave is an emergency. State the reason for the leave, date you want it to begin, and date you expect to return to work.

Department Heads have the discretion to approve the leave of absence, unless the leave qualifies under the Family Medical Leave Act or the Tennessee Maternity and Adoption Care Leave Act.

Employees do not accrue sick and annual leave while on approved leave of absence.

Employees are responsible for their entire health care premiums while on unpaid leave. It is the responsibility of the employee to contact Fentress County Benefits Administration to make arrangement to pay health care premiums.

Employees must notify their Department Head of the anticipated date of return to work prior to that date. In turn the Department Head will notify the Benefits Department, Payroll, and Human Resource Department.

An employee who fails to return to work at the conclusion of their leave of absence will be terminated from employment.

Injury Leave

See Injury/Illness While on Duty

Bereavement Leave/Funeral Leave

In case of death in the employee's immediate family, the employee will be given three (3) working days paid leave which will not be charged to annual leave.

Employee's immediate family is defined as follows:

- Spouse
- Parent
- Child
- Brother
- Sister
- Grandparent
- Grandchild
- In-laws of the above categories
- Step-relatives of the above categories
- legal guardian/dependent
- any person actually residing in your household

Bereavement leave should be noted as Bereavement Leave (BER) with pay on the employee's timesheet.

In case of a death of any other person, you may use up to three consecutive days of accrued leave for the bereavement of other persons not listed above. This leave will be deducted from your sick leave balance. If no sick leave remains, you must use compensatory time or take annual leave. If no annual leave remains, you must take unpaid leave.

Holidays

All full-time employees receive pay for an 8-hour day for each Holiday, which is to be paid in the pay period of the holiday.

Part-time employees will receive holiday pay, if the holiday falls on a normal scheduled day of work for that employee and the employee will receive holiday pay for the number of hours normally scheduled to work on that day.

The Holiday -Schedule for the county includes:

New Year's Day,	January 1
Martin Luther King Jr. Day	3 rd Monday in January
Presidents Day	3 rd Monday in February
Good Friday	Friday before Easter
Memorial Day	Last Monday in May
Juneteenth	June 19
Independence Day	July 4
Labor Day	1 st Monday in September
Veterans Day	November 11
Thanksgiving Day	4 th Thursday in November
Friday after Thanksgiving	4 th Friday in November
Christmas (2)	A two-day holiday is usually observed.
Election Day*	See Below

*Election Day will be a recognized holiday pursuant TCA 15-1-101. This will encompass the following Election Days: County Primary, County General, Special Called and National/State Election Day.

If a holiday falls on a Saturday, the preceding Friday will be observed and if the holiday falls on a Sunday, the following Monday will be observed. At the discretion of the County Mayor the county office may be closed prior to the official observance of paid holidays.

Any full-time employee who is scheduled to work on a holiday will receive holiday pay, as well as pay for any time worked on that day. (That means scheduled work on a holiday results in double time pay.)

If you are eligible for holidays, you will receive pay for each holiday – whether or not you are scheduled to work on those dates.

If you wish to observe a religious holiday which is not listed above, contact your supervisor to make arrangements. Annual leave will be used for time off taken for religious holidays. If you have no accrued annual leave, you must use available compensatory time, sick leave, or leave without pay, in that order.

Family Medical Leave Act (FMLA)

Under the federal Family and Medical Leave Act of 1993 (FMLA), eligible county employees are entitled to up to twelve (12) workweeks of unpaid leave during each 12-month period beginning on January 1 and ending on December 31 of the same calendar year for the following reasons:

- for the birth of a child
- the placement of a child for adoption or foster care
- a serious health condition of the employee that makes the employee unable to perform the functions of his or her job
- the serious health condition of a spouse, son, daughter, or parent which requires the employee's presence

Both male and female employees are eligible for leave in connection with the birth or placement of a child or a family illness, but special rules may apply if both husband and wife are county employees.

Eligible employees are those who have been employed by the county for at least 12 months (employment does not have to be consecutive), and who have worked at least 1,250 hours -during the 12-month period immediately before leave is requested.

Although FMLA itself is considered unpaid leave, to the extent permitted by law, Fentress County employees who have accumulated leave, shall use both paid leave and their Family Medical leave entitlement concurrently, for qualifying FMLA events. An employee who takes FMLA leave because of the employee's own serious health condition or the serious health condition of a family member must use all accrued leave prior to being eligible for unpaid leave. An employee with no accumulated sick, annual, or compensatory leave balances must take his or her leave as unpaid. Workers' compensation leave, to the extent permitted by law, shall also be designated as FMLA leave.

An employee must provide at least thirty (30) days advance notice of the need to take FMLA leave under normal circumstances and a medical certification may be required prior to the leave being designated as FMLA. While an employee is on FMLA, they are required to maintain contact with their supervisor at least once every 30 days in order to furnish periodic reports regarding their leave and the status of returning to work. An employee may be required to submit a Fitness for Duty prior to returning from FMLA. Fentress County prefers that the employee provide a 2 week notice to their supervisor prior to returning to work, in order to have sufficient time for scheduling.

It is the policy of Fentress County to grant its employees leave in accordance with the requirements of the Family and Medical Leave Act. All employees should have a copy of the FMLA Fact Sheet (see appendix-page 75), and employees may obtain copies of the Family Medical Leave Act Employee Guide publication as well as additional information about the FMLA and their rights and obligations under that law from their supervisor, or by contacting Fentress County Human Resource Office.

In addition to the FMLA, Tennessee has a maternity leave law (T.C.A.-4-21-408) which applies to all employers who employ 100 or more full-time employees at a job site or location. This state law allows employees who have been employed for twelve (12) months to take up to four (4) months of unpaid leave for pregnancy, childbirth and nursing the infant. To be eligible for this leave, the employee must give at least three (3) months advance notice, except in cases of medical emergency. This leave will run concurrently with any leave for which the employee may be entitled under the FMLA or otherwise. Employees may obtain a copy of the Tennessee maternity leave statute by contacting Fentress County Human Resource Office.

Maternity/Paternity Leave

Pregnancy, childbirth, and related conditions will be treated the same as any other temporary medical disability with regard to leave policies. Leave is available under the same terms and conditions as for other similar purposes. In addition to sick leave and annual leave, leave related to pregnancy and childbirth also may be available to eligible employees under the federal Family and Medical Leave Act and\ or the Tennessee Maternity Leave Law.

Tennessee law requires that the following provisions be included in these personnel policies; the provisions may or may not apply, depending upon the circumstances:
T.C.A. 4-21-408.

Maternity leave

- (a) A female employee who has been employed by the same employer for at least twelve (12) consecutive months as a full-time employee, as determined by the employer at the job site or location, may be absent from such employment for a period not to exceed four (4) months for pregnancy, childbirth and nursing the infant, where applicable (such period to be hereinafter referred to as "maternity leave").
- (b) (1) A female employee who gives at least three months advance notice to her employer of her anticipated date of departure for maternity leave, her length of maternity leave, and her intention to return to full-time employment after maternity leave, shall be restored to her previous or a similar position with the same status, pay, length of service credit and seniority, wherever applicable, as of the date of her leave.
(2) A female employee who is prevented from giving three months advanced notice because of a medical emergency which necessitates that maternity leave begins earlier than originally anticipated, shall not forfeit her rights and benefits under this part solely because of her failure to give three months advance notice.
- (c) (1) Maternity leave may be with or without pay at the discretion of the employer. Maternity leave shall not affect the employee's right to receive annual leave, sick leave, bonuses, advancement, seniority, length of service credit, benefits, plans or programs for which she was eligible at the date of her leave, and any other benefits or rights of her

employment incident to her employment position; provided that the employer need not provide for the cost of any benefits, plans or programs during the period of maternity leave unless such employer so provides for all employees on leave of absence.

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

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

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

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

- Affect any bargaining agreement or company policy which provides for greater or additional benefits than those required under this section;
- Require any employer to provide maternity leave to male employees;
- Apply to any employer who employs fewer than one hundred (100) full-time employees on a permanent basis at the job site or location; or
- Diminish or restrict the rights of teachers to leave for maternity pursuant to title 49, chapter 5, part 7, or to return or reinstatement after leave.

Military Leave

Paid Military Leave of Absence

Regular full-time employees who are members of any federal or state military reserve component will be granted paid military training leave for the time that they are in military service, during which they are engaged in field training or active duty for time not to exceed fifteen (15) working days in a calendar year. This time may not be used for weekend drills. Any additional days that may result from a call to active state duty by the Governor, the employee will receive their regular compensation for their leave of absence not to exceed 60 working days. Requested leave shall be supported with copies of the armed forces orders. During such time that a regular full-time employee is on paid leave, the employee will receive the benefits to which he or she would otherwise be entitled.

Unpaid Military Leave of Absence

Regular full-time employees will be granted a leave of absence without pay for the purpose of being inducted into or otherwise entering active military duty (active status). If not accepted, the employee will be reinstated at the same rate of pay and without loss of seniority, benefits or status. If accepted for service, the employee may be eligible for reinstatement upon being released from active duty upon meeting the conditions set out in T.C.A. Title 8, Chapter 33, relative to employees in military service.

While a full-time employee is who is on a leave of absence without pay for the purpose of active military duty, Fentress County will pay the entire premium for the employees' current health care insurance policy for 12 months. After 12 months if the employee is still on active duty Fentress County will continue to pay the employer portion of the health care premium and the employee will be responsible for the employee portion of the premium.

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

Jury Duty or Court Appearance

Fentress County encourages all employees to fulfill their duty to serve as members of juries or to testify when called in both Federal and State Courts. Therefore, the following procedures shall apply when an employee is called for jury duty or subpoenaed to court:

1. Upon receiving a summons to report for jury duty, the employee shall on the next day show the summons to their supervisor.
2. The employee will be granted a leave of absence when the employee is subpoenaed or directed by proper authority to appear in Federal or State Court as a juror or a witness.
3. The employee will receive his or her regular compensation for the time actually spent serving as a juror or witness and traveling to and from court.
4. The employee may retain all compensation or fees received for serving as a juror or as a witness.
5. If the employee serves as a witness or juror for more than three hours during the day, the employee will be excused from work for the entire day. Otherwise, the employee must report back to work.
6. The above provisions concerning compensation for time in court do not apply if the employee is involved as a party in private litigation. On these occasions the employee must take annual leave, comp time or leave without pay.

Voting Leave/Elections Day

Any person entitled to vote in an election in this state may be absent from work for a reasonable period of time, not to exceed three hours, necessary to vote while the polls are open in the county where the employee resides. The employer may specify the time the employee may be absent. The employee will receive regular compensation during this period and leave time will not be affected. Voting time shall not be counted as working time for overtime computation.

Volunteer Firefighters

In Reference to TCA code 50-1-307 and 50-1-309 volunteer firefighters are permitted to respond during working hours without a loss of pay, vacation time or sick time. Fentress County will permit this action for employees who are volunteer firefighters. Employees must keep log on time out and in when called to respond.

Benefits

In addition to the holiday and leave benefits, Fentress County provides numerous other benefit programs to its employees. Some of these programs are provided automatically and some are voluntary. Benefits can change at any time and without notice.

Benefits Eligibility

Only regular full-time employees are eligible for benefits.

Plan Documents

Copies of the Summary of Benefits are at the Human Resource Office. Should any questions or conflicts arise, the plan documents will be the final authority in determining your benefits. Notices concerning your benefits will be sent to you either through email, mail or attached to your pay stub.

Copies of your Summary of Coverage and Benefits can be obtained at the Human Resource Office or on the Tennessee State website.

Medical Coverage

Fentress County offers a selection of medical insurance products with various types of coverage. Each plan is priced based on the number and type of dependents covered by the plan (single, employee + children, employee + spouse, and family). Although the County pays a portion of your insurance premiums, you are responsible for the employee portion.

Information about current medical plans and premiums is available from the Human Resource Office.

Dental and Vision Coverage

Dental and vision insurance is offered to full time regular employees.

Identification Cards

If you enroll in medical or dental benefits, identification cards will be mailed to your home address from the insurance carrier.

Annual Open Enrollment/Transfer Period

Health plans, benefit designs, eligibility rules, and premiums are subject to change each plan year based on the previous years' claims experience. Announcements concerning changes for the upcoming plan year are made during annual enrollment/transfer period each fall. You are required to review your notices, for information about the benefits for the upcoming year.

Changes to your benefits plan are made online during the Open Enrollment period

Benefit Premiums/Payroll Deductions

You are responsible for reviewing your paycheck to ensure the appropriate benefit deductions have been taken. Medical, dental and vision deductions will be taken out 24 pay periods per year.



You are responsible for reviewing your paycheck to ensure the appropriate benefit deductions have been taken.

If you miss a paycheck due to work absence or unpaid time, you are responsible for contacting Fentress County Human Resource Office (931)879-3010 to make payment arrangements.

If an employee fails to remit payment for their portion of health insurance premium for one month, Benefits Administration will be notified of nonpayment and coverage will be retroactively canceled to align with the last premium collected.



Contact the Finance Department to make payment arrangements for insurance premiums if you miss a paycheck because of absence.

Affordable Care Act

Fentress County maintains one or more insurance programs as a benefit for eligible employees and their eligible dependents. These insurance programs may have conditional eligibility for the employee based upon the status of their employment under the Patient Protection and Affordable Care Act of 2010. Fentress County has standards and procedures for identifying eligible employees to ensure that eligible employees receive offer of medical insurance coverage in accordance with ACA. For Examples, please refer to the Part Time PRN Acknowledgement in the Appendix.

Cobra

Employees of Fentress County and their dependent that are covered by the employee health plan have certain legal rights to choose continuation of coverage. These rights apply if you or your dependents lose coverage due to a reduction in hours of work, termination of employment for reasons other than gross misconduct, and for other events which might otherwise cause a loss of coverage. Certain other qualifying events may enable your dependents to continue their coverage. It is essential that you keep the Fentress County's Human Resource Office informed of changes in dependents' status, including divorce, etc. For insurance coverage purposes, it is important for you to notify the Human Resource Office of any changes in your marital status or in the number of dependents in your family. Failure to do so can jeopardize your spouse's and/or dependents' ability to receive health insurance coverage. Employees and covered individuals should consult the health care plan administrator.

Air Evac Membership

The Air Evac membership is offered at no cost to all county employees except for employees with a PRN designation. Membership that the county will provide is considered a benefit and will only be valid during your employment. For more information contact the Human Resource Office at 931-879-3010.

Change in Status

You are required to report personal changes and/or changes in work status to Human Resources within 30 days of any status change. This includes:

- Dependent status change
- Address changes
- Divorce
- Marriage
- Birth/adoption
- Reduction in work hours
- Any other change that could affect benefit plan eligibility.



You must report personal changes and/or changes in work status to Human Resources within 30 days of the change. Documentation may be required to make benefit changes.

Supplemental Benefits

Fentress County offers approved supplemental voluntary benefits from various providers.

These additional benefits are offered to full time regular employees. The deductions can be administered through payroll deduction from the approved providers only. For more information, contact the Fentress County Human Resource Office (931)879-3010.

Nursing Mothers

A nursing mother can take up to two paid (15 minutes each) per day to express breast milk for her nursing child for up to one year after the child's birth. The supervisor should work with the employee to schedule break time that reasonably accommodates both the mother's needs and her work responsibilities. The supervisor is responsible to help the mother identify a place to express milk, other than a bathroom, that is shielded from view and free from intrusion from coworkers and the public.

Retirement and Pension Board

Fentress County participates in the Tennessee Consolidated Retirement System (TCRS). An employee can create an account on Tennessee Consolidated Retirement System's website to see and manage their account information. This is a mandatory program.

Tennessee Deferred Compensation Program (401K)

A voluntary retirement savings plan, which allows eligible to complement any existing retirement and pension benefits. Enrollment is voluntary and can be completed online at www.RetireReadyTN.gov or by calling 1-800-922-7772.

Social Security

Fentress County participates in the Federal Social Security Program, the cost of which is shared by Fentress County. Participation is mandatory.

Appendix

COMPENSATORY TIME AGREEMENT

In accordance with the Fair Labor Standards Act, Fentress County has a policy of granting employees compensatory time off in lieu of compensation for time worked in excess of 40 hours in a workweek (or other permissible schedules for law enforcement, firefighters, and certain other employees). A copy of this policy is on file in the office of the County Clerk. I understand that compensatory time will be granted at time and one half for all time worked in excess of 40 hours (or other permissible work schedule). I further understand that accrued compensatory time may be used in accordance with county policy and the applicable laws, rules and regulations of the U. S. Department of Labor. I voluntarily and knowingly agree to accept compensatory time off in lieu of cash compensation for overtime work and to the use of accrued compensatory time off in accordance with the county's policy and the laws, rules and regulations of the U. S. Department of Labor.

Employee signature

Date

Fact Sheet #28: The Family and Medical Leave Act

The Family and Medical Leave Act (FMLA) entitles eligible employees of covered employers to take unpaid, job-protected leave for specified family and medical reasons. This fact sheet provides general information about which employers are covered by the FMLA, when employees are eligible and entitled to take FMLA leave, and what rules apply when employees take FMLA leave.

COVERED EMPLOYERS

The FMLA only applies to employers that meet certain criteria. A **covered employer** is a:

- Private-sector employer, with 50 or more employees in 20 or more workweeks in the current or preceding calendar year, including a joint employer or successor in interest to a covered employer;
- Public agency, including a local, state, or Federal government agency, regardless of the number of employees it employs; or
- Public or private elementary or secondary school, regardless of the number of employees it employs.

ELIGIBLE EMPLOYEES

Only eligible employees are entitled to take FMLA leave. An **eligible employee** is one who:

- Works for a *covered employer*;
- Has worked for the employer for at least *12 months*;
- Has at least *1,250 hours* of service for the employer during the 12 month period immediately preceding the leave*; and
- Works at a location where the employer has at least *50 employees within 75 miles*.

* Special hours of service eligibility requirements apply to airline flight crew employees. See Fact Sheet 28J: Special Rules for Airline Flight Crew Employees under the Family and Medical Leave Act.

The 12 months of employment do not have to be consecutive. That means any time previously worked for the same employer (including seasonal work) could, in most cases, be used to meet the 12-month requirement. If the employee has a break in service that lasted seven years or more, the time worked prior to the break will not count *unless* the break is due to service covered by the Uniformed Services Employment and Reemployment Rights Act (USERRA), or there is a written agreement, including a collective bargaining agreement, outlining the employer's intention to rehire the employee after the break in service. See "FMLA Special Rules for Returning Reservists".

LEAVE ENTITLEMENT

Eligible employees may take up to **12 workweeks** of leave in a 12-month period for one or more of the following reasons:

FS 28

- The birth of a son or daughter or placement of a son or daughter with the employee for adoption or foster care;
- To care for a spouse, son, daughter, or parent who has a serious health condition;
- For a serious health condition that makes the employee unable to perform the essential functions of his or her job; or
- For any qualifying exigency arising out of the fact that a spouse, son, daughter, or parent is a military member on covered active duty or call to covered active duty status.

An eligible employee may also take up to **26 workweeks** of leave during a "single 12-month period" to care for a covered servicemember with a serious injury or illness, when the employee is the spouse, son, daughter, parent, or next of kin of the servicemember. The "single 12-month period" for military caregiver leave is different from the 12-month period used for other FMLA leave reasons. See Fact Sheets 28F: Qualifying Reasons under the FMLA and 28M: The Military Family Leave Provisions under the FMLA.

Under some circumstances, employees may take FMLA leave on an intermittent or reduced schedule basis. That means an employee may take leave in separate blocks of time or by reducing the time he or she works each day or week for a single qualifying reason. When leave is needed for planned medical treatment, the employee must make a reasonable effort to schedule treatment so as not to unduly disrupt the employer's operations. If FMLA leave is for the birth, adoption, or foster placement of a child, use of intermittent or reduced schedule leave requires the employer's approval.

Under certain conditions, employees may choose, or employers may require employees, to "substitute" (run concurrently) accrued paid leave, such as sick or vacation leave, to cover some or all of the FMLA leave period. An employee's ability to substitute accrued paid leave is determined by the terms and conditions of the employer's normal leave policy.

NOTICE

Employees must comply with their employer's usual and customary requirements for requesting leave and provide enough information for their employer to reasonably determine whether the FMLA may apply to the leave request. Employees generally must request leave 30 days in advance when the need for leave is foreseeable. When the need for leave is foreseeable less than 30 days in advance or is unforeseeable, employees must provide notice as soon as possible and practicable under the circumstances.

When an employee seeks leave for a FMLA-qualifying reason for the first time, the employee need not expressly assert FMLA rights or even mention the FMLA. If an employee later requests additional leave for the same qualifying condition, the employee must specifically reference either the qualifying reason for leave or the need for FMLA leave. *See Fact Sheet 28E: Employee Notice Requirements under the FMLA.*

Covered employers must:

- (1) Post a notice explaining rights and responsibilities under the FMLA. Covered employers may be subject to a civil money penalty for willful failure to post. For current penalty amounts, see www.dol.gov/whd/fmla/applicable_laws.htm;
- (2) Include information about the FMLA in their employee handbooks or provide information to new employees upon hire;

- (3) When an employee requests FMLA leave or the employer acquires knowledge that leave may be for a FMLA-qualifying reason, provide the employee with notice concerning his or her eligibility for FMLA leave and his or her rights and responsibilities under the FMLA; and
- (4) Notify employees whether leave is designated as FMLA leave and the amount of leave that will be deducted from the employee's FMLA entitlement.

See [Fact Sheet 28D](#): Employer Notice Requirements under the FMLA.

CERTIFICATION

When an employee requests FMLA leave due to his or her own serious health condition or a covered family member's serious health condition, the employer may require certification in support of the leave from a health care provider. An employer may also require second or third medical opinions (at the employer's expense) and periodic recertification of a serious health condition. See [Fact Sheet 28G](#): Certification of a Serious Health Condition under the FMLA. For information on certification requirements for military family leave, See [Fact Sheet 28M\(c\)](#): Qualifying Exigency Leave under the FMLA; [Fact Sheet 28M\(a\)](#): Military Caregiver Leave for a Current Servicemember under the FMLA; and [Fact Sheet 28M\(b\)](#): Military Caregiver Leave for a Veteran under the FMLA.

JOB RESTORATION AND HEALTH BENEFITS

Upon return from FMLA leave, an employee must be restored to his or her original job or to an equivalent job with equivalent pay, benefits, and other terms and conditions of employment. An employee's use of FMLA leave cannot be counted against the employee under a "no-fault" attendance policy. Employers are also required to continue group health insurance coverage for an employee on FMLA leave under the same terms and conditions as if the employee had not taken leave. See [Fact Sheet 28A](#): Employee Protections under the Family and Medical Leave Act .

OTHER PROVISIONS

Special rules apply to employees of local education agencies. Generally, these rules apply to intermittent or reduced schedule FMLA leave or the taking of FMLA leave near the end of a school term.

Salaried executive, administrative, and professional employees of covered employers who meet the Fair Labor Standards Act (FLSA) criteria for exemption from minimum wage and overtime under the FLSA regulations, 29 CFR Part 541, do not lose their FLSA-exempt status by using any unpaid FMLA leave. This special exception to the "salary basis" requirements for FLSA's exemption extends only to an eligible employee's use of FMLA leave.

ENFORCEMENT

It is unlawful for any employer to interfere with, restrain, or deny the exercise of or the attempt to exercise any right provided by the FMLA. It is also unlawful for an employer to discharge or discriminate against any individual for opposing any practice, or because of involvement in any

proceeding, related to the FMLA. *See* Fact Sheet 77B: Protections for Individuals under the FMLA. The Wage and Hour Division is responsible for administering and enforcing the FMLA for most employees. Most federal and certain congressional employees are also covered by the law but are subject to the jurisdiction of the U.S. Office of Personnel Management or Congress. If you believe that your rights under the FMLA have been violated, you may file a complaint with the Wage and Hour Division or file a private lawsuit against your employer in court.

For additional information, visit our Wage and Hour Division Website:

<http://www.wagehour.dol.gov> and/or call our toll-free information and helpline, available 8 a.m. to 5 p.m. in your time zone, 1-866-4-USWAGE (1-866-487-9243).

This publication is for general information and is not to be considered in the same light as official statements of position contained in the regulations.

U.S. Department of Labor
Frances Perkins Building
200 Constitution Avenue, NW
Washington, DC 20210

1-866-4-USWAGE
TTY: 1-866-487-9243
[Contact Us](#)

Fentress County Employee Time Sheet

Department: _____

Name: _____

Title: _____

COMP TIME

Previous: _____ Accumulated this Pay Period: _____ Total Used: _____ Remaining: _____

ANNUAL/VACATION TIME

Previous: _____ Accumulated this Pay Period: _____ Total Used: _____ Remaining: _____

SICK TIME

Previous: _____ Accumulated this Pay Period: _____ Total Used: _____ Remaining: _____

Day	Date	Time In	Lunch Out	Lunch In	Time Out	Total
Monday						
Tuesday						
Wednesday						
Thursday						
Friday						
Saturday						
Sunday						

Week 1 Total Hours _____

Day	Date	Time In	Lunch Out	Lunch In	Time Out	Total
Monday						
Tuesday						
Wednesday						
Thursday						
Friday						
Saturday						
Sunday						

Week 2 Total Hours _____

Employee Signature: _____

Department Head Signature: _____

Total Hours To Be Paid: _____

Explanation of Comp Time accrual:



Fentress County Government 101 Main Street Jamestown, TN 38556

Part Time or PRN Acknowledgment

Part time employees or PRN employees (employees who agree to work in a temporary “as needed” capacity and will not have guaranteed or scheduled hours) who are hired or transfers to these designations may need clarification regarding eligibility of benefits.

Employee Benefits for Part time or PRN employees:

Health Insurance:

New Hire as a Part time or PRN

Initially a part time or PRN employee is not expected to work more than 30 hours per week and therefore will not be eligible for insurance. An offer of health insurance for part time or PRN will be determined based on an average of 30 hours or more per week during the lookback measurement period.

The initial lookback measurement period will begin the first day of the month after you are hired and will continue for 12 consecutive months of employment.

If an employee’s hours meet the criteria, an average of 30 hours or more per week, the part time or PRN employee will be offered insurance during their initial “stability period”.

The initial stability period is defined as the 12 months following the initial 12 months lookback period and the 1 month of administrative time in which the offer of insurance is provided.

Example:

Employee hired as part time or PRN on 8/15/2021 will not be eligible for benefits during their initial lookback measurement period (9/1/2021 through 8/31/2021). Results of the initial lookback measurement period will determine eligibility for the initial stability period ending 9/30/2022. At the end of the initial stability period, eligibility for the stability period ending 12/31/2022 will be based on the lookback measurement period 10/3/2021 through 10/2/2022.

Transfer to Part Time or PRN from Full Time:

If you are a regular benefits-eligible employee transferring to a part time or PRN you may be eligible to continue your health insurance coverage.

For employees who have been employed for at least one full lookback measurement period (October 3 of any given year through October 2 of the following year), you will be eligible to continue health insurance for the current “stability period”. At the end of the completion of the current measurement period your eligibility for the next “stability period” will be determined

based on an average of 30 hours or more per week during the measurement period.

Example:

Employee transferring to PRN in on 8/15/2021, will be considered eligible for continuation of health insurance for the stability period ending 12/31/2021. The lookback measurement period of 10/3/2020 through 10/2/2021 will be used to determine eligibility for the stability period ending 12/31/2022.

For employees who have NOT been employed for at least one full lookback measurement period (October 3 of any given year through October 2 of the following year), eligibility will be determined on a month-by-month basis (greater than 130 hours per month) until you have completed one full lookback measurement period at which time eligibility will be determined based on average of 30 hours or more on a weekly basis.

If eligibility is established, then you can continue health insurance for the upcoming “stability period”.

Example:

Employee hired FT on 11/1/2019 transferring to PRN on 4/15/2020, will be eligible on a month-by-month basis until completing one full lookback measurement period. Employee will be measured during the next full lookback measurement period (in this case, 10/3/2020 to 10/2/2021) to be considered for continuation of health insurance for the stability period ending 12/31/2022.

An eligible employee electing to continue health insurance coverage must do so within a 30-day election period beginning immediately upon moving to PRN. an employee allows the 30-day election period to expire, the employee will have waived their opportunity to continue their health insurance coverage and Benefits Administration will offer COBRA.

Part time or PRN employees who have elected to continue their health insurance coverage are responsible for the employee portion of the premium. If no hours have been worked during any given payroll period, the employee will be responsible to make arrangement with Human Resources to remit payment for premiums due.

If an employee fails to remit payment for their portion of health insurance premium for one month, the employee’s health insurance coverage will be retroactively canceled to align with the last premium collected.

Other Benefits:

Part time employees are only eligible for benefits as defined in the Fentress County Employee Handbook.

PRN employees are not eligible for any other benefits.

TCRS:

As a part time or PRN you are not eligible to participate in TCRS.

If you have transferred to part time or PRN from a full-time status you cannot withdraw your TCRS contributions. You are only able to withdraw your contributions if you separate from your employment with Fentress County Government.

I hereby acknowledge and understand that as a part time or PRN "as needed" employee the benefits that are afforded to me and my responsibility, if health insurance coverage is offered to me.

Signature

Print Name

Date

Fentress County Leave Request

Name						
Department						
Type of Leave/Absence <i>(check appropriate box(es) below)</i>	From Date	Time	To Date	Time	Total Hours	Family & Medical Leave
<input type="checkbox"/> Accrued Compensatory Time						<p>If annual leave sick leave, or leave without pay will be used under the Family and Medical Leave Act of 1993, please provide the following information:</p> <p><input type="checkbox"/> I hereby invoke my entitlement to Family and Medical Leave for:</p> <div style="border: 1px solid black; padding: 5px; margin-top: 5px;"> <input type="checkbox"/> Birth/Adoption/Foster Care <input type="checkbox"/> Serious health condition of spouse, son, daughter, or parent <input type="checkbox"/> Serious health condition of self </div> <p>Contact your supervisor and/or your Human Resource Office to obtain additional information about your entitlements and responsibilities under the Family and Medical Leave Act. Medical certification of a serious health condition may be required by your department.</p>
<input type="checkbox"/> Accrued Annual/Vacation Leave						
<input type="checkbox"/> Accrued Sick Leave Purpose: <div style="margin-left: 20px;"> <input type="checkbox"/> Illness/injury/incapacitation of requesting employee <input type="checkbox"/> Medical/dental/optical examination of requesting employee <input type="checkbox"/> Care of family member, including medical/dental/optical examination of family member, or bereavement <input type="checkbox"/> Care of family member with a serious health condition <input type="checkbox"/> Other (Specify) </div>						
<input type="checkbox"/> Other Paid Leave <i>(Specify in Remarks)</i>						
<input type="checkbox"/> Leave without Pay						
Remarks:						
Certification: I hereby request leave/approved absence from duty as indicated above and certify that such leave/absence is requested for the purpose(s) indicated. I understand that I must comply with my employing agency's procedures for requesting leave/approved absence (and provide additional documentation, including medical certification, if required) and that falsification on this form may be grounds for disciplinary action, including termination.						
Employee Signature					Date	
Official Action on Request: <input type="checkbox"/> Approved <input type="checkbox"/> Disapproved <i>(If disapproved, give reason. If annual leave, initiate action to reschedule.)</i>						
Reason for Disapproval:						
Supervisor Signature					Date	

How did you react to the situation? Did you take any action to stop perceived inappropriate behavior?

Describe the harm you have suffered because of the event.

Where there any witnesses to this specific event? (If yes, please provide their names.)

Is there any physical evidence that supports your complaint? If so, please describe or attach copy of evidence.

What is your desired outcome of the investigation?

The information provide in this complaint is true and correct to the best of my knowledge. I am willing to cooperate fully in the investigation of my complaint and provide whatever evidence Fentress County deems relevant.

Signature

Date

Please return this form to Human Resources

Municipal Solid Waste Region

P.O. Box 1169 Jamestown, TN 38556 (931) 879-1135

Fax (931) 879-1765 - fentress.solidwaste@fentresscountyttn.gov



To: Fentress County Handbook Committee

Date: 10.31.2018

CC: File

Mr./ Ms. Chairperson,

After reviewing the handbook for Fentress County Employees, I would like to humbly submit an amendment to the Holiday pay for full time employees of the Solid Waste Department.

The handbook states on page 51 that all full-time employees receive pay for an 8-hour day each Holiday, which is to be paid in the pay period of the Holiday.

Several of our staff work 12-hour days instead of 8-hour days. This would require them to use personal time to make up for the 4 hours they would be short on a Holiday.

My request for an amendment would state that full-time employees that are scheduled to work a 12-hour shift on a Holiday be paid for 12 hours for that Holiday instead of 8 hours. If they work on the Holiday they will be paid for the time they are normally scheduled to work that day as well as 8 hours for the Holiday. Thank you for your consideration.

Thank You,

Solid Waste Director

Amendment passed on December 10, 2018 regular session of the County Commission Meeting.



Fentress County Government Employee Handbook Acknowledgment

I acknowledge having received a copy of the *Fentress County Employee Handbook* and understand that I have an obligation to read and adhere to the policies therein.

I understand that the *Employee Handbook* is not a contract, and that Fentress County Government is an at-will employer. Either you or the County may terminate your employment at-will, without cause or prior notice, at any time. None of the County's policies contained in the *Handbook* may be construed to create a contract of employment or any other legal obligation, express or implied, and any policy may be amended, revised, supplemented, rescinded or otherwise altered, in whole or in part, at any time, at the sole and absolute discretion of Fentress County, I understand that my continued employment with Fentress County after such changes will constitute my acceptance of such changes.

The *Employee Handbook* and the policies contained herein supersede all prior policies, oral and written representations regarding the terms and conditions of my employment with Fentress County.

Employee printed name

Employee signature

Date