

# Personnel Policies for Williamson County Government

Williamson County, Tennessee

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## **Purpose of This Manual**

The purpose of this manual is to provide employees with a general understanding of the personnel policies of Williamson County Government. However, it cannot anticipate every situation or answer every question about employment. Neither this manual, nor any provision in this manual constitutes a contract of employment or any other type of contract. All employees are considered employees-at-will as explained in policy 1.01 Employee Classifications.

Should the wording or the absence of wording in a particular policy lead to a conflict with accepted procedures or practices, the County is not restricted to that policy. It should also be noted that no policy in this manual entitles an employee to disregard the legal directives of his/her Department Head. The County must have flexibility in the administration of its policies and procedures, and reserves the right to change or revise policies without notice when deemed necessary.

The use of the term "Department Head" throughout these policies refers to all directors and elected or constitutionally appointed officials. However, certain elected or constitutionally appointed officials are permitted by statute to have alternative policies to those presented in this manual. Therefore, the term "County Official" will be used when it is appropriate to differentiate those individuals from all other department heads.

For the purpose of this manual, one day of work is considered an eight-hour day and one week of work is considered a forty-hour week. Work schedules will vary among departments due to the different lengths of work days and lunch breaks. However, unless otherwise stated, eight (8) hour days and forty (40) hour work weeks will be the standard used for the policies on Overtime, Holidays, Sick Time and Vacations.

The personnel policies in this manual supersede and replace all prior manuals and handbooks.

## **WILLIAMSON COUNTY EMPLOYEE BENEFITS**

Williamson County offers a comprehensive benefits program to all full-time employees. For the purpose of this publication the term "start date" refers to the date an employee begins work as a full-time employee or is classified as a full-time employee. Some employee benefits are discussed in this manual, but others are not. Since certain eligibility requirements must be satisfied to qualify for these benefits, employees are encouraged to consult with their supervisors, the Human Resource Department or the Benefits Department for more details.

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## **1.01**

### **Employee Classifications**

All full-time, part-time and temporary employees of Williamson County Government are considered employee-at-will. Just as an employee has the right to resign from his/her position at any time, the County reserves the right to terminate employment at any time, with or without cause and without prior notice.

The three employee classifications for Williamson County Government are as follows:

1. Full-Time: A full-time position is one that must be approved as such by the County Commission and be regularly scheduled to work a minimum of 32 hours each work week. Employees classified as regular, full-time are eligible for the various benefits offered by the County. However, full-time employees regularly scheduled to work less than 40 hours a week may have certain paid leave benefits prorated accordingly.
2. Variable Hour: A part-time position is one that is generally scheduled for less than 30 hours a week. It has not been approved as a full-time position by the County Commission and therefore is not eligible for any employee benefits for which full-time employment is required. For business needs, a variable hour employee may occasionally be scheduled for 30 or more hours in a work week without changing his/her variable hour status.
3. Temporary/Seasonal: A temporary or seasonal position is one in which the employee will work for a specified period of time, usually for less than a year. There are no limits to the number of hours a temporary employee may work; however, overtime must be paid when those hours exceed 40 in a week unless he/she is employed in certain employment categories for which overtime pay is not required by the Fair Labor Standards Act. Temporary or seasonal employees are not entitled to benefits.

## **1.02**

### **Employment Status**

There are three categories of Employment Status in Williamson County Government:

1. Active Status: This category includes all employees who are working a regular schedule. Employees in active status must be able to work and cannot be on any form of leave of absence. The use of available vacation or sick time does not preclude an employee from being on active status except when such time is used to supplement income during a leave of absence.
2. Inactive Status: An employee who is on any recognized leave of absence or is suspended from work for disciplinary reasons is considered to be inactive. (Refer to policy 4.05 on Leave of Absence). All personal, medical, military and worker's compensation leaves are included in this category and begin on the first day the employee does not report to work as scheduled.
3. Terminated: Individuals in this category have ended their employment with Williamson County Government by means of resignation, retirement, death or discharge. The date of termination is the first calendar day after the last day worked, unless otherwise decided by the Department Head or County Official after consultation with the Human Resources Director.

## **2.01**

### **Discrimination**

Williamson County Government is an equal opportunity employer and will base employment decisions upon a consideration of the qualifications of all employees or applicants for employment. Discrimination based upon an applicant's or employee's race, color, sex, religion, national origin, age, status as a Vietnam-era veteran or special disabled veteran, disability, sexual orientation, gender identity or status in any other protected group will not be tolerated.

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 Williamson County to make reasonable accommodations for qualified individuals with known disabilities unless doing so would result in undue hardship. 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 his/her immediate supervisor or the County's Human Resources 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 any type of unlawful discrimination will be subject to disciplinary action, up to and including termination of employment.

Williamson County does not discriminate in its hiring practices on the basis of race, color, religion, sex, national origin, age, disability, status as a Vietnam-era veteran or special disabled veteran, sexual orientation, gender identity, or status in any other group protected by law. So that all interested parties have an opportunity to apply for positions as they become open, job openings that are not filled by employees within a department will be posted in the County Administrative Complex. Applications will be accepted for posted or open positions only. Those who apply but are not selected for a posted position may be required to submit a new application for any future job opening. Unsolicited applications and resumes that are not submitted for an open position will be considered only at the discretion of a Department Head.

## **2.02**

### **Harassment**

It is the policy of Williamson County Government to provide a work environment free of harassment based upon race, color, sex, national origin, religion, age, sexual orientation, gender identity, or disability. In accordance with that philosophy, Williamson County prohibits, forbids, and does not tolerate any employee, manager or visitor (regardless of gender, race, national origin, religion, age, sexual orientation, gender identity or disability) to harass an employee or create a hostile or intolerable working environment by exhibiting, committing or encouraging:

1. Material such as pornographic or sexually or racially explicit posters, calendars, graffiti or objects;
2. Unwanted, unwelcome, and unwarranted sexual advances, including but not limited to requests, comments or innuendos regarding sex, race or any prohibited criteria, including jokes, gestures, statements or stalking related to sex or any prohibited criteria;
3. Intentional or malicious physical conduct that is sexual in nature, including but not limited to touching, pinching, patting, bruising, and/or pulling against another's body or clothes; and
4. Physical assaults on other employees, including but not limited to rape, sexual battery, molestation or any attempt to commit such assaults.

Conduct such as the examples listed above, or any other conduct based upon gender, color, race, religion, national origin, age or disability will constitute harassment when:

1. Submission to the conduct is either an explicit or implicit term or condition of employment; or
2. Submission to or rejection of the conduct is used as a basis for an employment decision affecting the person rejecting or submitting to the conduct; or
3. The conduct, whether or not directed at the affected individual, has the purpose or effect of reasonably interfering with an affected person's work performance, or creating an intimidating, hostile or offensive work environment.

#### **PROCEDURE FOR REPORTING DISCRIMINATION OR SEXUAL HARASSMENT**

Each Department Head or Supervisor shall be required to undergo training regarding this policy and the procedures hereunder, and shall be responsible for giving this policy and statement wide distribution. A copy of the policy and the appropriate training will be provided to each employee and he/she shall be required to familiarize him/herself with the policy.

Employees will be informed that discrimination and sexual harassment are forms of employee misconduct and that discipline will be enforced against individuals engaged in discrimination or harassment and against supervisory and managerial personnel who knowingly allow such behavior to continue. Receipt of this policy and understanding thereof shall be documented in each employee's personnel file.

Any employee who believes he or she has been the victim of discrimination or harassment should report such conduct immediately. Williamson County in no way condones or supports any form of discrimination or harassment and considers it to be a very serious offense which could result in severe disciplinary action against the offender. In keeping with this, the following procedure is instituted by the County to provide victims of discrimination or harassment adequate internal recourse to halt such behavior:

1. An employee who believes that he or she has been subject to discrimination or harassment should report the incident to his or her supervisor, or the County's Human Resources Director. The Human Resources Director shall immediately inform the Department Head and the County Mayor or appropriate County Official of the complaint. The Human Resources Director, County Mayor or appropriate County Official or the County legal counsel shall immediately investigate the complaint. Department Heads and supervisors shall cooperate fully in the investigation of any such complaints. Such an investigation shall be performed in as confidential a manner as possible while assuring a thorough investigation. Only those individuals essential to the investigation of the complaint as provided in this policy shall be involved in the investigation. Depending upon the seriousness of the offense, a finding that any employee has harassed another employee shall be grounds for disciplinary action, up to and including termination. Likewise, depending upon the seriousness of the offense, a finding that any supervisor has engaged in discriminatory conduct shall be grounds for disciplinary action, up to and including termination.
2. Any non-employee who subjects an employee to harassment in the workplace shall be informed of this policy by the employee's supervisor or manager. Other action may be taken as appropriate to ensure the employee will not be subjected to continuing harassment.
3. No employee shall be subjected to retaliation of any kind as a result of reporting perceived discrimination or harassment. Appropriate action shall be taken to ensure that retaliation does not occur.
4. This policy shall be reviewed by legal counsel at least every two years, and shall be revised as necessary to ensure compliance with applicable law. Legal counsel shall certify in writing upon each two-year review that the policy continues to comply with applicable law.

## **2.03** **Employees with Disabilities**

Williamson County will not discriminate on the basis of disability as to employment opportunities, wages, hours of work, or other conditions of employment. An individual will be considered to have a disability if he/she has a physical or mental impairment that substantially limits one or more major life activities, has a record of such impairment, or is regarded as having such impairment.

A department shall make reasonable accommodation to the known disabilities of an otherwise qualified applicant. The specific accommodations required shall be determined by the employer in consultation with the individual affected. Reasonable accommodation may include, but shall not be limited to making facilities readily accessible to individuals with disabilities, job restructuring, job sharing or modified work schedules, or modification or acquisition of equipment or devices needed to accommodate the disability.

In determining whether accommodation of a disability would impose an undue hardship on the department, factors to be considered include the overall size and resources of the department, the type of operation, and the nature and cost of the accommodation needed.

Each department should periodically review their programs and physical facilities to determine if they are accessible to persons with disabilities. Non-structural problems requiring some form of reasonable accommodation shall be addressed on an individual basis. Structural problems should be brought to the attention of the County Commission through the Property Management Department for reasonable and necessary changes.

## **Title VI of the Civil Rights Act of 1964**

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color and national origin in programs and activities receiving federal financial assistance.

President John F. Kennedy stated "Simple justice requires that public funds, to which all taxpayers of all races (color or national origin) contribute, not be spent in any fashion which encourages, entrenches, subsidizes, or results in racial (color or national origin) discrimination."

Williamson County Government receives federal financial assistance and is therefore subject to the requirements of Title VI.

All services, support, programs and local regulation enforcement are provided to all citizens equally and in the same manner without regard to race, color or national origin. All citizens are treated and addressed in a respectful manner. No decision made or action taken will be based on the citizen's race, color or national origin.

## **2.04**

### **Accommodation of Pregnant Employees**

Williamson County will make reasonable accommodation for employees with known limitations related to pregnancy, childbirth, and related medical conditions, unless such accommodations create an undue hardship on county operations. A “known limitation” for purposes of this policy means a physical or mental condition related to, affected by, or arising out of pregnancy, childbirth, or related medical conditions that the employee or employee's representative has communicated to the County. A condition need not meet the definition of a disability under the Americans with Disabilities Act in order to be covered under this policy

The determination of a reasonable accommodation shall be reached by way of an interactive process that includes input from the employee and if necessary, a medical provider for the employee, and may include such things as modified work schedules, temporary adjustment of job duties, or modification of equipment or devices needed to provide the requested accommodation. A qualified employee will not be required to take leave, paid or unpaid, if another reasonable accommodation can be provided for the known limitations related to pregnancy, childbirth, or related medical conditions without creating undue hardship.

In determining whether an accommodation would impose an undue hardship on the department, factors to be considered include but are not limited to the resources of the department, the type of operation, the impact upon safety of the employee and others of making the accommodation, and the nature and cost of the accommodation needed.

Absent undue hardship, the County will not deny employment opportunities or take adverse action in terms, conditions or privileges of employment related to a qualified employee based on the need for a reasonable accommodation related to the pregnancy, childbirth, or related medical conditions of the qualified employee.

### 3.01

#### Vacations

Paid vacation is provided by the County so that full-time employees may have periods of free time away from the work environment. Part-time and temporary employees are not eligible for paid vacation. Vacation accruals will start and be recorded on the last **workday** of the first full calendar month after an employee's start date. **Thereafter, employees will accrue vacation time on the last workday of each calendar month.** Though the vacation accrual rate is based on the employee's start date, the payroll year (first pay period in January through the last pay period in December) is used as the vacation year for record keeping and accounting purposes.

Listed below are the vacation accrual rates based on years of continuous service as a full- time employee, as well as the number of unused vacation hours that can be carried over from one payroll year to the next. Unused vacation time that exceeds the carry over limit will be credited to the following year's paid sick time and treated in accordance with the county sick leave policy.

YEARS OF CONTINUOUS SERVICE	HOURS ACCRUED Per Month	MAXIMUM HOURS ACCRUED Per Year	MAXIMUM HOURS CARRIED OVER Per Year
1 THRU 5 YEARS	6.66 HOURS (0.83 Days)	80 HOURS (10 Days)	240 HOURS (30 Days)
6 THRU 10 YEARS	10 HOURS (1.25 Days)	120 HOURS (15 Days)	288 HOURS (36 Days)
11 THRU 15 YEARS	12 HOURS (1.50 Days)	144 HOURS (18 Days)	320 HOURS (40 Days)
16 THRU 20 YEARS	14 HOURS (1.75 Days)	168 HOURS (21 Days)	336 HOURS (42 Days)
21 YEARS Or More	16 HOURS (2 Days)	192 HOURS (24 Days)	360 HOURS (45 Days)

Vacation hours are not accrued during leaves of absence unless specified by applicable laws such as the Tennessee Maternity Law which is found in another section of this publication. **In order to accrue vacation time as stated above, an employee must be in active status (as defined in Personnel Policy 1.02 entitled Employment Status) and accumulate 120 hours of paid time in the respective**

calendar month. For this policy, paid time will include hours worked as well as the approved use of available vacation, sick or compensatory time.

## **Vacation Procedures:**

- All vacation leave should be requested as far in advance as reasonable and is subject to the approval of the Department Head.
- Department Heads will determine and notify employees of the advance notice requirements for vacation requests in their individual departments.
- Department Heads, at their discretion, may allow employees to take vacation time in increments of less than a full day. The minimum amount of vacation time that can be requested by an employee will also be determined by the Department Head.
- For extenuating circumstances, a Department Head or County Official, after consultation with the Human Resources Director, may allow an employee to take vacation time before it is earned. Payroll deductions for the use of unearned vacation time will be deducted from the employee's last paycheck should his/her employment be terminated prior to earning said vacation time.
- Payment of vacation leave will be at the employee's regular Rate of pay.
- The transfer of vacation time for employees who transfer from one county department to another is covered under the policy entitled Leave Transfer Between County Agencies.

Department heads approve vacation requests based on business needs and availability of staff at the time of the request. However, during the period of time between an employee's notification of intent to resign and his/her last day worked, the department head is not required to grant the employee's request for vacation leave. Any vacation time that remains available to the employee after the last day worked will be paid in a lump sum. Vacation time shall not be used to extend the length of service past the last day worked.

## **3.02**

### **Holidays**

Each calendar year, fourteen (14) days will be designated as paid holidays for all regular, full-time employees in active status (as defined in the personnel policy on Employment Status). During the month of December, the County Mayor will announce the dates of these holidays for the upcoming year.

1. Unless otherwise stated, all holidays will be considered eight (8) hour days. Regardless of the length of an employee's daily shift, holiday pay will not exceed eight (8) hours.
2. Each County Official may change the holiday schedule to meet the business needs of his/her office.
3. All employees who are in an active pay status (as defined in the personnel policy on Employment Status) at the time the holiday occurs are eligible for holiday compensation. Should a holiday occur during an employee's vacation time, he/she will not be charged a vacation day for the day of the holiday. Active employees who are out sick the day before and the day after a holiday may be required to provide a doctor's excuse in order to receive holiday pay.
4. Employees who are on an approved leave of absence (as defined in the personnel policy entitled Leave of Absence) and are using available vacation or sick time in accordance with County policies, will be allowed to substitute holiday pay for one of those days should a holiday occur during that time. However, an employee on a leave of absence may not save the use of vacation time to coincide with a scheduled holiday. It should be noted that available vacation or sick time does not include time that has been rolled into retirement and used for short term disability.
5. At the discretion of their Department Head, employees who are required to work on a holiday may receive up to eight hours holiday pay in addition to their regular pay for actual hours worked; or receive the equivalent time off on another day. When possible, the equivalent time off should be granted within the same or subsequent pay period in which the holiday occurs.

Employees who are in an inactive status (as defined in the personnel policy on Employment Status) are not eligible for holiday pay except as stated in # 4 above. Inactive employees who are receiving disability or worker's compensation payments are not eligible for holiday payments even if they are using accrued vacation time to supplement these payments.

### **3.03**

### **Group Insurance**

County employees who are classified as full-time employees may participate in the County group insurance program. The group plan includes a comprehensive medical plan, dental coverage, term life insurance, and accidental death and dismemberment. Enrollment in the plan is assured if application is made within the first 31 days of eligibility. Employees should contact the Benefits Department for more information on the insurance plans, eligibility requirements and enrollment procedures.

Full-time employees who meet certain age and length of service requirements may be eligible to continue medical coverage upon retirement from the county. For more information, employees should contact the Benefits Department.

### **3.04**

### **Death Benefit**

The County will provide a death benefit payment for full-time employees who die while in active status or on an approved leave of absence. This benefit consists of the following:

- a. Salary and wages earned but unpaid at the time of death; plus
- b. Unused vacation leave not to exceed the allowable maximum as defined in the Personnel Policy; plus
- c. One month's regular pay at the salary rate in effect at the time of death.

With the exception of "a" above, this death benefit payment is not applicable for those employees appointed to a temporary or part-time position.

Each department shall properly inform survivors of deceased employees of this benefit and any other benefit to which they may be entitled. In all cases, the death benefit payment will be made payable to the estate of the deceased employee. For purposes of disbursement, the employee's department head may provide the death benefit payment to the executor of an employee's estate, to the administrator of an employee's estate or, in a case where an employee dies intestate or an executor or administrator has not been appointed, to a person believed in good faith to be the employee's next of kin. Priority for next of kin is as follows:

1. Surviving spouse;
2. If no surviving spouse, the children of the employee;
3. If no surviving spouse or children, the employee's grandchildren;
4. If no surviving spouse, children or grandchildren, the employee's parents;
5. If no surviving spouse, children, grandchildren or parents, the employee's brother and sisters;
6. If no surviving spouse, children, grandchildren, parents, brothers or sisters, the employee's nieces and nephews;
7. If no surviving spouse, children, grandchildren, parents, brothers and sisters, nieces and nephews, the employee's grandparents.

All life insurance will be paid out in accordance with the policy guidelines.

### **3.05**

### **Social Security and Retirement Plans**

Participation in the Social Security System is mandatory for all employees in an active pay status who meet Social Security Guidelines. Payroll contributions into the Social Security System shall be shared by the County and each employee. Employees should contact their local Social Security office for information regarding Social Security Benefits.

All regular, full-time employees are members of the Tennessee Consolidated Retirement System (TCRS), the same system which provides retirement allowance for State employees. Terms of membership and coverage shall be governed by TCRS. Membership in this plan is required as a condition of employment for all full time employees.

### **3.06**

### **Longevity Award Plan**

In order to reward full time employees who provide invaluable work experience through continuous service to the County, the Williamson County Commission established a Longevity Award Plan to be considered during the budget process for each fiscal year. On the first day of each fiscal year (July 1), with approval of the County budget, employees who have completed five years of continuous, full-time service will be eligible for consideration for a longevity award of \$250.00. For each additional complete year of continuous service, fifty dollars may be added to the award. Though the County Commission, when it approves the longevity awards, uses July 1st as the eligibility date, payment will be issued in the month of July based upon scheduled payroll payment dates.

After any break in continuous service an employee will be required to use his/her new employment date for determining eligibility for the Longevity Award. He/she will not receive credit for time of employment prior to a break in service. (Refer to policy on Continuous Service Credit.)

As stated above, the Longevity Award Plan is subject to the approval of the County Commission during the budget process for each fiscal year.

## **4.01** **Sick Time**

The County realizes that employees occasionally have to miss work for medical reasons. After one month of employment, full-time employees earn paid sick time at a rate of eight (8) hours per month. **Sick time accruals will start and be recorded on the last work day of the first full calendar month after an employee's start date. Thereafter, employees will accrue sick time on the last workday of each calendar month.**

Paid sick time may be used for the following:

1. The employee's absence due to personal injury or illness including conditions related to pregnancy or childbirth, as well as absences authorized by the Family Medical Leave Act for birth of a child or placement of a child for adoption or foster care, and routine medical, dental, and eye appointments.
2. The employee's absence resulting from a need to care for a child, spouse or parent suffering from a serious illness or injury. It should be noted that paid sick time may not be used to care for the child of an ill family member.
3. Up to three (3) days of an employee's absence to attend the birth of a grandchild.
4. Up to three (3) days of an employee's absence to be with a brother or sister suffering from a serious illness, injury or disease.

**In order to accrue sick time, an employee must be in active status (as defined in Personnel Policy 1.02 entitled Employment Status) and accumulate 120 hours of paid time in the respective calendar month. For this policy, paid time will include hours worked as well as the approved use of available vacation, sick or compensatory time.**

Paid sick time will only be granted for the reasons listed above. Attempts to use paid sick time for reasons not listed above could result in disciplinary action. Paid sick time may not be taken until earned. However, unpaid leave will be granted for conditions covered by the Family and Medical Leave Act when an employee has no sick leave available. Please refer to the policy on Family and Medical Leave.

A Department Head may require a physician's statement of illness or injury before payment of sick time is made. After an absence due to injury or illness, an employee may be required to provide a physician signed medical release in order to return to work.

A maximum of 56 hours of unused sick time may be carried over at the end of the payroll year to the next payroll year. Any unused sick time in excess of 56 hours will be credited toward retirement. Employees transferring to another division within county government will be given credit for unused sick leave provided there is no break in service.

Unless scheduled to work, employees will not be charged available sick time for absences occurring on weekends, official holidays or days of administrative closing.

As stated previously, sick time is provided to cover absences resulting from illness or injury. It shall not be used to extend an employee's length of service beyond the last day worked. Nor shall it be used to take time off during the period of time between an employee's notice of resignation and his/her last day worked. An employee using sick time during this period should be prepared to provide medical documentation in order to be compensated.

## **4.02**

### **Court Leave**

Paid court leave is provided to all County employees who are required to serve on a jury or as a witness in a state, federal, or local court. This ensures against a loss of pay for employees performing a civic duty. In order to receive paid leave, the employee must submit an authentic summons, subpoena, or notice to appear from the appropriate court.

An employee who is duly summoned as a witness in a matter before a state, federal or local court or an employee who testifies in behalf of the County in a matter arising out of his/her employment will receive his/her regular rate of pay for the time missed from work. However, the employee shall return to work immediately after he/she is dismissed from court.

Notwithstanding the above, County employees who appear in court as a plaintiff or a defendant in private litigation will not be paid for time missed from work whether appearing voluntarily or pursuant to a summons or subpoena. On these occasions, the employee must take vacation leave, compensatory time or leave without pay.

Employees who are required to serve on jury duty will be compensated in accordance with state laws. Pay for time served on court leave, including the time spent traveling to and from court, shall be made at the employee's regular rate of pay, except that such compensation shall not exceed the total of the employee's regularly-scheduled daily pay. However, if the jury service results in any personal compensation from the court, the employee is required to reimburse the County for any compensation received from the court while on paid court leave.

Should the employee be dismissed from jury duty before 12:00 noon, the employee shall return to work immediately after dismissal from court.

Upon return to work, the employee will be required to present proof of jury duty service or other mandated court appearance, including dates of service and any compensation received from the court. The employee has ten (10) working days after return to work from court service to reimburse the County for any compensation received, or the employee may choose to retain the court compensation and take vacation leave instead of court leave. Any reimbursements from the court received by the employee for personal expenses, such as parking, mileage, and food allowance, and any non-reimbursed parking expenses shall not be included in the amount reimbursed to the County.

If an employee summoned for jury duty is working a night shift or is working during hours preceding those in which court is normally held, such employee shall also be excused from work as provided by this section for the shift immediately preceding the employee's first day of court service. After the first day of service, when such person's responsibility for jury duty exceeds three (3) hours during a day, then such person shall be excused from the person's next scheduled work period occurring within twenty-four (24) hours of such day of jury service. Any questions concerning the application of the provisions of this subsection to a particular work shift or shifts shall be conclusively resolved by the trial judge of the court to which the employee has been summoned.

## **4.03** **Bereavement Leave**

The county allows up to three days (or up to 24 hours) paid bereavement leave each year for an employee to attend the funeral of a close relative. For the purposes of this policy, those who are considered close relatives are as follows:

Spouse	Child	Brother/Sister	Parent-in-law
Parent		Grandparent	Daughter/Son-in-law
		Grandchild	Brother/Sister-in-law

The employee will receive up to three days paid leave starting the day after the notification of death of a close relative if he/she is normally scheduled to work those days. Employees will not be paid for days occurring during the bereavement leave that are not regularly scheduled work days. Official holidays and days of administrative closing falling within the period of paid bereavement leave will be charged as holidays and days of administrative closing.

A Department Head may allow the paid bereavement leave to start later than the day after notification if the date of the funeral or travel needs warrant such consideration. Also, in situations where an employee needs to be off work longer than the three days of bereavement leave, vacation leave or reasonable unpaid personal leave may be used with departmental approval.

Pay for each day of bereavement leave taken will be made at the employee's current pay rate for a scheduled day's work (up to 8 hours). Once the employee uses the three paid days of Bereavement Leave, the Department Head has the discretion of granting vacation time or unpaid leave in the event of the death of another close relative as defined above. A Department Head may request an employee to provide verification of the reason for the absence.

## **4.04** **Voting Leave**

All county employees who are registered voters in the State of Tennessee may receive reasonable time off, not to exceed three (3) hours, between the opening and closing of polls, to vote in an election held in the state. A request to be absent must be made to the employee's supervisor before 12:00 noon the day before the election. The supervisor may specify the hours during which the employee may be absent. If the polls open three (3) or more hours before the employee's work schedule begins or if the polls close three (3) or more hours after the employee's work schedule ends, the employee may not receive time off to vote.

## 4.05

### Leave of Absence

Whenever an employee has to be away from work for an extended period of time, he or she shall submit a written request for a Leave of Absence (LOA) to his/her Department Head or supervisor. For the purposes of this policy a personal LOA is defined as an unpaid absence of more than 5 working days. A medical LOA is for an extended illness and should start on the first day of absence. The request should be submitted at least 30 days in advance or as soon as possible if the LOA is unexpected. Contained in the request should be a start date for the LOA and an expected date of return. If only an estimate, an expected return date should be stated and the employee is obligated to contact the supervisor if that date changes.

A personal LOA should only be for a short period of time, but may be approved for up to four calendar months at the discretion of a Department Head. All vacation and compensatory time shall be used prior to unpaid time being granted. Personal LOAs should be reserved for unique situations for which there are no other alternatives. They should not be granted for purposes such as looking for or working in another job, serving time in correctional facilities, etc.

All personal LOAs are at the discretion of each Department Head and are not the right of any employee. Employee's taking personal LOAs may not be guaranteed the same job or salary upon return to work, unless otherwise required by law. If extenuating circumstances support an LOA of longer than 4 months, a Department Head, after consultation with Human Resources, may allow additional unpaid time. However, the total LOA should not exceed 12 months. If extraordinary and compelling reasons exist at the end of 12 months, a Department Head and employee may appeal to the Human Resources Committee for an extension. An extension cannot be granted without the approval of the employee's Department Head.

Medical LOAs are granted for certain medical conditions of the employee or an immediate family member. These are addressed in the employee handbook in the sections on Family Medical Leave and Maternity Leave and state that which is required under federal and state laws. After consultation with Human Resources, the Department Head may allow additional leave to that which the law requires. However, those employees granted leave beyond that required by law may not be guaranteed the same job or salary upon return to work. As

stated above, a Leave of Absence beyond 12 months can only be granted by the Human Resources Committee with the approval of the employee's Department Head.

All military LOAs will be handled in accordance with federal and state laws.

Unless mandated by law, vacation and sick time will not be accrued while an employee is on any unpaid LOA. Furthermore, the employee is responsible for any medical insurance premiums that are owed, and will lose coverage should payments not be made.

Employees are expected to return to work as scheduled at the end of their LOA. Failure to return on the designated date may result in termination unless the Department Head has approved an extension.

## **Temporary Disability Benefit**

For those employees who have no sick time credited to their retirement account, the Disability Benefit will begin after they have exhausted all of their available sick time provided they have been unable to work for seven calendar days. Employees with too few sick days to cover the seven-day waiting period will become eligible for the Disability Benefit on the 8<sup>th</sup> day after they become disabled. However, they must use the sick time they have during the waiting period.

### **Procedures**

When an employee suffers a medical condition, which results in the inability to perform the functions of his/her job for 7 calendar days, a Medical Certification form should be obtained from the Human Resources Department. The form should be completed by the treating physician and returned to the Human Resources Department.

When the Benefits Department is notified that an employee will be seeking a disability benefit, an audit will be conducted of the employee's file to determine the number of sick days available as well as the number that have been credited to retirement. The employee will begin using all available sick days on the first day absent from work. After all available days are used, the employee will then begin to use those sick days that have been placed in his/her retirement account up to the 60-day maximum. After these days have been used, then the employee will draw Disability Benefit for the balance of the six month disability coverage.

## **4.06**

### **Family and Medical Leave**

In compliance with Federal Laws concerning the Family Medical Leave Act (FMLA), Williamson County Government provides covered employees with up to twelve (12) weeks of job-protected leave each calendar year for certain family and medical reasons. Once available sick or vacation time has been used in accordance with this policy, the balance of any remaining leave will be unpaid. Employees are eligible for FMLA leave if they have worked for the County for at least twelve months. It is not required that the twelve months be consecutive. The employee must also have worked at least 1250 hours in the twelve-month period immediately preceding the application for leave.

The following list indicates reasons for leave covered under FMLA:

1. Birth of a child or the placement of a child for adoption or foster care.
2. A serious health condition of the employee, or the care of a child, spouse or parent who has a serious health condition. A serious health condition is an illness, injury, impairment or physical or mental condition requiring inpatient care or continuing medical treatment by a health care provider. To qualify as serious, the condition must result in either an overnight stay in a medical care facility or absence from work and/or regular daily activities for more than three days.
3. Any work-related injury that results in an employee having to miss work, if such an injury or illness meets the criteria stated above for a serious health condition.

Benefits provided by the County Employee Benefit Plan will be administered in accordance with federal law. If you were a Covered Employee prior to the commencement of the leave period, your coverage will stay in effect during the FMLA leave period under the same conditions as if you were not on leave. If the County currently pays your health insurance premiums, the County will continue to do so during your unpaid leave. Any payment for family or dependent coverage that is ordinarily paid by you will continue to be paid by you. Failure to make such payments will result in a loss of coverage. However, once the leave is concluded, coverage may be reinstated if the employee requests coverage in writing within thirty-one (31) calendar days of his/her return to work and pays the required premium. Any waiting periods, deductibles or plan maximums partially or totally satisfied prior to the leave will be continued or reinstated when the County is informed of your return from FMLA leave.

During periods of unpaid leave, an employee will not accrue additional seniority or other such employment benefits, unless the Maternity Leave Policy herein is applicable. Though such leave is not considered a "break in service", periods of unpaid leave may affect the vesting requirements under the Tennessee Consolidated Retirement System (TCRS). Employees may contact TCRS or the Human Resources Department for more information.

The right to a leave under this policy shall apply equally to male and female employees who meet the eligibility requirements. Employees requesting FMLA leave must use the balance of any available sick leave accrued prior to the commencement of unpaid leave as well as any accrued compensatory time. Accrued sick

leave and comp time will be paid concurrently with FMLA leave until paid leave is exhausted, at which point any remaining FMLA leave will be unpaid. The employee may also use vacation leave if he/she desires, but shall not be required to do so.

The employee must give 30 days' advance notice to his/her supervisor of the need for leave, where the need is foreseeable. Emergency conditions and unforeseen events, such as a sudden serious health condition or a premature birth, do not require such notice. Under such circumstances, the employee should give as much notice as reasonably possible.

The county has the right to verify an employee's request for family/medical leave. If the employee requests leave because of a serious health condition or to care for a family member with a serious health condition, the County requires that the request be supported by certification supplied by the health care provider responsible for the treatment of the serious health condition on a form prescribed by the County. The certification must include the date the serious health condition began, how long the condition is expected to continue and what medical facts form the basis for these findings. If leave is taken for the serious health condition of a family member, the certification must also include a statement that the individual needs the care of the employee, and, if applicable, an estimate of the amount of time the employee is needed to care for the family member.

If the Supervisor has reason to doubt the certification, the County may require a second opinion be acquired from a provider of the County's choice at the County's expense. That provider may not be employed by the County on a regular basis. Should that provider find that a serious health condition as defined by the law does not exist, a third provider may be selected to resolve the conflict. The decision of this provider shall be final and binding. To the extent allowed by law, the medical certification will be treated as confidential and privileged information.

An employee is required to report in periodically to his/her supervisor while on FMLA leave. The employee shall report in weekly, or, if the employee is suffering from a serious health condition, as frequently as is possible given the employee's condition. The employee is expected to indicate whether he or she intends to return to work.

Leave taken under this policy can be taken intermittently or on a reduced leave schedule when certified to be medically necessary. Intermittent or reduced leave schedules for routine care of a new child may be taken only with your supervisor's approval, on a schedule mutually agreed upon by you and your supervisor.

Ordinarily, you are entitled to be returned to your original position or an equivalent position when you return from Family and Medical Leave. However, if you are a key, salaried employee in the top 10% of paid employees, the County may not be able to hold your job for you. In these circumstances, the County must show that the denial is necessary to prevent substantial and grievous economic injury to the operations of the County. The County must also notify you that it will not be able to hold your original position at the time it is determined, and must give you the option to return to work within a reasonable period of time after receiving this notice.

Note: Additional information, see Addendum B.

## **4.06-A**

### **Service Member Leave under FMLA**

This policy explains the County's eligibility requirements for service member leave under the Family Medical Leave Act (FMLA). Except where otherwise noted, the general rights and responsibilities outlined in the Family & Medical Leave policy shall apply to service member leave taken pursuant to the FMLA.

The FMLA allows eligible employees to take leave for the following qualifying events or circumstances:

- I. Exigency** – Employees with a spouse, son, daughter, or parent (the "service member") on active duty or called to active duty in the National Guard or Reserves may use leave to address certain qualifying exigencies arising out of the active duty or impending active duty.

Examples of qualifying exigencies include:

1. Short notice deployment;
2. Attendance at military events and related activities;
3. Arranging childcare, providing childcare on an urgent basis, and attending school activities;
4. Financial and legal arrangements;
5. Counseling for the employee, the service member or child;
6. Rest and recuperation (up to 5 days);
7. Post-deployment activities;
8. Additional activities to address other events that arise out of active duty status, provided the employer and employee agree that it is an exigent circumstance and agree to the timing and duration of leave.

An employee may take up to twelve (12) weeks of leave per calendar year (January 1 - December 31). An employee whose family member is on active duty or called to active duty as a member of the Regular Armed Forces is not eligible to take leave because of a qualifying exigency.

2. **Caregiver for Service member Injury or Illness** -Employees may also take leave to care for a covered current service member ("the service member") who has a serious injury or illness incurred in the line of duty that may render the service member medically unfit to perform his or her own duties for which the service member is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list.  
In order to care for the covered service member, the employee must be the spouse, son, daughter, parent, or next of kin of the service member.

An employee may take up to twenty-six (26) weeks of caregiver leave during a twelve (12) month period, such period to be calculated beginning on the first day of leave.

3. **Notice and Documentation** -When the need for leave is foreseeable, the employee shall notify his/her supervisor and the County's Human Resource Department at least thirty (30) days before the need for leave. When the need for leave is not foreseeable, the employee shall notify his/her supervisor and the County's Human Resource Department as soon as possible. An employee requesting leave must explain the reasons for the needed leave so as to allow the employer to determine whether the leave qualifies under the policy.

The employee must provide complete and sufficient documentation in support of a request for service member FMLA leave. Failure to provide such documentation may result in the denial or delay of FMLA. The employee may also be required to provide documentation of the familial relationship to support service member leave.

**4.07**  
**Tennessee Maternity / Paternity Leave**

**Leave for Adoption, Pregnancy, Childbirth and Nursing an Infant**

In addition to the protections provided under the Family and Medical Leave Act, Tennessee Law offers other allowances for pregnancy, childbirth, adoption and nursing an infant. A qualified employee may take leave as outlined below. The twelve weeks of Family and Medical Leave shall be counted against the leave under the Tennessee statute (leave under the two acts will run concurrently). The Tennessee law requires that the employee policy manual contain a copy of its provisions. Therefore, the provisions are set forth below. These provisions may or may not apply, depending upon your circumstances. If you have any questions regarding whether these provisions apply, consult your supervisor or Human Resources Director.

The provisions of the Tennessee Law, as written, are listed below. The use of the terms "employer" or "company" should be interpreted as referring to the County.

**4-21-408. Leave for adoption, pregnancy, childbirth and nursing an infant. –**

- (a)** Employees who have been employed by the same employer for at least twelve (12) consecutive months as full-time employees, as determined by the employer at the job site or location, may be absent from such employment for a period not to exceed four (4) months for adoption, pregnancy, childbirth and nursing an infant, where applicable, referred to as "leave" in this section. With regard to adoption, the four-month period shall begin at the time an employee receives custody of the child.
- (b) (1)** Employees who give at least three (3) months' advance notice to their employer of their anticipated date of departure for such leave, their length of leave, and their intention to return to full-time employment after leave, shall be restored to their previous or similar positions with the same status, pay, length of service credit and seniority, wherever applicable, as of the date of their leave.
  - (2)** Employees who are prevented from giving three (3) months' advance notice because of a medical emergency that necessitates that leave begin earlier than originally anticipated shall not forfeit their rights and benefits under this section solely because of their failure to give three (3) months' advance notice.
  - (3)** Employees who are prevented from giving three (3) months' advance notice because the notice of adoption was received less than three (3) months in advance shall not forfeit their rights and benefits under this section solely because of their failure to give three (3) month's advance notice.
- (c) (1)** Leave may be with or without pay at the discretion of the employer. Such leave shall not affect the employees' right to receive vacation time, sick leave, bonuses, advancement, seniority, length of service credit, benefits, plans or programs for which the employees were eligible at the date of their leave, and any other benefits or rights of their employment incident to the employees' employment position; provided, that the employer need not provide for the cost of any benefits, plans or programs during the period of such leave, unless such employer so provides for all employees on leaves of absence.
  - (2)** If an employee's job position is so unique that the employer cannot, after reasonable efforts, fill that position temporarily, then the employer shall not be liable under this section for

failure to reinstate the employee at the end of the leave period.

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

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

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

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

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

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

## **4.08**

### **Military Leave Policy for Employees Transitioning to Active Duty as Members of the USA Uniformed Services**

The purpose of this policy is to provide transitional support for employees who are called to active duty as members of the Uniformed Services of the United States Government. It is the wish of the Williamson County Commission and County Officials to provide support for these employees and their families during their transition to an active military status.

- All active, full-time Williamson County employees who receive orders from the appropriate authority to report to active duty as members of the Uniformed Services of the United States Government will be placed on a special military leave of absence for up to six months from the date the employee reports to duty. During this Special Military Leave, the employee will be eligible for a pay differential supplement should his/her military pay be less than his/her regular county pay. The amount of the salary supplement will equal the difference between the employee's regular rate of pay and his/her gross military pay, up to \$1,000.00 per month. Prior to receiving the aforementioned salary supplements, employees called to active duty will be required to provide copies of their military orders as well as appropriate military pay documentation to the Finance Department. The special military leave of absence and the salary supplement will expire six (6) months from the date the employee is required to report to duty.

During the special military leave, the employee may choose to continue participation in the County's medical and dental plans at the same level of coverage and contribution in effect prior to activation. The employee contribution for such benefits will be withheld from the salary supplement or otherwise collected in order to maintain continued coverage. At the end of the special military leave, the employee may continue coverage as outlined in the Uniform Services Employment and Reemployment Rights Act of 1994 (USERRA). It should be noted that voluntary and supplemental plans are not covered under this policy and the employee should contact the provider through the local agent.

The procedures and guidelines stated in The Uniform Services Employment and Reemployment Rights Act of 1994 (USERRA) will be followed for all other aspects of military leave not covered in this policy.

Note: Leave for reservists is also addressed in the Military Reservists' Leave Compensation Procedures. See addendum A.

## **5.01** **Continuous Service Credit**

Provided there is no break in employment, the time between an employee's date of hire as a full-time employee and his/her date of termination will be considered a period of continuous service. If an employee with a break in service is rehired by the County, his/her 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 or temporary employment.

The 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.

## **5.02** **Leave Transfer between County Agencies**

Any full-time employee of any agency, office, or department of the County (covered by this Personnel Policy) 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. Absent an agreement by both Department Heads, any outstanding compensatory time for back overtime or unused holidays 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.

Employees who leave employment with the Williamson County Board of Education (BOE) to accept positions with the Williamson County Government may not transfer any unused vacation or compensatory time to their new position. The BOE is responsible for payment of any accrued but unused vacation or compensatory time. An employee may transfer up to 56 hours of sick time to his/her new position with the balance of unused sick time being applied to retirement.

## **5.03**

### **Recording Leave Time**

Supervisors are required to record employee hours on the forms provided for this purpose. The forms should be completed for nonexempt employees and at the end of the workweek, should be forwarded to payroll for review and processing. Both exempt and non- exempt employees should record all vacation and leave time on the provided forms and should verify and sign such forms. 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.

## **5.04**

### **Days of Administrative Closing**

In cases of extreme weather or other emergency conditions, the County Mayor may designate full or partial days as days of Administrative Closing. At the time of the announcement, the County Mayor's office will issue guidelines for employee compensation. Each elected official may make the same or different decision for his/her office.

## **6.01**

### **Overtime**

For the purpose of this policy manual, one day of work is considered an eight (8) hour day and one week of work is considered a forty (40) hour week. Each employee will be given a minimum of 30 minutes of non-paid time for meal breaks whenever he/she is scheduled for six (6) or more hours in a work day. At the discretion of the department head, paid rest breaks may also be scheduled during the work day. The eight (8) hour day and forty (40) hour week will be used for determining overtime pay rates as well as the accrual and usage of sick and vacation pay. An employee's hourly rate of pay is determined by dividing the annual salary by 2080 hours.

In accordance with federal wage and hour laws, non-exempt employees are eligible for overtime compensation for all hours worked over forty (40) in a workweek. Certain executive, professional and administrative employees are considered to be exempt under federal wage and hour laws and are therefore not eligible for overtime compensation.

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.

Non-exempt employees (with the exception of law enforcement and public safety personnel) shall be paid overtime or given compensatory time for all hours worked over forty (40) during the applicable work week. Only hours actually worked will be considered in calculating overtime and compensatory time. The amount of payment for each hour of overtime is calculated by multiplying the hourly rate of pay by 1.5. No employee shall work any hours in excess of forty (40) per week without the prior consent of the employee's supervisor.

A Department Head may elect to offer compensatory time in lieu of overtime pay. In this event, employees who are required to work over forty (40) hours per week may elect to receive compensatory time off in lieu of overtime pay. Absent an agreement by the employee, employees may not be required to receive compensatory time in lieu of overtime pay. Such compensatory time shall be earned at a rate of one and one-half hours for each hour worked over forty hours in a week. The amount of compensatory time earned is determined by multiplying all time worked over 40 hours in a pay week by 1.5. With the exception of law enforcement and public safety employees, no employee may accrue more than 240 hours of compensatory time. Law enforcement and public safety employees may accrue up to 480 hours of comp time. The use of compensatory time is subject to approval by the department head. Such approval will not be denied unless undue disruption to the office or department will occur.

## **6.02**

### **Worker's Compensation**

Any employee sustaining an injury or illness in the course of his/her employment should notify his/her supervisor immediately. If the injury or illness is determined to be compensable under the Worker's Compensation Law the employee will be placed on worker's compensation leave. This leave shall not be counted against accrued sick leave. A separate policy and procedure guide is available to all employees and will list the panel of physicians as well as the accepted procedure to be used in triage, non-emergency and emergency care. Employees must comply with the procedures for reporting the injury and selection of physicians as set forth in the Worker's Compensation Guide in order to be entitled to Worker's Compensation benefits.

## **7.01** **Drug - Free Workplace**

Williamson County is committed to providing a safe environment and to fostering the wellbeing and health of its employees. That commitment is jeopardized when any Williamson County employee illegally uses drugs or alcohol on the job, comes to work with these substances in his/her body, or possesses, distributes, or sells drugs in the workplace. Therefore, Williamson County has established the following policy:

During working hours, employees are strictly prohibited from being under the influence of illegal drugs or alcohol or selling, possessing, transferring or purchasing illegal drugs, or possessing or consuming alcoholic beverages.

It is a violation of County policy for anyone to report to work under the influence of illegal drugs or alcohol—that is, with illegal drugs or alcohol in his/her body.

It is a violation of the County policy for anyone to use prescription drugs illegally. However, nothing in this policy precludes the appropriate use of legally prescribed medications.

Any employee whose off-duty substance abuse results in on-the-job impairment (including but not limited to excess absenteeism or tardiness, carelessness or disregard for safety, or poor work), or who commits an unlawful act or whose conduct discredits Williamson County in any way is in violation of this policy.

The foregoing constitutes the policy of Williamson County on substance abuse. Violation of this policy is grounds for disciplinary action, up to and including immediate termination of employment. Williamson County may take appropriate actions against employees in violation of this policy, including referral for legal prosecution or mandatory drug/alcohol abuse counseling, including satisfactory completion of an approved drug use/alcohol abuse assistance or rehabilitation program.

The goal of this policy is to balance our respect for individuals with the need to maintain a safe, productive, and drug-free environment. The intent of this policy is to offer a helping hand to those who need it, while sending a clear message that illegal drug use and alcohol abuse are incompatible with employment at Williamson County.

Aside from Williamson County's policy considerations, the use of illegal drugs and/or abuse of alcohol may be harmful to your health. Some of the health risks are listed below

### **Alcohol Abuse Health Risks**

Liver damage -- cirrhosis, alcoholic hepatitis

Heart disease -- enlarged heart, congestive heart failure

Ulcers and Gastritis

Malnutrition

Cancer -- Mouth, esophagus, stomach, liver

Brain damage -- memory loss, hallucinations, psychosis Damage to fetus  
if pregnant mother drinks

Death -- 50% of fatal auto accidents involve alcohol and 31% of suicides are alcoholics.

### **Drug Use Health Risks**

Overdose -- psychosis, convulsions, coma, death

Long-term use -- organ damage, mental illness, malnutrition, death Casual use -- heart  
attack, stroke, brain damage, death

Needles -- infections, hepatitis, AIDS, death

Employees should contact the Human Resources Department or the Benefits Department to obtain information about treatment resources.

As a condition of employment, employees must abide by the terms of this policy, and must notify Williamson County in writing of any conviction or violation of a criminal drug statute occurring in the workplace no later than five calendar days after such a conviction.

Under the terms and conditions of federal grant programs, the state or appropriate grant agency will be notified in writing within ten calendar days after the County receives notice from any employee, or otherwise receives actual notice that an employee has been convicted of violation of a criminal drug statute occurring in the workplace. Within ten (10) days of notice of a conviction, the County will provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notices shall include the identification number(s) of each affected grant. Within 30 days after receiving notice of a conviction for a drug-related offense, the County will take the following actions with respect to any employee who is convicted of a drug abuse violation occurring in the workplace:

1. Taking appropriate personnel action against such employee, up to and including termination;  
or
2. Requiring such employee to satisfactorily participate in a drug abuse assistance or rehabilitation program approved for such purpose by a Federal, State, or local health, law enforcement, or other appropriate agency.

The reporting provisions above shall apply only to those County employees directly or

indirectly involved with the any federal grant program subject to the terms of 41 USC 701-707, The Federal Drug Free Workplace Act of 1988.

Any department implementing a drug testing program must ensure that the program complies with all applicable federal and state regulations and shall have a specific policy and procedure for such testing which shall be distributed to employees within the department.

## 7.02

### Policy/Rule Violation or Misconduct

The county has established guidelines expressing its expectations of employees' conduct. These guidelines describe conduct that generally results in the County taking corrective action. The guidelines are not all inclusive, and other conduct not listed may result in corrective action, up to and including termination.

These guidelines do not form a contract of employment. Employment with Williamson County is at will and can be terminated for any reason, with or without cause. The decision as to what action will be taken rests solely with the County and is made based on the circumstances of the individual policy/rule violation or misconduct.

The County realizes that no set of rules can cover the complexities of every situation. Therefore, the following must be viewed as general guidelines. The County may deviate at will from its disciplinary guidelines as the circumstance may warrant.

The following is a list of some of the policy/rule violations or misconduct which may result in corrective action, up to and including termination:

- Removal of County property without authorization
- Theft, fraud or embezzlement
- Falsification of County documents
- Sale, possession or use of drugs/alcohol on County premises or County time
- Use or possession of weapons on County premises or County time unless it is considered a function of the job
- Willful alteration of time keeping records
- Assault or threatening bodily harm to another
- Insubordination
- Intentional damage to or destruction of County property
- Discriminatory and/or sexual harassment: touching, offensive or degrading comments and innuendoes which create a hostile, intimidating or offensive work environment for the public or employees
- Misuse of County property, services or employment relationships in a manner not consistent with County policy
- Unprofessional business conduct toward the public
- Carelessness or failure to use good safety practices
- Working unauthorized overtime
- Actions detrimental to morale
- Failure to follow work schedule (excessive absences and tardiness).
- Failure to contact a supervisor when absent
- Reporting to work in an unfit condition (i.e. physically, mentally or emotionally impaired)
- Any unauthorized absence after the time limit of authorized vacation or other approved absence, unless satisfactory evidence of inability to report to work is shown

- Failure to report to work after notification of restoration of workforce
- Failure to report for reinstatement within ninety (90) days following discharge from military service

**39-16-504. Destruction of and tampering with governmental records.**

(a) It is unlawful for any person to:

1. Knowingly make a false entry in, or false alteration of, a governmental record;
2. Make, present, or use any record, document or thing with knowledge of its falsity and with intent that it will be taken as a genuine governmental record; or
3. Intentionally and unlawfully destroy, conceal, remove or otherwise impair the verity, legibility or unavailability as a governmental record.

(b) A violation of this section is a Class A misdemeanor. [Acts 1989, ch. 591, §1.]

## 7.03

### Use of County Equipment and Technology

Williamson County Government provides the technological equipment necessary for its employees to conduct the official business of the County. Telephones, cell phones, tablets, voice mail, photocopy machines, facsimile machines, and computers are examples of such equipment. This equipment is not intended for employees' personal or commercial use. Incidental or occasional use of County technology for non-commercial, personal use may be acceptable provided the following conditions are met:

1. Such usage does not interfere with the employee's job duties or the department's ability to conduct business.
2. Use of the equipment does not result in any added cost to the County.
3. Such use is acceptable to the Department Director or Elected/Appointed Official ("Official").

#### **Electronic Mail**

Employees and officials of Williamson 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 examination not only by officials of the County but also by members of the public as allowed under the public records laws.

E-mail may not be used by County employees for the following:

1. Any personal commercial or promotional purpose, including messages offering to buy or sell goods or services.
2. Composing, forwarding, or sending material that contains material that would violate the harassment policy or any other conduct policy of Williamson County, or that contains offensive slurs, images, comments, or jokes, or is otherwise deemed to be intimidating or abusive.
3. Intentional distribution of unsolicited junk mail or "spam"
4. Distribution of any material that contains viruses, worms, or any other harmful or deleterious programs.

#### **Computers, Internet, and other IT resources**

As stated above, computers are provided to assist employees conduct official County business. Employees with access to County IT resources must abide by all Security Management Policies promulgated by the County IT department and any applicable guidelines or requirements as they may be updated from time to time. Some of the guidelines for such use are as follows:

1. Employees should not use County computers, cell phones, tablets, or other devices for personal or private commercial activities or save such information on the computer system. Employees have no expectation of privacy in any materials or communications on County equipment, including but not limited to internet usage, browser history, downloaded or uploaded material, or any files stored on any County device.
2. Passwords used to gain access to any device owned by the County must be provided to the Department Director/Official upon request. Employees shall not password-protect any County device using a personal or secret password.
3. Employees may not use passwords of other employees to access computer systems unless they are directed to do so by their Department Director or responsible Official.

4. Actions and/or activities that may damage or otherwise disrupt the County network, servers, workstations, or peripherals are not allowed.
5. Download or installation of executable files (software programs that are downloaded from the internet, e-mail or are otherwise purchased) is prohibited without the approval of the Information Technology Department (IT). Executable files, which can be from internal or external sources, may pass along viruses or other programs that may damage the network. If in receipt of such a program, IT should be contacted immediately.
6. Software purchased by the user for personal use may not be installed. County-provided software may not be installed on any computers other than those designated under the user licenses for that software unless otherwise specifically authorized by the Information Technology Department and the Department Director/Official.
7. Hardware obtained for personal use (i.e., speakers, cameras, external hard drives, thumb drives, etc.) may not be attached to county computers without the approval of both the Department Director/Official and IT.
8. Accessing inappropriate internet sites such as sites that display pornography or obscene material; sites that provide information advocating or providing instruction regarding methods for dangerous, illegal, or terrorist conduct; or sites that are otherwise considered illegal or contain content that violates any Williamson County policy is not permitted under any circumstances.
9. Employees may not download, upload, or otherwise send, receive, or share information, material, or music in violation of any right of confidentiality, any copyright or trademark laws, or any other applicable law.

#### Use of Social Media Sites while working:

Employees shall refrain from using social media while on work time or on County equipment unless it is work-related as authorized by a supervisor and consistent with the County's Social Media policy.

Employees shall not use County email addresses to register on social networks, blogs or other online tools utilized for personal use.

Employees' social media accounts may be subject to monitoring without notice or consent if these sites are accessed using County equipment.

#### **Employee Acknowledgment:**

Williamson County employees who access, create, transmit, or maintain County owned electronic data agree to:

1. Protect County confidential data, facilities, and systems against unauthorized disclosure and/or use;
2. Maintain all computer access codes in the strictest of confidence; immediately change them if the employee suspects their secrecy has been compromised;
3. Report activity that is contrary to the provisions of acceptable use to the responsible official/department director or IT;
4. Be accountable for all transactions performed using the employee's passwords;
5. Not disclose any confidential information other than to persons authorized to access such information;
6. Report to IT any suspicious network activity or security breach;
7. Complete annual security training as instructed by IT;
8. Return all assets unlocked to the responsible official or department director, including provision of any passwords, if requested; and

9. Acknowledge that I am the custodian and record keeper for all my emails and electronic communication and that I am responsible for maintaining any records that are considered public records.

Willful disregard of this policy will result in loss of access and disciplinary action, up to and including termination, and any other appropriate legal action, including, as applicable, possible criminal prosecution pursuant to applicable laws. The aforementioned policies are meant to be guidelines and are not inclusive of every policy that would govern the use of County provided technology and equipment. Use of such equipment or technology has been approved for conducting official County business only.

## **Personal Use of Social Media by Williamson County Employees**

Williamson County recognizes that many employees engage in the use of social media and social networking in their personal lives. Because the lines between public and private, personal and professional are blurred in online social networks, an employee's personal use of social media may reflect on Williamson County, regardless of whether that was the intent of the employee. A personal social media account, while an appropriate place to share personal opinions, is not a place to present an individual opinion as an official agency view. Be mindful that despite all privacy controls, whatever you publish can be seen by many different people, including your supervisors, coworkers, and customers.

An employee's use and comments made on social media sites are subject to First Amendment protections when speaking on matters of public concern. However, those protections are not absolute. For example, the First Amendment does not generally protect communication about matters that are not of public concern or communication that is defamatory, threatening, or malicious. County employees are prohibited from using social media in a manner that violates applicable state, federal, or local laws or regulations. Personal social media may not be used in a manner that violates the policies of Williamson County or the employee's department or office, including but not limited to the County harassment (2.02) and discrimination (2.01, 2.03) policies or any applicable confidentiality policy, ethics rules, and/or code of conduct adopted by the employee's department director or responsible elected official. Williamson County is required to engage with the public we serve in a nondiscriminatory manner, and social media posts that undermine the public trust in an employee's ability to do so may be grounds for appropriate action.

Employees' personal use should not be attributable to the County or any department thereof or to the employee's job function. Any personal use must be conducted in such a manner that a reader would not think that the employee is speaking for or on behalf of the County. Identification of the County as your employer and/or the use of a County email address, job title, official County seal or logo shall be deemed an attempt to represent the County in an official capacity and any information you post will be held to a higher level of scrutiny.

Any County information or information about a fellow employee that is considered confidential shall not be released on any social media account. Employees should not use County equipment or sites for private use of social media, as further addressed in the County's personnel policy regarding Use of County Equipment and Technology.

Violation of this policy may result in disciplinary action, up to and including termination.

\*Reference IT Policy 1.1 Social Media Policy for Williamson County Departments and Offices

## **Addendum A**

### **Military Reservists' Leave Compensation Procedures**

Williamson County Employees who serve our country or state as members of any reserve component of the armed forces of the United States, including members of the Tennessee army and air national guard are eligible for up to 20 working days of compensation each calendar year for time spent in military service or training. The employee will receive a full day of pay for each normally scheduled work day missed for military service or training. The employee will not be eligible for compensation for service or training that occurs on days when he/she is not scheduled to work. Though employees will be granted unpaid leave for time spent in traveling to or from a distant duty assignment, they must use available vacation time if they wish to be compensated for travel time. Note: The use of vacation time for compensation during military leave is optional for the employee and cannot be required by the employer. Nor can the employer require an employee to change his/her regular work schedule to accommodate military leave.

After the employee has received the 20 working days of compensation, he/she may use up to 5 days of available sick leave in lieu of non-compensated leave for additional military duties or training, following the same procedures as stated above.

Should a county recognized paid holiday occur during the time an employee is receiving the 20 days of compensation or the 5 days of sick leave, the holiday pay will be substituted for a day of military pay.

Employees should provide a copy of military orders that adequately documents that the time spent away from work is for the purpose of military service or training. Military orders or drill schedules are subject to change. If a conflict occurs between a day of training and the documentation supporting it, allow the employee time to resolve the conflict. If the employee participated in training, we cannot refuse to pay them. Contact Human Resources prior to making the determination not to pay an employee for his/her military leave.

The purpose of the state and county's policies on military leave compensation is to show our appreciation and support for those employees who have freely chosen to serve our country and state in the Armed Services. Managers should, at all times, refrain from criticizing or complaining about the work place hardships due to their absence for military service or training.

## **Addendum B**

### **Family & Medical Leave Spousal Totals**

Spouses who work for the same employer share a total of 16 workweeks of FMLA leave (per Tennessee Maternity/Paternity Law) per leave year for:

- The birth of a child,
- Placement of a child with the employee for adoption or foster care, or
- Care for a parent with a serious health condition.

Spouses who work for the same employer also share a total of 26 workweeks for FMLA to care for a military family member with a serious injury or illness.

Spouses who work for the same employer may each use a total of 12 workweeks of FMLA leave in a leave year for:

- Their own serious health condition,
- To care for a spouse or child with a serious health condition, or
- Due to qualifying exigency.

## ACKNOWLEDGMENT

By signing this form, I acknowledge that I have received access to an electronic version of the personnel policies currently in effect for my department as of this date, including policies **2.01 Discrimination, 2.02 Harassment, 6.01 Overtime and 4.06 Family Medical Leave**. I also acknowledge that I have received access to an electronic version of T.C.A. § 39-16-504, which is attached to Policy **7.02 Policy/Rule Violation or Misconduct, 7.03 Use of County Equipment and Technology and 7.04 Personal Use of Social Media by Williamson County Employees**. I understand that it is my responsibility to read and comply with these and all of the policies contained in this manual. I further understand that I should consult my department head regarding any part of the personnel policies that I do not understand or any questions I may have about my employment with Williamson County which are not answered in these policies. The current policies will always be on file in the office of the Williamson County Clerk, and I may examine them there at any time during normal business hours.

These policies cannot and are not intended to answer every question about my employment with Williamson County. I understand that the policies are subject to change, and I acknowledge that revisions may occur from time to time. I understand that all changes to the policies will be filed in the office of the Williamson County Clerk. Although my employer will usually provide me with notice of changes, I understand that changes will apply to me regardless of whether I receive actual notice. I understand that revised information may supersede, modify or eliminate any or all of the policies at any time. All information contained in the policies is subject to applicable state and federal laws, rules and regulations, and I understand that to the extent that any such laws may conflict with any provision of the policies, such laws, rules and regulations will control.

I have entered into my employment relationship with Williamson County voluntarily, and I acknowledge that there is no specific length of employment and that my employment may be terminated by me or by my employer at will, without cause or prior notice, at any time.

I acknowledge that none of the County's policies may be construed to create a contract of employment or any other legal obligation, express or implied, and that any policy may be amended, revised, supplemented, rescinded or otherwise altered, in whole or in part, at any time, in the sole and absolute discretion of Williamson County.

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Employee Name (type or print)

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Employee Signature

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Date