

NESHOPA COUNTY, MISSISSIPPI

PERSONNEL POLICIES AND PROCEDURES



Prepared by

**Neshoba County Board of Supervisors
401 Beacon Street, Suite 201
Philadelphia, Mississippi 39350**

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VERY IMPORTANT NOTICE:

NOTHING IN THIS HANDBOOK IS INTENDED AS A CONTRACT FOR EMPLOYMENT OR IS INTENDED TO CREATE THE IMPRESSION THAT YOU ARE A CONTRACT EMPLOYEE. ALL RECIPIENTS OF THIS EMPLOYEE HANDBOOK ARE AT-WILL EMPLOYEES OF NESHOPA COUNTY. THAT MEANS YOU OR NESHOPA COUNTY MAY TERMINATE YOUR EMPLOYMENT WITH NESHOPA COUNTY AT ANY TIME.

I. DEFINITIONS

The words and terms used in this section, to the extent that they are used in this manual and elsewhere in documents relating to personnel procedures, shall have, unless the content otherwise requires, the following meaning:

APPLICANT: A person who is seeking employment with Neshoba County.

CERTIFICATION: The act of certifying; **CERTIFY;** to attest authoritatively or to verify.

COMPENSATION: The remuneration of a position, including salary, wage, insurance, uniform allowance, food, maintenance, and commutation when the same is furnished.

COUNTY: Neshoba County, Mississippi.

DAY OFF: An increment of time during the work week upon which an employee has not been scheduled to work.

DEPARTMENT: A major subdivision of the Administration of the County.

DEPARTMENT HEAD: The elected or appointed official primarily responsible for the direction and operation of a major department of the County and who reports directly to the County Administrator and the Board of Supervisors.

DISABILITY: Incapacity to perform regular work duties as advised in writing by a health care provider or as determined by a department head or the Board of Supervisors.

DISCIPLINARY ACTION: Demotion, written reprimand, suspension with pay, suspension without pay, termination for cause, termination at will, or any combination.

DIVISION: A functional unit of a department.

FULL TIME: An employee who is serving in a job for which there has been scheduled or established forty (40) or more work hours per week and has worked for the County for a continuous period in excess of six (6) months and the Board of Supervisors has approved the employee's performance at the end of or at a point after the initial six (6) month probationary period by order of the Board of Supervisors. This does not however mean the employee is not an at-will employee.

HOLIDAY: A holiday that is observed by the County and any other day so designated.

INDIVIDUAL BASE RATE: Rate per hour or the rate per month which is paid an employee for work in his or her individual base job. Individual's base rate does not include overtime.

PERMANENT EMPLOYEE: An employee who has successfully completed his or her probationary period as specified upon original appointment and the Board of Supervisors

has approved said employee's performance at the end of or at a point after the initial six (6) month probationary period. This does not however mean the employee is not an at-will employee.

PROBATIONARY PERIOD: A period of time allotted at the beginning of one's employment where there are not designated permanent employees and, unless specified when hired, said time shall be for a period of six (6) months.

RESIGNATION: When any employee has voluntarily withdrawn from the County service. Resignation does not reflect discredit upon an employee, provided adequate notice has been given.

SCHEDULED WORK DAY: A day during the work week upon which an employee has been scheduled to work, whether said work day is an eight (8) hour work day or ten (10) hour work day.

SICK TIME: Time given or allowed to an employee in an increment of an hour or work day as earned or designated by the County for the benefit of the employee for illness.

SUSPENSION: When an employee is temporarily forbidden to serve in his job. A suspended employee shall not enjoy the pay he or she normally received for services rendered.

TERMINATION: The discharge of an employee from employment with Neshoba County.

WORK DAY: The hours, during any twenty-four consecutive hours, upon which scheduled working hours may be established, i.e. a five (5) day-a-week work schedule may call for eight (8) hours work a day or a four (4) day-a-week work schedule may call for nine (9) hours work a day.

WORK PERIOD: The recurring unit of time in which work hours are counted for overtime pay purposes, vacation time and sick time.

WORK WEEK: The days during any seven consecutive days, upon which scheduled working hours may be established.

VACATION TIME: Time given or allowed to an employee in an increment of an hour or work day as earned or designated by the County for the benefit of the employee for vacation time or leisure.

II. INTRODUCTION

Neshoba County has prepared this Handbook to inform you about the County's policies and to summarize the benefits that are available to you. Please read your Handbook and familiarize yourself with the information it contains. Then refer to it whenever you have a question. If you have a question that is not answered by the Handbook, ask your department head or the County Administrator.

As a County employee, the general public is your ultimate "boss". Your contacts with individual citizens will often be the only basis on which they judge the whole County government. It is important that you make the best possible impression at all times. Each job with the County is an essential part of the overall operation of the government. When you begin work in a county department, everyone in the County is relying on you to give honest, efficient and courteous service.

[Nothing contained in the Handbook is to be construed as a guarantee of continued employment. Again, you are an at-will employee that may be terminated without cause] The County administration reserves the right to amend, modify, or cancel this Handbook as well as any or all of the various policies, rules, procedures, and programs outlined within it. Whenever the masculine gender (he, him, his) is used, it also refers to the feminine gender (she, her, hers).

These policies and procedures apply to all County employees with the exception of employees of the Neshoba County Sheriff's Department, both of which have adopted personnel policies of their respective departments.

III. EMPLOYMENT

Positions Covered

_____ These rules and amendments when approved by the Board of Supervisors shall be applicable to all positions in all departments of the County.

Probationary Period

_____ All regular, full-time employees will be placed on probation for the first six (6) months of employment. **Temporary, part-time and casual employees shall remain in probationary status during the entire period of employment.** During the probationary period, the department head should meet every thirty (30) days with the employee to review the employee's job performance and the department head's expectations. At the end of the six month period, the department head shall evaluate the employee's fitness and ability to perform the duties of the position. The department head shall their recommendation to the employee and shall place a copy of such notice in the permanent record of the employee, and it shall constitute the first evaluation of the employee.

Upon satisfactory completion of the probationary period and approval by the Board

of Supervisors, all privileges of a regular employee shall be vested in the employee. Acceptance of employment is expressly conditioned on this understanding. During the six (6) month probation period, the employee shall be eligible for health insurance benefits, but not the other benefits available to regular, full-time employees such as vacation or sick leave.

Orientation

_____ Orientation and training programs are conducted to familiarize new employees with the County or present employees with new programs or procedures. As part of orientation, a County representative explains the employee's position and salary and the County's benefits and personnel policies. The employee is given a copy of the Employee Handbook and is given an opportunity to ask any question that he may have.

Administration

_____ These rules and procedures shall be administered by the County Administrator with the approval of the Board of Supervisors.

Non-Discrimination Policy

It is the policy of the County to provide equal opportunity in employment to all employees and applicants for employment. There will be no discrimination against any employee because of race, creed, color, religion, national origin, sex, age, veteran status, or disability. If at anytime you feel that you or someone else or the public is being discriminated against or is being targeted for discrimination, you must report the discrimination or potential discrimination to both your Department Head and the County Administrator. If no remedial action is taken, you must then report the discrimination or potential discrimination to the Board of Supervisors. Any act in unison with one who discriminates shall also be considered discrimination.

Policy Against Sexual Harassment

_____ Unwelcome sexual advances, request for sexual favors and other verbal or physical conduct of a sexual nature constitutes sexual harassment when: (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, (2) submission to a rejection of such conduct by an individual is used as the basis for employment decisions affecting such individuals, or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment. It is the policy of the County to maintain a work environment that is free from the hostile atmosphere created by sexual harassment or intimidation. Such conduct will not be tolerated. **If you believe you have been subjected to sexually harassing or intimidation conduct by any individual, including supervisory personnel, employed by the County, you should immediately report the incident to your department head or the County Administrator. If your department head is the County Administrator, you should**

report sexually harassing conduct to the County Administrator or the President of the Board of Supervisors. Such charges will be promptly investigated and if substantiated, the offending individual will be appropriately disciplined. To the extent possible, all persons involved in a complaint of sexual harassment will be given the utmost protection or privacy. Persons complaining of sexual harassment will also be protected from reprisals and retaliation by coworkers as a result of such complaints.

Policy Regarding Disabilities

_____The County will not discriminate against qualified applicants and employees on the basis of disability. The County will provide a reasonable accommodation to the known physical or mental limitation of a qualified applicant or employee with a disability unless the accommodation will impose an undue hardship on the County. If you become aware of a means to make a County program or facilities more accommodating to individuals with a handicap, you should immediately advise your Department Head or the County Administrator. Further, you as an employee shall not discriminate against any individual or group of individuals with a handicap.

Training Programs

_____The County has the discretion to require each employee to attend and successfully complete the training programs related to the employee's job. Each employee must attend all training programs at a time required by the County. Each employee for whom training is required by the County or Mississippi Law, must successfully complete the required training within the time limits prescribed or be subject to termination. Each employee who is required to maintain a certification for his job must maintain the certification or be subject to termination.

Your Job

_____It is our responsibility to see that your duties are clearly explained and that you understand the requirements of your job. This information generally will be provided by your supervisor. If at any time you are in doubt concerning your duties or supervision, you are expected to contact your supervisor or department head.

You have a unique overall job responsibility that may require you to perform various work assignments, depending on the needs of the County. Occasionally, you may not feel that these assignments fall within your job description; however, when these times occur, you will be expected to perform such duties as are assigned by your department head.

Hours of Work

Your hours of work will be fixed according to the needs of the County and may be changed as the workload requires and seasons affect work times.

Outside Employment

No employee may engage in employment which could cause a conflict of interest, or use his County employment for personal gain. Outside employment must not interfere with performance of duties for the County. Any outside employment must have prior approval of the Board of Supervisors. To apply for approval, you must submit a written request clearly describing the outside employment duties and hours to your department head who will send the request to the Board of Supervisors for their approval. Your first loyalty has to be to your duties with the County.

Attendance

_____ In order to operate the County efficiently, it is necessary to have a reliable work force. It is important to you, your fellow employees, and the County that you come to work regularly and on time. You are also expected to remain on the job during work time. If you wish to leave your job for any reason, you must first talk to your supervisor or department head.

The County recognizes that you may have to be absent from work occasionally. Therefore, disciplinary action will not be taken against you for a single absence if you give proper notice to your supervisor and you have a satisfactory reason for being absent. If you know you will have to be absent from work, you must get prior approval from your department head and take leave without pay or vacation time. Your department head may require you to submit a form requesting off. Although the County recognizes that you may have to be absent from work occasionally, excessive absences can result in disciplinary action, including termination.

Tardiness

If you are unavoidably delayed for more than thirty minutes in getting to work, you should call your department head and tell him when you expect to arrive. Naturally, all employees are expected to be punctual; however, there are times when circumstances will not permit a person to be on time. While allowances are made, an employee who is habitually late may be disciplined up to termination.

Drug and Alcohol Abuse

_____ It is the policy of the County that all County work-sites shall be Drug and Alcohol Free Workplaces. In furtherance of this policy, information about drug counseling, rehabilitation, and employee awareness programs is available through the County

Administrator. All employees must be in compliance with the Drug and Alcohol Policy of Neshoba County. Any employee who tests positive under the Drug and Alcohol Policy will be terminated immediately. Any employee who refuses to be tested as required by the policy will be terminated immediately. Further, repeated alcohol related offenses or charges occurring outside the employment with the County against an employee may result in his or her termination.

Discipline

_____ Whenever people are part of a large group, it is necessary to have certain standards of conduct to insure the safety and well-being of everyone. When it becomes necessary to enforce these standards of conduct, it will be the policy of the County to ensure fair treatment of all employees. Any employee who feels that discipline has been unfairly administered is encouraged to use the County's grievance procedure.

The following is a representation but is not an exclusive list of the kinds of misconduct that will result in dismissal. A violation of any one of the following rules will result in immediate termination.

1. Carrying or bringing weapons on County property or in County vehicles without proper authorization. This does not apply to the authorized carrying of weapons by law enforcement personnel.
2. The use, possession or sale of intoxicating beverages, marijuana, or hallucinogenic drugs on duty or working under the influence of any of these substances.
3. Violation of the County Drug and Alcohol Policy, including any employee who tests positive and/or any employee who refuses to be tested as required by said Policy.
4. Stealing, embezzlement, dishonesty, falsification of records or willful misrepresentation of facts.
5. Fighting and physical violence or disturbance on County property or at any place at which work is being performed by or for the County.
6. Destruction, abuse, removal or attempted removal of property or materials of the County or of another employee.
7. Insubordination, including, but not limited to, refusal to follow directives of immediate supervisor or department head.
8. Falsifying an employee's timecard or punching another employee's timecard.

9. Absence from work for two consecutive days without notifying your department head or supervisor and/or failure to provide a doctor's certificate as required.
10. Acceptance or many or other valuable consideration given with the intent of influencing an employee in the performance of his official duties.
11. Conviction under any State or Federal felony or misdemeanor statute.
12. An additional violations of any County rule or policy after receipt of two (2) pervious written warnings within the preceding thirty-six (36) months.

Violation of any of the following offense shall result in discipline which may take the form of written warning, a written warning and a suspension without pay for up to five (5) days, or termination. These offenses include, but are not limited to:

1. Unacceptable job performance.
2. Failure to call in or report an absence to your supervisor on the day the absence begins.
3. Excessive tardiness.
4. Excessive absenteeism.
5. Violation of, or refusal to comply with, an established law or regulation when such conduct impairs the effectiveness of the County or brings it into public disrepute.
6. Improper use of a position or of authority for personal gain or advantage.
7. Discourtesy, improper conduct or abusive language to the public or another employee.
8. Failure to punch a timecard.
9. Failure to report for work or leaving work without a satisfactory reason.
10. Willful and negligent violation of safety rules.
11. Failure to follow the chain of command.
12. Conviction under any State or Federal felony or misdemeanor statute.
13. Volations of any County rule or policy after receipt of two (2) pervious written warnings within the preceding thirty-six (36) months

When discipline is necessary, the department head will attempt to follow the following procedure:

1. The department head and another supervisory employee will meet privately with the employee to discuss any disciplinary action to be taken and the reasons for the action. Unless terminated, the employee will be told what action will be considered if another violation occurs.
2. The department head will prepare a record of the meeting which can take the form of a warning notice which summarizes the disciplinary action taken or to be taken.
3. The department head will review the warning memo with the employee. The employee will be offered a copy of the warning memo and an opportunity to sign it. Failure to offer the employee a copy of the warning for signing or refusal of the employee signing the warning will not negate the action(s) or omission(s) of the employee or its consequences. The original will be placed in the employee's personnel file.
- 4.

Grievances and Disciplinary Actions

Occasionally, problems may arise that you cannot solve alone. The county has a system for handling these problems, complaints, grievances, reprimands, and/or dismissals. If you have a problem, complaint, reprimand, or have been dismissed, you should follow this procedure:

1. Within three (3) days of the grievance or disciplinary action, arrange a private meeting with your department head to try to resolve the problem.
2. If the problem is not resolved (no agreement reached) you and the department head will arrange a meeting within three (3) days with the County Administrator to attempt to resolve the problem.
3. If the problem is not resolved, you may, within fifteen (15) days of the meeting with the County Administrator, request a meeting with the Board of Supervisors. This request should be made to the County Administrator. The hearing will be placed on the agenda for the next scheduled Board meeting as long as you give at least 72 hours notice prior to the next Board meeting. Otherwise, a hearing will be put on the agenda for the next following Board meeting. The Board will inform you of its decision as soon as possible, but in no event, more than thirty (30) days after the hearing. All grievance and disciplinary action meetings will be informal in nature; however, the hearing before the Board will be formal and the employee may be represented by an attorney or other representative. The cost of representation, if any, will be paid by the employee.

Layoff

The department head with prior approval of the Board of Supervisors may lay off an employee due to a shortage of funds or work, the abolition of the position, or for other reason which are outside the employee's control and that do not reflect discredit upon the employee. An employee who is laid off will be given two weeks' advance notice, if possible.

Inability to Work Due to Illness/Injury

_____ It is Neshoba County's duty to see that its employees are able to perform the jobs to meet the County's needs. A person who is ill or injured may not be allowed to return to work after illness or injury, if he or she has not received full medical recovery after injury or illness. If such situation occurs, the employee may be required to remain absent from his or her job at his or her own expense, until such medical release or recovery occurs. If the employee then returns to work and the department head determines that the employee cannot complete the tasks performed prior to the illness or injury, the department head may recommend the termination of the employee. Neshoba County cannot encounter undue hardship by allowing employees to return to work who are unable to perform a job beneficial to the County.

Resignations

_____ In the event that it becomes necessary for you to leave your employment with the County, a minimum of two weeks' notice should be given in writing so that proper arrangements can be made in work schedules. All issued equipment must be turned in to your supervisor prior to the issuance of your last payroll check.

General County Organization

Department Heads - The County Administrator, the County Road Manager and the Emergency Management Director are appointed by and serve at will and pleasure of the Board of Supervisors.

_____ The Administrative Department is headed by the County Administrator and includes the Comptroller, Purchase Clerk and Assistants, Receiving Clerks, Payroll and Personnel Clerks, Bookkeepers and Assistant Bookkeepers, Inventory Clerks and other personnel employed in the making of claims made on county funds. The Purchasing Department is a sub department of the Administrative Department, and the Purchase Clerk is the director thereof.

_____ The Building Maintenance Department is headed by the County Administrator and includes all janitors, custodians, watchmen, caretakers and maintenance works at the Courthouse and other county owned buildings, with the exception of the Jail.

The Justice Court Department is headed by the Justice Court Clerk and includes the Justice Court Clerk, all deputies and other employees.

The County Road Department is headed by the County Road Manager and includes the chief mechanic, his assistants, shop foreman, equipment operators, truck drivers, road hands and all other personnel paid from the County Road and Bridge Fund (except the Purchase Clerk and Assistants who are included in the Administrative Department).

The Sanitation Department is headed by the County Road Manager and includes the sanitation hands, landfill operators, and workers.

The Sheriff Department is headed by the Sheriff and includes all law enforcement deputies and personnel, all jailers, office deputies, clerks and operators, and cooks or custodians for the jail.

The Tax Assessor/Collector Department is headed by the Tax Assessor/Collector and includes all deputy tax assessors and deputy tax collectors.

The Circuit Clerk Department is headed by the Circuit Clerk and includes all deputy circuit clerks who are paid directly by county warrant.

The Chancery Clerk Department is headed by the Chancery Clerk and includes all deputy chancery clerks who are paid directly by county warrant.

The Miscellaneous Department in which the regular head of the department has the power to employ and terminate part time personnel to perform specific work during a specific time, such as the Commodity Distribution Department headed by the County Welfare Director, which includes the commodity distribution workers.

The Emergency Management Department is headed by the Emergency Management Director and includes all secretaries and radio dispatchers.

The Neshoba County Coliseum is headed by the Coliseum Director and includes all coliseum staff.

The Veteran Service Office is headed by the Veteran's Service Officer and includes all assistants and secretaries.

If necessary in the opinion of the department head, a position in any of the above departments may be filled by the department head temporarily until the next meeting of the Board of Supervisors, when approval can be sought.

IV. BENEFITS

Employee Benefits

_____ As a full-time employee, you are entitled to certain fringe benefits that are intended to provide security and peace of mind to you and your family during your employment. Part-time, temporary and probationary employees will not be entitled to any benefits except as specifically granted in the Handbook. Part-time employees are employees who are scheduled to work not more than twenty (20) hours each week. Temporary employees are employees who employment is not expected to last more than six (6) months. Probationary employees are full-time employees who have not completed six (6) months of continuous employment with the County or have not been designated as full-time, non-probationary employees by the Board of Supervisors.

Holidays

_____ The County recognizes the following holidays as paid leave, unless directed or determined otherwise by state law or executive order of the Governor:

1. New Year's Day (January 1)
2. Robert E. Lee/Martin Luther King's Birthdays (Third Monday in January)
3. George Washington's Birthday (Third Monday in February)
4. Confederate Memorial Day (Last Monday in April)
5. National Memorial Day and Jefferson Davis' Birthday (Last Monday in May)
6. Independence Day (July 4)
7. Thursday of the Neshoba County Fair
8. Labor Day (First Monday in September)
9. Veteran's Day (November 11)
10. Thanksgiving Day (Last Thursday in November)
11. Christmas Day (December 25)

In addition to these holidays, the County may recognize any other holidays proclaimed as such by the Governor of Mississippi. In the event any of these holidays falls on a Saturday, the holidays will be celebrated on the Friday before unless otherwise specified by the Board of Supervisors. In the event any of these holidays falls on Sunday, the holiday will be celebrated on the following Monday unless otherwise specified by the Board of Supervisors.

An employee who is required to work on a day designated as a paid holiday by the County or whose regular work day off falls on a day designated as a paid holiday by the County will receive eight (8) hours of pay if that employee's department is on a five (5) day-a-week work schedule or will receive ten (10) hours of pay if that employee's department is on a four (4) day-a-week work schedule. To receive pay for an observed holiday, an employee must not have been absent without approved leave either on the work day before or after the holiday.

Vacation Leave

When formulating vacation leave as set forth below, the employee shall be cognizant of his or her work schedule. Meaning if the employee is on a ten (10) hour-a-day work day/four (4) day-a-week work week, a full day of vacation leave will constitute 10 hours or one and one-quarter (1 1/4) days and will be calculated as such; however, if the County is in an eight (8) work-hour days/ five (5) day work-week periods, a full day shall be calculated in an eight (8) hour increment.

The county provides paid vacations as a benefit for all eligible employees for the purposes of rest and relaxation. All full-time County employees will accrue paid vacation at the rate of five (5) days or forty (40) hours after the first year of continuous employment, regardless of the work schedule of the employee. The employee who leaves the employment of the County prior to one (1) year will not accrue any vacation leave and no payment will be due for accrued leave.

On all full-time employees' second anniversary date of continuous service, the employee will accrue five (5) days or forty (40) hours of vacation leave, regardless of work schedule. Any employee who leaves the employment of the County prior to the second anniversary date will not accrue any vacation leave for the second year. The only payment to be made to and not taken for the first year only.

On all full-time employees' third anniversary date and throughout the employees' employment period, the employee will accrue ten (10) days or eighty (80) days of vacation leave on the anniversary date of each year of employment, regardless of the work schedule of the employee.

A maximum of twenty (20) days or one hundred sixty (160) hours of vacation time can be accumulated and you will be paid for a maximum of twenty (20) or one hundred sixty (160) hours accumulated vacation days upon termination of employment.

Vacations must be scheduled in such a way as to provide for the normal operating efficiency of the department. Each employee must complete a vacation leave request form and submit it to his department head for approval and scheduling of work between January 1 and February 1. No employee shall be authorized vacation in excess of ten (10) consecutive working days if that employee's department is on a five (5) day-a-week work schedule and no employee shall be authorized vacation in excess of eight (8) consecutive working days if that employee's department is on a four (4) day-a-week work schedule. The department head may approve or disapprove the request taking into consideration special projects, heavy work loads, and department assignments. The date of hire will

control when a conflict arises concerning scheduling of specific date for vacation. Any employee who requests vacation of five (5) consecutive days or less must request the leave through his supervisor or department head at least two (2) working days prior to the requested beginning date. If the employee fails to request the vacation leave at least two (2) working days prior, the request will be denied.

Any vacation day authorized shall be for not less than one-half ($\frac{1}{2}$) day unless the employee, at the time the vacation time is sought, is scheduled to work a ten (10) hour-a-day work day/four (4) day-a-week work week.

Sick Leave

When formulating sick leave as set forth below, the employee shall be cognizant of his or her work schedule. Meaning if the employee is on a ten (10) hour-a-day work day/four (4) day-a-week work week, a day of vacation leave will constitute 10 hours or one and one-quarter (1 $\frac{1}{4}$) days and will be calculated as such.

Each full-time employee of the County is eligible to earn sick leave. The following policy will govern the amount of sick leave allowed except for leave governed by the Family and Medical Leave Act:

1. Sick leave will be granted when you are incapacitated from the performance of your duties by sickness, maternity, or injury, including injuries suffered on the job. Up to three (3) days of such leave also can be used when there is a death of a member of your immediate family. Immediate family includes your parent, grandparent, spouse, sibling, child, step-parent, step-child, grandchild, son or daughter-in-law, mother or father-in-law or brother or sister-in-law. Employees who are eligible for leave under the Family and Medical Leave Act shall be required to use all paid leave concurrently with the FMLA leave. After using all of your sick leave, you must then use all accrued vacation days prior to using available unpaid leave under the County's Family and Medical Leave policy.
2. Sick leave will be based on a forty hour (40) work week, and overtime will not be used to add extra time to accumulated sick leave. Sick leave will be accrued at the rate of five (5) days or forty (40) hours for each year of continuous service the employee has worked for the County. Sick leave will not accrue except on the employee's anniversary date. Any employee who leaves the employment of the County prior to one (1) year, will not accrue any sick leave. Any employee who leaves the County prior to the second anniversary date will not accrue any sick leave for the second year. The only payment to be made to the employee for accrued sick leave will be the amount accrued and not taken for the first year only. On all full-time employees' third anniversary date and throughout the employees' employment period, the employee will accrue five (5) days or forty (40) hours of sick leave on the anniversary date of each year of employment. An employee may be paid for not more than fifteen (15) days or one hundred twenty (120) hours of earned sick leave. Upon termination of employment,

all excess accumulated sick leave up to the limit allowed by law, will be credited toward the employee's state retirement fund.

3. Sick leave will not be allowed in advance of being earned. The payroll department must be notified in writing on the County's leave request form of any sick time lost of time lost for any reason.
4. To qualify for sick leave, you or someone acting for you must notify your department head within two (2) hours after your normal starting time on the day of the illness.
5. Employees absent due to illness for more than one (1) day will be required to have a doctor's excuse to verify the nature of the illness. If the employee fails to provide the required doctor's excuse, no payment will be made to the employee for the day or days missed.
6. You will be charged for sick leave in increments of not less than one (1) hour, regardless of the employee's work schedule.
7. Each department must keep accurate records of leave accumulated and used by the employees of the department. Departments will submit their information to the accounting department when payroll time sheets are turned in. For accounting purposes, the employee's anniversary date is the date of employment into a full-time position.
8. Abuse of sick days may result in disciplinary action.

Personal Leave

_____The County provides personal leave as a benefit for all eligible employees for the purposes of emergencies and the transaction of necessary person business. All full-time County employees will be granted three (3) days or twenty-four (24) hours per year personal leaves after the first year of continuous employment. However, when personal leave is taken it shall not be taken in an increment in less than half ($\frac{1}{2}$) a day, regardless of the employee's work schedule. Personal leave will not accrue and must be taken in the year it is earned. Any employee who leaves the employment of the County will not accrue any personal leave and no payment will be due for any personal leave earned but not taken, regardless of reason for termination of employment.

Personal leave must be taken one (1) day at a time and cannot be taken in conjunction with either sick leave and/or vacation leave.

Unused Leave Credited to Retirement

_____ For employees vested in the Public Employee Retirement System, all unused sick and vacation leave time (not personal leave) may be accredited toward time-earned for calculating state retirement benefits.

Insurance

_____ As a full-time employee of the County, you will be enrolled in the County's group medical and life insurance program. If you qualify, you become eligible on the first day of the month after you are hired. The County pays an established portion of the premium for the eligible employee, while the employee may have to pay the other designated portion of the premium. The amount of the premium paid by the employee is subject to change, just as the amount paid by the County is subject to change.

If group coverage for you and your dependents is due to end because you leave the employment of the County, you may be allowed to continue in the plan for eighteen (18) months through COBRA. You may be required to pay up to 102% of the cost of coverage.

Other benefits, such as life, cancer, and accidental death, and dependent medical coverage are available. The County does not pay any portion of the cost of these benefits. Instead, the cost of these benefits are born entirely upon the employee.

Retirement

_____ Eligible employees who select County employment as a career can look forward to retirement benefits through the state employees' retirement system-PERS. Participation in the retirement system is mandatory for all full-time employees and for part-time employees working no less than 20 hours per week. You must contribute a portion of your salary and the County also will contribute to the retirement system on your behalf. These benefits, plus those from Social Security, are designed to provide a measure of security at retirement. If you should quit your job with the County before you retire, the money you paid into the system, plus interest, will be refunded to you when you submit proper forms to the state retirement system. However, contributions can be left in the system, under certain circumstances. Your participation in the retirement system is also determined by laws, regulations, and standards set forth by the Mississippi Legislature and PERS. For further information, please contact the County Administrator or PERS.

Workers' Compensation

_____ All County employees are covered by Workers' Compensation which compensates you for all injuries suffered on the job. You should immediately report all job-related injuries, no matter how minor, to your supervisor or department head or County Administrator. Abuse of this benefit may result in your termination.

As soon as possible after an on-the-job injury, the injured employee and his immediate supervisor must complete a Report of the Personal Injury and forward the completed report to the County Administrator for review and recording. You will be compensated according to state law.

Unemployment Compensation

_____ Unemployment compensation is an employee benefit paid by the County.

Donation of Personal Leave or Major Medical Leave to Another Employee

_____ Any employee may donate a portion of his or her earned personal leave or major medical leave to another employee who is suffering from a catastrophic injury or illness, as defined herein or to another employee who has a member of his or her immediate family who is suffering from a catastrophic injury or illness, in accordance with the following statutory requirements:

1. The employee donating the leave (the “donor employee”) shall designate the employee who is to receive the leave (the “recipient employee”) and the amount of earned personal leave and major medical leave that is to be donated, and shall notify the donor employee’s appointing authority or supervisor of his or her designation. The donor employee’s appointing authority or supervisor then shall notify the recipient employee’s appointing authority or supervisor of the amount of leave that has been donated by the donor employee to the recipient employee.
2. The maximum amount of earned personal leave that an employee may donate to any other employee may not exceed a number of days that would leave the donor employee with fewer than seven (7) days of personal leave left, and the maximum amount of earned major medical leave that an employee may donate to any other employee may not exceed fifty percent (50%) of the earned major medical leave of the donor employee. All donated leave shall be in increments of not less than twenty-four (24) hours.
3. An employee must have exhausted all of his or her earned personal leave and major medical leave before he or she will be eligible to receive any leave donated by another employee.
4. Before an employee may receive donated leave, he or she must provide his or her appointing authority or supervisor with a physician’s statement that states the beginning date of the catastrophic injury or illness, a description of the injury or illness, and a prognosis for recovery and the anticipated date that the recipient employee will be able to return to work.

5. If an employee is aggrieved by the decision of his or her appointing authority that the employee is not eligible to receive donated leave because the injury or illness of the employee or member of the employee's immediate family is not, in the appointing authority's determination, a catastrophic injury or illness, the employee may appeal the decision to the employee appeals board.
6. The maximum period of time that an employee may use donated leave without resuming work at his or her place of employment is ninety (90) days, which commences on the first day that the recipient employee uses donated leave. Donated leave that is not used because a recipient employee has used the maximum amount of donated leave authorized under this paragraph shall be returned to the donor employees in the manner provided under paragraph (7) of this subsection.
7. If the total amount of leave that is donated to any employee is not used by the recipient employee, the donated leave shall be returned to the donor employees on a pro rata basis, based on the ratio of the number of days of leave donated by each donor employee to the total number of days of leave donated by all donor employees.
8. The failure of any appointing authority or supervisor of any employee to properly deduct an employee's donation of leave to another employee from the donor employee's earned personal leave or major medical leave shall constitute just cause for the dismissal or punishment of the appointing authority or supervisor.
9. No person through the use of coercion, threats or intimidation shall require or attempt to require any employee to donate his or her leave to another employee. Any person who alleges a violation of this paragraph shall report the violation to the executive head of the agency by whom he or she is employed or, if the alleged violator is the executive head of the agency, then the employee shall report the violation to the State Personnel Board. Any person found to have violated this paragraph shall be subject to removal from office or termination of employment.
10. No employee can donate leave after tendering notice of separation of any reason or after termination.
11. In order for an employee to be eligible to receive donated leave, the employee must:
 - (a) Have been employed for a total of at least twelve (12) months by the employer on the date on which the leave is donated; and

- (b) Have been employed for at least one thousand two hundred fifty (1,250) hours of service with such employer during the previous twelve-month period from the date on which the leave is donated.
- 12. Donated leave shall not be used in lieu of disability retirement.
- 13. For the purposes of this subsection, “immediate family” means spouse, parent, stepparent, sibling, child or stepchild.
- 14. “Catastrophic injury or illness” within this subsection means a life-threatening injury or illness of an employee or a member of an employee’s immediate family which totally incapacitates the employee from work, as verified by a licensed physician, and forces the employee to exhaust all leave time earned by that employee, resulting in the loss of compensation from the state for the employee. Conditions that are short-term in nature, including, but not limited to, common illnesses such as influenza and the measles, and common injuries, are not catastrophic. Chronic illnesses or injuries, such as cancer or major surgery, which result in intermittent absences from work and which are long-term in nature and require long recuperation periods may be considered catastrophic.

V. PAY PRACTICES

Pay Raises

_____The County makes every attempt to give fair pay raises to employees.

Pay Day

_____All employees are paid every two (2) weeks.

Time Records

_____Each employee who is required to punch a time card, must punch only his or her card, according to established procedure, whereby all hours worked are accurately reported. Each employee will initial the Payroll Time Sheet acknowledging his or her information is correct before it is turned into the Payroll Department by the Department Head. No payment will be made to any employee without a time card and initialed payroll time sheet.

Overtime

_____All employees of the County are urged to make every effort to schedule work during regular hours to avoid working overtime. When overtime work cannot be avoided, every attempt will be made to fairly distribute overtime work among eligible employees. All overtime must be approved in advance by the department head.

Compensatory Time

 No employee may receive compensatory time off for hours worked in excess of forty (40) hours. Any authorized overtime must be submitted for payment at the end of the payroll period in which the overtime was earned. No payment for overtime will be made unless the overtime was authorized in advance by the supervisor.

Payroll Deductions

 The County is required by law to make the following deductions from your payroll check:

1. Federal withholding tax;
2. State withholding tax;
3. Social Security tax (FICA);
4. Garnishments and child support;
5. State retirement; and
6. Federal or State garnishments

VI. LEAVES OF ABSENCE

Family and Medical Leave

 In accordance with the leave rights provided by the Family and Medical Leave Act (“FMLA”), the County provides for up to twelve (12) weeks of unpaid medical or parental leave per year to eligible employees. “Eligible Employees” are those who have been employed by the County for at least twelve (12) months and have worked at least 1250 hours during the twelve (12) month period preceding their request for FMLA leave.

(a) Medical Leave

Eligible employees may take FMLA leave to care for their spouse, son, daughter, or parent who has a serious medical condition. Similarly, an employee may take leave because of a serious health condition that makes the employee unable to perform the functions of his/her position.

Employees must give thirty (30) days advance notice of the need for such leave except in emergencies and such notice should then be given as soon practicable. Employees taking leave under this policy may be required to provide appropriate medical certification of their need for such leave.

(b) Parental Leave

An eligible employee may take FMLA leave because of the birth, adoption, or placement for foster care of a son or daughter.

This leave must be taken within twelve (12) months of the child's birth, adoption, or placement for foster care. Employees must give at least thirty (30) days advance notice of the need for such leave except in emergencies and such notice should then be given as soon as practicable.

Employees may request paid leave, to the extent it is available, for all or part of the unpaid medical or parental FMLA leave. It is the County's policy that any employee requesting unpaid FMLA leave must use any other accrued paid leave available under the County's leave policies (i.e., vacation, sick days, sick leave, etc.). Similarly, any employee requesting leave under any of the County's other leave policies will be required to use FMLA leave if they qualify for such leave. Stacking of FMLA leave with leave available under other policies is not permitted.

Employees must make arrangements with the County Administrator in advance of any FMLA leave with respect to the employee's job benefits and their obligations to keep benefits and insurance in force.

FMLA leave may be taken intermittently or on a reduced leave schedule when medically necessary to care for a seriously ill family member or when the employee is seriously ill and unable to work. Appropriate and sufficient medical certification must be provided to the County before such leave may be taken. The County reserves the right to transfer employees taking intermittent leave or working a reduced leave schedule to alternative position.

Any request for FMLA leave must be made in writing to the department head and must be approved by the Board of Supervisors. Employees will be required to support any request for FMLA medical leave with appropriate medical certification from an authorized health care provider. Employees on leave may also be required to report from time to time on the status of their leave and their intent to work.

Employees must provide appropriate medical authorization or fitness-for-duty certificates prior to their return to work. Upon an employee's timely return to work from FMLA leave, the employee will be returned to their former job or an equivalent job.

FMLA leave is not available to all employees; therefore, check with the County Administrator if you wish to utilize this leave to see if you are eligible. The County Administrator can provide additional information regarding the Family and Medical Leave Act.

Death in Family

_____ Up to three (3) working days per occurrence may be granted for death of a member of an employee's immediate family that requires the employee's personal care and attention. This will be treated as vacation leave, personal leave or donated leave if said leave has not been exhausted or this will be treated as unpaid leave. Immediate family is defined to mean the following: wife, husband, mother, father, son, daughter, brother, sister, half-brother, half-sister, step-mother, step-father, grandmother, grandfather, grandson, granddaughter, mother-in-law, father-in-law.

Civic Leave

_____ You will be granted civic leave if you are summoned for jury duty, or subpoenaed to attend Court as a witness. You will be paid the difference between jury pay for each day of jury duty and your regular, non-overtime, pay. You must submit a copy of any summons or subpoena to your department head. When you return to work, you must provide a statement of attendance and the amount paid by the Court from the Clerk of Court. If you are released from the jury duty four (4) hours or more before the end of your shift, you must report to work within one (1) hour after being released by the Court. Time spent on civic leave will not be counted as hours worked for the purpose of computing overtime pay.

Military Leave

To the extent provided by law, an employee will be granted a leave of absence for up to five (5) years in the military. You will receive unpaid military leave to participate in regularly scheduled training activities at any of the reserve branches of the military service. All other military leave will also be unpaid. Employees, whenever possible, are required to give notice that they intend to take military leave. Normally, intermittent leaves of absence for military service will be counted cumulative when determining whether the allowable five (5) years of available leave has been exhausted.

Upon return from leave, employees are required to give notice of their intent to return and may be required to submit applications. To the extent provided by law, employees will be promptly re-employed in the position they would have (with reasonable certainty) held had they remained on the job. In certain circumstances, an employee may be placed in a job with similar regard to pay, skill, and seniority to the one he held prior to his leave.

VII. PERSONAL CONDUCT

Outside Conduct

_____ Your actions outside your employment with Neshoba County may adversely impact your ability to perform your job. Therefore, actions that occur while not on the county time or while furthering a county purpose, may hinder your ability to work for Neshoba County and result in your termination, suspension or demotion or a pay reduction.

Courtesy and Decorum

_____ You are the representative of the County in all of your dealings with the public. You

should conduct yourself as such and should endeavor at all times to convey a favorable impression to the public through your dealings with them. If a controversy or disagreement should arise with a member of the public, you should refer the matter to your supervisor immediately.

Political Activity

_____The County believes all employees have a civic duty to cast their votes for candidates and issues as they chose. You also should have the right to support candidates and issues with your personal efforts and volunteer contributions. However, no such activity will be conducted during working hours, nor at the expense of the County. Employees cannot use County equipment, be in a County uniform or be on County time while engaging in such activity. Employees will not be subjected to coercion, intimidation, or threat or reprisal because of their political activities.

No employment decision will be made in return for the promise or receipt of any personal benefit by a County official or employee. An employee, also, cannot use his official authority to interfere with or affect the result of a nomination or election for public office.

Phone Calls

_____The use of County phones for personal reasons should not occur. Occasional personal phone calls are permitted so long as they do not interfere with the normal routine of business and last no more than three (3) minutes each. No long distance calls are permitted for personal reasons.

Cell Phone Usage

_____Excessive use of a private cell phone during work hours is prohibited. **Further, use of a cell phone while operating machinery is strictly prohibited and will result in the employees termination.**

Solicitation

_____Solicitation of or by employees for non-County related purposes during work time or in non-work-related areas is prohibited. This rule prevents unnecessary interference with work and protects from unwanted solicitation.

Safety

_____Each employee of the County is encouraged to take an active part in the safety program of the County. This can be accomplished by working in a safe, accident-free manner, and by offering suggestions to the department head on any matter concerning safety.

County Vehicles and Other County-Owned Property

County employees who have occasion to operate any County vehicle must have a valid Mississippi driver's license and maintain a good driving record. Each employee who is driving a County vehicle is expected to observe any and all safety and vehicle operation procedures and regulations. Only employees on official County business are allowed to operate or be passengers in any County vehicle. Each employee has the responsibility to use reasonable care to insure the security and care of all County property entrusted to his use and care.

In any vehicular accident involving County equipment, the operator of the equipment must immediately contact the department head and contact the Sheriff's Department and request an investigations of the accident. As soon as possible after the accident, the operator of the equipment must complete an Accident Report. A written statement must be completed for any damage or loss to equipment other than vehicles and the report must be submitted to the department head.

NO COUNTY VEHICLE OR EQUIPMENT MAY BE USED BY A COUNTY EMPLOYEE FOR HIS PERSONAL USE. EMPLOYEES WHO CARELESSLY OR RECKLESSLY DAMAGE COUNTY PROPERTY MAY BE REQUIRED TO PAY FOR SUCH DAMAGE OUT OF THEIR POCKETS. EMPLOYEES WHO VIOLATE TRAFFIC LAWS WHILE OPERATING A COUNTY-OWNED VEHICLE MAY BE SUBJECT TO DISCIPLINARY ACTION, AND MAY BE REQUIRED TO PAY ALL FINES AND COURT COSTS RESULTING THEREOF. ANY AMOUNTS DUE FOR FINES AND COURT COSTS MAY BE WITHHELD FROM THE EMPLOYEE'S PAYROLL CHECK.

VIII. MISCELLANEOUS

Personnel Records

_____The proper handling of many matters of personal importance to you requires that your personnel records be accurate at all times. Promptly report to the County Administrator, any change in name, address, telephone number, marital status, number of dependents, military status, or job-related training courses completed. The accuracy of these records is particularly important in the case of mailing checks, W-2 forms, insurance payments, sick and accident benefits, etc. You will be allowed to inspect your personnel records at any time that is convenient for you and the County Administrator. All leave requests and other documents relating to leave time should also be filed promptly with the County Administrator.

Bulletin Records

_____A County bulletin board is maintained in each department. Each employee is urged to watch the bulletin board in his department for notices. Any additions or changes to materials posted on the County's bulletin boards must be approved in advance by the department head in charge of the facility at which the bulletin board is located.

County Policy

It is the County's policy that all employees who do not have a written employment contract with the County for a specific fixed term of employment are employed at the County's will and are subject to termination at any time, for any reason, with or without cause of notice. All employees also may terminate their employment at any time for any reason.

This policy may not be modified by any statements contained in this manual or any other employee handbooks, employment applications, recruiting materials or other materials provided to applicants with their employment. None of these documents, whether singly or combined, is to create an express or implied contract concerning any terms or conditions of employment. Similarly, the County's policies and practices with respect to any matter are not to be considered as creating any contractual obligation on the County's part or as stating in any way that termination will occur only "for cause." Statements of specific grounds for termination set forth in this manual as in any other documents are examples only, not all-inclusive lists, and are not intended to restrict the County's right to terminate at will.

Any benefits heretofore earned or accumulated under the prior personnel policy of Neshoba County, Mississippi, will remain in full force and effect. Any benefits earned or accumulated after June 6, 1996, will be determined under the provisions of this policy. All benefits earned or accumulated under the prior Personnel Policy.

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X. UNDERSTANDING BY EMPLOYEE

I hereby acknowledge receiving a copy of the County Employee Handbook.

I understand that the information contained in the County Employee Handbook represents guidelines only and that the County reserves the right to modify this Handbook or amend or terminate any policies, procedures, or employee benefit programs at anytime.

I understand that this Handbook is not a contract of employment between myself and the County and that I do not view it as such. Furthermore, this Handbook is merely a guide to County policies and does not constitute an express or implied guarantee or contract of employment or benefits. It is expressly understood that I am an employee-at-will, and either the County or myself may terminate employer-employee relationship at any time, for any reason, with or without cause or notice.

WITNESS

(Detach and Place in Employees Personnel File)

(Print Name of Employee)

EMPLOYEE (Employee's Signature)

DATE: _____