

**CITY OF CLINTON
REGULAR MEETING OF THE MAYOR AND BOARD OF ALDERMEN
TUESDAY, SEPTEMBER 18, 2012 - 7:00 P.M.
MUNICIPAL COURTROOM – 305 MONROE STREET**

WELCOME AND CALL TO ORDER Mayor Rosemary Aultman

INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG

The invocation was led by Alderman Hisaw followed by the pledge of allegiance to the flag led by Alderman Greer.

ROLL CALL City Clerk, Russell Wall

Present: Jehu Brabham – Alderman-at-Large
 Tony Hisaw – Alderman Ward 1
 Tony Greer – Alderman Ward 2
 William O Barnett – Alderman Ward 3
 Kathy Peace – Alderwoman Ward 4
 Mike Morgan – Alderman Ward 5
 Mike Cashion – Alderman Ward 6

APPROVAL OF CONSENT AGENDA ITEMS A - I

MOTION made by Alderwoman Peace and **SECONDED** by Alderman Cashion to approve the Consent Agenda Items A-I. Item C will serve to advertise favorably the opportunities, possibilities and resources of the City of Clinton. **MOTION CARRIED UNANIMOUSLY**

CONSTRUCTION – SPRINGRIDGE ROAD – DOLLAR GENERAL

Upon presentation by Angie Gelston, Compliance Officer, **MOTION** made by Alderman Greer and **SECONDED** by Alderman Hisaw the board approved the request by Dollar General to build a retail store to be located on Springridge Road, in the City of Clinton, Mississippi. The Planning and Zoning Commission recommended approval. **MOTION CARRIED UNANIMOUSLY**

PROPOSED CHANGES – ZONING MAP – CITY OF CLINTON

Upon presentation by Rosemary Aultman, Mayor, **MOTION** made by Alderman Brabham and **SECONDED** by Alderman Cashion the board tabled the adoption of the changes to the City of Clinton, Mississippi's zoning map until the regular meeting of the Mayor and Board of Aldermen to be held November 6, 2012. **MOTION CARRIED UNANIMOUSLY**

UNKEMPT PROPERTY LOCATED AT 102 VERNON ROAD

Upon presentation by Angie Gelston, Compliance Officer, **MOTION** made by Alderman Hisaw and **SECONDED** by Alderman Morgan the board approved a resolution determining the necessity for cleaning the property located at 102 Vernon Road, under the authority granted to municipalities by Section 21-19-11, Mississippi Code of 1972, as amended and other applicable statutes and ordinances. A public hearing was held but no one representing the property owner was present and there was no public comment. The resolution is on file with the City Clerk. **MOTION CARRIED UNANIMOUSLY**

UNKEMPT PROPERTY LOCATED AT 109 SWEET GUM LANE

Upon presentation by Angie Gelston, Compliance Officer, **MOTION** made by Alderman Greer and **SECONDED** by Alderman Brabham the board approved a resolution determining the necessity for cleaning the property located at 109 Sweet Gum Lane, under the authority granted to municipalities by Section 21-19-11, Mississippi Code of 1972, as amended and other applicable statutes and ordinances. A public hearing was held but no one representing the property owner was present and there was no public comment. The resolution is on file with the City Clerk. **MOTION CARRIED UNANIMOUSLY**

ADOPT THE NEW PERSONNEL RULES AND REGULATIONS TO BECOME EFFECTIVE OCTOBER 1, 2012, AND FURTHERMORE REPEAL THOSE RULES AND REGULATIONS ADOPTED ON APRIL 5, 1988 AND THOSE RULES AND REGULATIONS REVISED ON OCTOBER 1, 1997 AND ANY OTHER RULES AND REGULATIONS ADOPTED OR REVISED PRIOR TO APRIL 5, 1988

Upon presentation by Russell Wall, City Clerk, **MOTION** made by Alderman Cashion and **SECONDED** by Alderwoman Peace the board adopted the new personnel rules and regulations to become effective October 1, 2012, and furthermore repealed those rules and regulations adopted on April 5, 1988 and those rules and regulations revised on October 1, 1997 and any other rules and regulations adopted or revised prior to April 5, 1988. **MOTION CARRIED UNANIMOUSLY**

APPROVE THE TERMINATION OF THE CONTRACT BETWEEN THE CITY OF CLINTON, MISSISSIPPI AND AMERICAN MUNICIPAL SERVICES FOR COLLECTION SERVICES AND FUTHERMORE GIVE THE MAYOR THE APPROVAL TO SIGN THE TERMINATION LETTER

Upon presentation by Russell Wall, City Clerk, **MOTION** made by Alderman Brabham and **SECONDED** by Alderwoman Peace the board approved the termination of the contract between the City of Clinton, Mississippi and American Municipal Services for collection services and furthermore gave the Mayor the approval to sign the termination letter. **MOTION CARRIED UNANIMOUSLY**

RECEIVE THE CERTIFIACTES OF ATTENDANCE FROM TAMRA MORGAN FOR ATTENDING THE MUNICIPAL COURT CLERKS STATEWIDE SUMMER SEMINAR HELD JUNE 25, 2012 THROUGH JUNE 26, 2012, THE 2012 FALL PROFESSIONAL JUDICIAL DEVELOPMENT SEMINAR HELD ON SEPTEMBER 5, 2012 THROUGH SEPTEMBER 6, 2012 AND THE MUNICIPAL COURT CLERKS STATEWIDE FALL SEMINAR HELD ON SEPTEMBER 6, 2012 THROUGH SEPTEMBER 7, 2012

Upon presentation by Russell Wall, City Clerk, **MOTION** made by Alderman Barnett and **SECONDED** by Alderman Morgan the board received the Certificates of Attendance from Tamra Morgan for attending the Municipal Court Clerks Statewide Summer Seminar held June 25, 2012 through June 26, 2012, the Fall Professional Judicial Development Seminar held on September 5, 2012 through September 6, 2012 and the Municipal Court Clerks Statewide Fall Seminar held on September 6, 2012 through September 7, 2012. **MOTION CARRIED UNANIMOUSLY**

APPROVE THE PURCHASE ON STATE CONTRACT OF A LEXMARK 60" MOWER, A LEXMARK 72" MOWER, A VACUUM AND A MOUNTING KIT FOR THE PARKS AND RECREATION DEPARTMENT

Upon presentation by Ray Holloway, Director of Parks and Recreation, **MOTION** made by Alderman Greer and **SECONDED** by Alderman Hisaw the board approved the purchase on state contract of a Lexmark 60" mower, a Lexmark 72" mower, a vacuum and a mounting kit for the Parks and Recreation Department. **MOTION CARRIED UNANIMOUSLY**

APPROVE THE APPOINTMENT OF MIKE PARKER, DIRECTOR OF PUBLIC WORKS AS THE DESIGNATED APPLICANT AGENT FOR MEMA AND FEMA CLAIMS FOR THE CITY OF CLINTON, MISSISSIPPI

Upon presentation by Mike Parker, Director of Public Works, **MOTION** made by Alderwoman Peace and **SECONDED** by Alderman Greer the board approved the appointment of Mike Parker, Director of Public Works as the designated Applicant Agent for MEMA and FEMA claims for the City of Clinton, Mississippi. **MOTION CARRIED UNANIMOUSLY**

OTHER BUSINESS

SET A PUBLIC HEARING ON OCTOBER 16, 2012 AT 7:00 PM IN THE MUNICIPAL COURTROOM IN THE CITY OF CLINTON, MISSISSIPPI TO DISCUSS THE SETTING OF A SPECIAL ASSESSMENT FOR THE HAMPSTEAD BOULEVARD PROJECT

Upon presentation by Ken Dreher, City Attorney, **MOTION** made by Alderman Brabham and **SECONDED** by Alderman Morgan the board set a public hearing on October 16, 2012 at 7:00 pm in the Municipal Courtroom in the City of Clinton, Mississippi to discuss the setting of a special assessment for the Hampstead Boulevard project. **MOTION CARRIED UNANIMOUSLY**

ADJOURN 7:57 P.M.

MOTION made by Alderman Brabham and **SECONDED** by Alderwoman Peace to adjourn until the next regular meeting of the Mayor and Board of Aldermen to be held October 2, 2012 at 7:00 p.m. **MOTION CARRIED UNANIMOUSLY**

APPROVED: Rosemary G. Aultman September 20, 2012
Rosemary G. Aultman, Mayor Date

ATTEST: Russell L. Wall September 26, 2012
Russell L. Wall, City Clerk Date



City of Clinton
Mississippi
Community Development

August 13, 2012

Bill Mann
P.O. Box 80297
Starkville, MS 39759

Mr. Mann:

We are in receipt of your plans for the construction of the Dollar General Store, to be located on Springridge Road Clinton, Mississippi. At this time I have you on schedule to appear before the Planning and Zoning Board on August 28, 2012 at 6:30 pm and the Mayor and Board of Alderman on September 18, 2012 at 7:00 pm. Both meetings will be held in the Municipal Court Room located at 305 Monroe Street. Please make a note of the times and dates of these meetings. You or a representative must be present.

Should you have any questions I can be reached at (601) 924-2256.

Sincerely,



Jeffery "J.B." Bounds
Director
Community Development

Project:

DOLLAR GENERAL STORE

2012 Plan "C"

Springridge Road

Clinton, Mississippi

Store # 13982

Owner:

DG Clinton, LLC
P.O. Box 230
Carrollton, Mississippi 38917
Phone: 662-453-8161
Fax: 662-455-9795

Architect:

Bill Mann, Architect
203 East Main Street
P.O. Box 80297
Starkville, Mississippi 39759
Phone: 662-323-0358
Fax: 662-323-8406

Civil Engineer:

Clear Point Engineers, P.C.
6652 Highway 98
Hattiesburg, Mississippi 39402
Phone: 601-261-2609
Fax: 601-261-5573

Electrical Engineer:

Integral Systems Engineering
5481 Old West Point Road
Columbus, Mississippi 39701
Phone: 662-327-3120

Mechanical Engineer:

Robert M. Redwood, Jr., P.E.
232 Triangle Drive
Fort Collins, Colorado 80525
Phone: 970-266-8210

Index of Drawings:

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C.2	SITE PLAN
C.3	GRADING PLAN
C.4	MISCELLANEOUS DETAILS
C.5	EROSION CONTROL DETAILS
S.1.B	FOUNDATION PLAN & DETAILS
S.2.B	FOUNDATION PLAN & DETAILS
F.1.B	FLOOR SLAB SPECIFICATIONS
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A.2.C	EXTERIOR ELEVATIONS
A.3.C	SECTIONS & DETAILS
A.4.C	SCHEDULES
A.5.C	DOOR DETAILS
A.6.C	TOILET PLAN & DETAILS
A.7.C	REFLECTED CEILING PLAN
A.8.C	FIXTURE PLAN
A.9.C	EXTERIOR FINISHES
P.1.C	PLUMBING PLANS & SCHEDULES
P.2.C	PLUMBING DETAILS & RISER
M.1.C	HVAC PLAN & SCHEDULES

E.1.C	POWER PLAN
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E.3.1C	POWER POLE DETAILS
E.3.2C	POWER POLE DETAILS
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EMS.2.C	EMS PANEL & CONTROLS
EMS.3.C	EMS PANEL & CONTROLS
ES.1.C	ELECTRICAL SITE PLAN

Code Analysis:

Governing Code: 2006 IBC

Occupant Loading:
Sales Areas = 7,310 SF @ 30 SF/person = 244 occupants
Receiving Area = 983 SF @ 300 SF/person = 3 occupants
Office = 80 SF @ 100 SF/person = 1 occupants
Break Room = 100 SF @ 30 SF/person = 3 occupants
Total 251 occupants

Code Analysis (cont'd):

Egress Width Required (Sales Area) Table 1005.1
Doors: 251 occupants x 2"/person = 50.2" required
2 Exits Required
2 Exits Provided
Door 106 = 70"
Door 102 = 34"
104" provided
Travel Distances to Exits does not exceed 200'

Building Data:

Building Occupancy: Mercantile
Building Type: II - B
Unsprinklered
Total Square Footage - 9,100 SF.

Square Footage Legend

Total Square Footage	9,100 SF. (Gross)
Overall Building Dimensions	130'-0" x 70'-0"
Sales Floor Dimensions	107'-4" x 68'-0"
Sales Area	7,310 SF
Receiving Area	983 SF
Office & Break Room Areas	149 SF
Rest Rm & Hall Areas	265 SF
Miscellaneous	383 SF

BILL MANN, ARCHITECT

203 East Main Street P.O. Box 80297
Starkville, Mississippi 39759
Phone: 662-323-0358 Fax: 662-323-8406
E-mail: bmann@billmannarchitect.com

PROJECT:

Dollar General Store
Springridge Road
Clinton, Mississippi

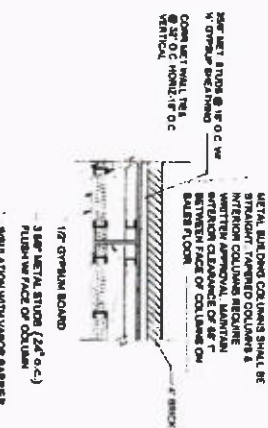


NOTED
ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE IBC AND ALL APPLICABLE CODES.

NTS



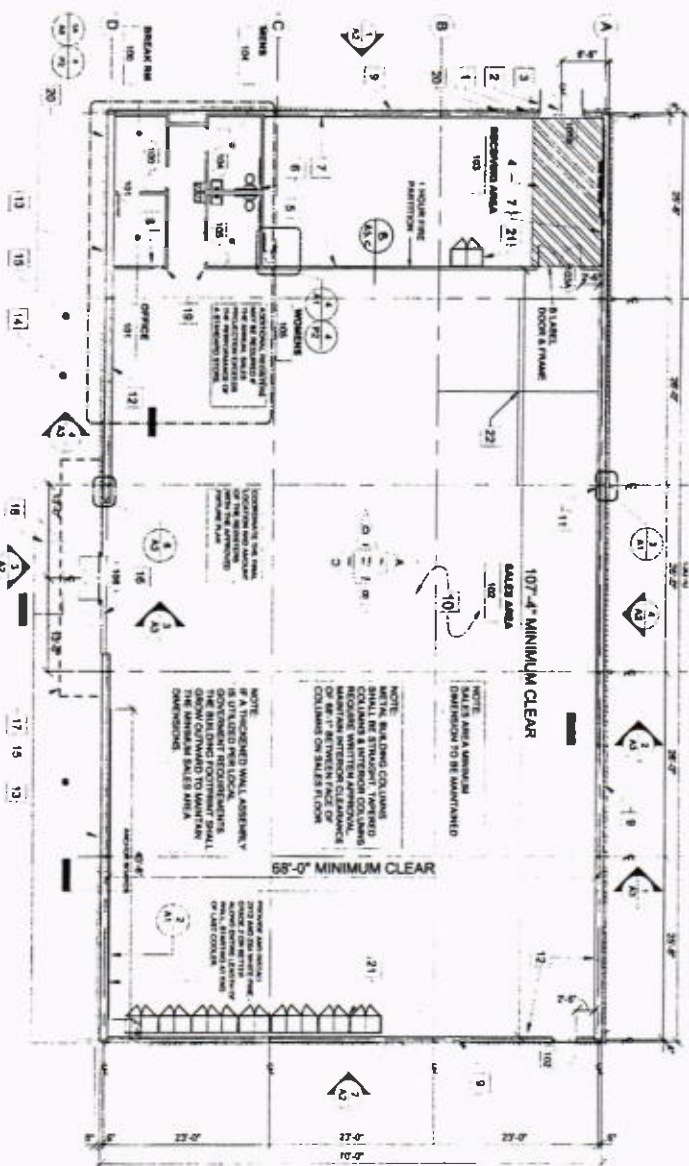
A1



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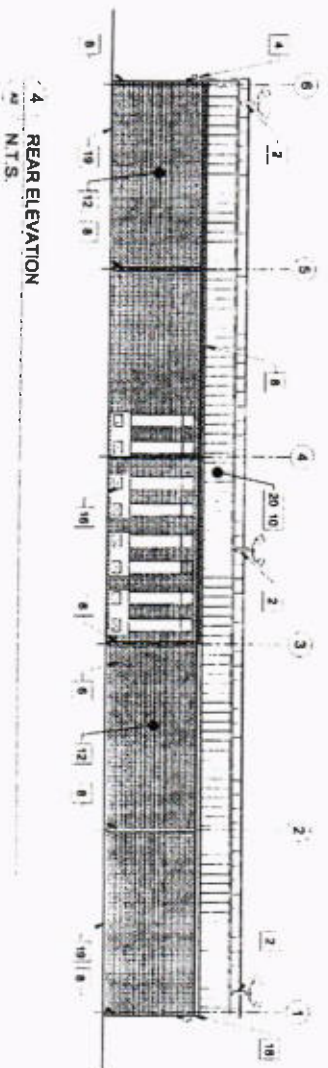
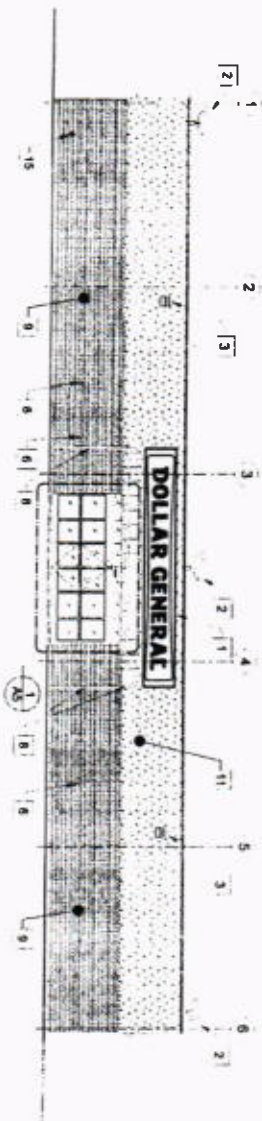
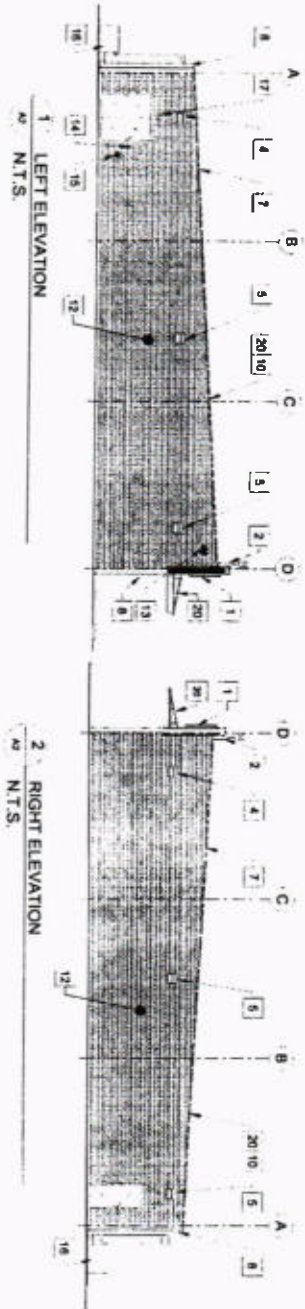
1	FLOOR PLAN
A1	1'-0" = 1'-0"



NOTE
CONTRACTOR SHALL COORDINATE ALL
OBTAINING WITH PRE-ENGINEERED
BUILDING MANUFACTURER AND WITH
FOUNDATION PLAN

FLOOR PLAN KEYED NOTES

- [illegible]



ELEVATION KEYED NOTES

1. SOIL FINISHED AND INSTALLED BY DOLLAR GENERAL. COMP. WITH CEMENT AS NOTED ON ELECTRICAL PLAN. SOIL TO BE CENTERED ON FRONT OF BUILDING. CONSTRUCTION IS BASED ON THE ASSUMPTION THAT THE SOIL IS UNIFORM. EXTERIOR CHIMNEY SOIL SHALL BE SUPPORTED BY THE FACE OF THE CHIMNEY. DISCONNECT THE PROPER SOURCE TO BE USED FOR SOIL LINE SERVICE.
2. ELECTRICAL DRAWING FOR ADDITIONAL INFORMATION. REFER TO ELECTRICAL DRAWING FOR ADDITIONAL INFORMATION.
3. WALL FACE 12" A.F.F. TO TOP OF WALL FACE. REFER TO ELECTRICAL DRAWING FOR ADDITIONAL INFORMATION.
4. WALL FACE 12" A.F.F. TO TOP OF WALL FACE. REFER TO ELECTRICAL DRAWING FOR ADDITIONAL INFORMATION.
5. ELECTRICAL DRAWING FOR ADDITIONAL INFORMATION. REFER TO ELECTRICAL DRAWING FOR ADDITIONAL INFORMATION.
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19. REFER TO ELECTRICAL DRAWING FOR ADDITIONAL INFORMATION.
20. REFER TO ELECTRICAL DRAWING FOR ADDITIONAL INFORMATION.

BILL MANN, ARCHITECT

203 East Main Street P.O. Box 60297
Starkville, Mississippi 39759

PHONE: (662) 324-0288 FAX: (662) 324-0288
EMAIL: bmann@billmannarchitect.com

Dollar General Store

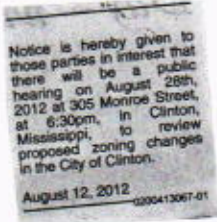
Springridge Road
Clinton, Mississippi

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OF 1

**PROOF OF PUBLICATION
THE STATE OF MISSISSIPPI
HINDS COUNTY**

PASTE PROOF HERE

C19341
CITY OF CLINTON-LEGALS,
0200413067
Aug 28 Zoning Hearing



PERSONALLY appeared before me, the undersigned notary public in and for Hinds County, Mississippi,

ANN MIDDEKE

an authorized clerk of THE CLARION-LEDGER, a newspaper as defined and prescribed in Sections 13-3-31 and 13-3-32, of the Mississippi Code of 1972, as amended, who, being duly sworn, states that the notice, a true copy of which is hereto attached, appeared in the issues of said newspaper as follows:

8/12/2012

Size: 48 words / 1.00 col. x 11.00 lines

Published: 1 time(s)

Total: \$14.26

Signed *Ann Middleke*
Authorized Clerk of
The Clarion-Ledger

SWORN to and subscribed before me on 8/12/2012.

Rick Tyler
Notary Public

RICK TYLER

Notary Public State of Mississippi at Large. Bonded thru
Notary Public Underwriters

(SEAL)



RESOLUTION FOR UNKEMPT PROPERTY IN THE CITY OF CLINTON, MS

There came on for public hearing before the Mayor and Board of Aldermen of the City of Clinton, Mississippi, the matter of unkempt property located at 102 Vernon Road, Clinton, Mississippi, and after full consideration of the matter, Alderman Hisaw offered the following Resolution:

Resolution of the Mayor and Board of Aldermen of the City of Clinton, Mississippi, determining the necessity for the cleaning of private property located at 102 Vernon Road, Clinton, Mississippi, under the Authority granted to Municipalities by section 21-19-11, Mississippi Code of 1972 as Amended, and other applicable Statutes and Ordinances.

WHEREAS, it has come to the attention of the Mayor and Board of Aldermen that the property located at 102 Vernon Road, Clinton, Mississippi, may constitute a menace to the public health and safety of the community because of its present condition and state of uncleanness; and

WHEREAS, notice was given to the owner of said property as required by Section 21-19-11 of the Mississippi Code of 1972, as amended, of a public hearing on this matter; and

WHEREAS, a public hearing was held at 7:00 p.m. on June 19, 2012, at the Municipal Room of the Public Safety Complex, 305 Monroe Street, Clinton, Mississippi; and

WHEREAS, based upon the information and evidence provided at said public hearing, the Mayor and Board of Aldermen of the City of Clinton, Mississippi, has determined that this property, in its present condition and state of uncleanness, constitutes a menace to the public health and safety of the community and does adjudicate said property in its present condition to be a menace to the public health and safety of the community. The Director of Community Development is directed to take such action as appropriate under Section 21-19-11 of the Mississippi Code of 1972, as amended, and other applicable statutes and ordinances, to use municipal employees or, by contract, to cut weeds and grass, and to remove trash and debris.

NOW BE IT RESOVLED, by the Mayor and Board of Aldermen of the City of Clinton, Mississippi, as follows:

1. It is hereby adjudicated that the property located at 102 Vernon Road, Clinton, Mississippi, in its present condition, constitutes a menace to the public health and safety of the community.
2. The Director of Community Development is hereby directed to take such action as appropriate under Section 21-19-11, Mississippi Code of 1972, as amended, and other applicable statues and ordinances, to cut weeds and grass, and to remove trash and debris.

3. The Director of Community Development is hereby directed that upon completion of this cleaning that he advise the Mayor and Board of Aldermen of the City of Clinton, Mississippi, of the actual costs incurred in cleaning the property so that the Mayor and Board of Aldermen for the City of Clinton, Mississippi, may adjudicate the costs of such action and impose such penalty as it adjudicates, all as provided by under Section 21-19-11, Mississippi Code of 1972, as amended, and other applicable statutes and ordinances.

A Motion for adoption was seconded by Alderman Morgan and the foregoing having been first reduced to writing, and no request by the Mayor or any member of the Board of Aldermen that it be read by the City Clerk, before the vote was taken, it was submitted to the Board of Aldermen for the passage or rejection on a roll call vote upon the vote being as follows, to-wit:

Alderman Brabham voted:	AYE
Alderman Hisaw voted:	AYE
Alderman Greer voted:	AYE
Alderman Barnett voted:	AYE
Alderwoman Peace voted:	AYE
Alderman Morgan voted:	AYE
Alderman Cashion voted:	AYE

Whereupon the Mayor declared the Motion carried and the Resolution approved and adopted.

The foregoing resolution was approved this the 18th day of September 2012.

CITY OF CLINTON

BY: Rosemary G. Aultman
Rosemary G. Aultman, Mayor

ATTEST: Russell L. Wall
Russell L. Wall, City Clerk

(SEAL)



RESOLUTION FOR UNKEMPT PROPERTY IN THE CITY OF CLINTON, MS

There came on for public hearing before the Mayor and Board of Aldermen of the City of Clinton, Mississippi, the matter of unkempt property located at 109 Sweet Gum Lane, Clinton, Mississippi, and after full consideration of the matter, Alderman Greer offered the following Resolution:

Resolution of the Mayor and Board of Aldermen of the City of Clinton, Mississippi, determining the necessity for the cleaning of private property located at 109 Sweet Gum Lane, Clinton, Mississippi, under the Authority granted to Municipalities by section 21-19-11, Mississippi Code of 1972 as Amended, and other applicable Statutes and Ordinances.

WHEREAS, it has come to the attention of the Mayor and Board of Aldermen that the property located at 109 Sweet Gum Lane, Clinton, Mississippi, may constitute a menace to the public health and safety of the community because of its present condition and state of uncleanness; and

WHEREAS, notice was given to the owner of said property as required by Section 21-19-11 of the Mississippi Code of 1972, as amended, of a public hearing on this matter; and

WHEREAS, a public hearing was held at 7:00 p.m. on June 19, 2012, at the Municipal Room of the Public Safety Complex, 305 Monroe Street, Clinton, Mississippi; and

WHEREAS, based upon the information and evidence provided at said public hearing, the Mayor and Board of Aldermen of the City of Clinton, Mississippi, has determined that this property, in its present condition and state of uncleanness, constitutes a menace to the public health and safety of the community and does adjudicate said property in its present condition to be a menace to the public health and safety of the community. The Director of Community Development is directed to take such action as appropriate under Section 21-19-11 of the Mississippi Code of 1972, as amended, and other applicable statutes and ordinances, to use municipal employees or, by contract, to cut weeds and grass, and to remove trash and debris.

NOW BE IT RESOVLED, by the Mayor and Board of Aldermen of the City of Clinton, Mississippi, as follows:

1. It is hereby adjudicated that the property located at 109 Sweet Gum Lane, Clinton, Mississippi, in its present condition, constitutes a menace to the public health and safety of the community.
2. The Director of Community Development is hereby directed to take such action as appropriate under Section 21-19-11, Mississippi Code of 1972, as amended, and other applicable statues and ordinances, to cut weeds and grass, and to remove trash and debris.

3. The Director of Community Development is hereby directed that upon completion of this cleaning that he advise the Mayor and Board of Aldermen of the City of Clinton, Mississippi, of the actual costs incurred in cleaning the property so that the Mayor and Board of Aldermen for the City of Clinton, Mississippi, may adjudicate the costs of such action and impose such penalty as it adjudicates, all as provided by under Section 21-19-11, Mississippi Code of 1972, as amended, and other applicable statutes and ordinances.

A Motion for adoption was seconded by Alderman Brabham and the foregoing having been first reduced to writing, and no request by the Mayor or any member of the Board of Aldermen that it be read by the City Clerk, before the vote was taken, it was submitted to the Board of Aldermen for the passage or rejection on a roll call vote upon the vote being as follows, to-wit:

Alderman Brabham voted:	AYE
Alderman Hisaw voted:	AYE
Alderman Greer voted:	AYE
Alderman Barnett voted:	AYE
Alderwoman Peace voted:	AYE
Alderman Morgan voted:	AYE
Alderman Cashion voted:	AYE

Whereupon the Mayor declared the Motion carried and the Resolution approved and adopted.

The foregoing resolution was approved this the 18th day of September 2012.

CITY OF CLINTON

BY: Rosemary G. Aultman
Rosemary G. Aultman, Mayor

ATTEST: Russell L. Wall
Russell L. Wall, City Clerk



**THE
CITY OF CLINTON
MISSISSIPPI
PERSONNEL RULES AND REGULATIONS**



**ADOPTED
October 1, 2012**

**CITY OF CLINTON
PERSONNEL RULES AND REGULATIONS
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**CITY OF CLINTON
PERSONNEL RULES AND REGULATIONS
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**CITY OF CLINTON
PERSONNEL RULES AND REGULATIONS
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INTRODUCTION

AUTHORITY

The Mississippi Code of 1972, as amended, the City of Clinton's Ordinances, and Federal laws pertaining to employment and personnel practices establishes the authority for the making and administration of rules and regulations for the management of the City of Clinton's personnel system.

INTERPRETATION

These rules and regulations are intended to provide practical guidance regarding most personnel matters and actions which will arise. Those situations not specifically discussed shall be interpreted by the Mayor in his/her discretion, with the advice of the City Personnel Officer and/or any administrative subordinate. Such interpretations shall be in keeping with the intent of governing statutes and the purpose of these rules and regulations.

Whenever the masculine gender is used, it also shall include the female gender.

1.0 DISCRIMINATION, SEXUAL HARASSMENT, DISABILITIES AND EQUAL EMPLOYMENT POLICIES

1.1 POLICY REGARDING DISCRIMINATION. It is the policy of the City of Clinton that there shall be no unlawful discrimination exercised on account of race, national origin, color, religion, creed, sex, age, disability, political affiliation or veteran status with respect to the recruiting and examination of applicants, the hiring of eligible applicants, or in any personnel transaction affecting employees, including training, promotion, transfer, terms or conditions of employment, or disciplinary actions.

1.2 POLICY AGAINST SEXUAL HARASSMENT. Unwelcome sexual advances, or requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

(1) submission to such conduct is made either explicitly or implicitly as a term or condition of an individual's employment.

(2) Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individuals.

(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 City 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 are subjected to sexually harassing or intimidating conduct by an individual, including supervisory personnel, employed by the City, you should immediately report the incident to your supervisor or department head.

1.3 POLICY REGARDING DISABILITIES. The City will not discriminate against qualified applicants and employees on the basis of disability. The City will provide a reasonable accommodation to the known physical or mental limitations of a qualified applicant or employee with a disability unless the accommodation will impose an undue hardship on the City.

1.3.1 Employees and applicants currently engaging in the illegal use of drugs are not covered by the ADA when an employer acts on the basis of such use. The City may hold illegal drug users and alcoholics to the same performance standards as other employees.

1.4 POLICY REGARDING EQUAL EMPLOYMENT OPPORTUNITY. Equal employment opportunity shall be insured for positions with the City.

1.4.1 The City personnel officer will serve as the equal opportunity officer for the City.

1.4.2 Any employee who alleges discrimination in any personnel transaction shall have the right to consult with the City personnel office and if desired, the right to file a grievance.

END OF SECTION 1.0

2.0 REQUIREMENT FOR CONTINUING EMPLOYMENT

2.1 RESIDENCY REQUIREMENTS. All employees of the City of Clinton shall reside in the Central Mississippi service area as defined by the Central Mississippi Planning and Development District (CMPDD) (Hinds, Madison, Rankin, Yazoo, Leake, Simpson, Copiah, and Warren counties).

2.1.1 The word "residence" is defined to mean the place adopted by a person as his/her place of habitation or domicile, and to which whenever he/she is absent, he/she has the intention of returning. When a person eats at one place and sleeps at another the place where such a person sleeps shall be deemed his/her residence.

2.1.2 All City employees will notify the personnel office through their department head of any residence change within thirty (30) days after relocation.

2.1.3 If any current employee as of date of adoption of these rules and regulations, is living outside the limits of the CMPDD area as defined in Section 2.1 above, the employee may maintain that residence, however, if the employee relocates his/her residence, said new residence must be in the CMPDD area as defined in Section 2.1 above.

2.1.4 As of the date of adoption of these rules, the Police Chief, Fire Chief, and the Director of Public Works must reside in the immediate Clinton area if they do not reside in the immediate Clinton area they must be willing to relocate. All other Department Heads must reside in the Jackson Metro Area. (Hinds, Madison, Rankin)

2.2 NEPOTISM. No person shall be hired into the City if a spouse, parent, grandparent, child, brother or sister is currently employed by the City.

If two employees become relatives in any manner as a result of marriage, both will not be allowed to work for the City. It will be necessary for one to resign effective on or before the date of marriage. These rules shall apply to any person re-employed as well as new employees.

Current employees who are related as set forth above will not be allowed to have a supervisor-subordinate relationship.

2.3 TELEPHONE REQUIREMENTS. Employees in certain positions of the City of Clinton shall be required to have a telephone at their residence because of public convenience and necessity.

2.3.1 These positions are identified as follows:

2.3.1.1 Department Heads.

2.3.1.2 Firefighters and Police Officers.

2.3.1.3 For certain employees of the public works department. The requirement to have a telephone will depend on the employee's job responsibilities, on call status, and other criteria deemed necessary by the department head.

2.3.2 The requirement for employees in other positions to have a telephone at their residence is left to the judgment of each department head.

2.3.3 City phones (including City issued cell phones and cell phones provided by outside agencies) shall only be used for conducting City business. All voice mails and text messages on City phones (including City issued cell phones and cell phones provided by outside agencies) shall be considered the property of the City.

2.3.4 Personal cell phones shall be kept on silent or vibrate during the work day. All personal phone calls shall be limited in quantity and length.

2.3.5 The use of other personal communication devices (iPods, iPads, blackberries, etc.) shall be limited to break periods and lunch hours. Use of these devices during the workday is prohibited.

2.4 DRIVERS LICENSE REQUIREMENTS. City employees who operate or are subject to being assigned to operate any City vehicles or motor equipment, such as tractors, loaders, or bulldozers, must have an appropriate, valid Mississippi driver's license.

2.4.1 Employees must maintain their license in order to operate City vehicles or motor equipment.

2.4.2 Employees must maintain a good driving record to operate City vehicles or motor equipment in order to protect the health, safety, and finances of the City. All employees must be insurable by the City's insurance carrier in order to operate City vehicles or motor equipment.

2.5 TAKE HOME POLICY FOR CITY VEHICLES. Employees living outside the city limits of Clinton are prohibited from taking a City vehicle home. Exceptions are water and sewer employees who are designated by the Department Head as "on call" employees.

2.6 MOTOR VEHICLE RECORD POLICY. It is the City of Clinton's policy and requirement for employment that every employee position with driving duties requires a motor vehicle record (MVR) meeting the grading requirements stated in Section 2.5.3. This MVR policy applies both to drivers of city owned vehicles as well as employees using personal vehicles in the course of city business.

2.6.1 MVRs will be examined prior to the start of employment and at least annually thereafter. Any job offer made to an employee-candidate for a position with driving duties shall be contingent upon an MVR meeting the required standards; continued employment in a position with driving duties also requires an MVR meeting the required standards. The standards for MVRs are as follows:

2.6.1.1 All operators must have had a valid driver's license for at least three years prior to employment with the City.

2.6.1.2 No new driver will be hired with a "borderline" or "poor" MVR. MVRs will be graded based on Section 2.5.3, as minimum requirements.

2.6.1.3 Driving records must remain "acceptable" or "clear" as graded based on Section 2.5.3, for continued employment in positions with driving duties.

2.6.2 Any exceptions to these guidelines must be referred to the Mayor for written approval. The auto insurance carrier will be consulted on any/all MVRs not meeting the minimum criteria.

2.6.3 Motor Vehicle Grading Criteria

Motor Vehicle Grading Criteria (last three years)				
Number of Minor Violations	Number of preventable accidents			
	0	1	2	3
0	Clear	Acceptable	Borderline	Poor
1	Acceptable	Acceptable	Borderline	Poor
2	Acceptable	Borderline	Poor	Poor
3	Poor	Poor	Poor	Poor
4	Poor	Poor	Poor	Poor

Motor Vehicle Grading Criteria (last five years)	
Any Serious Violation	Poor

Minor Violations

Motor vehicle equipment, load or size requirement.
Improper/failure to display license plates
Failure to sign or display registration.
Failure to have driver's license in possession (if valid license exists)
Any moving violation that is not a serious violation

Serious Violations

- Driving under the influence of alcohol/drugs.
- Careless driving
- Chemical test refusal
- Driving after suspension or revocation of license
- Fleeing or eluding a police officer
- Leaving the scene of an accident
- Passing a stopped school bus
- Reckless driving
- Speeding 15 miles above the limit

2.7 **PERSONAL APPEARANCE OF CITY EMPLOYEES.** City employees are to maintain a neat and clean appearance at all times while at their jobs.

- 2.7.1 All City employees shall dress in a neat and appropriate manner while on their job and shall maintain a neat appearance with regard to hair, clothing, jewelry and overall appearance.
- 2.7.2 All City employees shall maintain proper personal hygiene to include neatly groomed hair. Perfume and cologne should be applied sparingly so as not to be offensive to co-workers or the general public. Fingernails should be trimmed neatly and filed to an appropriate length so as not to impede work place requirements. This also applies to artificial nails.
- 2.7.3 No City employees shall have any visible body piercings, tattoos or similar decorations while on duty. Notwithstanding this prohibition, female employees may wear one earring on each ear providing said jewelry does not present a health or safety hazard.
- 2.7.4 Any employee who is required to wear a uniform is responsible for keeping the uniform neat and clean.

- 2.7.5 Acceptable clothing and footwear for employees not required to wear a uniform includes, but is not limited to:

Button down long or short sleeve shirts
Golf or polo shirts with a collar
Shirts with the City logo
Khaki pants or other type of pants such as Dockers
Dresses or skirts no more than 2 inches above the knee
Dress shoes or casual shoes such as Skechers
Sweaters

- 2.7.6 Clothing and footwear considered unacceptable includes but is not limited to:

Plain or pocket T-shirts
Flip-flops or beach shoes
Dresses or blouses that show cleavage
Low cut or revealing shirts and low cut or revealing pants
Midriff shirts
Tight clothing
Sweat suits and wind suits
Tank tops, advertising T-shirts and shirts with words, terms, or pictures that may be offensive to other employees or the public in general
Skirts or dresses higher than two inches above the knees
Stretch pants
Shorts unless authorized by the Department Head
Blue jeans unless authorized by the Department Head
Cutoffs
Athletic shoes unless authorized by the Department Head

- 2.7.7 The City reserves the right to determine appropriate dress at all times and in all circumstances and may send employees home to change clothes should it be determined their dress is not appropriate. Employees will not be compensated for this time away from work.

- 2.8 **TOBACCO PRODUCTS.** This policy includes all types of tobacco including smokeless tobacco.

- 2.8.1 All City employees are prohibited from smoking and/or using smokeless tobacco on any municipal property, in any city vehicle, or while working on a piece of equipment (example: on a tractor while mowing right of way, while riding a lawnmower or driving any City vehicle).

- 2.8.2** Any City employee who smokes or uses smokeless tobacco must be at least thirty-five (35) feet from the entrance of a building and must not be on City property. This eliminates City employees from standing in a City parking lot or on the sidewalk to smoke. Nor can City employees stand around the back door of a City building to smoke.

2.9 **OFFICE COURTESIES.**

2.9.1 Telephone Interrupters.

- 2.9.1.1** When someone in a private office is using the telephone, do not interrupt them by entering their office unless you are invited. GIVE THEM THEIR PRIVACY!

- 2.9.1.2** When someone is using the telephone at his desk in the "open" (not a private office), do not interrupt him by:

2.9.1.2.1 Speaking to him ;

2.9.1.2.2 Giving him sign language; or

2.9.1.2.3 Continuing in his presence.

- 2.9.1.3** Do not anticipate that the conversation is about to end, leave immediately and return later. GIVE THEM THEIR PRIVACY!

2.9.2 People Interrupters.

- 2.9.2.1** When someone in a private office has a person(s) in his presence, do not interrupt him by entering his office unless you are invited in. GIVE THEM THEIR PRIVACY!

- 2.9.2.2** When someone has a person(s) at his desk in the "open" (not a private office), do not interrupt him by:

2.9.2.2.1 Speaking to him ;

2.9.2.2.2 Giving him sign language; or

2.9.2.2.3 Continuing in his presence.

- 2.9.2.3** Do not anticipate that the meeting is about to end, leave immediately and return later. GIVE THEM THEIR PRIVACY!

2.9.3 Telephone Calls.

2.9.3.1 Incoming calls for individuals should be forwarded to that individual's extension. Handwritten message memos should be used only when the individual for whom the message is intended has requested such.

2.9.3.2 Since this is a "working office", personal telephone calls should be limited in quantity and length. Both should be short.

2.9.3.3 Desk Rummage ("Being Nosey"). Even though everything in your work area is and should be related to City business, rummaging through items belonging to the person's work area should be limited to a business "need to know" basis, not just because that person is absent from his work area. In other words, if the person is not in his work area and there is no business "need to know", stay out of his desk and work area (this includes what is on the desk too)!

END OF SECTION 2.0

3.0 STATUS CHANGE

3.1 PROMOTION. The change of an employee from one classification to another classification having more responsibilities and a higher salary range constitutes a promotion.

- 3.1.1** The department head shall notify the City personnel office, in writing, of the need for additional or replacement personnel by completing an employee requisition form C-88-06.
- 3.1.2** If written examinations are to be administered as part of the process for making a decision on promotions, the personnel office shall post notice of the promotional examination on the bulletin board in City Hall and in the department in which the promotion may be made, for fourteen (14) calendar days prior to such examination.
- 3.1.3** Applicants for promotional examinations must register in the personnel office at least seven (7) calendar days prior to the date fixed for the examination.
- 3.1.4** Priority for promotions shall be granted to qualified incumbent employees with successful job performance in their current positions.
- 3.1.5** Transfers between departments shall be allowed only if there are no qualified employees available for promotion. Transfers shall be based on minimum qualifications and successful job performance.
- 3.1.6** Employees must request a transfer by submitting a written request through channels to the City personnel office.
- 3.1.7** Employees desiring to be candidates for promotion must submit a written request through channels to the City personnel office.
- 3.1.8** In the event there are no qualified incumbent employees or applicants for a vacant position, the City shall seek applicants according to its regular recruiting policies.
- 3.1.9** An employee shall not be eligible for promotion until twelve (12) months from the date of last appointment or promotion to a position. However, an employee receiving an appointment or promotion before the twelve (12) month expiration may serve in a position as an "acting appointment".
- 3.1.10** Promotional tests results will stand good for one year from last date of the testing process. After that time new promotional tests will be administered.

3.2 **TRANSFER.** The moving of an employee from one job to another on an equal level in either the same or a different department constitutes a transfer.

3.2.1 Personal transfers or those transfers initiated by the employee shall be discouraged unless the transfer would benefit both the employee and the City.

3.2.2 Production transfers or those transfers initiated by the City will be affected as necessary by department heads.

3.2.3 Transfers from one department to another shall be approved by both department heads and the Mayor.

3.3 **SEPARATION.** The termination of employment with the City constitutes a separation.

3.3.1 The resignation of an employee shall be accepted at any time. However, with respect to benefits, any accrued benefits will not be granted to employees providing less than two (2) weeks written notice in advance of the last day of employment.

3.3.2 Retirement shall be allowed when employees have met the necessary guidelines for any retirement system in which they participate.

3.3.3 Layoff of any employee may occur due to lack of work, lack of funds, or reorganization.

3.3.4 Recall of laid-off employees shall be based on their previous performance records with the City.

3.4 **LATERAL TRANSFER.** The request of an applicant employed by another city to transfer his/her employment to a position with the City of Clinton in a similar job classification constitutes a lateral transfer.

3.4.1 An applicant, who is currently employed in another city and wishes to transfer to a similar position with the City of Clinton, may be considered for filling a position.

3.4.2 The City will consider such lateral transfer requests based on the merits of each request and allowed when the best interests of the City will be served.

3.5 **PAYROLL CHANGES.** All payroll changes must be processed through the personnel office prior to becoming effective.

3.5.1 All increases and decreases in an employee's wages must be approved by the department head.

3.5.2 The department head will notify the personnel office of any payroll changes on a payroll change notice form C-88-10.

3.5.3 The notice must contain the employee's full name, and details of the payroll change.

3.5.4 The personnel office will insure the payroll change is in compliance with the City's compensation plan prior to processing the payroll change notice.

END OF SECTION 3.0

4.0 WORKING HOURS, HOLIDAYS, AND VACATIONS

4.1 WORKING HOURS. Each department shall establish its own work schedule and shall submit it to the Mayor for approval. Upon approval by the Mayor, such schedule shall become the normal work schedule for employees in that department.

4.1.1 Normal business hours of City Hall shall be 8:00 a.m. to 5:00 p.m., Monday through Friday, not including recognized holidays.

4.1.2 Departments providing essential services and protection to the public on a twenty-four (24) hour basis are to establish work schedules insuring proper coverage. Shift hours shall be established by the department head and approved by the Mayor for these departments.

4.1.3 One (1) hour is the normal allotted time for employee meal periods.

4.1.4 Meal periods shall be scheduled in a manner to best serve the public. Employees are expected to use their meal period during the time designated by their supervisor, and this time cannot be accumulated or considered as paid attendance.

4.1.5 Employees may be allowed a fifteen (15) minute break in the morning and the afternoon if work load permits.

4.1.6 Employees are to use the break periods at the time designated by their supervisor, and this time cannot be accumulated.

4.1.7 Hours worked in excess of those regularly scheduled must be approved by the employee's immediate supervisor, and with the prior approval of the department head. The department head shall decide when overtime is necessary and who shall be required to work. Overtime shall be allowed only in emergency situations.

4.1.8 The conduct of personal business during regularly scheduled hours is discouraged and shall not be allowed unless approval is given by the department head.

4.2 HOLIDAYS. Those days designated by the Governor shall be paid holidays for all full-time employees. Holidays are considered eight (8) hour days.

4.2.1 The following days have been designated as paid holidays:

	Holiday Name	Month Observed	Day Observed
4.2.1.1	New Year's Day	January	1 st
4.2.1.2	Dr Martin Luther King	January	3 rd Monday
4.2.1.3	Washington's Birthday	February	3 rd Monday
4.2.1.4	Confederate Memorial Day	April	Last Monday
4.2.1.5	National Memorial Day	May	Last Monday
4.2.1.6	Independence Day	July	4 th
4.2.1.7	Labor Day	September	1 st Monday
4.2.1.8	Veteran's Day	November	11 th
4.2.1.9	Thanksgiving Day	November	Last Thursday
4.2.1.10	Christmas	December	25 th

4.2.2 Whenever a holiday falls on a Saturday or Sunday the Governor will make the determination as to whether the holiday will be celebrated on Friday or Monday. .

4.2.3 Any employee who is absent from work on the day before or the day after a holiday and any police officer or fire fighter who is absent when scheduled to work on a holiday will be charged with the appropriate amount of annual leave unless the employee can provide a valid medical excuse certifying temporary medical disability.

4.2.4 Holidays which occur during annual or sick leave shall not be charged against annual or sick leave.

4.3 HOLIDAY PAY. All hourly employees who must work on a holiday will receive eight (8) hours of straight time pay for all holidays designated by the Governor. Holidays are observed from 12:00 am (midnight) on the eve of the holiday to 12:00 am (midnight) the day of the holiday.

4.4 ANNUAL LEAVE. Annual leave shall be granted to those eligible employees in the employment of the City. One day of annual leave shall be defined according to the number of hours worked in a normal one day work period.

4.4.1 Annual leave shall be granted to all full time City Employees.

4.4.2 Part-time, temporary, contract, and any other persons providing service to the City shall not be eligible for accumulation or use of annual leave.

4.4.3 Annual leave shall accrue based on the continuous service of one (1) calendar month. Employees may not begin to use accrued annual leave until they have completed six (6) months of continuous service. Annual leave will not be earned for any period less than a full calendar month. Annual leave shall be awarded and will accrue as follows:

CONTINUOUS SERVICE	ACCRUAL RATE MONTHLY (HOURS)	ACCRUAL RATE ANNUALLY (DAYS)
<u>1 Month to 60 Months</u>		
8 Hour Employees	8	12
12 Hour Employees	9	12
24 Hour Employees	12	12
<u>61 Months to 120 Months</u>		
8 Hour Employees	12	18
12 Hour Employees	13.50	18
24 Hour Employees	18	18
<u>121 Months and Over</u>		
8 Hour Employees	14	21
12 Hour Employees	15.75	21
24 Hour Employees	21	21

A day for 12 hour shift employees is construed to be nine (9) hours. A day for 24 hour shift employees is construed to be twelve (12) hours. A day for 8 hour shift employees is eight (8) hours.

4.4.4 Annual leave accumulation is as follows:

4.4.4.1 There will be no limit to accumulated annual leave. Upon termination of employment each employee shall be paid for not more than thirty (30) days of accumulated annual leave. Unused annual leave in excess of thirty (30) days shall be counted as creditable service for the purpose of the retirement system.

4.4.5 Employees are encouraged to take their annual leave within the year it is earned. **Employees that have unused compensatory time and banked vacation time must use that time before using accrued annual leave.** It is the responsibility of the department head to insure that an employee use annual leave for the purpose it is intended which is to provide an employee with the benefit of paid time off from work.

4.4.6 Request for annual leave must be made on a leave request, form C-88-09.

4.4.7 Annual leave shall be scheduled in advance and must receive department head approval in writing.

4.4.8 Annual leave shall be used in increments of a minimum of one (1) hour. Whole hours will be used. Fractions of hours will not be approved.

4.4.9 Employees on approved leave of absence shall not accrue annual leave.

4.4.10 Wages earned during annual leave shall be based on the rate of pay and the normal scheduled workweek of the employee at the time of the annual leave.

4.4.11 Absence from work without approval will be considered as absent without leave and will not be retro-actively approved as annual leave.

4.4.12 Employees will be allowed annual leave in accordance with seniority in similar positions, and arranged in each department so, if practicable, the department can function without replacement help or incurring overtime expense.

4.4.13 Leave without pay, unless volunteered by the employee and approved by the department head, will not be allowed when the employee has accrued annual leave to cover the period of leave and the employee is eligible to use annual leave, except for disciplinary reasons, probation, or termination.

4.4.14 An employee separated from the employ of the City shall be paid for accrued annual leave not to exceed the maximum accumulation allowed for the position occupied, unless:

4.4.14.1 The employee is offered the opportunity to take the leave, at the City's convenience, and he/she elects not to take the annual leave accumulated.

4.4.14.2 Proper notice of resignation is not given as provided in these rules.

4.4.14.3 Less than one (1) year of continuous service has been attained with the City.

4.4.14.4 The employee is discharged for a violation of disciplinary rules.

4.4.15 Any absence on a leave-without-pay status will result in no annual leave accrual for that month.

4.5 **ATTENDANCE.** Each department head shall be responsible for the attendance of all persons in the department and shall keep complete attendance records.

4.5.1 Employees are expected to report to work on time, excessive tardiness will not be tolerated and the employee will be subject to disciplinary action.

4.5.2 Employee daily attendance records will be kept in each department on the appropriate payroll authorization report.

4.5.3 Department heads shall report attendance of employees to the City personnel office on a weekly or semi-monthly basis, depending on the pay period.

4.5.4 The weekly attendance shall be documented and reported on the weekly payroll authorization report, form C-88-13.

4.5.5 The semi-monthly attendance shall be documented and reported on the semi-monthly payroll authorization report, form C-88-12.

4.5.6 Request for an approval of leave shall be documented and reported to the personnel office on a leave request, form C-88-09.

4.5.7 The City personnel office shall keep each employee's record of the accumulated annual and sick leave documented on the Employee Data Calendar, or similar form, for the appropriate year.

- 4.5.8** Records of hours worked each day will be kept at the department level on temporary and/or part-time persons.
- 4.5.9** Department heads shall report attendance of temporary and/or part-time persons to the City personnel office on a weekly payroll authorization report form C-88-13.
- 4.5.10** The weekly payroll authorization report, form C-88-13, and the semi-monthly payroll authorization report, form C-88-12 shall be the documents authorizing the preparation and issuance of a pay check to an employee.

END OF SECTION 4.0

5.0 ABSENTEEISM, SICK LEAVE, AND OTHER LEAVE

- 5.1 ABSENTEEISM.** Absenteeism is the voluntary or involuntary absence from work or the failure to report to the job when the City has no reason to expect that the employee will not be available at the specified time.
- 5.1.1** Leave without pay must be approved by the department head, in writing by the employee.
 - 5.1.2** Excused absence may be permitted by the department head but only when justification for the absence has been submitted in writing by the employee.
 - 5.1.3** Unexcused absence shall not be tolerated, and disciplinary action shall be taken.
 - 5.1.4** Excused lateness may be permitted by the department head, if the employee called in prior to the lateness or when the justification for the lateness has been submitted in writing by the employee.
 - 5.1.5** Unexcused lateness shall not be tolerated, and disciplinary action shall be taken.
 - 5.1.6** Employees are expected to report for work on time on all scheduled work days. If they are unable to work due to illness, they should notify their supervisor at least one-half (1/2) hour before the scheduled work shift.
 - 5.1.7** After three (3) consecutive work periods of absence, twenty-four (24) hours for employees working eight (8) hour work periods, thirty-six hours for employees working twelve (12) hour work periods, or seventy-two (72) hours for employees working twenty-four (24) hour work periods, without notification to the proper supervisor, the employee will be considered to have terminated employment with the City without proper notification.
- 5.2 SICK LEAVE WITH PAY.** Pay for accumulated sick leave shall be granted to those eligible employees when they are unable to perform their duties due to illness, injury, or exposure to contagious disease. Exposure to a contagious disease requires submission of a doctor's statement that this exposure would jeopardize the health of others.

- 5.2.1** All eligible employees shall accrue sick leave and in no case may sick leave be taken prior to it being accrued.
- 5.2.2** Sick leave shall be allowed only for an actual illness and shall not be permitted except for actual illness.
- 5.2.3** With department head approval an employee may use up to three (3) days, or one (1) twenty four (24) hour shift, accrued sick leave when his/her absence is required by the illness of a member of the employee's immediate family. The definition of "immediate family" shall be: spouse, parent, sibling, child, grandchild and grandparent. Leave in excess of three (3) days for this purpose must have the Mayor's approval. See Family and Medical Leave Section 5.6 of this manual.
- 5.2.4** Sick leave may be used to maintain full wages when less than normal hours are worked due to sickness in a pay period, after three (3) calendar months of continuous service.
- 5.2.5** Sick leave shall be accrued based on the completion of one (1) calendar month of continuous service, as follows:

CONTINUOUS SERVICE	ACCRUAL RATE MONTHLY (HOURS)	ACCRUAL RATE ANNUALLY (DAYS)
<u>1 Month and Over</u>		
8 Hour Employees	8	12
12 Hour Employees	9	12
24 Hour Employees	12	12

- 5.2.6** There will be no limit to accumulated sick leave. Payment for accumulated sick leave shall not be granted an employee who resigns, is laid off, or is terminated. Upon retirement all unused sick leave shall be applied to the retirement system.
- 5.2.7** Any absence on a leave-without-pay status will result in no sick leave accrual for that month.
- 5.2.8** Sick leave will not accrue for any period less than a full calendar month, such as a month of initial appointment or termination if they are other than the first or last day of the month.

- 5.2.9** In all instances where an employee assigned to an eight (8) hour work period is on sick leave for over three (3) consecutive days or twenty-four (24) hours, a certification from the attending physician is required upon returning to work.

In all instances where an employee assigned to a twelve hour work period is on sick leave for over twenty-four hours, or more than two (2) shifts, a certification from the attending physician is required upon returning to work.

In all instances where an employee assigned to a twenty-four hour work period is on sick leave for over twenty-four (24) hours, or more than one (1) shift, a certification from the attending physician is required upon returning to work.

- 5.2.10** Employees shall personally notify their department head or supervisor within one half (1/2) hour before time for reporting to work, of their illness and when they expect to return to work. If an employee has not called in by fifteen (15) minutes after the start of the work shift, the employee shall not be allowed to use sick leave for that work shift to maintain full base wages.
- 5.2.11** Employees reporting out on sick leave are expected to remain at their residence to recover.
- 5.2.12** Employees shall notify their department head or supervisor on the first day of absence and indicate the nature of illness and when they expect to return to work. After three (3) days the department head or supervisor shall check on the employee, and if a doctor was consulted, a verbal report shall be obtained from the doctor concerning the illness.
- 5.2.13** Request to charge periods of absence to sick leave must be made to the appropriate department head on a leave request, form C-88-09, within one (1) working day after returning to work.
- 5.2.14** Sick leave shall be granted for maternity reasons. See Family and Medical Leave Section 5.6 of this manual.
- 5.2.15** Accrued annual leave may be used for illness when an employee has no sick leave accumulated.
- 5.2.16** Employees may choose to be absent, without pay, subject to department head approval in the event that all accumulated sick leave and personal leave has been used.

5.2.17 Abuse of sick leave will not be tolerated; those employees suspected of abusing sick leave shall be subject to disciplinary action.

5.3 **LEAVE OF ABSENCE.** Time off from the job with permission, with the right of reinstatement at the same or lower rank, shall constitute a leave of absence.

5.3.1 A leave of absence may be granted for continuing college education, or other valid reasons, at the convenience of the City.

5.3.2 A leave of absence shall not be granted for the purpose of taking another job.

5.3.3 Leave of absence shall be granted only for reasons determined by the Mayor to be acceptable.

5.3.4 Employees shall request a leave of absence in writing to their department head, and the leave of absence shall be approved by the Mayor in intervals of thirty (30) days.

5.3.5 Leave of absence shall be without pay.

5.3.6 There shall be no accrual of sick leave or annual leave or compensation for any holidays during the period that an employee is taking a leave of absence.

5.4 **FUNERAL LEAVE.** Funeral leave is administrative leave with pay for an employee to attend the funeral of a member of the employee's immediate family.

5.4.1 Immediate family is defined as: spouse, parent, step-parent, sister-in-law, brother-in-law, sibling, child, son-in-law, daughter-in-law, grandchild, grandparent, mother-in-law, father-in-law.

5.4.2 A maximum of three (3) consecutive calendar days may be granted with pay.

5.4.3 Request to charge periods of absence to funeral leave must be made to the appropriate department head on a leave request, form C-88-09, prior to being absent.

5.4.4 Approval of administrative leave to attend a funeral must be approved by the department head.

5.5 **CIVIL LEAVE.** Civil leave is administrative leave with pay for an employee to answer a subpoena for jury duty or as a witness in a court proceeding to the extent that the employee is a witness on behalf of the City.

5.5.1 An employee shall be excused only for that time required by the courts. If an employee is excused from jury duty before 12:00 noon or four (4) hours before his/her work period begins, unless it is the midnight shift, he/she shall return to work.

5.5.2 Attendance in court, attendance at an official hearing in connection with an employee's official duties, and the time required in going and returning to court shall not be considered as absence from duty.

5.5.3 Fees received for serving as a witness or as compensation for jury duty shall be retained by the employee.

5.5.4 Request to charge periods of absence to civil leave must be made to the appropriate department head on a leave request, form C-88-09, prior to being absent.

5.5.5 Approval of administrative leave to attend a civil proceeding must be approved by the department head.

5.6 **FAMILY AND MEDICAL LEAVE POLICY.**

5.6.1 Summary. Pursuant to the requirements of the Family and Medical Leave Act of 1993 ("FMLA"), eligible employees are entitled to unpaid leave in certain circumstances specified below. This policy provides a summary of the leave provided under the FMLA, as well as the City's procedures for requesting and approving leave. This policy does not confer any rights beyond those provided by the FMLA.

5.6.1.1 Eligibility. Eligible employees are those who have been employed by the City for at least twelve (12) months and for at least one thousand two hundred fifty (1,250) hours during the previous twelve (12) month period.

5.6.1.2 Grounds for Leave. The circumstances in which FMLA leave is available are governed solely by the FMLA and the regulations hereunder. The City's Policy does not confer any additional entitlement to leave. Eligible employees are entitled up to twelve (12) weeks of leave during any twelve (12) month period for one or more of the reasons listed in this section. Generally, spouses who are both employed by the City are entitled to a total of twelve (12) weeks of combined leave. An employee may take FMLA leave:

- 5.6.1.2.1** Because of the birth of a son or daughter of the employee and in order to care for such son or daughter.
- 5.6.1.2.2** Because of the placement of a son or daughter with the employee for adoption or foster care.
- 5.6.1.2.3** In order to care for the spouse, son, daughter, or parent of the employee, if such spouse, son, daughter, or parent has a serious health condition.
- 5.6.1.2.4** Because of a serious health condition that makes the employee unable to perform the functions of the position of such employee. A "serious health condition" is defined in accordance with FMLA regulations. Generally, this means a physical or mental condition that involves inpatient care (including any subsequent period of incapacity and any follow-up treatment) or continuing treatment by a health care provider. The City reserves the right to require the employee to provide certification of a serious health condition.
- 5.6.1.2.5** Because of any qualifying exigency arising out of the fact that the spouse or a son, daughter, or parent of the employee is on covered active duty (or has been notified of an impending call to active duty) in the armed forces. A "qualifying exigency" is defined in accordance with FMLA regulations as (i) a short-notice deployment, (ii) military events and related activities, (iii) childcare and school activities, (iv) financial and legal arrangements, (v) counseling, (vi) rest and recuperation, or (vii) post-deployment activities.

5.6.1.3 Military Caregiver Leave. In addition to the grounds set forth in Section 5.6.1.2, an eligible employee who is the spouse, son, daughter, parent, or next of kin of a covered military service member shall be entitled to a maximum of twenty-six (26) weeks of leave during any twelve (12) month period to care for that service member. This type of leave is known as “military caregiver leave.”

5.6.1.4 An eligible employee is entitled to up to twenty-six (26) weeks of leave during any twelve (12) month period to care for a covered military service member. A “covered service member” is defined in accordance with FMLA regulations as a service member who has a serious injury or illness incurred in the line of duty, while on active duty, for which he or she is undergoing medical treatment, recuperation, or therapy, or otherwise in outpatient status. This does not include former service members or service members on the permanent disability retired list.

5.6.1.5 This twenty-six (26) week military caregiver leave period represents the maximum total amount of leave available to a covered employee during any rolling twelve (12) month period. It may not be taken in addition to any other leave authorized under the FMLA or any other leave policy. In addition, military caregiver leave is a one-time event. It may not be taken more than once to care for a given injury or illness to a given service member.

5.6.1.6 For purposes of military caregiver leave under this section, a service member’s “next of kin” is defined in accordance with FMLA regulations as his or her nearest blood relative, other than his or her spouse, parent, son, or daughter. The City reserves the right to confirm next of kin status.

5.6.1.7 For purposes of military caregiver leave under this section, a “serious illness or injury” is defined in accordance with FMLA regulations as an illness or injury that renders the service member medically unfit to perform the duties of his or her office, grade, rank or rating. All other terms used in this section are defined in accordance with FMLA regulations and relevant statutes.

- 5.6.2 Use of Paid Leave.** To the extent that the employee is eligible for paid leave, any paid leave must be taken concurrently at the start of any family and medical leave absence. This includes any form of leave time in which any form of compensation is paid, including vacation time, sick leave and absences covered by workers' compensation. Therefore, the employee will be compensated at his or her regular rate for any leave taken using paid leave. The remainder, if any, of the family leave will not be compensated.
- 5.6.3 Intermittent or Reduced-Schedule Leave.** In general, any employee wishing to utilize this benefit must do so on a continuous basis. On the other hand, if able to do so, the City must consider reduced-schedule leave – that is, leave that reduces the staffers regularly scheduled number of days per work week or hours per workday – if it is in the best interest of the City and the employee.
- 5.6.3.1** If medically necessary for a serious health condition of the employee of his/her spouse, child, or parent, leave may be taken on an intermittent basis. That is, leave may be taken periodically for short periods to respond to the medical condition or other covered circumstance. If leave is requested on this basis, however, the City may require the employee to transfer to an alternative position that will be more suitable for recurring periods of absence and/or a part-time schedule.
- 5.6.4 Certification.** The City will require medical certification to support a leave request for an employee's own serious health condition. The certification must include a statement that the employee is unable to perform the functions of his/her position. In its discretion, the City may require a second medical opinion and periodic recertification at its expense. If the first and second opinions differ, the City may, at its own expense, require the opinion of a third health care provider, which will be final.
- 5.6.4.1** The City will require medical certification to support leave to care for a seriously ill child, spouse, or parent. For this leave request, the certification must include an estimate of the amount of time the employee will be needed to provide care.
- 5.6.5 Return to Work.** The City will reinstate a returning employee to the job he held when he left or to an equivalent position with equivalent employment benefits, pay, and other terms and conditions of employment. If an employee fails, however, to return to work upon exhaustion of the twelve (12) weeks of family/medical leave or twenty-six (26) weeks of service member family leave, the employee will be considered to have voluntarily resigned. The City reserves the right to require an employee to provide a certification of fitness for duty before returning to work.

5.6.6 Notification and Reporting Requirements. Under the FMLA, employees are responsible for giving thirty (30) days notice to their employers. If circumstances require that a leave begin in less than thirty (30) days, employees must give the City as much notice as practicable. Examples of when thirty (30) days notice may not be required include a premature birth, a serious accident to a family member, or serious medical condition requiring immediate surgery.

5.6.7 Benefit Status. Any employee who is granted a leave of absence under the FMLA is to ensure the continuity of his or her insurance coverage by making arrangements in advance of the leave to pay premium contribution when required during the unpaid leave.

5.6.7.1 If the employee decides not to return to work upon completion of the leave, the City may recover from the employee the cost of all payments made to continue coverage. Benefits entitlement will be calculated as of the last paid workday period before the start of the family and medical leave absence.

5.7 MILITARY LEAVE. Leave granted to a regular employee who is a member of the National Guard of any reserve component of the armed forces of the United States for week-end drill, annual training, and for emergency call-outs by competent orders constitutes military leave.

5.7.1 The City of Clinton shall comply with Federal and State laws covering leave benefits to employees who are members of any of the reserve components of the armed forces of the United States, specifically Chapter 43 of Part II of Title 38, U. S. Code, and Section 33-1-21, Miss. Code Ann. (1972, as amended).

5.7.2 All employees who are members of military units of the United States shall be entitled to leave of absence from their respective duties, without loss of pay, time, annual leave, or efficiency rating, on all days during which they shall be ordered to duty to participate in military training for periods not to exceed fifteen (15) working days or one hundred twenty (120) hours per calendar year.

5.7.3 All such employees shall for such periods in excess of fifteen (15) working days, be entitled to leave of absence from their respective duties without loss of time, annual leave, or efficiency rating until relieved from duty, and shall when relieved from such duty, be restored to the positions held by them when ordered to duty, or a position of like seniority, status and pay; provided that such employee complies with the following:

- 5.7.3.1 When discharged or released from the armed forces with a certificate of satisfactory completion of service.
 - 5.7.3.2 Shall still be able to perform the essential functions of the job with or without reasonable accommodation.
 - 5.7.3.3 Shall make application for re-employment in compliance with the applicable legal reporting requirements.
- 5.7.4 An employee must provide the City with advance notice of his/her military training or service in compliance with the applicable legal reporting requirements.
- 5.7.5 Any regular employee who leaves the service of the City to join or is called to serve in the military forces of the United States during time of war or other national emergency shall be placed on military leave without pay in accordance with conditions set forth in State and Federal law.
- 5.7.6 Such employee shall be entitled to be restored to the position vacated, provided they comply with the applicable legal reporting requirements and they are physically and mentally capable of performing the essential functions of the job with or without reasonable accommodation.
- 5.7.7 Time so served shall be considered as continuous employment with the City.
- 5.7.8 The returning employee shall also be entitled to any increase in wages which would normally be accorded to the incumbent to the position.
- 5.7.9 In event a position vacated by a person entering the military service, as stated above, no longer exists when the person returns for work; such a person shall be entitled to be re-employed in another position of the same status, class, and pay in the City's service.
- 5.8 **INJURY LEAVE.** An employee injured while performing the duties of his/her position may be allowed leave without pay or may elect to use accrued sick and/or annual leave to maintain full base pay. The City of Clinton has Workers' Compensation Insurance to assist employees injured on the job.
 - 5.8.1 Prior to authorizing an employee's use of accumulated sick or annual leave, the department head should review the benefits provided by Workers' Compensation with the employee. (See Section 11.0.)

- 5.8.2 The department head will insure the accident reporting procedure on personal injuries outlined in Section 8.3 of this manual are carried out.
- 5.8.3 The reports required in Section 8.3 shall be completed immediately and shall contain a statement by the employee and affirmed by his/her supervisor setting forth the details of the accident, and supported by the certificate of a licensed physician, setting forth the nature and extent of the injury and the probable period of disability.
- 5.8.4 Employees on injury leave, using accumulated leave time to maintain full-base wages must provide a written status report to their department head from the attending physician at least every two (2) weeks.
- 5.8.5 The personnel office will not process a payroll check for any employee on injury leave, without a medical status report approved by the department head.
- 5.8.6 An employee injured due to a non-job related incident shall be eligible to use accrued sick leave and/or annual leave to maintain full base wages and City benefits.
- 5.8.7 Upon request, absence due to a non-job related injury may be deducted from accrued sick leave and/or annual leave proportionately to the nearest hour, until the accumulated sick or annual leave is used up.
- 5.8.8 Request to charge periods of absence, due to injuries, to sick leave and/or annual leave must be made to the appropriate department head on a leave request, form C-88-09, as soon as possible after the injury, or within one (1) working day after returning to work.

5.9 ABSENCE WITHOUT LEAVE. Any employee absent from duty for a day or part of a day, which is not authorized by a specific grant of leave of absence under the provisions of these regulations, shall be deemed to be absent without leave.

- 5.9.1 Any such absence shall be without pay and may be subject to disciplinary action.
- 5.9.2 An employee who is absent without leave for three (3) consecutive calendar days or twenty-four (24) consecutive scheduled work hours will be terminated.
- 5.9.3 The absence of an employee from duty shall be reported to the City personnel office by the department head on a memorandum.

5.9.4 The reason for absence shall be stated; if unauthorized, it shall be reported as "absent without leave."

5.9.5 The return of an employee to duty shall likewise be reported.

5.9.6 A department head who, by failure to report the absence of an employee, has enabled the employee to receive pay in excess of the amount to which he/she has earned by working shall be liable for the amount so illegally paid.

5.10 **ADMINISTRATIVE LEAVE.** An employee may be authorized leave with pay under administrative leave.

5.10.1 The approval of administrative leave is normally limited to on the job injuries or suspension with pay for the purpose of conducting an internal investigation and must be approved by the Mayor.

5.10.2 Administrative leave for the purpose of conducting an internal investigation is not to be considered a disciplinary action.

5.10.3 Administrative leave for Workers' Compensation is considered to be one (1) workweek.

END OF SECTION 5.0

6.0 DISCIPLINE

- 6.1 DISCIPLINE.** The purpose of disciplinary actions is to correct behavior, not to punish. If the behavior cannot be corrected, the best interests of the City and the employee will be served by termination of employment.
- 6.1.1** Every supervisor should, when practical, discuss improper or inadequate performance with the employee in order to correct deficiencies and to avoid the need to exercise disciplinary action.
- 6.1.2** Every employee shall attempt to correct any faults in his/her performance that is called to his/her attention and shall make every effort to avoid conflict with the City political subdivision, City policies, and departmental rules and regulations.
- 6.2 GROUND FOR DISCIPLINARY ACTION.** Grounds for disciplinary action include, but are not limited to, the following:
- 6.2.1** Conviction of a criminal offense of misdemeanor involving moral turpitude.
- 6.2.2** Violation of any City ordinance, resolution, policy, procedure or rule.
- 6.2.3** The refusal or failure to follow the instruction or orders of a supervisor, or the intentional disrespect of a supervisor.
- 6.2.4** Possession, use, or being under the influence of intoxicating liquors or illegal drugs while on duty.
- 6.2.5** Incompetency or inefficiency in the performance of assigned duties.
- 6.2.6** Offensive conduct or language toward the public or fellow employees.
- 6.2.7** Neglect or carelessness resulting in damage to public property.
- 6.2.8** Fighting in any instance, whether in anger or by appointment, or in any other way except in necessary self defense, within the City.
- 6.2.9** Attempting to induce any employee of the City to commit an illegal act.
- 6.2.10** Employment in gainful occupation for profit in addition to regular City duties where such occupation conflicts with his/her duties.

- 6.2.11** Willful and wanton brutality or cruelty to a prisoner or one under arrest or sentence provided the act committed was not lawfully done in self-defense or to protect the lives of others or to prevent escape of a person lawfully in custody.
- 6.2.12** Any absence without leave, unless excused.
- 6.2.13** Excessive tardiness and/or absenteeism.
- 6.2.14** Failure to properly report accidents or personal injuries.
- 6.2.15** Falsification or willful misrepresentation of employment application or other City records or reports.
- 6.2.16** Use of City tools, equipment, vehicles, personnel or other City resources or assets for personal or any other use not directly benefiting the City is considered to be illegal.
- 6.2.17** Taking part in the political management of affairs, in political campaigns, posting of political signs in yards, or the use of other forms of communication, other than to cast his/her vote or express privately his/her opinion.
- 6.2.18** Soliciting or aiding in assessment or collection of contributions from employees in the service of the City for the purpose of securing the nomination or election of any person to municipal, county, state, or federal office or for the purpose of making a gift to any elective officer or superior officer in the city's employ.
- 6.2.19** The taking or receiving of any fee, gift, gratuity or other valuable thing in the course of his/her work or in connection with it for his/her personal gain from any person when such fee, gift or gratuity is given by such person in the hope or expectation of receiving a favor or better treatment than that accorded to other persons.
- 6.2.20** Conduct unbecoming to an employee of the City either while on or off duty.
- 6.2.21** Failure to reside and maintain residence within established limits.
- 6.2.22** Violation of prescribed safety rules and regulations.

- 6.2.23** The acceptance of employment for a period of time in excess of seventy-two (72) hours by any employee as a security guard or security related employment, unless such person has first received written consent from the department head and the Mayor approving such employment.

The phrase "in excess of seventy two (72) hours" means a maximum of three (3) days in any calendar month with the same employer, corporation, etc. Any part of a day is considered a full day.

Prior to approval of such employment, the employee must provide to the Mayor through channels a certificate of insurance from the employer which fully protects and compensates the City for any claims against the City or any of its employees by reason of such employment. Such insurance policy shall have limits of not less than \$500,000.00 and also provide that the insurer will at its own expense defend any suits filed against the City or any of its employees because of or growing in any way out of such employment.

- 6.2.24** Failure or refusal to cooperate in an administrative investigation.

- 6.2.25** Any other reason, in the discretion of the Mayor and not in conflict with Federal or State law.

6.3 **TYPES OF DISCIPLINARY ACTION.** A department head shall have several discretionary alternatives for correcting employee behavior through disciplinary action.

- 6.3.1** A department head may delegate to a division head the authority to issue disciplinary action up to and including a suspension without pay for five (5) days.
- 6.3.2** Generally, the severity of a disciplinary action should be related to the gravity of the offense, the employee's record of disciplinary action, and length of service.
- 6.3.3** Disciplinary actions imposed will be reported to the City personnel office by completion of an employee disciplinary report, form C-88-04.
- 6.3.4** In deciding whether to take disciplinary action or in determining what action to take, in no event may there be discrimination against an employee because of race, color, religion, sex, age, national origin, disability, partisan political affiliation, or veteran status.

6.3.5 Department heads or supervisors should generally discuss the matter with the employee prior to imposing discipline. A department head or authorized designate shall have the following alternatives for disciplinary action:

6.3.5.1 Documented counseling session,

6.3.5.2 Written reprimand

6.3.5.3 Suspension with pay

6.3.5.4 Suspension without pay

6.3.5.5 Demotion

6.3.5.6 Dismissal

6.3.6 Employees may appeal or file a grievance concerning disciplinary actions, in addition to other matters of which they may feel aggrieved. Employees may use the grievance procedure outlined in Section 7.0.

6.4 **DOCUMENTED COUNSELING SESSION OR WRITTEN DISCIPLINARY ACTIONS.**

6.4.1 A Documented counseling session may be sufficient disciplinary action for minor offenses. The supervisor shall explain the problem or offense to the employee in private and provide positive reinforcement to the employee.

6.4.2 Written reprimands are used for offenses which in the supervisor's opinion deserve more emphasis than a documented counseling session, or for offenses which a documented counseling session has already been given.

6.4.3 The reason for issuing a written reprimand shall be documented by completion of an employee disciplinary report, form C-88-04. This form shall be countersigned by the employee and the department head or supervisor issuing the disciplinary action and any witnesses.

The original form shall be given to the employee, and a copy shall be forwarded to the City personnel office for filing in the employee's file.

6.4.4 Unless the incident, action, or behavior of the employee is such as to initially warrant a more severe type of disciplinary action, a documented counseling session or written reprimand may generally be issued for first offenses involving matters such as poor performance.

6.4.5 Depending on the circumstances or seriousness of the offense, one additional reprimand may be given for repetition of the same type of offense; however, no more than two (2) reprimands shall be given to any employee for the same type of offense, after which a more severe type of disciplinary action will be taken for repetition of the same type of offense.

6.5 **SUSPENSION WITH PAY.** A department head may suspend an employee with pay for a length of time as considered appropriate, not to exceed twenty-one (21) calendar days or one hundred twenty (120) work hours. Suspensions of more than twenty-one (21) calendar days must be approved by the Mayor.

6.5.1 An employee may be suspended with pay when circumstances exist where presence of the employee in a City position may not be in the best interest of the employee and/or the City, but suspension without pay may be inappropriate.

6.5.2 Suspension with pay will normally be used during internal City investigations, and no inference of guilt is to be assumed.

6.5.3 Suspension with pay is not to be considered disciplinary action. It is administrative leave.

6.5.4 A letter notifying the employee of his/her suspension with pay shall be given by the department head to the employee.

6.5.5 A copy of the letter shall be immediately delivered to the Mayor and the City personnel office.

6.5.6 The letter shall state the reasons for the suspension with pay.

6.5.7 Suspension with pay is to be used only when circumstances exist that prohibits resolving the matter with other means. Suspension with pay status is costly to the City and may cause other employees to perform extra duties.

6.5.8 A copy of all correspondence shall be placed in the employee's personnel record.

6.6 **SUSPENSION WITHOUT PAY.** A department head may discipline an employee by suspension without pay for a length of time as considered appropriate, not to exceed, twenty-one (21) calendar days or one hundred twenty (120) work hours. Suspensions of more than twenty-one (21) calendar days must be approved by the Mayor.

- 6.6.1** A department head may delegate to a division head the authority to suspend an employee without pay for up to five (5) calendar days or forty 40 work hours.
- 6.6.2** The department head has the option of making an equivalent deduction from the employee's annual accumulated leave in lieu of suspension without pay, and may apply this equivalent deduction to all or part of the employee's suspension time.
- 6.7** **DEMOTION.** An employee may be disciplined by being reduced in rank or classification by a department head subject to approval by the Mayor.
- 6.7.1** The department head may reduce the salary of an employee within the range provided in the city's pay plan or demote the employee to a lower grade.
- 6.7.2** Any employee cited for DUI where their job requires driving a City vehicle, will immediately be demoted to a lesser position that does not require driving a City vehicle, until such time as the record is expunged.
- 6.8** **DISMISSAL.** An employee may be terminated or dismissed from employment with the City by a department head. All involuntary terminations shall be submitted to the Mayor for review within three (3) working days.

END OF SECTION 6.0

7.0 GRIEVANCES AND APPEALS

- 7.1 POLICY.** It is the intent and desire of the City of Clinton to give employees an opportunity to air their complaints. Employee grievances shall be given prompt consideration and appropriate adjustment made when, in the discretion of the Mayor, adjustment is necessary. Employees will be given the opportunity to present their grievances without fear of interference, coercion, restraint, discrimination, or reprisal. Supervisors and employees are expected and encouraged to make every effort to resolve grievances without fear of interference, coercion, restraint, discrimination, or reprisal.
- 7.1.1** A grievance is a matter considered by an employee as grounds for complaint. Employee grievances concerning wages, hours of work, working conditions, disciplinary actions, alleged discrimination for any reason including disabilities, and other matters shall be heard and if possible, resolved.
- 7.1.2** The employee is encouraged to discuss the complaint with his/her supervisor, and if not satisfied with the resolution the department head.
- 7.1.3** If this does not provide a satisfactory resolution, the employee should file a written grievance with the personnel officer.
- 7.1.4** The City personnel officer will investigate the grievance and attempt to resolve the grievance through discussion. A written report will be prepared, with recommendation.
- 7.1.5** Upon the further written request of the employee, the grievance matter will be reviewed by the Mayor.
- 7.1.6** The City personnel officer will ensure that all pertinent written materials and correspondence concerning the grievance are forwarded to the Mayor.
- 7.1.7** The Mayor in reviewing a grievance may meet with the employee, the department head, or other persons as necessary.
- 7.1.8** The Mayor will make a decision on the grievance within a reasonable time in writing. Copies of the decision will be provided to the employees and supervisors involved.

7.2 GRIEVANCE DECISIONS.

- 7.2.1** Discrimination prohibited. Retaliation against employees because he/she has filed a grievance shall not be tolerated and such action shall be in violation of the personnel rules of the City. The person responsible shall be subject to appropriate disciplinary action.
- 7.2.2** Personnel File. All correspondence required by the above procedures shall be placed in the aggrieved employee's personnel file in the personnel office.

7.3 CONCLUSION.

- 7.3.1** The employee grievance procedure provides an informal method of resolving employee complaints and provides an opportunity to settle questions of employee/supervisor relations.
- 7.3.2** It is intended that this grievance procedure shall settle grievances at the first possible level.
- 7.3.3** The department head's decision is the final appeal within a department.
- 7.3.4** The Mayor will become involved in employee grievance matters only after the matter is appealed past the department head.
- 7.3.5** The Mayor's decision is the final appeal within the City of Clinton's grievance procedure.

END OF SECTION 7.0

8.0 SAFETY PROGRAM

8.1 POLICY. It shall be the policy of the City of Clinton to adhere to the following safety rules and procedures.

8.1.1 The highest degree of safety shall be provided employees at all times, and the same shall be afforded the general public.

8.1.2 City property and property of the general public shall be protected and preserved.

8.1.3 Department heads, supervisors, and the designated safety officer, shall be held responsible for implementing all phases of the safety program developed by the City.

8.1.3.1 Each department shall have a monthly safety meeting and submit on a monthly basis a report of the monthly meetings to the Personnel Officer.

8.1.4 All hazardous working conditions shall be identified, and prompt corrective action shall be taken to eliminate such conditions.

8.1.5 An ongoing safety training and education program shall be provided and maintained so as to train and educate all City employees to the extent that they can perform their duties economically, efficiently, and safely.

8.1.6 All safety rules and regulations shall be complied with as required by law.

8.1.7 Existing safety rules and regulations shall be reviewed periodically and changes shall be made as necessary.

8.1.8 Periodic and follow-up safety inspections of all work sites shall be conducted by designated personnel.

8.1.9 Firm and equitable disciplinary measures shall be initiated for violation of prescribed safety rules and regulations, and strict consistency shall be maintained therewith.

8.1.10 An overall accident rate shall be maintained at the lowest possible degree.

8.1.11 All operators of City vehicles equipped with seat belts shall wear the seat belts when such vehicles are in operation.

8.2 **RESPONSIBILITIES.** It is the responsibility of all personnel under the City's supervision and control to create a safe working environment which will lead to a substantial reduction in the number of accidents.

8.2.1 **SAFETY OFFICER RESPONSIBILITIES:**

- 8.2.1.1** Administer the safety program;
- 8.2.1.2** Promulgate all safety rules and regulations;
- 8.2.1.3** Ensure and assist in the correction of all hazardous conditions;
- 8.2.1.4** Assist department heads in conducting employee safety training and education sessions;
- 8.2.1.5** Maintain a continuous communication system with all department heads with reference to the number and types of accidents which occur in their department;
- 8.2.1.6** Ensure and assist in the development and enforcement of new and existing safety rules and regulations.

8.2.2 **DEPARTMENT HEAD RESPONSIBILITIES:**

- 8.2.2.1** Maintain safe and healthy working conditions within his/her jurisdiction: the field, the shop, or the office;
- 8.2.2.2** Control injuries, collisions, liabilities, and waste of material within his/her jurisdictions;
- 8.2.2.3** Provide leadership and positive direction essential in maintaining effective accident prevention by setting proper examples;
- 8.2.2.4** Ensure that all safety rules and regulations are complied with by all personnel under his/her direction;
- 8.2.2.5** Ensure that regular department safety meetings are held and attended by all levels of personnel under his/her direction;
- 8.2.2.6** Discuss department accidents and safety plans at employee meetings to bring about a positive accident prevention program;

- 8.2.2.7** Fully cooperate with the designated safety officer in conducting department safety inspections.
- 8.2.2.8** Rule accidents involving employees under his/her direction either “chargeable” or “non-chargeable”;
- 8.2.2.9** Assess the appropriate disciplinary measures outlined in Section 8.6 for “chargeable” accidents resulting from common negligence and/or common violations of prescribed safety rules and regulations within ten (10) working days from the date of the accident.
- 8.2.2.10** Determine, with the assistance of the designated, safety officer, additional disciplinary measures to be assessed along with the application of the disciplinary measures outlined in Section 8.6 for accidents resulting from gross negligence or extreme willful violations of prescribed safety rules and regulations, general orders, or other personnel rules and regulations;
- 8.2.2.11** Send to the City personnel office a copy of all disciplinary actions assessed within five (5) working days from the date the action is assessed;
- 8.2.2.12** Obtain assistance from the designated safety officer for promoting effective accident prevention.

8.2.3 SUPERVISOR RESPONSIBILITIES:

- 8.2.3.1** Ensure safe actions of the employees under his/her supervision and ensure safe performance of the machines and equipment within his/her jurisdiction.
- 8.2.3.2** Ensure that all employees under his/her supervision are fully trained for the jobs they are assigned to do, that they are familiar with the work rules, and that they understand that compliance is mandatory;
- 8.2.3.3** Ensure that all prescribed safety rules and regulations are implemented and followed to the maximum;
- 8.2.3.4** Account for preventable injuries, collisions, and liabilities caused by employees under his/her supervision;

- 8.2.3.5** Initiate correction of deficiencies noted in facilities, work procedures, employee job knowledge, or attitudes that adversely affect the City's accident prevention efforts;
- 8.2.3.6** Ensure that employees are dressed safely and sensibly before starting work;
- 8.2.3.7** Fully cooperate with the designated safety officer in closing down operations considered to be of imminent danger to employees or in removing personnel from hazardous jobs when they are not wearing or using prescribed protective equipment;
- 8.2.3.8** Ensure that all accidents involving employees under his/her supervision are properly reported regardless of how trivial they may seem;
- 8.2.3.9** Investigate the cause of all accidents involving employees under his/her supervision which result in personal injury or damage to City property other than City vehicles.
- 8.2.3.10** Demonstrate a personal concern for safety by directly interviewing and counseling with each employee who has either lost time from work because of an on-the-job injury or has been involved in a vehicular accident;
- 8.2.3.11** Give prompt recognition to those employees who perform their work in a safe and efficient manner;
- 8.2.3.12** Firmly enforce prescribed safety rules and regulations by immediately reporting those employees who fail to adhere to prescribed safety rules and regulations to the department head for corrective action;
- 8.2.3.13** Provide assistance as needed to department heads in administering appropriate disciplinary measures for "chargeable" accidents.

8.2.4 EMPLOYEE RESPONSIBILITIES:

- 8.2.4.1** Exercise due care in work to prevent injuries to themselves and to his/her fellow workers, and to prevent damage to City property.
- 8.2.4.2** Maintain an alert and business like attitude at all times;

- 8.2.4.3 Report all accidents, regardless of how trivial, to their immediate supervisor;
- 8.2.4.4 Do not engage in horseplay or practical jokes;
- 8.2.4.5 Keep work area clean and orderly;
- 8.2.4.6 Report all unsafe conditions immediately to their supervisor;
- 8.2.4.7 Obey all safety rules and regulations. If any doubt exists about the safety of doing a job, the employee shall STOP and get instructions or assistance from the supervisor before continuing work.
- 8.2.4.8 Wear prescribed protective equipment; at all times.
- 8.2.4.9 Operate only machinery and equipment authorized and/or trained to operate;
- 8.2.4.10 Use proper tools and equipment for the job to be performed.
- 8.2.4.11 Learn to lift and handle materials properly;
- 8.2.4.12 Take an active part in the safety program.

8.3 **ACCIDENT REPORTING PROCEDURES.** Timely reporting of any accident is mandatory. Ensuring full employee benefits and reasonable liability adjustments at the lowest cost to the City is totally dependent upon proper reporting.

8.4 **REPORTING PERSONAL INJURIES.** All personnel injuries will be reported on a timely basis by completion of the personal injury report form 88-11.

8.4.1 An employee who has an injury while on the job shall:

8.4.1.1 Report immediately to his/her immediate supervisor and/or a physician for treatment;

8.4.1.2 Complete the employee's section of the personal injury report, form C88-11.

8.4.2 A supervisor who is supervising an employee who has an injury while on the job shall:

- 8.4.2.1 Seek medical attention or examination for the employee, for any injury, from a physician designated by the City or the closest hospital emergency room;
- 8.4.2.2 Review employee's section of form C-88-11 to insure it is accurate and complete.
- 8.4.2.3 Investigate circumstances which caused the accident and recommend appropriate corrective measures to eliminate the hazard and prevent any future occurrences;
- 8.4.2.4 Complete the supervisor's section of the personal injury report, form C-88-11;
- 8.4.2.5 Deliver the form to the department head's office within twenty-four (24) hours from the time of the accident.

8.4.3 The department head shall:

- 8.4.3.1 Review the completed personal injury report;
- 8.4.3.2 Determine whether the accident is "chargeable" or "non-chargeable" against the employee (s) or supervisor (s) involved;
- 8.4.3.3 Have a copy of the personal injury report delivered to the Mayor's office within forty eight (48) hours from receipt of the report. Employee's personal injury reports on accidents which occur on weekends or holidays shall be delivered to the Mayor at the beginning of the next workday.
- 8.4.3.4 Have the original and a copy of the completed accident report delivered to the City personnel office within forty eight (48) hours from the time the form is received. Employee accident forms resulting from accidents which occur on weekends or holidays shall be delivered to the City personnel office at the beginning of the next workday.
- 8.4.3.5 Any City employee, who sustains an injury at work, shall be required to submit to a urinalysis and/or blood test within two (2) hours of such injury at the direction of the department head.

8.5 REPORTING VEHICLE ACCIDENTS. All vehicle accidents shall be reported in a timely manner by completion of a City Vehicle Accident Report, form C-88-02.

8.5.1 The operator of a vehicle involved in an accident or the employee who discovers damage to the same, regardless of who is at fault or how trivial the damage, shall:

8.5.1.1 Report the matter to the Police and request an investigation. If the accident occurs inside the City limits, the Hinds County Sheriff's Office or the Mississippi Highway Patrol shall be called and requested to investigate the matter. If the accident occurs out of the City limits, the nearest law enforcement agency with jurisdiction shall be called and requested to investigate the matter.

8.5.1.2 Contact the immediate supervisor after the accident has been investigated by the proper authorities and complete a City Vehicle Accident Report, form C-88-02, and return the form to the supervisor;

8.5.1.3 Follow the reporting procedures regardless of whether any damage was caused or not, if it is alleged by another party that a City owned vehicle caused damage to another vehicle, the driver of the City vehicle shall be drug tested within two (2) hours;

8.5.1.4 Report damage to vehicle caused by flying or falling debris, regardless of how minor the damage might be;

8.5.1.5 Follow reporting procedures in case of an accident between two (2) or more City vehicles;

8.5.1.6 In cases involving damage to a City vehicle that has no operator and is not assigned to any particular employee, report the accident to the department head whose department the vehicle is assigned.

8.5.1.7 All accidents involving a City vehicle shall be investigated by the County or State law enforcement agency.

8.5.2 The supervisor of an employee involved in or reporting a vehicle accident shall:

8.5.2.1 Review the City Vehicle Accident report, form C-88-02, completed by the employee and countersign if it is accurate and complete;

8.5.2.2 Deliver the completed form to the department head's office within twenty-four (24) hours from the time of the accident.

8.5.3 The department head shall:

8.5.3.1 Review carefully the City Vehicle Accident Report, form C-88-02;

8.5.3.2 Determine whether the accident is "chargeable" or "non-chargeable" against the employee (s) and/or the supervisor (s) involved.

8.5.3.3 Have a copy of the report delivered to the Mayor's office within forty eight (48) hours from receipt of the report. A City Vehicle Accident Report, form C-88-02, for an accident which occurs on a weekend or a holiday shall be delivered to the Mayor's office at the beginning of the next workday.

8.5.3.4 Have the original and a copy of the completed report delivered to the City personnel office within forty eight (48) hours from the time the report is received. A City Vehicle Accident Report, form C-88-02, for an accident which occurs on a weekend or a holiday shall be delivered to the City personnel office at the beginning of the next workday.

8.5.3.5 Any City employee involved in a motor vehicle accident or an accident which requires medical attention to himself/herself or another person on City property, in a City vehicle on City business, or during working hours, shall be required to submit to a urinalysis and/or blood test within two (2) hours of such accident at the direction of the department head.

8.6 **DISCIPLINARY MEASURES FOR COMMON NEGLIGENCE AND/OR COMMON VIOLATIONS.** Disciplinary measures shall apply to accidents or common violations resulting from common negligence and/or common violations of prescribed safety rules and regulations. A copy of all disciplinary actions shall be sent to the City personnel office and Mayor within five (5) working days after the action is assessed.

8.6.1 **FOR ACCIDENTS INVOLVING PERSONNEL INJURIES OR VEHICLES.** The department head shall assess the following minimum penalties to the affected employee within ten (10) working days from the date of the accident or violation of prescribed safety rules and regulations.

- 8.6.1.1** The first “chargeable” incident shall result in a written reprimand for the employee and counseling by the department head for both the employee and the immediate supervisor.

The department head may also issue a written reprimand to the immediate supervisor, if the supervisor is found negligent.

- 8.6.1.2** The second “chargeable” accident or violation within a two (2) year period shall result in a three (3) day suspension of the employee plus a possible written reprimand to the immediate supervisor, if the supervisor is found negligent.

- 8.6.1.3** The third “chargeable” accident or violation within a two (2) year period shall result in termination of the employee, plus a possible one (1) day suspension of the immediate supervisor, if the supervisor is found negligent.

- 8.6.2** FOR GROSS NEGLIGENCE AND/OR WILLFUL VIOLATIONS OF SAFETY RULES AND REGULATIONS. The department head shall have the authority and responsibility for assessing disciplinary actions over and above those disciplinary measures for common negligence and/or common violations.

- 8.6.2.1** These disciplinary actions shall include: reprimands, suspension, demotions or terminations.

- 8.6.2.2** The department head shall confer with the City safety office to compare the violation with similar violations in the past.

- 8.6.2.3** The department head shall assess disciplinary measures comparable to those assessed in similar cases.

- 8.6.2.4** Where no similar violation has occurred, the department head, after conferring with the City Safety Officer, shall assess a fair, but stern disciplinary action.

- 8.6.3** OTHER DISCIPLINARY ACTIONS FOR SAFETY VIOLATIONS. Disciplinary actions may be, but are not limited to the following:

- 8.6.3.1** Operating City vehicles without a valid Mississippi driver’s license.

- 8.6.3.2** Improper reporting of an accident;

- 8.6.3.3 Failure to call the proper authorities for an investigation of an accident;
- 8.6.3.4 Failure to wear prescribed protective safety clothing;
- 8.6.3.5 Failure to use prescribed safety tools and equipment;
- 8.6.3.6 Failure of an operator assigned to a City vehicle to follow required routine preventive maintenance procedures.
- 8.6.3.7 Failure to wear seat belts when vehicle is in operation.

8.7 **APPEAL PROCEDURE.** Employees who are assessed disciplinary actions because of the provisions outlined under any section of this safety program and feel that such action is unjust, may exercise his/her grievance appeal rights as outlined in this manual.

END OF SECTION 8.0

9.0 WAGE AND SALARY

9.1 PERFORMANCE PAY SCHEDULES. The Mayor and Board of Aldermen may establish, maintain, review annually, and amend the performance pay schedules as it is deemed necessary. These pay schedules shall constitute the official pay plan for compensating all regular positions.

9.1.1 This plan is based upon employee performance and the ability of supervisors to evaluate performance. Nothing is automatic about this plan except systematic performance evaluation.

9.1.2 The performance pay plan is used in conjunction with the position classification plan. Classifications are based upon their relationship with all other classifications in their occupational series.

9.1.3 The performance pay plan has four schedules. They are:

9.1.3.1	Schedule I	GS	General Services
9.1.3.2	Schedule II	LTC	Labor, Trades & Crafts
9.1.3.3	Schedule III	PS	Public Safety
9.1.3.4	Schedule IV	PM	Professional & Managerial

9.1.4 The administration and maintenance of the schedule is as follows:

9.1.4.1 Advancement from step to step will be based upon officially scheduled performance appraisal with satisfactory results and department head recommendation. NO PERFORMANCE INCREASE WILL BE AUTOMATIC.

9.1.4.2 All promotional advancement will be based upon performance and qualification officially appraised through the promotional procedure.

9.1.5 Wage and salary increases rest with the discretion of the Mayor and Board of Aldermen. With consideration given to the prevailing rates of and within the various schedules and other pertinent economic factors, the Board may authorize general, other classification systems, single or multiple schedule up dates; or may vary the update percentage among the schedules.

9.1.6 Consistency of the classes in the pay plan with regard to duties and responsibilities shall be maintained.

- 9.1.7 Prevailing rates for similar employment in industry and other public jurisdictions shall be used as guidelines, however, the availability of funds shall determine the rates established.
- 9.1.8 Salary surveys shall be conducted, as ordered by the Mayor, to maintain competitive salary levels.
- 9.1.9 Entrance salaries shall normally be the first step of a pay grade unless unusual circumstances exist, such as difficulty in obtaining qualified applicants or an eligible applicant possesses outstanding qualifications.
- 9.1.10 The pay step number of an employee that is placed on a specialized assignment is established as the step the employee has attained through regular provisions.

Department Heads that want to place an employee on a specialized assignment which merits extra conditional pay must provide justification and documentation for the Mayor's approval. In the event the Mayor does not approve the request the employee will not be granted extra conditional pay. If placed on a specialized assignment, extra conditional pay will be expressed as a plus step. (e.g., police officer on specialized assignment such as investigation). A police officer currently in pay classification PS-04 step 5, if placed on specialized assignment which merits extra conditional pay would have a pay classification of PS-04 step 6. Once the specialized assignment is completed, the employee shall revert to the classification of PS-04 step 5.

This is the only provision that allows an employee to receive an increase above the maximum step provided in the established pay grade. No employee is eligible for more than one step above the maximum pay grade and then only after careful justification, documentation, and approval by the Mayor.

- 9.2 **POSITION CLASSIFICATION PLAN.** The position classification plan is the grouping together into classes of all positions in the City of Clinton which are essentially similar with respect to nature of work, level of difficulty and responsibility, and education and/or work experience requirements.

- 9.2.1 A position is a group of current duties and responsibilities, assigned or delegated by competent authority, requiring the full time employment of one person. A position may be vacant or occupied.

- 9.2.2** A class is a group of one or more positions sufficiently similar in respect to their duties, responsibilities, and authority that the same descriptive title may be used with clarity to designate each position; that the same qualification requirements and tests of fitness may be used to choose qualified employees; and that the same schedule of compensation can be made to apply with equity under substantially the same employment conditions. Some classes include only one position whereas other classes include many positions.
- 9.2.3** While positions of a class may be similar in many respects, it should not be interpreted that all positions in a class are identical.
- 9.2.4** A class or series of classes represents a range of difficulty and responsibility. A single class may encompass the entire range of difficulty, or it may include only a portion of a range where a series of classes is involved.
- 9.2.5** A classification plan is not intended to reflect an individual's competence, efficiency, capability, length of service, or experience. A position classification plan deals with POSITION, NOT with individuals.
- 9.2.6** The class titles should be used in all payrolls, budgets, and for other clerical records and internal and administrative uses. Approved working and legal titles, however, may and should be used for public contact and legal purposes. An example is City Clerk.
- 9.2.7** Uses of the position classification plan include:
- 9.2.7.1** Establishing a basic structure of dealing with personnel matters in a fair and consistent way.
 - 9.2.7.2** Formulating of a pay policy according to duties, responsibilities and work requirements rather than in relation to personalities.
 - 9.2.7.3** Setting a uniform and meaningful terminology for position titles.
 - 9.2.7.4** Classifying new or additional positions that may be needed in City departments and assisting in recruitment and pay determinations for new positions.
 - 9.2.7.5** Indicating lines of promotion within general types of work.

9.2.7.6 Establishing the education and experience needed to qualify for advanced positions.

9.2.8 Some of the criteria used to determine the classifications of a position include:

9.2.8.1 Supervision exercised and received,

9.2.8.2 Type of supervision,

9.2.8.3 Authority delegated to a position,

9.2.8.4 Finality of action,

9.2.8.5 Opportunity for the use of independent judgment and direction,

9.2.8.6 Complexity and varied nature of work,

9.2.8.7 Skill and/or education necessary to perform the work,

9.2.8.8 Previous experience and training necessary to perform adequately the duties of the position,

9.2.8.9 Opportunity for error and consequence of error,

9.2.8.10 Hazards of duties,

9.2.8.11 Working conditions under which duties of job must be performed.

9.2.9 The foregoing criteria are not all applied uniformly to all positions. Certain criteria are applicable to one group of positions, while others require a different set of standards.

9.3 **REGULAR PAY INCREASES.** All increases in wages will be initiated by notifying the personnel office, in the Department of Administration, of the change by memorandum. The memorandum will be maintained in the employee's personnel file for a minimum of six (6) months.

9.3.1 The personnel officer will prepare a payroll change notice; form C-88-10, upon receipt of a memorandum from a department head advising of a salary change.

9.3.2 The personnel officer will verify the salary increase is in compliance with the performance pay plan.

- 9.3.3 The personnel officer will forward any payroll change notice which does not comply with the performance pay plan to the Mayor for approval, prior to processing.
- 9.3.4 Performance increases and performance evaluation reviews will normally occur once a year on an employee's employment anniversary date or date of last promotion or increase.
- 9.3.5 Employees who do to receive performance increases shall be told in writing the specific reasons his/her performance was lacking.
- 9.3.6 An employee according to the general provisions and applicable schedule provisions who cannot be awarded a performance increase after the regularly scheduled evaluation shall be re-evaluated after six (6) months.
- 9.3.7 When a promotion and performance increases occurs in the same month, the performance increase is still awarded. This will not be retroactive or in any way affect prior actions. The performance increase comes first and is awarded within the pay grade where earned, and then the promotional provisions apply as pertains to promotional pay increases.
- 9.3.8 The effective date of a performance increase for a semi-monthly paid employee is the first (1st) day of the first (1st) full pay period following the performance evaluation. The effective date of a performance increase for a weekly employee is the start of the next weekly pay cycle.
- 9.3.9 An increase in pay within one's designated pay grade is known as a performance increase. Merit increases, awarded for unusual or extraordinary performance, will be very limited in number and frequency and must be approved by the Mayor.
- 9.4 **PROMOTIONAL PAY INCREASE.** An increase in pay as a result of moving to a higher classification is known as a promotion or reclassification.
- 9.4.1 The entry position into a grade as a result of a promotion or reclassification will normally be the first step in the grade promoted which will result in a pay increase. For instance, a Laborer I at grade and step LTC-04-8, if promoted to a Laborer II position would enter at grade and step LTC-06-07. This is an hourly change from \$5.83 to 5.98.

- 9.4.2 The result of a promotion or reclassification is intended to be a pay increase and is not to result in a pay decrease. The entry into the grade and step of the higher position is not limited to step 01, but is normally limited to the first step which will result in an increase for the employee. The date of an employee's promotion will be their new anniversary date.
- 9.5 **PROBATIONARY PAY INCREASE.** The Police and Fire Chiefs have some discretion on initial placement of probationary police officers and fire fighters.
- 9.5.1 Based on prior experience and training of probationary fire fighters, the Fire Chief may request entry into grade PS-03 at higher than step 01. They may also request step increases based on completion of training during the probationary period within grade PS-03.
- 9.5.2 Probationary fire fighters are not eligible to enter grade PS-04 until satisfactory completion of his/her probationary period and his/her respective Chief.
- 9.6 **PAYROLL CLASSIFICATION.** There are two (2) payroll classifications:
- 9.6.1 Semi-monthly regular: An employee paid semi-monthly who occupies a regular, full-time position and has potential for in-grade pay advancement.
- 9.6.2 Weekly regular: An employee paid weekly who occupies a regular, full-time position and has potential for in-grade pay advancement.
- 9.7 **JURY PAY.** Employees called and chosen for jury duty will be excused for days off from work. Proper documentation must be submitted to the Department head in order for the employee to receive compensation from serving on jury duty. Fees received for serving as a witness or as compensation for jury duty shall be retained by the employee.
- 9.8 **SEVERANCE PAY.** No severance pay, except for accumulated annual leave, shall be paid.
- 9.8.1 Upon written resignation with two (2) weeks advance notice of the last day of employment, employees with more than twelve (12) months of service shall be compensated for annual leave accumulated but not taken.
- 9.8.2 Employees shall reimburse the City of any leave taken but not earned.
- 9.8.3 The Department of Administration shall include all compensation due an employee, including pay for accumulated annual leave not to exceed two hundred and forty (240) hours, in the next regular scheduled payroll pay check following the employee's last day of employment.

9.9 OUTSIDE EMPLOYMENT. Regular full-time employees shall devote his/her primary allegiance and energies to the duties and responsibilities of his/her position with the City of Clinton. Should an emergency occur where an employee must be called in on an off day, the employee must be available.

9.9.1 Outside employment shall be permitted after approval by the department head and the Mayor on a written request from the employee which contains the department head's and immediate supervisor's recommendation.

9.9.2 Outside employment shall not be permitted by the City if the employment requires so much of the employee's time that it may interfere or create any possible conflict of interest, or create any public relation problems for the City.

9.9.3 Personnel employed as security guards or other security related employment are referred to Section 6.2.23 of this handbook.

END OF SECTION 9.0

10.0 EMPLOYEE BENEFITS

10.1 INSURANCE.

10.1.1 MEDICAL/DENTAL – EMPLOYEE. The City shall pay insurance premiums for coverage of eligible employees for hospitalization insurance.

10.1.2 MEDICAL/DENTAL – FAMILY OF EMPLOYEE. The City shall provide eligible employees the opportunity to purchase family hospitalization insurance by payroll deduction.

10.1.3 LIFE INSURANCE/LONG TERM DISABILITY – EMPLOYEE. The City provides group life insurance in an amount calculated on an eligible employee's annual base pay. Long Term Disability is available after twelve (12) weeks.

10.1.4 Insurance forms and information are available in the personnel office. All changes on insurance, such as deletes and additions are handled through the City personnel office.

10.2 UNEMPLOYMENT COMPENSATION. Unemployment compensation shall be available to those former employees who meet the required guidelines.

10.3 WORKERS' COMPENSATION. The City provides workers' compensation insurance on all full-time employees and others covered by statutory requirements.

10.4 RETIREMENT. Employees in regular, full time positions are required to become members of the (PERS) Public Employees' Retirement System of Mississippi.

10.4.1 When an employee retires, the personnel office will request all necessary forms from the PERS, and assist the employee in completing the forms.

10.4.2 Upon complete severance of employment an employee with four (4) years creditable service may choose to leave accumulated contributions in the PERS and apply for service retirement at age 60.

10.5 ANNUAL AND SICK LEAVE. Full time employees of the City will be allowed annual and sick leave as explained in this manual.

END OF SECTION 10.0

11.0 WORKERS' COMPENSATION

- 11.1 WORKERS' COMPENSATION.** The City of Clinton provides Workers' Compensation coverage for all full time regular employees and others covered by statutory requirements. Workers' Compensation provides fixed awards for employees of his/her dependents in case of disability or death of an employee from injury or occupational disease arising out of and in the course of employment.

The effect of workers' compensation is to make the employer liable to an employee for injuries sustained. The City's liability does not include a pre-existing disability or disease which is shown by medical findings to be a material contributing factor in the result following an injury.

The Workers' Compensation Agency the City uses administers the employees benefits, not the City of Clinton.

- 11.1.1** Claims for workers' compensation benefits must be filed in duplicate by the injured employee's supervisor on form B-3, Employers First Report of Industrial Injury, within forty-eight (48) hours after the occurrence of the injury.
- 11.1.2** The original and copy of form B-3 must be forwarded to the City personnel office for processing through the workers' compensation insurance carrier. Do not send report of injury directly to the insurance carrier.
- 11.1.3** Absences by employees covered by workers' compensation who are injured on the job in performance of their duties will not be chargeable to accumulated sick or annual leave. The City shall pay employees who are injured in the performance of their assigned duties their regular pay for one (1) work week lost, in cases which the Workers' Compensation plan does not pay for the time off.

Absences in these cases shall be chargeable to administrative leave. Accumulated sick leave may be used when Workers' Compensation benefits do not compensate for all lost time.

For all doctor and hospital visits associated with a Workers' Compensation claim the employee must provide to their Department Head a valid excuse from a doctor.

- 11.1.4** Medical claims (bills from doctors, hospitals, pharmacies, etc.) should be submitted directly to the workers' compensation insurance carrier by the physician, hospital, and employee.

11.1.5 The personal injury must be reported according to the procedures outlined in Section 8.0.

11.1.6 An employee may desire to use accumulated sick or annual leave in order to continue to receive full base salary and receive workers' compensation benefits simultaneously. This will result in the employee receiving benefits above his/her benefits above his/her normal base wage.

The employee may request to be placed on leave without pay status instead of using accumulated sick or annual leave.

11.1.7 The leave status used should be requested in accordance to the procedures in Section 5.0.

11.1.8 Uniforms should be turned in to the Department Head until the employee is off of Workers' Compensation.

END OF SECTION 11.0

12.0 BAD WEATHER POLICY

12.1 POLICY. It is the City of Clinton's overall policy to remain open during periods of bad weather in order to provide the services to the citizens of the City they expect. The following procedures shall be followed during periods of bad weather:

12.1.1 Only the Mayor is authorized to close the city down during periods of bad weather.

12.1.2 Absent an order from the Mayor closing the City, all employees will be expected to report for work.

12.1.3 If the employee feels he/she cannot report to work because of the conditions he/she should notify their supervisor. Absent an order closing the City the employee should report to work as soon as conditions allow.

12.1.4 In the event an employee cannot report to work and the Mayor has not issued an order closing the City, the employee shall take a day of annual leave.

END OF SECTION 12.0

13.0 COMPUTER SYSTEM USE AND SOFTWARE CONTROL POLICY

13.1 INTRODUCTION. The City of Clinton ("City") has implemented the following formal policy controlling the use of our computer system and the acquisition, installation, and use of computer software programs. "Software" is defined as any form of software media program that the City or any employee purchases, acquires, licenses, registers, or installs on the local area network or the wide area network within the City or any computer maintained within the City premises or which connects by modem or otherwise to the City local area network or wide area network.

13.2 OBJECTIVES OF THE POLICY.

13.2.1 The City computer system is the business property of the City and is for the business of the City, not the personal use of employees. The City has sole and absolute control over and permissible use of the computer system. This Computer System Use and Software Control Policy has been adopted to protect and maintain the integrity of the computer system.

13.2.2 Software is subject to ownership of, and license agreements from Software owners, vendors, or licensees. The right (license) to use Software normally stipulates restrictions on copying, distribution, and use. The City has adopted the Computer System Use and Software Control Policy set forth below to control ordering, installation, copying, and use of Software and conditions of any of the license agreements with any vendor.

13.3 THE POLICY.

13.3.1 No Expectation of Privacy. The City computer system is to be used for the business use of the City and is subject to the sole and absolute control of management. The City retains the right to monitor the use of all computer workstations and inspect and review any and all documents and files of any type, including e-mail messages and internet files, at any time. Because there is no personal expectation of privacy in the City computer system, employees should refrain from posting on the computer system any files or e-mail messages that he or she does not want to be subject to inspection and monitoring by management.

13.3.2 Only the City Business Use. The computer system is for business use and not the business use of any other person or entity. Use of the City computer system to perform personal business or the work of another City or business is specifically prohibited and is grounds for immediate termination, unless the use of the computer system for this purpose is in conjunction with services being provided by the City or has been previously approved in writing by management. Reasonable personal use of the computer system is allowed so long as it does not interfere with City business and does not result in financial obligation to or by the City. Management has the absolute authority to determine what reasonable use is and retains the right to limit or prohibit personal use.

13.3.3 Training Required. The computer system is a state-of-the-art computer system that is designed to be a valuable tool for the City's operation. To protect the integrity of the computer system and enhance and maximize its usefulness, it is imperative that users of the system be trained and qualified. Training is not a one-time event. The computer system is constantly evolving and is very sophisticated. No one can possibly know every feature of the system and continuing systematic training is required to ensure that all employees have a minimum level of competence. All personnel will be required to attend scheduled training, without exception. If a scheduled training session cannot be attended, it must be rescheduled.

13.3.4 Remote Access. Remote access to the computer system is restricted to employees previously authorized by management. Unauthorized remote access to the computer is specifically prohibited and constitutes grounds for immediate termination.

13.3.5 Software Usage.

13.3.5.1 Registration of software. All software installed on City computer equipment must be registered with management.

13.3.5.2 Discovery of Illegal or Unauthorized Copies. If, during any maintenance of City computer equipment, unauthorized or possibly infringing copies of Software are discovered IS management will notify the user of the Software and remove infringing or unauthorized copies. If appropriate to the City's needs, IS management will arrange for acquisition of authorized copies of such Software.

- 13.3.5.3** No copying Permitted. Employees shall not make, possess, distribute, or use any unauthorized or infringing copy of Software licensed to the City. Employees may not decompile, disassemble, reverse engineer, copy, create a derivative work, or otherwise use Software licensed to the City except as stated in each Software Agreement provided by Software vendors. Employees shall not copy any Software programs licensed to the City without express authorization of management.
- 13.3.5.4** All Software Ordered/Installed Through Management. After the effective date of this policy, all software necessary or desirable for the performance of employee's duties must be approved and installed through IS management.
- 13.3.5.5** Personal Software. All Software which is not owned by or licensed to the City ("Personal Software") must be registered with and approved by management prior to its installation. All software must be installed by IS management. No Personal Software will be installed on any computer or any computer which connects with the City local area network unless approved by management. The computer system is designed to operate the business software of the City, not personal software.
- 13.3.5.6** Personal Storage Devices. Use of personal jump drives, flash drives, SD cards and other personal storage devices on city computers is prohibited.
- 13.3.5.7** Internet Software. Software programs shall not be downloaded from the internet or Internet e-mail and installed on any City computer without written approval from management.
- 13.3.5.8** Control of Original Copies of Software. The original copy of each Software program acquired by the City for use on the City's equipment will be kept by each department. Normally, the working copy of the Software will be installed on the Local Area Network or Wide Area Network or on the intended user's hard disk. Backup copies of all Software will be stored off site.
- 13.3.5.9** No Lending. Software shall not be loaned or transferred from one individual within the City to another without advising management so that records can be updated. Software shall not be loaned to any person or City outside the City.

13.3.6 System and Password Security. All employees shall be assigned specific passwords for accessing Software programs on the Local Area network or Wide Area network. Employees shall not circumvent or otherwise defeat the security of the computer equipment by revealing access codes or other passwords to anyone.

13.3.7 City Access to Electronic Mail (e-Mail). The e-Mail system is to be utilized only for business. Use of the e-Mail system intended to send messages of a personal nature should be kept to a minimum. All users of the e-Mail system should refrain from posting or transmitting vulgarities, obscenities, or other offensive matter, including but not limited to, racist or sexist comments. No employee shall use the e-Mail system to send or forward multimedia attachments of any type or form. E-Mail and its contents, any other electronic communications, and any data stored on (whether temporarily or permanently) or transmitted by equipment owned by the City, are the property of the City. The City may audit, monitor and/or access this data as needed and disclose the resulting information, as it deems appropriate. The capability of the electronic communications system, including e-Mail, to limit access to the system through use of passwords or other security measures as well as the systems users' capability to delete messages or to identify or differentiate between "public" and "internal" or "private" messages exists solely for the protection of the City, not for the purpose of protecting the privacy of any employee communications. Accordingly, no employee shall have any expectation of privacy in any electronic communication, including e-Mail, and the privacy of e-Mail and such other data, whether temporarily or permanently stored, is not guaranteed. Under normal circumstances, the City may preserve all e-Mail messages or magnetic media for several days from the date the message is created. Periodically, all electronic media copies of the e-Mail message will be deleted. The City may suspend the regular deletion of all or part of the e-Mail messages for an indefinite period without notice.

13.4 INTERNET USE POLICY.

13.4.1 The City of Clinton ("the City") has implemented the following guidelines for the proper use of internet resources. All employees have the responsibility to use these resources in a professional, ethical, and lawful matter.

13.4.2 Employees are given access to the Internet to assist them in the performance of their jobs. The computer and telecommunications system through which the Internet is accessed belongs to the City and is intended to be used for authorized business purposes. Only limited and reasonable personal use that does not interfere with the business is allowed.

13.4.3 The Internet is a worldwide network of computers containing millions of pages of information and many diverse points of view. Because of its global nature, users of the Internet may encounter material that is inappropriate, offensive, and possibly illegal. Employees are notified that they are responsible for the material they review and download on the Internet.

13.4.4 Accessing the Internet. Employees may access the Internet through the City network on their assigned computer workstations.

13.4.5 Prohibited Activities. Sending, receiving, displaying, printing, or otherwise disseminating material that is fraudulent, harassing, illegal, embarrassing, sexually explicit, obscene, intimidating, or defamatory is prohibited. Employees encountering such material should report it to management immediately. When accessing or utilizing Internet e-mail through the City network, users shall not:

13.4.5.1 Visit Internet sites that solicit or send e-mail that contain obscene, hateful or other objectionable materials; send or receive any material that is obscene or defamatory or which is intended to annoy, harass or intimidate another person;

13.4.5.2 Print, upload, download or otherwise transmit any material that contains obscene, hateful or other objectionable materials; send or receive any material that is obscene or defamatory or which is intended to annoy, harass or intimidate another person;

13.4.5.3 Solicit business for personal gain or profit for any person or entity other than the City;

13.4.5.4 Use the Internet or e-mail for any illegal purpose;

13.4.5.5 Represent personal opinions as those of the City;

13.4.5.6 Make or post remarks, proposals, or materials;

13.4.5.7 Upload, download, or otherwise transmit commercial software or any copyrighted materials that do not belong to the City;

13.4.5.8 Download any software or electronic files without the express written authorization of management;

- 13.4.5.9** Intentionally interfere with the normal operation of the network, including the propagation of computer viruses and sustained high volume network traffic, which substantially hinders others in the use of the network. Forwarding of e-mail with multimedia attachments is specifically prohibited;
- 13.4.5.10** Reveal or publicize confidential information of the City, its officers, employees or its citizens which includes, but is not limited to; any work product, financial information, strategies and plans, databases and the information contained therein, lists, technical information, computer software source codes, computer/network access codes, and business relationships;
- 13.4.5.11** Examine, change or use another person's e-mails or files coded private, output or user name for which they do not have explicit authorization;
- 13.4.5.12** Perform any other inappropriate uses identified by management; or
- 13.4.5.13** Waste time, including but not limited to personal shopping or browsing, games, greeting cards or other activities not directly related to an employee's job function.

13.4.6 Prohibited Uses. Employees may not use the City's Internet resources for commercial or personal advertisements, solicitations, promotions, destructive programs (i.e., viruses and/or self-replicating code), political material, or any other unauthorized or personal use.

13.4.7 Communicating Information. Employees should exercise the same care in drafting e-mail, communicating in chat groups, and posting items to news groups as they would for any other written communication. Employees must take care that e-mails are sent only to the intended recipients. Anything created on the computer or Internet may, and likely will, be reviewed by others.

13.4.8 Virus Detection. Files loaded into the City computer system are automatically scanned for viruses. Note, however, that no software should be downloaded from the Internet and placed onto the City computer system unless it is in compliance with the Computer System and Software Control Policy.

13.4.9 Export Restrictions. Because of export restrictions, programs or files containing encryption technology are not to be placed on the Internet or transmitted in any way outside the United States without prior written authorization from management.

13.4.10 Disclaimer of Liability. The City will not be responsible for any damages, direct or indirect, arising out of the use of its Internet resources.

13.4.11 Waiver of Privacy. The City has the right, but not the duty, to monitor any and all aspects of its computer system, including but not limited to, monitoring sites employees visit on the Internet, monitoring chat groups and news groups, reviewing material downloaded or uploaded by employees, and reviewing e-mail sent and received by employees. Employees waive the right to privacy in anything they create, store, send, or receive on the computer, computer system, or the Internet.

13.4.12 Compliance with Applicable Laws and Licenses. Employees must comply with all software licenses, copyrights, and all other state and federal laws governing intellectual property and online activities.

13.4.13 Amendments. This Policy may be amended or revised from time-to-time. Employees will be provided with written copies of all amendments and revisions to this Policy.

13.4.14 Written Approval. Employees may be directed by their supervisors to engage in access to Internet sites that would otherwise be prohibited by this policy. Employees must have written approval from their supervisor(s) in order to engage in activities otherwise prohibited by this policy. All supervisory authority must be for a specific engagement and for a limited time period.

13.4.15 Integration. Management is the sole arbiter of the terms of this Internet Use Policy and its interpretation shall be controlling.

13.4.16 Violation of Internet Use Policy. Violation of this Internet Use Policy shall lead to disciplinary action including immediate termination of employment.

13.5 INTERNET SITES/WEB PAGES/SOCIAL NETWORKING

13.5.1 Unless authorized by the Mayor and Department Head employees are prohibited from posting to social networking sites during regular working hours.

- 13.5.2** All employees are prohibited from posting, transmitting and/or disseminating any photographs, video or audio recordings, likenesses of images or department logos, emblems, patches, badges, uniforms, marked or unmarked vehicles, equipment, or other material that specifically identifies the City of Clinton, on any personal or social networking website or web page, without the express written consent of the Mayor or his/her designee.
- 13.5.3** Employees having personal web pages or other types of internet postings which can be accessed by persons other than the employee, shall not place or allow photographs or depictions of themselves dressed in uniform and/or displaying official identification, patches, or badges without approval as indicated above. Additionally, employees shall not post any photographs, video, or audio depicting or describing any official action by or response of City of Clinton Departments, without approval as indicated above. Employees are allowed to state their name, rank, and employer in text form on personal or social networking websites or web page.
- 13.5.4** No employee shall represent themselves, directly or indirectly, in any public forum as an employee of the City of Clinton either by text, photograph, or image in any manner that reflects a lack of good moral character. No employee will represent themselves in any public forum as an employee of the City of Clinton with other information, opinion or posture that would bring unfavorable criticism or embarrassment upon the City.
- 13.5.5** Violation of this Internet Sites/Web Pages/Social Networking Policy shall lead to disciplinary action including immediate termination of employment.

END OF SECTION 13.0

14.0 AT WILL EMPLOYMENT

- 14.1 POLICY.** It is the City's policy that all employees who do not have a written employment contract with the City for a specific fixed term of employment are employed at the City'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 other employee handbooks, employment applications, recruiting materials or other materials provided to applicants and employees in connection with their employment. None of these documents, whether singly or combined, is to create an express or implied contract of employment for a definite period, nor an express or implied contract concerning any terms or conditions of employment. Similarly, the City's policies and practices with respect to any matter are not to be considered as creating any contractual obligation on the City'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, are not intended to restrict the City's right to terminate at will.

END OF SECTION 14.0.

ALDERMEN
Tony Hisaw
Ward One

Tony M. Greer
Ward Two

William O. Barnett
Ward Three

Kathy Peace
Ward Four

City of Clinton Mississippi

Rosemary Aultman, Mayor

ALDERMEN
Mike Morgan
Ward Five

Mike Cashlon
Ward Six

Jehu Brabham
Alderman-At-Large

Russell L. Wall
City Clerk

September 18, 2012

Gregory L. Pitchford, Chief Financial Officer
American Municipal Services
3724 Old Denton Road
Carrollton, TX 75007

Dear Mr. Pitchford:

This letter is to inform you of the City of Clinton, Mississippi's intention to terminate the contract with your company signed June 9, 2011 to perform collection services. This termination shall take effect (30) thirty days from the date of this letter.

During the time this contract was in force the City received payment on four (4) debtors that was sent to you for collection. Based on the contract's terms we have enclosed a check for \$292.27 to cover your collection fee.

Sincerely,



Rosemary G. Aultman
Mayor
City of Clinton, Mississippi

CC: Jeff Parsons, Vice President of Sales
File

**American Municipal Services
Collections Report**

<u>Defendant</u>	<u>Case #</u>	<u>Amount Owed</u> <u>AMS</u>
Aldridge, Shaunitra Deon	6019830	27.00
Alexander, Antonio D	7017468	196.01
Ashmore, Patricia	4012096	23.88
Austin, Willie Mena	6025179	45.38
		292.27



Certificate of Attendance

*The Mississippi Municipal Court Clerk's Association
Awards this Certificate to*

Laura Morgan

for attending the

Mississippi Municipal Court Clerk's Association

Summer Seminar

June 25-26, 2012

Imperial Palace, Biloxi, Mississippi

Diane C. Johnson

Dianne C. Johnson, MMCCA President



2012 Fall Professional Judicial Development

The Mississippi Judicial College certifies that

TAMRA MORGAN

*Attended the above program
at the Jackson Marriott in Jackson, Mississippi
on September 5-6, 2012*

and is awarded Continuing Judicial Education Credits

6 hours



Cynthia B. Davis
Director
Mississippi Judicial College
The University of Mississippi Law Center



Linda R. Beasley
Program Manager
Mississippi Judicial College
The University of Mississippi Law Center



Certificate of Attendance

The University of Mississippi Law Center

Awards this Certificate to

Tamra Morgan

for having attended the
Municipal Court Clerks Statewide Seminar

Jackson Marriott ~ Jackson, Mississippi

September 6-7, 2012

conducted by the

Mississippi Judicial College

Linda E. Deasby
Program Manager

[Signature]
Director

HTH : MS Gisele



Mel Luna Saw Company

1250 Dewey Street
Jackson, MS 39209

601-353-8392 • Fax: 601-353-8394



☐ SERVICE ☐ INSTALL	☐ PICK UP ☐ DELIVER	PHONE 601-925-6101	REPAIR IN ☐ HOME ☐ SHOP	DATE OF ORDER 09/12/12
NAME City of Clinton				DATE PROMISED
ADDRESS Parks & Recreation				APARTMENT
CITY				DATE OF ORIG. INSTAL.
MAKE	MODEL	SERIAL NO.	☐ ESTIMATE ☐ WARRANTY ☐ CONTRACT ☐ CASH ☐ CHARGE ☐ C.O.D.	
NATURE OF SERVICE REQUEST Price Quote				

QUAN	PART NO.	DESCRIPTION	PRICE	AMOUNT
1		exmark LZX801KA606H		9,162.00
		60" Zero Turn Mower		
		801 Kawasaki engine		
		6 Sides Deck Suspension Seat		
1		exmark LZX940KC726		10,086.00
		72" Zero Turn Mower		
		940 Kohler Engine		
		6 Sides Deck Suspension Seat		

SERVICE PERFORMED Above Prices from MS State Contract # 5-515-21361-12 good thru 2-28-13 Thank You!	TOTAL MATERIAL 19,248.00
DATE COMPLETED	TECHNICAL SERVICE TIME
CASH ON COMPLETION OF WORK	TAX exempt
TOTAL	19,248.00

INVOICE COPY

I hereby accept above performed service, and charges, as being satisfactory and acknowledge that equipment has been left in good condition.

Ordered By: Michael Cox

Technician

Customer Signature

[Signature]



ATTN Ms. Gisele



Mel Luna Saw Company

1250 Dewey Street
Jackson, MS 39209

601-353-8392 • Fax: 601-353-8394



☐ SERVICE ☐ INSTALL		☐ PICK UP ☐ DELIVER		601-925-6601 (601-925-6601)	REPAIR IN ☐ HOME ☐ SHOP	DATE OF ORDER 08/12/12
NAME City of Clinton					DATE PROMISED 9/12/12	
ADDRESS Parkst Recreation					APARTMENT	
CITY					DATE OF ORD INSTAL	
MAKE		MODEL		SERIAL NO.		☐ ESTIMATE ☐ WARRANTY ☐ CONTRACT ☐ CASH ☐ CHARGE ☐ C.O.D.
NATURE OF SERVICE REQUEST Price Quote						
DESCRIPTION					PRICE AMOUNT	

QUAN		PART NO.	DESCRIPTION	PRICE	AMOUNT
1			exmark LZVQD11 11 Bushel Dump from Seat Vacuum		2309 23
1			109-9629 mounting kit for 726 mower		115 47
TOTAL					2424 70

SERVICE PERFORMED

SERVICE PERFORMED
 Above prices from State Contract
 # 5-515-21361-12
 2-28-13

Thank You! *Good thru 2-28-13*

Thank You!

DATE COMPLETED

CASH ON COMPLETION
OF WORK

TOTAL MATERIAL	2424	70
TECHNICAL SERVICE TIME		
TAX	extended	
TOTAL	2424	70

INVOICE COPY

I hereby accept above performed service, and charges, as being satisfactory and acknowledge that equipment has been left in good condition.

Quoted: Michael
By: Cox
Technician _____

Signature

Calif



DESIGNATION OF APPLICANT AGENT

BE IT RESOLVED BY: Mayor & Board of Aldermen OF: City of Clinton, Ms.
Governing Body City, County, Other Entity

THAT Mike Parker Director of Public Works
Name of Designated Agent Official Position

ADDRESS: PO Box 156, TELEPHONE (W) 601 924.2239 (H) _____
Clinton ms 39060

is hereby authorized to execute for and in behalf of City of Clinton, ms
City, County, Other Entity

a public entity established under the laws of the State of Mississippi, applications for the purpose of obtaining and administering certain federal financial assistance under the Disaster Relief Act of 1974 (Public Law 93-228), amended by Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1988, (Public Law 100-707) and to file them with the Governor's Authorized Representative.

PASSED AND APPROVED THIS 18th DAY OF SEPTEMBER 2012.

<u>John W. Baker</u> Name and Title <u>Alderman at Large</u>	<u>William O. Barnett</u> Name and Title <u>Ward 3</u>
<u>Tracy H. Baker</u> Name and Title <u>Ward 1</u>	<u>Kathy Peace</u> Name and Title <u>Ward 4</u>
<u>[Signature]</u> Name and Title <u>Ward 2</u>	<u>[Signature]</u> Name and Title <u>Ward 5</u>
<u>[Signature]</u> Name and Title <u>Ward 6</u>	

CERTIFICATION

I, RUSSELL L WALL, duly appointed CITY CLERK
Title

of, the City of Clinton, Mississippi, do hereby certify that the above is a true and

correct copy of a resolution passed and approved by the MAYOR AND BOARD OF ALDERMEN
Governing Body

of the City of Clinton, Mississippi on the 18th day of SEPTEMBER, 2012.

9-17-2012
DATE

Russell L Wall
SIGNATURE

