

CITY OF SOUTHAVEN MISSISSIPPI



EMPLOYEE POLICIES AND PROCEDURES MANUAL

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**Revised and Adopted July 5, 2017, October 1, 2019,
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2021, July 1, 2025**

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| Policy: Abuse of Leave | |
| Adopted: 4/2/2013, 07/01/2025 | |
| Revised: | |
| Mississippi Statute: | |

General Statement of Policy

While on approved leave, employees may not engage in activities that are inconsistent with the purpose of or basis for the approved leave (FMLA, major medical, etc). Where an employee acts inconsistent with the representations made to the City to obtain the approved leave, the employee's representations and inconsistent conduct may be deemed to be a misrepresentation and fraudulent conduct. In such instances, an employee found to have engaged in activities inconsistent with the employee's representations to obtain approved leave may be subject to discipline, and this discipline may include actions up to and including termination of employment.



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| Policy: Accrual and Use of Leave by Part-Time Employees | |
| Adopted: July 15, 2017, 07/01/2025 | |
| Revised: | |
| Mississippi Statute: | |

General Statement of Policy

Part-time employees shall not accrue leave at any time.



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| Policy: Administrative Leave | |
| Adopted: July 15, 2017, 07/01/2025 | |
| Revised: | |
| Mississippi Statute: | |

General Statement of Policy

City employees may be granted administrative leave with or without pay. For the purposes of this section, "administrative leave" means discretionary leave with or without pay, other than personal leave or medical leave.

The Mayor may grant administrative leave to any employee serving as a witness or juror or party litigant, as verified by the clerk of the court, in addition to any fees paid for such services, and such services or necessary appearance in any court shall not be counted as personal leave. If released from such obligation prior to noon, you must report to work within one hour after being Department may require the employee to take personal leave, compensatory leave, or leave without pay.

The Mayor may grant administrative leave with or without pay to department employees in the event of a manmade, technological or natural disaster or emergency.

The Mayor may grant administrative leave with or without pay to any employee, who is a certified disaster service volunteer of the American Red Cross, who participates in specialized disaster relief services for the American Red Cross in this state and in states contiguous to this state when the American Red Cross requests the employee's participation. This leave shall not exceed twenty (20) days in any twelve-month period.

To be considered for administrative leave, the employee shall make the request in writing. All administrative leave must be approved by the Mayor prior to becoming effective. Administrative leave without pay may be granted by the Mayor in certain situations.



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| Policy: Anti-Harassment | |
| Adopted: July 15, 2017, 07/01/2025 | |
| Revised: September 6, 2022 | |
| Mississippi Statute: | |

General Statement of Policy

The City of Southaven (“City”) prohibits discrimination and harassment of any kind. The City is committed to a work environment free of discrimination and harassment for all employees. In keeping with this commitment, the City prohibits discriminatory practices in all phases of the employment relationship on the basis of race, color, religion, sex, national origin, political affiliation, disability, genetic information, age, pregnancy, veteran status, military service or any other prohibited basis under applicable federal, state or local law.

Discrimination

It is a violation of the City’s policy to discriminate in the provision of employment opportunities, benefits or privileges; to create discriminatory work conditions; or to use discriminatory evaluative standards in employment if the basis of that discriminatory treatment is, in whole or in part, the person’s race, color, religion, sex, national origin, political affiliation, disability, genetic information, age, pregnancy, veteran status, military service or any other prohibited basis under applicable federal, state or local law.

Discrimination of this kind may also be strictly prohibited by a variety of federal, state and local laws, including, but not limited to Title VII of the Civil Rights Act of 1964, the Age Discrimination Act of 1967 and the Americans with Disabilities Act of 1990. This policy is intended to comply with the prohibitions stated in these anti-discrimination laws.

Discrimination in violation of this policy will be subject to disciplinary measures up to and including termination of employment.

Harassment

The City prohibits harassment of any kind, including sexual harassment, and will take appropriate and immediate action in response to complaints or knowledge of violations of this policy. For purposes of this policy, harassment is any verbal or physical conduct



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designed to threaten, intimidate or coerce an employee, co-worker, or any person working for or on behalf of the City.

The following examples of harassment are intended to be guidelines and are not exclusive when determining whether there has been a violation of this policy:

- Verbal harassment includes comments that are offensive or unwelcome regarding a person's national origin, race, color, religion, age, sex, pregnancy, disability, veteran status, military service, political affiliation or other protected status, including epithets, slurs and negative stereotyping.
- Nonverbal harassment includes distribution, display or discussion of any written or graphic material that ridicules, denigrates, insults, belittles or shows hostility, aversion or disrespect toward an individual or group because of the individual's protected status.

Sexual harassment

Sexual harassment is a form of unlawful employment discrimination under Title VII of the Civil Rights Act of 1964 and is prohibited under the City's anti-harassment policy. Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

1. Submission to or rejection of such conduct is used as the basis for employment decisions or
2. Such conduct has the purpose or effect of creating an intimidating, hostile or offensive working environment.

Sexual harassment occurs when unsolicited and unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature:

- Is made explicitly or implicitly a term or condition of employment.
- Is used as a basis for an employment decision.
- Unreasonably interferes with an employee's work performance or creates an intimidating, hostile or otherwise offensive environment.

Sexual harassment may take different forms. The following examples of sexual harassment are intended to be guidelines and are not exclusive when determining whether there has been a violation of this policy:

- Verbal sexual harassment includes innuendoes, suggestive comments, jokes of a sexual nature, sexual propositions, lewd remarks and threats; requests for any



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type of sexual favor (this includes repeated, unwelcome requests for dates); and verbal abuse or "kidding" that is oriented toward a prohibitive form of harassment, including that which is sexual in nature and unwelcome.

- Nonverbal sexual harassment includes the distribution, display or discussion of any written or graphic material, including calendars, posters and cartoons that are sexually suggestive or show hostility toward an individual or group because of sex; suggestive or insulting sounds; leering; staring; whistling; obscene gestures; content in letters, notes, facsimiles, e-mails, photos, text messages, tweets and Internet postings; or other forms of communication that are sexual in nature and offensive.
- Physical sexual harassment includes unwelcome, unwanted physical contact, including touching, tickling, pinching, patting, brushing up against, hugging, cornering, kissing, fondling, and forced sexual intercourse or assault.

Retaliation

No individual covered by this policy shall be subject to adverse action because the individual reports an incident of sexual harassment, provides information, or otherwise assists in any investigation of a sexual harassment complaint. The City will not tolerate such retaliation against anyone who, in good faith, reports or provides information about suspected sexual harassment. Any employee of the City, who retaliates against anyone involved in a sexual harassment investigation will be subjected to disciplinary action, up to and including termination. All employees or non-employees working in the workplace who believe they have been subject to such retaliation should inform a supervisor, manager, department head or human resources.

Confidentiality

All complaints and investigations are treated confidentially to the extent possible, and information is disclosed strictly on a need-to-know basis. The identity of the complainant is usually revealed to the parties involved during the investigation, and the City HR Director will take adequate steps to ensure that the complainant is protected from retaliation during and after the investigation. All information pertaining to a complaint or investigation under this policy will be maintained in secure files within the City HR Department.



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Complaint procedure

The City has established the following procedure for filing a complaint of harassment, discrimination or retaliation. The City will treat all aspects of the procedure confidentially to the extent reasonably possible.

1. Complaints should be submitted as soon as possible after an incident has occurred, preferably in writing. The City HR Director may assist the complainant in completing a written statement or, in the event an employee refuses to provide information in writing, the City HR Director will dictate the verbal complaint.
2. Upon receiving a complaint or being advised by a supervisor or manager that violation of this policy may be occurring, the City HR Director will notify the Mayor and Department Head; if suitable.
3. The City HR Director will initiate an investigation to determine whether there is a reasonable basis for believing that the alleged violation of this policy occurred.
4. If necessary, the complainant and the respondent will be separated during the course of the investigation, either through internal transfer or administrative leave.
5. During the investigation, the City HR Director will interview the complainant, the respondent and any witnesses to determine whether the alleged conduct occurred.
6. Upon conclusion of an investigation, the City HR Director or other person conducting the investigation will submit a written report of his or her findings to the Mayor. If it is determined that a violation of this policy has occurred, the City HR Director will recommend appropriate disciplinary action to the Mayor and Board of Alderman. The appropriate action will depend on the following factors:
 - a) the severity, frequency and pervasiveness of the conduct;
 - b) prior complaints made by the complainant;
 - c) prior complaints made against the respondent; and
 - d) the quality of the evidence (e.g., firsthand knowledge, credible corroboration).

If the investigation is inconclusive or if it is determined that there has been no violation of policy but potentially problematic conduct may have occurred, the HR director may recommend appropriate preventive action.

7. The Mayor and/or Board of Alderman will review the investigative report and any statements submitted by the complainant or respondent, discuss results of the investigation with the City HR Director and other management staff as appropriate, and decide what action, if any, will be taken.



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8. Once a final decision is made by the Mayor and/or Board of Alderman in accordance with City Policy, the City HR Director will meet with the complainant and the respondent separately and notify them of the findings of the investigation. If disciplinary action is to be taken, the respondent will be informed of the nature of the discipline and how it will be executed.

Nothing in this policy may prevent the complainant or the respondent from pursuing formal legal remedies or resolution through local, state or federal agencies or the courts.



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| Policy: Attendance Policy | |
| Adopted: July 15, 2017, 07/01/2025 | |
| Revised: | |
| Mississippi Statute: | |

General Statement of Policy

All employees shall report to and leave work at the time designated by the City/Governing Authority.



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| Policy: Bulletin Boards, E-Mail, Computers and Voicemail | |
| Adopted: July 15, 2017, 07/01/2025 | |
| Revised: 10/16/2007, 10/2010 | |
| Mississippi Statute: | |

Any material or communications including but not limited to those on bulletin boards, e-mail, computers and voice mail are the property of the City and may be viewed, erased or otherwise used or destroyed by the City at any time. Employees are expected to use the City's bulletin boards, e-mail, computers, and voice mail in manners consistent with City policy. Any violation of this policy may result in disciplinary action, up to and including termination. Employees have no expectation of privacy in any materials or communications utilizing the City's bulletin boards, e-mail, computers or voice mail. Any such materials or communications may be monitored to ensure compliance with this policy or other policies of the City.



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| Policy: Cafeteria Plan | |
| Adopted: July 15, 2017, 07/01/2025 | |
| Revised: | |
| Mississippi Statute: Mississippi Code of 1972 Sections 25-17-1 to 25-17-11 | |

General Statement of Policy

The city offer's this tax savings mechanism that is permitted by Section 125 of the Internal Revenue Code and Sections 25-17-1 to 25-17-11, Mississippi Code of 1972, as amended. Additional information may be obtained from the Department of Finance and Administration. Any monies owed to the cafeteria plan shall be collected before issuance of a final check for an employee who has resigned or has been terminated, as allowed by law.



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| Policy: City Vehicle Policy | |
| Adopted: July 15, 2017, 07/01/2025 | |
| Revised: 09/06/2022 1/21/2020, 12/4/2018, 12/17/2013 | |
| Mississippi Statute: | |

General Statement of Policy

The City of Southaven (“City”) by statutory authority may assign vehicles to employees when deemed necessary in order to discharge their daily job functions. It is imperative for all employees assigned a City vehicle to understand it is a privilege and not a mandatory requirement by the Board of Alderman or a City department and all are required to follow the established policies set forth or be subject to forfeiture of City vehicle. A vehicle assignment may be incidental, a routine assignment used to fulfill an employees’ job description, or authorized take-home vehicle assignment.

It is incumbent upon all operators of City vehicles to follow all motor vehicle laws and rules of the road, and to operate City vehicles in a safe and courteous manner. It is recognized that this policy may not cover all instances and examples of acceptable vehicle usage. It is also understood due to the variety and different applications of uses of city vehicles city Departments such as Public Safety (Police, Fire, EMS) have additional policies and Standard Operating Guidelines that apply to the operation of city vehicles. In cases not specifically covered in this policy, the employee is responsible to utilize common sense and seek clarification from their immediate supervisor or Department Head. Failure to adhere to this may result in disciplinary actions. The City reserves the right to deny any employee the use of a City vehicle. The City may also choose not to indemnify an employee failing to adhere to the policies and procedures contained in this policy.

I. ASSIGNMENT

A City vehicle (fleet) may be assigned to an employee when deemed necessary and cost effective to carry out the daily functions and responsibilities of a particular job or position.

- A. A vehicle assignment will be a determination by the department head and if necessary by the Mayor.
- B. Once a vehicle assignment has been made to an employee all applicable state and local laws, and shall be followed.
- C. Must be at least eighteen years old.



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D. Before any employee can drive a City vehicle the Department Head and the employee must read and sign this policy and send the original to the Human Resource Department.

II. FUEL AND GASOLINE ACCOUNT CARDS

- A. Each City owned vehicle shall have a specifically assigned gasoline account card or key fob and corresponding Personal Identification Number (PIN) for that employee.
- B. Corresponding cards, fobs and PIN's shall be used for the assigned vehicle and shall not be used for other City owned vehicles nor personal vehicles.
- C. Only regular octane gasoline and diesel fuel may be purchased with a gasoline account card.
- D. All gasoline fuel receipts shall be kept and turned in to each department head or his or her designee in order to track gasoline fuel consumption and reconcile all billing statements.
- E. Random departmental and individual audits of gasoline fuel accounts may occur at any time without prior notice. Misuse of gasoline account cards may result in loss of vehicle privileges and/or other disciplinary action in accordance with the City of Southaven policies and applicable state laws.
- F. Any deviation from the gasoline fuel account card policy due to problems incurred while purchasing fuel must be approved by department head and must be appropriate for the vehicle.

III. DRIVER'S LICENSE REQUIREMENTS

City of Southaven employees operating City vehicles or operating personal, rental or other vehicles while on City business must adhere to the following:

- A. No employee may operate a City vehicle without a current, valid state issued driver's license.
- B. An employee is required to report any moving traffic violation received while operating a City vehicle to his or her department head within 24 hours. Random driving record audits will be performed to ensure employees who are assigned vehicles maintain safe driving practices.



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- C. If an employee is required to drive a motor vehicle in connection with City employment and his or her driver's license is suspended, cancelled or revoked for any reason (i.e., DUI, excessive traffic violations) he or she must report the loss of license immediately in writing to his or her department head. Driving privileges will be immediately revoked upon a conviction that includes suspension or revocation.
- D. The department head will forward any notification or traffic violation of license suspension to the Department of Human Resources immediately.
- E. An employee shall not drive a City vehicle and shall not drive on City business if they have more than one conviction in the past three (3) years for driving under the influence of alcohol or drugs, or for reckless driving.
- F. Loss or suspension of a driver's license by an employee whose essential job function includes operating a motor vehicle may result in reassignment or possible termination from employment.
- G. Every Department Head must collect copies of the valid driver's license for each employee's that is authorized to drive a City vehicle on January 1 of each year. The Department Head must deliver copies of the authorized drivers' license to the Human Resource Department no later than January 15th of each year.

IV. PERSONAL USE

- A. All City vehicles will be used for official City business only. Take home vehicles may not be used for incidental personal use once employee has arrived at place of residence with vehicle after working hours. Upon permission by a Department's Standard Operating Guideline and approved by the Department Head, a City vehicle may be used for incidental personal use under the following conditions:
 - 1. The incidental personal use must be within one mile of the most direct route of the official business.
 - 2. Any measurable amount of elapsed time during incidental personal use shall not be charged as time worked.
 - 3. It is during normal business hours.
- B. Violations of personal use policy will result in loss of vehicle privileges and is subject to disciplinary action in accordance with the City of Southaven policies.



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V. TAKE HOME POLICY

A. A take home vehicle is a City-owned automobile which is permanently assigned to a specific employee who has been granted the authority to drive the vehicle to and from work (24-hour per day assignment).

B. The City's primary interest in controlling take-home vehicles is to achieve a balance between the need to provide staff with a means to perform their job functions and the need to demonstrate the prudent use of public resources by minimizing unnecessary costs and liabilities associated with take home vehicles.

C. Take home vehicles shall be assigned by the department head and the Director of Human Resources to City employees when determined it is reasonable and necessary for said employee to fully discharge his or her duties for the City and when such use would be for the benefit of and to the best interest for the City and at the recommendation of the employee's Department Head.

D. Prior to the department head assigning a City take home vehicle based upon a recommendation from the department head must be provided in writing with appropriate justification. The recommendation from the department head shall be presented by the Director of Human Resources whereby an appropriate finding necessitating the take home vehicle will be established and spread upon the Board minutes permitting the use of the vehicle by the City employee.

E. Recommendations from department heads for assignments of take home vehicles should be based on the following:

- a. Public Trust – ability to use vehicles in a manner the public would deem appropriate
- b. Emergency Response – ensure effective, timely response to emergency situation
- c. Legal Compliance – demonstrate compliance with not only applicable state statutes, but also federal tax code requirements
- d. Cost Considerations – minimize number of take home vehicles thus reducing additional costs
- e. Liability – reduces exposure to vehicle and personnel accidents
- f. Necessity – ultimate need to carry out employee's job functions



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- G. Employees taking home City owned vehicles must comply with all applicable laws of the State of Mississippi and local jurisdictions. Take home vehicles may not be used to conduct any personal business unless incidental as stated in Section IV. Personal use does not qualify as incidental once vehicle reaches employee's place of residence.
- H. With regard to the Southaven Police and Fire Departments, the following policies apply:
 - g. The issuance of a vehicle will be made at the discretion of the respective Chief of the Department and he/she has the final authority to assign vehicles on a case by case basis to any officer not meeting the standards of vehicle assignment.
- I. The take home use of a City vehicle may be considered a taxable benefit by the Internal Revenue Service (IRS). All employees receiving such benefit shall comply will all state and federal tax reporting guidelines.

VI. ADDITIONAL REQUIREMENTS

- A. Each employee assigned a City vehicle must comply with the following additional requirements:
 1. All vehicles shall have the proper identification markings as per state statute.
 2. Seatbelts shall be used by driver and passengers at all times. It is the responsibility of the driver to ensure all passengers use seatbelts when vehicle is in motion.
 3. Employees are prohibited from talking or texting on cell phones while operating a City vehicle unless using a hands free device.
 4. At minimum, a bi-annual inspection of each vehicle will be performed, including digital photos. Unannounced inspections may take place at the discretion of the Mayor or Department Head.
 5. Check oil and tire pressure on a regular basis and wash vehicle as needed.
 6. Interior of vehicle shall be clean at all times.
 7. Bring vehicle in for scheduled service and make arrangements for an alternate vehicle while being serviced.



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8. Unauthorized person(s) shall not operate a city vehicle under, except when necessary in an emergency.
9. Report any citations (both moving and parking violations) to the department head immediately and complete written report when applicable. Traffic citations, including parking citations will be the responsibility of the employee.
10. Leave vehicle legally parked with doors locked and windows up when unattended. All take home vehicles shall be parked off the street at night. Keys removed.
11. Observe all traffic laws and drive in a safe and courteous manner.
12. Carry and maintain at all times a valid state issued driver's license (appropriate for vehicle, i.e., commercial) when operating a City vehicle.
13. Vehicles shall not idle for longer than five (5) minutes. If a vehicle is stationary for more than five (5) minutes (other than waiting for traffic), vehicle shall be turned off. It is understood that vehicles used for emergency purposes (i.e. Police, Fire) may idle for periods longer than five (5) minutes.
14. Use the vehicle only for authorized official business unless incidental personal use is necessary.
15. City prohibits the illegal use, possession, distribution, unlawful manufacture, or dispensation of controlled substances. Employees shall not use illegal substances or abuse legal substances in a manner that impairs the performance of assigned tasks. Employees who take prescribed medication that may impact driving ability must not operate a vehicle when under the influence of a prescribed medication. Employees shall not consume alcohol while driving or otherwise operating a city vehicle/equipment.
16. City employees who spend the majority of their professional time driving must complete a safe driving course sponsored by the specific Department within a reasonable period of time after they are hired. Other employees who drive City vehicles are encouraged to attend a safe driving course every two years. Documentation of these course must be submitted to and kept on file by the City's Human Resource Department.
17. Must not drive on City business if the driver has caused 3 or more at-fault accidents or received three or more traffic tickets or moving violations within the past eighteen months.



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18. Non-employees, off-duty employees, unauthorized persons and animals are not permitted in City vehicles at any time, without the express permission of the driver's Department Head.

19. Hitchhikers are prohibited in City vehicles at any time.

VII. REPORTING OF ACCIDENTS AND DAMAGE

A. Any accident or damage incurred or caused while operating a City vehicle, or personal, rental or other vehicle on City business, must be promptly reported to the local police, Department Head and the City's Department of Finance.

B. When you have been in an accident in a City vehicle or while on City business you must:

1. Get immediate medical aid if you are injured
2. Keep calm and do not argue
3. Make no statements or admissions concerning fault or responsibility for the accident
4. Do not offer or agree to make payments for the accident or suggest City will do so
5. Notify the local police
6. Discuss the accident only with police officers, department head or representatives of the City's Department of Finance.
7. Record as much information as you can on all of the other parties to the accident. This information should include their name, address, telephone numbers(s), insurance company, driver's license number, license plate number, make, model and year of their car, precisely where the accident happened, witnesses (with names, addresses and telephone numbers).
8. Refer all questions from lawyers, the other party to the accident, insurance adjusters or representatives of the other party and others to the City's Board Attorney and the Department of Finance.



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VIII. WHAT TO DO IN CASE OF AN ACCIDENT

It is the policy of City of Southaven that all accidents or incidents that result in either personal injury or illness, and or damage to City property shall be properly reported and investigated. Although accident/incident investigation is a reactive process, a comprehensive accident reporting and investigation process is a proactive measure that can effectively prevent or minimize future accidents/incidents. This operating procedure establishes a systematic process to ensure that accidents are properly reported in a timely manner, that all causes (direct and contributory) are thoroughly identified and that the appropriate corrective actions are taken.

Regardless of the situation, the following procedure MUST be followed in the event of an accident while in a City owned vehicle:

1. Stop immediately and investigate even when the accident appears to be minor.
2. If someone is hurt or if there is a danger of fire, call 911 to request assistance. (I.e. Law Enforcement, Fire Department Ambulance, Rescue Squad)
3. Make no express or implied admission or liability or fault. Do not make an expression of apology or sorrow.
4. Notify your supervisor immediately.
5. Make written notes of the details of the accident while at the scene. Do not wait until later.
6. Do not give information concerning the accident to anyone unless the party requesting it is an authorized official.
7. Do not discuss the accident with insurance agents, news personnel, adjusters or attorneys without express permission from your supervisor and City attorney.
8. Complete the Motor Vehicle Accident Report with supervisor/manager.
9. All accident reports shall be submitted within 24 hours of the accident to the Department Head and the Department of Human Resources.



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If necessary, an injury report must be completed and submitted to Human Resources as soon as possible in order to file workers' compensation claim within 24 hours of the accident.

In the event an employee has a non-authorized occupant or family member in a City Vehicle, the employee shall assume all risk and liability for such person and if applicable, shall indemnify the City from any and all claims, suits, damages, and actions resulting from the non-authorized person's occupancy in the City Vehicle.

The use of a City vehicle is a privilege and not a mandatory requirement. These guidelines will be followed at all times.



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| Policy: COBRA (Consolidated Omnibus Budget Reconciliation Act of 1985) | |
| Adopted: July 15, 2017, 07/01/2025 | |
| Revised: | |
| Mississippi Statute: | |

NOTICE OF COBRA CONTINUATION COVERAGE RIGHTS

You are receiving this notice because you have recently become covered under a group health plan (the Plan). This notice contains important information about your right to COBRA continuation coverage, which is a temporary extension of coverage under the Plan. This notice generally explains COBRA continuation coverage, when it may become available to you and your family, and what you need to do to protect the right to receive it.

The right to COBRA continuation coverage was created by a federal law, the Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA). COBRA continuation coverage can become available to you when you would otherwise lose your group health coverage. It can also become available to other members of your family who are covered under the Plan when they would otherwise lose their group health coverage. For additional information about your rights and obligations under the Plan and under federal law, you should review the Plan's Summary Plan Description or contact the Plan Administrator.

What is COBRA Continuation Coverage?

COBRA continuation coverage is a continuation of Plan coverage when coverage would otherwise end because of a life event known as a "qualifying event." Specific qualifying events are listed later in this notice. After a qualifying event, COBRA continuation coverage must be offered to each person who is a "qualified beneficiary." You, your spouse, and your dependent children could become qualified beneficiaries if coverage under the Plan is lost because of the qualifying event. Under the Plan, qualified beneficiaries who elect COBRA continuation coverage must pay for COBRA continuation coverage.

If you are an employee, you will become a qualified beneficiary if you lose your coverage under the Plan because either one of the following qualifying events happens:

- Your hours of employment are reduced, or
- Your employment ends for any reason other than your gross misconduct.

If you are the spouse of an employee, you will become a qualified beneficiary if you lose your coverage under the Plan because any of the following qualifying events happens:

- Your spouse dies;
- Your spouse's hours of employment are reduced;



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- Your spouse's employment ends for any reason other than his or her gross misconduct;
- Your spouse becomes entitled to Medicare benefits (under Part A, Part B, or both); or
- You become divorced or legally separated from your spouse.

Your dependent children will become qualified beneficiaries if they lose coverage under the Plan because any of the following qualifying events happens:

- The parent-employee dies;
- The parent-employee's hours of employment are reduced;
- The parent-employee's employment ends for any reason other than his or her gross misconduct;
- The parent-employee becomes entitled to Medicare benefits (Part A, Part B, or both);
- The parents become divorced or legally separated; or
- The child stops being eligible for coverage under the plan as a "dependent child."

When is COBRA Coverage Available?

The Plan will offer COBRA continuation coverage to qualified beneficiaries only after the Plan Administrator has been notified that a qualifying event has occurred. When the qualifying event is the end of employment or reduction of hours of employment, death of the employee, or the employee's becoming entitled to Medicare benefits (under Part A, Part B, or both), the employer must notify the Plan Administrator of the qualifying event.

You Must Give Notice of Some Qualifying Events

For the other qualifying events (divorce or legal separation of the employee and spouse or a dependent child's losing eligibility for coverage as a dependent child), you must notify the Plan Administrator within 60 days after the qualifying event occurs.

How is COBRA Coverage Provided?

Once the Plan Administrator receives notice that a qualifying event has occurred, COBRA continuation coverage will be offered to each of the qualified beneficiaries. Each qualified beneficiary will have an independent right to elect COBRA continuation coverage. Covered employees may elect COBRA continuation coverage on behalf of their spouses, and parents may elect COBRA continuation coverage on behalf of their children.

COBRA continuation coverage is a temporary continuation of coverage. When the qualifying event is the death of the employee, the employee's becoming entitled to Medicare benefits (under Part A, Part B, or both), your divorce or legal separation, or a dependent child's losing eligibility



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as a dependent child, COBRA continuation coverage lasts for up to a total of 36 months. When the qualifying event is the end of employment or reduction of the employee's hours of employment, and the employee became entitled to Medicare benefits less than 18 months before the qualifying event, COBRA continuation coverage for qualified beneficiaries other than the employee lasts until 36 months after the date of Medicare entitlement. For example, if a covered employee becomes entitled to Medicare 8 months before the date on which his employment terminates, COBRA continuation coverage for his spouse and children can last up to 36 months after the date of Medicare entitlement, which is equal to 28 months after the date of the qualifying event (36 months minus 8 months). Otherwise, when the qualifying event is the end of employment or reduction of the employee's hours of employment, COBRA continuation coverage generally lasts for only up to a total of 18 months. There are two ways in which this 18-month period of COBRA continuation coverage can be extended.

Disability extension of 18-month period of continuation coverage

If you or anyone in your family covered under the Plan is determined by the Social Security Administration to be disabled and you notify the Plan Administrator in a timely fashion, you and your entire family may be entitled to receive up to an additional 11 months of COBRA continuation coverage, for a total maximum of 29 months. The disability would have to have started at some time before the 60th day of COBRA continuation coverage and must last at least until the end of the 18-month period of continuation coverage.

Second qualifying event extension of 18-month period of continuation coverage

If your family experiences another qualifying event while receiving 18 months of COBRA continuation coverage, the spouse and dependent children in your family can get up to 18 additional months of COBRA continuation coverage, for a maximum of 36 months, if notice of the second qualifying event is properly given to the Plan. This extension may be available to the spouse and any dependent children receiving continuation coverage if the employee or former employee dies, becomes entitled to Medicare benefits (under Part A, Part B, or both), or gets divorced or legally separated, or if the dependent child stops being eligible under the Plan as a dependent child, but only if the event would have caused the spouse or dependent child to lose coverage under the Plan had the first qualifying event not occurred.

If You Have Questions

Questions concerning your Plan or your COBRA continuation coverage rights should be addressed to the contact or contacts identified below. For more information about your rights under ERISA, including COBRA, the Health Insurance Portability and Accountability Act (HIPAA), and other laws affecting group health plans, contact the nearest Regional or District Office of the U.S. Department of Labor's Employee Benefits Security Administration (EBSA) in your area or visit the EBSA website at www.dol.gov/ebsa.



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Keep Your Plan Informed of Address Changes

In order to protect your family's rights, you should keep the Plan Administrator informed of any changes in the addresses of family members. You should also keep a copy, for your records, of any notices you send to the Plan Administrator.



CITY OF SOUTHAVEN

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| Policy: Compensation Policy | |
| Adopted: April 4, 2023, 07/01/2025 | |
| Revised: | |
| Mississippi Statute: | |

General Statement of Policy

The City of Southaven (“City”) believes its employees are the core component to providing value, service and growth to the residents of Southaven. As such, providing competitive compensation is the core component to recruitment and retention of City employees.

Types of Compensation

1. Base compensation will be paid to an employee for hours worked during the course of employment with the City. This compensation is expressed as an hourly rate or annual salary.
2. Overtime compensation will be paid in accordance with the City’s overtime policy.
3. Compensatory time compensation will be paid in accordance with the City’s overtime policy.
4. Holiday equivalent compensation, referred to as Shift Stipend, will be paid to emergency services personnel not eligible for City administrative holiday leave.
5. Educational stipends will be paid to personnel dedicated to improving job-related skills through continuing education and certifications; as directed by departmental policy.
6. Wage differential(s) may be afforded to personnel who:
 - a. Perform certain tasks and duties outside the scope of his/her assigned job position.
 - b. Provide service outside an established, routine schedule; excluding emergency personnel.

The City is committed to acting equitably in regards to personnel compensation and may add various types of compensation at any time to meet service, recruitment and retention goals.



CITY OF SOUTHAVEN

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| Policy: Compensatory Time Leave | |
| Adopted: July 15, 2017, 07/01/2025 | |
| Revised: 07/16/2019 | |
| Mississippi Statute: | |

Compensatory Time Leave

It is the intent and policy of the City of Southaven to comply with the Fair Labor Standards Act (FLSA), as it applies to local governments, in its overtime and compensatory time provisions for city employees. In the event that the city's personnel policy should differ from the FLSA, the FLSA controls and supersedes City policy.

A. Definitions:

1. **Exempt Employees** - Exempt employees are exempt from the Federal Wage and Hour overtime provisions of FLSA. With few exceptions, employees are exempt if paid a guaranteed minimum amount of money that the employee can count on receiving for any workweek in which he/she performs any work. That amount currently must be at least \$35,578 per year, on a salary basis and the employee must perform exempt job duties. Employees employed in a bona fide executive, administrative, or professional role are exempt job duties. All of the essential conditions prescribed by FLSA regulations must be met before an employee may be considered exempt.
2. **Non-exempt Employees** - Non-exempt employees fall under the overtime Federal Wage and Hour provisions.
3. **Public Safety Activities** - Those activities covered as fire protection and law enforcement activities.
4. **Fire Protection Activities** - An employee, including a firefighter, paramedic, emergency medical technician, rescue worker, ambulance personnel, or hazardous materials worker, who is trained in fire suppression, has the legal authority and responsibility to engage in fire suppression, and is employed by the fire department; and is engaged in the prevention, control, and extinguishment of fires or response to emergency situations where life, property, or the environment is at risk. Not included in the term are the so-called "civilian employees" of the (fire department or employees who engage in such support activities as those performed by dispatchers, alarm operators, apparatus and equipment repair and maintenance workers, camp cooks, clerks, stenographers, etc.
5. **Law Enforcement Activities** - Any employee who is a uniformed or plain clothed member of a body of officers and subordinates who are empowered



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by State statute or local ordinance to enforce laws designed to maintain public peace and order and to protect both life and property from accidental or willful injury, and to prevent and detect crimes, who has the power to arrest, and who is presently undergoing or has undergone or will undergo on-the-job training and/or a course of instruction and study which typically includes physical training, self-defense, firearm proficiency, criminal and civil law principles, investigative and law enforcement techniques, community relations, medical aid and ethics. Not included are the so-called "civilian employees" of law enforcement agencies who engage in such support activities as those performed by dispatcher, radio operators, apparatus and equipment maintenance and repair workers, janitors, clerks and stenographers.

B. Policy Specifics:

FLSA overtime requirements do not apply until a non-exempt, non-public safety employee works 40 hours in a week. Only time worked is counted and time not worked, for whatever reason, is not counted. Non-exempt employees are eligible to receive overtime pay after working 40 hours in a one-week period. Non-exempt public safety employees are eligible to receive overtime based upon their hours worked in their FLSA scheduled work period, which may exceed 80 hours.

It shall be the city's policy to accrue compensatory time (comp time) in lieu of payment for overtime hours worked by non-exempt employees to assist employee productivity and effectiveness without extra cost to the city. All existing employees and new hires will be informed and give written notice of the policy. Comp time is defined as time off granted to non-exempt employee to offset hours worked by the employee over and above those required in the normal course of employment. Exempt employees are not eligible to accrue comp time.

C. Overtime

All overtime work must receive the employee's supervisor's prior authorization. Overtime assignments will be distributed as equitably as practical to all employees qualified to perform the required work. Non-exempt employees will be compensated overtime pay in accordance with federal and state wage and hour restrictions at a rate of 1.5 times their regular rate. For non-exempt salaried employees, the salary must be broken down into hourly rate for computation of overtime. Overtime pay is based on actual hours worked in an employee's regular work period. Time off for sick leave, vacation leave, meals, comp time taken, or any leave of absence will not be considered hours worked for purposes of performing overtime calculations.

D. Compensatory Time

Compensatory leave shall be authorized at 1.5 hours of leave per overtime hour worked for non-exempt employees. An employee may be granted the use of earned compensatory leave upon request at such time as designated by his/her



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supervisor which will least obstruct normal operations of the department. A supervisor may refuse to authorize use of compensatory leave if the absence of the employee would result in undue disruption of normal operations of the department. Compensatory leave accumulated by an employee as of the effective date of this rule shall be retained by the employee until used in accordance with the provision of these regulations.

E. Guidelines

The following are the guidelines for the use of compensatory time (comp time):

1. Non-exempt employees may receive comp time in lieu of overtime pay for hours worked in excess of the maximum set for their work period.
2. Except in cases of emergency, the department head must approve any hours beyond an employee's normally scheduled hours. Department heads are expected to organize their projects and tasks appropriately to minimize comp time accruals for pre-approved projects or seasonal demands that are substantial in nature.
3. Comp time is not intended for ongoing daily work. Time reports of the employee showing overtime hours accrued as comp time must be signed by both the employee and the department head as an agreement between the two that the employee will be taking comp time in lieu of overtime pay.
4. A non-exempt employee may accrue a maximum of 120 hours of comp time at any given time (160 hours for employees engaged in public safety or emergency response). Any hourly employees who accrue time over the maximum will not be logged as comp time and will be paid to the employees as overtime.
5. An employee must be permitted to use compensatory time on the date requested unless doing so would "unduly disrupt" the operations of the agency.
6. Comp time accrued shall be utilized (redeemed) at a time mutually agreeable to the employee and Department Head and within the 12-month period in which comp time was earned/logged.
7. If an employee with accrued comp time is promoted to an exempt position, all accrued comp time will be paid out prior to the effective date of the promotion.
8. Employees engaged in public safety or emergency response, who transfer to positions subject to the 160-hour limit, may carry over to the new position any accrued compensatory time. The City will not be required to cash out the accrued compensatory time which is in excess of the lower limit. However, the employee will be compensated in cash wages for any subsequent overtime hours worked until the number of accrued hours of compensatory time falls below the 160-hour limit.
9. All comp time earned by an employee must be used before the employee uses any accrued annual leave unless this will result in accrued vacation being forfeited.



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10. If an employee takes a medical leave of absence, accrued comp time shall be added to other appropriate leave time for additional time off and utilized prior to the utilization of any other accrued leave time.
11. Upon employee separation, an employee shall be paid for accrued unused comp time which will count towards the stated maximum amount of hours eligible to be paid out (160 hours for non-exempt employees and 240 hours for non-exempt fire protection employees)

The official time and attendance records maintained by the city's personnel office will be the controlling records for any compensatory time purpose.

The city may pay an employee in cash, in whole or part, for accumulated compensatory time, at any time.



CITY OF SOUTHAVEN

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| Policy: Complaint Resolution | |
| Adopted: July 15, 2017, 07/01/2025 | |
| Revised: September 6, 2022 | |
| Mississippi Statute: | |

General Statement of Policy

Any employee who has a complaint arising from an employment action or inaction subject to the control of management may file a complaint in accordance with the established guidelines and procedures identified in this policy. This section shall not apply to complaints of harassment, sexual harassment or discrimination, as those complaints should be filed in accordance with the respective policies.

I. Objectionable Issues

The following issues are objectionable under the complaint resolution procedure:

1. Acts of reprisal against an employee for using the complaint procedure;
2. Formal disciplinary actions executed by department.
3. Performance appraisal ratings to the extent they affect an employee's employment status, classification or compensation;
4. Permanent relocation of employee(s) as a disciplinary measure, for political reasons and/or where the employee can present substantive evidence that the management decision to relocate the employee was arbitrary or capricious.

II. Non-Objectionable Issues

The following issues are non-objectionable issues under the complaint resolution procedure:

1. Issues that are pending or have been concluded by direct appeal through administrative or judicial procedures;
2. Temporary work assignments that do not exceed ninety (90) calendar days;
3. Budget or organizational structure, including the number or assignment of employees or positions in any organizational unit;
4. Performance standards and performance elements established as criteria for performance appraisal;
5. The selection of an individual by the governing authority, department head, or designee to fill a position through promotion, transfer, demotion, or appointment unless it is alleged that selection is in violation of a written Department policy or of a Mayor or Board of Alderman rule on filling vacancies;



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6. Internal security practices established by the City, department Head, or designee;
7. Termination, layoff or transfer from duties because of shortage of funds or work, material change in duties or organization, or a merger of agencies or order of the Mayor and Board of Alderman;
8. Any matter which is not within the jurisdiction or control of the City;
9. The content of published Department policy;
10. An action by an Department pursuant to federal law or directives from the Governor's office or court order;
11. Establishment and revision of the compensation plan, and the policies, procedures, rules and regulations pertaining thereto;
12. Position classifications;
13. Employee benefits;
14. Application of personnel policies, procedures, rules, regulations;
15. Any matter of concern or dissatisfaction to an employee if the matter is subject to the control of Department management, except those listed in the preceding section as objectionable;
16. Termination of employment by the Board of Alderman.

III. Complaint Resolution Procedural Steps

Step I

- A. An employee who has an objection arising from an action or inaction subject to the control of management must identify the objection in writing with his or her department head within three (3) working days of becoming aware of the cause of the complaint. The written statement of the objection should contain the name, address, and telephone number of the individual or authorized representative filing the objection; the name of the employee, identity of the Department; the date; a brief and specific description of the situation, incident, or condition being objected and reasons therefore; identity of witnesses, if any; the remedy or relief the individual is seeking and the signature of the individual filing the objection and properly dated by this individual.
- B. The department head will have three (3) working days from the date of receiving the objection statement to inform the employee, in writing, of his or her answer. The department head shall write a memorandum for record and have the objecting employee sign it.

Step II

- A. If not satisfied with the Step I written decision, the employee may indicate the desire to have the objection advanced to the next step. The objection must be submitted to the Director of Human Resources within three (3) working days following receipt of the Step I Department Head's response.



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- B. The Director of Human Resources or his/her designee is required to conduct an investigation of the objection and may meet with the objecting employee within three (3) working days after receipt of the objection form. The meeting, if necessary, will be informal.
- C. The Director of Human Resources or his/her designee is required to give the employee a written response within three (3) working days after this informal interview detailing his decision.

Step III

- A. If the second step written response is not acceptable to the employee, the employee may specify in writing the desire to advance the objection to the third step. To do so, the employee must forward the objection to the Office of the Mayor within three (3) working days after receipt of the Director of Human Resources response in Step II.
- B. The Mayor and Board of Alderman may conduct a hearing into the objection and shall make a decision as to such cause. No alternative disciplinary actions shall be considered upon the convening of the hearing of the Mayor and Board of Alderman. The Board's decision shall be final.

Certain steps may be waived at the Mayor's discretion in order to proceed to Step III of the complaint resolution procedure.



CITY OF SOUTHAVEN

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| Policy: Conduct and Disciplinary Actions | |
| Adopted: July 15, 2017, 07/01/2025 | |
| Revised: September 6, 2022 | |
| Mississippi Statute: Mississippi Code Annotated Section 11-51-75. | |

General Statement of Policy

City employees have a responsibility to maintain high standards of professionalism, competency, efficiency, service and integrity. Any employee whose conducts fails to meet City standards may be subject to disciplinary action, up to and including termination of employment. Nothing in this section should be construed as in any way changing or altering the “at-will” employment status of any employees. City employees are “at-will” meaning that they can be terminated or even disciplined at any time for any reason or for no reason at all, with or without notice and without resort to any prior process, procedures, and/or administrative hearings.

I. Due Process

The Mayor and Board of Alderman require that all forms of discipline and corrective action adhere with due process. Supervisory employees and/or Department Heads shall exercise corrective action when an employee violates established rules of conduct, policy or standards of performance. Such corrective action shall be in accordance with the policies and procedures established in this policy.

II. Offenses

The following offenses provide a general, not exhaustive, list for which an employee may be disciplined, but are not limited to:

- a) Violating the City’s Drug and Alcohol Free Workplace policy.
- b) Failing to follow the lawful order, regulation, instruction, or directive of the immediate supervisor(s), including, without limitation, his or her Department Head, and/or Mayor.
- c) Failing to report for work, being absent from work without permission, or failing to report absence to the immediate supervisor or Department Head.
- d) Abusing major medical leave by reporting in sick when not sick or obtaining major medical leave falsely or under false pretenses.
- e) Being habitually or excessively absent or tardy for any reason whether or not such absences have been individually approved.
- f) Failing to perform assigned work or required duties in an efficient, effective, competent, or satisfactory manner in accordance with reasonable City standards.



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- g) Being unable or unwilling to perform assigned job duties.
- h) Being incompetent or inefficient in the performance of duties of the assigned position.
- i) Engaging in outside employment that interferes with the performance of regularly assigned City duties.
- j) Misusing or wasting City resources, property, assets or time.
- k) Being careless or negligent in using City property, resources, or assets.
- l) Using profanity, abusive language, lewd or offensive conduct or language toward a fellow employees or member of the public while in the course of City employment.
- m) Failure to meet City Citizen Service standards.
- n) Violating the City's nepotism policy.
- o) Violating the City's workplace violence policy.
- p) Violating City safety rules and regulations.
- q) Revealing or misusing confidential information.
- r) Operating a City-owned without a current, valid driver license.
- s) Engaging in conduct unbecoming an employee of the City either on or off duty.
- t) Acting dishonestly, including, without limitation, intentionally giving false information, submitting false work records, making false statements on employment application(s), or during the application or pre-employment process.
- u) Falsifying time and attendance records or clocking someone in.
- v) Violating the City's Ethics policy.
- w) Violating the policies, procedures, or regulations contained in the employee handbook or all City policies.

III. Progressive Discipline

The Department Head or designated representative shall take action to formally discipline an employee who is guilty of an offense. Formal discipline may range from record(s) of counseling to termination of employment. The City's general policy is to take disciplinary steps in the following order:

- a) Record of counseling(s)
- b) Written Warning
- c) Final Written Warning
- d) Suspension
- e) Termination of employment

The Mayor may also issue disciplinary actions and/or take other corrective measures as necessary without prior action by the Department Head or designee. The City reserves the right to alter the disciplinary order above, skip steps, eliminate steps or create additional disciplinary steps.



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In extraordinary circumstances, the employee may be placed on immediate suspension with pay pending a hearing on the matter.

The Department Head or designee, shall maintain a written record of the disciplinary action issued to any employee. Such written documentation shall be turned into the Department of Human Resources prior to corrective action being enforced.

The governing authority or a designated representative may attempt to correct unacceptable behavior by issuing a verbal warning and/or counseling and/or other appropriate informal means, whenever practical, prior to taking formal action against an employee. The governing authority or a designated employee shall maintain a written record of such verbal or other informal action(s) taken.

IV. Demotion

A City employee may be demoted because of inadequate performance, disciplinary reasons, a reduction in force, or voluntarily. Written notice of intent to effect any demotion and the reason for such action shall be given to the employee. All actions adversely affecting compensation or employment status require that the employee be given an opportunity for a hearing with the Mayor and Board of Alderman. Such hearing must be requested by the employee within three (3) working days after such demotion. The request must be in writing, and in accordance with the City grievance policy. The decision by the Board of Alderman is final.

V. Termination Without Notice

Some conduct may result in termination without notice. The following list provides examples of conduct that may result in termination with notice but is not an exhaustive list.

- a) Theft of City property or resources
- b) Arguing or fighting with citizens, co-workers, supervisors or Department Heads.
- c) Threatening the physical safety of citizens, co-workers, supervisors, Department Heads or governing authority.
- d) Physically or verbally assaulting someone at work.
- e) Illegal conduct at work.
- f) Using or possessing alcohol or illegal drugs at work.
- g) Working under the influence of alcohol or illegal drugs.
- h) Insubordination.
- i) Making false statements on an employment application.
- j) Unlawful discrimination and harassment.



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VI. Board of Alderman Action

Pursuant to the relevant laws of the State of Mississippi, the Southaven Board of Alderman shall be responsible for all terminations of employment of City employees. Department heads may provide recommendations of an employee's termination to the Board of Alderman; however, it is the singular responsibility of the Board of Alderman to enact a termination of employment. Personnel decision made by the Board of Alderman are final. Any appeal of an action taken by the Board of Alderman may be appealed pursuant to Mississippi Code Annotated Section 11-51-75.



CITY OF SOUTHAVEN

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| Policy: Conflicts of Interest | |
| Adopted: July 15, 2017, 07/01/2025 | |
| Revised: | |
| Mississippi Statute: | |

General Statement of Policy

City employees should be especially careful to avoid using, or appearing to use, an official position for personal gain, giving unjustified preferences, or losing sight of the need for efficient and impartial decision making in the City of Southaven's method of operation. No act should be committed which could result in questioning the integrity of City government.

Employees are not to engage in any activity in either a private or official capacity where a conflict of interest may exist. An employee's first loyalty should be to the public's interest. Associations, dealings or interests that could affect an employee's objectivity in performing the employee's job or in making the decisions required of the employee's position should be avoided. However, employees are encouraged to participate in professional and civic organizations if such participation does not adversely affect the employee's role as a public employee.



CITY OF SOUTHAVEN

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| Policy: Deferred Compensation Plan | |
| Adopted: July 15, 2017, 07/01/025 | |
| Revised: | |
| Mississippi Statute: | |

General Statement of Policy

Deferred Compensation is a supplemental, voluntary savings plan administered by the Public Employees' Retirement System (PERS) Board of Trustees offering tax advantages to participants. Employees who choose this plan may set aside part of their salary each year.

Income tax liability is postponed on that part of the salary until the year in which the employee actually receives the deferred amount. Interest and/or earnings also are tax deferred until withdrawal. Interested employees may contact the Department of Human Resources or PERS.



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| Policy: Demotion | |
| Adopted: July 15, 2017, 07/01/2025 | |
| Revised: | |
| Mississippi Statute: | |

General Statement of Policy

A city employee may be demoted because of inadequate performance, disciplinary reasons, a reduction in force, or voluntarily. Written notice of intent to effect any demotion and the reason for such action shall be given to the employee. All actions adversely affecting compensation or employment status require that the employee be given an opportunity for a hearing with the Mayor and Board of Alderman. Such hearing must be requested by the employee within three (3) working days after such demotion. The request must be in writing, and in accordance with Section 4 of this Handbook. The decision by the Board of Alderman is final.



CITY OF SOUTHAVEN

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| Policy: Donated Leave | |
| Adopted: 07/01/2025 | |
| Revised: 10/2015, 4/2015, 2/2011 | |
| Mississippi Statute: | |

A City employee shall be eligible to receive donated leave if the employee:

1. Has completed at least one year of continuous City service;
2. Has exhausted all accrued sick, vacation, compensatory and holiday time;
3. Has not, in the two-year period immediately preceding the employee's need for donated leave, been disciplined for chronic or excessive absenteeism, chronic or excessive lateness or abuse of time; and
4. Either:
 - a. Suffers from a catastrophic health condition or injury;
 - b. Is needed to provide care to a member of the employee's immediate family who is suffering from a catastrophic health condition or injury; or
 - c. Requires absence from work due to the donation of an organ

With respect to an employee, a "catastrophic health condition or injury" is a life-threatening condition or combination of conditions or a period of disability required by his or her mental or physical health or the health of the employee's fetus and requiring the care of a physician or licensed health care provider who provides a medical verification of the need for the employee's absence from work for 60 or more workdays.

A leave donor shall have remaining at least 480 hours of accrued major medical leave if donating major medical leave and (720 hours of accrued major medical for firefighters) at least 80 hours of accrued personal leave if donating personal leave.

The maximum amount of leave a donated leave recipient may receive and use is 40-weeks for the duration of their employment. A leave donor shall not revoke the leave donation.

If a leave donor is not in the same department as the leave recipient, appropriate arrangements shall be made between the affected departments

A leave recipient must receive at least five (5) days from one or more leave donors to participate in the Donated Leave Program. A leave donor shall donate only whole days and may not donate more than ten (10) such days to any one recipient to verify



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donor eligibility and adjust leave records. However, the posting requirement set forth above is limited to the appointing authority.

Any unused donated leave shall be returned to the leave donors on a prorated basis upon the leave recipient's return to work, except that if the proration of leave days results in less than one day per donor to be returned, that leave time shall not be returned.

Upon retirement, the leave recipient shall not be granted supplemental compensation on retirement for any unused sick days that he or she had received through the Donated Leave Program.

While using donated leave time, the leave recipient shall accrue sick leave and vacation leave and be entitled to retain such leave upon his or her return to work.

An employee shall be prohibited from threatening or coercing or attempting to threaten or coerce another employee for the purpose of interfering with rights involving donating, receiving or using donated leave time. Such prohibited acts shall include, but not be limited to, promising to confer or conferring a benefit such as an appointment or promotion or making a threat to engage in, or engaging in, an act of retaliation against an employee.

All donations shall remain confidential and employees shall refrain from discussing who donated or the amount of time donated.

All Donations must be approved by the employee's Department Head and the Mayor.
All leave will be donated/exchanged based on hourly rates.



CITY OF SOUTHAVEN

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| Policy: Drug and Alcohol Free Workplace Policy | |
| Adopted: July 5, 2017, 07/01/2025 | |
| Revised: December 7, 2021 | |
| Mississippi Statute: Miss. Code Ann. § 71-7-1, Miss. Code Ann. §§ 71-3-201 to 71-3-225 | |

Statement of Mississippi Law

You are hereby advised that the City has implemented a drug and alcohol policy and conducts a testing program, pursuant to House Bill No. 84 of 1994, codified at Miss. Code Ann. § 71-7-1, et seq. (hereinafter “the Act”), and you are hereby advised of the existence of said Act.

You are hereby advised that the City has also implemented a drug and alcohol policy and conducts a testing program pursuant to the Drug-Free Workplace Workers’ Compensation Premium Reduction Act, codified at Miss. Code Ann. §§71-3-201 to 71-3-225, and you are hereby advised of the existence of said law.

General Statement of Policy

It is the policy of the City to provide a safe work environment and to foster the well-being and health of its members. Compliance with the City’s Drug and Alcohol Free Workplace Policy is a condition of employment. The City strictly prohibits:

1. the unlawful manufacture, possession, use, abuse, sale, transfer, distribution, solicitation or possession, including possession with the intent to sell or distribute any controlled substances, including illegal drugs, alcohol, prescription drugs (used contrary to a legitimate prescription), nonprescription drugs (used in a manner contrary to the directions or for a purpose other than that for which the drugs are offered by the manufacturer) or any other controlled substances or drug paraphernalia at any time, whether on City or personal time, including but not limited to any time on the City’s premises, in the City’s vehicles, when performing City business or when otherwise acting as an employee of the City.
2. Reporting to work under the influence of or whose performance is impaired through the use of alcohol or drugs.

An employee is permitted to use or possess prescription or non-prescription medication in the workplace. Should an employee have reason to believe, or have been informed by



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his/her physician or pharmacists, that the use of such drugs may affect his/her ability to perform duties, the employee shall notify his/her supervisor. The employee shall not be required to reveal to the supervisor any medical information relating to the use of such drugs. The supervisor shall assure that the confidentiality of any information and privacy of the employee as well as the safety of the employee and others are maintained. The intentional use of drugs for other than prescribed medicinal purposes or accepted Over-The Counter use that impairs an employee's ability to perform his/her duties will be considered a violation of policy.

An applicant for employment or active employee may be required to submit to a drug and alcohol test under the following conditions:

1. As a condition of the job applicant's employment application.
2. An employee may be required to submit to a drug and alcohol test as a condition of employment when the City has a reasonable suspicion that an employee is in violation of the City's Drug and Alcohol Free Workplace Policy or as part of neutral selection drug and alcohol testing of employees engaged in public health, law enforcement and/or safety sensitive positions with one or more of the following duties or responsibilities:
 - A. engage in law enforcement;
 - B. have national or state security responsibilities;
 - C. engage in drug interdiction responsibilities;
 - D. have authorization to carry firearms;
 - E. have access to sensitive information;
 - F. as a condition of employment are required to obtain a security Clearance; or
 - G. engage in activities affecting public health or safety.

Drug and Alcohol Violations

The City may refuse to hire a job applicant or may discipline any employee, up to and including discharge, on the basis of a positive confirmed drug and alcohol test result, a refusal to submit to a drug or alcohol test, or any other violation of the City's Drug and Alcohol Free Workplace Policy. Further, conviction for a drug-related offense may result in discipline up to and including discharge.

Confidentiality

All information, interviews, reports, statements, memoranda and test results, written or otherwise, received by the City through its drug and alcohol testing program are confidential communications, except under certain circumstances as allowed by the Act.



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Procedures for Confidentially Reporting Prescription or Nonprescription Medication

An employee or job applicant shall be allowed to provide notice to the City of currently or recently used prescription or nonprescription drugs at the time of the taking of the specimen to be tested, and such information shall be placed in writing upon the City's drug and alcohol testing custody and control form prior to initial testing.

When Drug and Alcohol Testing May Occur

Drug and alcohol testing may occur under the following circumstances:

1. Job applicants may be required to submit to a drug and alcohol test as a condition of employment. Job applicants will not be required to submit to an alcohol test prior to a conditional offer of employment.
2. All employees may be required to submit to reasonable suspicion drug and alcohol testing. Reasonable suspicion means a belief that an employee is using or has used drugs in violation of the City's Drug and Alcohol Free Workplace Policy when such belief is drawn from specific objective and articulable facts and reasonable inferences drawn from those facts in light of experience. Reasonable suspicion may be based on, but is not limited to, the following: (1) observable phenomena such as direct observation of drug use and/or the physical symptoms or manifestations of being under the influence of a drug or alcohol; (2) abnormal conduct or erratic behavior while at work, absenteeism, tardiness, or deterioration in work performance; (3) a report of drug or alcohol use provided by reliable and credible sources and which has been independently corroborated; (4) evidence that an individual has tampered with a drug or alcohol test during his employment with the City; (5) information that an employee has caused or contributed to an accident while at work; or (6) evidence that an employee is involved in the use, possession, sale, solicitation or transfer of drugs while working or while on the City's premises or operating the City's vehicle, machinery or equipment.
3. Only employees engaged in law enforcement activities, in safety sensitive positions or in positions involving the public safety with duties as set out above in the General Statement of the City's Policy on Drug and Alcohol Use may be required to submit to neutral selection drug and alcohol testing.
4. An employee may be required to submit to a drug and alcohol test if the test is conducted as part of a routinely scheduled employee fitness for duty medical



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examination that is part of the City's established policy and/or which is scheduled routinely for all members of the same classification or group.

5. An employee may be required to submit to neutral selection or routine drug and alcohol tests if the employee in the course of his/her employment enters a drug abuse rehabilitation program, and as a follow-up to such rehabilitation program, or if previous drug and alcohol testing of the employee within a twelve-month period resulted in a positive confirmed test result.
6. An employee, who is participating in drug abuse rehabilitation, may be required to submit to drug and alcohol testing conducted by the rehabilitation provider as deemed appropriate by the provider.

Consequences of Refusing to Submit to a Drug and Alcohol Test

The City may refuse to hire any job applicant who refuses to submit to a drug and alcohol test. The City may discipline any employee for refusing to submit to a drug and alcohol test authorized under the City's Drug and Alcohol Free Workplace Policy, and such discipline may include discharge.

Opportunities for Assessment and Rehabilitation

If an employee has a positive confirmed test result and the City determines that neither discipline nor discharge is necessary or appropriate, the employee will be afforded an opportunity for assessment and rehabilitation. Information on counselors, treatment providers or other methods of assessment, assistance or rehabilitation is available from the City's benefits coordinator and the City Administrator's office. The City has also posted a summary of the resource file, including the identification and contact information for multiple employee assistance providers in the area.

Contesting the Accuracy of a Positive Confirmed Drug and Alcohol Test Result

An employee who has received a positive confirmed drug and alcohol test result may contest the accuracy of that result or explain it to the City.

List of Drugs for Which the City May Test

The City may test for marijuana, cocaine, opiates, amphetamines, phencyclidine, and alcohol.

No Applicable Contracts



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There are no applicable contracts or collective bargaining agreements which apply to limit this policy.

Exception to the City's Provisions Regarding Drug and Alcohol Testing

The provisions of the City's Drug and Alcohol Free Workplace Policy do not apply to employees subject to drug and alcohol testing procedures pursuant to any federal law or regulations.

Federal Drug-Free Workplace Notice

The City provides a drug-free workplace under the provisions of the Federal Drug-Free Workplace Act.

The City also has established a drug-free awareness program to inform employees about the dangers of abuse in the workplace, the City's policy of maintaining a drug-free workplace, any available drug counseling, rehabilitation and employee assistance programs, and the penalties which may be imposed upon employees for drug abuse violations.

Further, the City has made it a requirement that each employee as a condition of employment will be given a copy of the City's Drug and Alcohol Free Workplace Policy, setting out the items identified above as required by the Federal Drug-Free Workplace Act.

The City has further notified each employee that as a condition of employment the employee must:

- (a) abide by the terms of the City's Drug and Alcohol Free Workplace Policy and the Federal Drug Free Workplace Act, including those requirements set out above; and
- (b) notify the City of any criminal drug statute conviction for a violation occurring in the workplace no later than five (5) calendar days after such conviction.

PROCEDURES FOR THE DRUG AND ALCOHOL FREE WORKPLACE POLICY

I. Definitions for the City's Drug and Alcohol Free Workplace Policy

1. "Drug" means an illegal drug or a prescription or non-prescription medication.



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2. “Prescription or non-prescription medication” means a drug prescribed for use by a duly licensed physician, dentist, or other medical practitioner licensed to issue prescriptions or a drug that is authorized pursuant to federal or state law for general distribution and use without a prescription in the treatment of human diseases, ailments or injuries.
3. “Illegal drug” means any substance, other than alcohol, having psychological or/and physiological effects on a human being and that is not a prescription or non-prescription medication, including controlled dangerous substances and controlled substance analogs or volatile substances which produce the psychological and/or physiological effects of a controlled dangerous substance through deliberate inhalation.
4. “Alcohol” means ethyl alcohol.
5. “Refuse to submit” means that an employee:
 1. Fails to provide adequate breath for alcohol testing as required by the policy, without a valid medical explanation, after he or she has received notice of the requirement for breath testing.
 2. Fails to provide an adequate urine sample for controlled substances testing as required by the policy, without a valid medical explanation of genuine inability to provide a specimen after he or she has received notice of the requirement for urine testing.
 3. Fails to appear for any test within a reasonable time, as determined by the City.
 4. Fails to remain at the testing site until the testing process is complete.
 5. Fails to cooperate with any part of the testing process.
 6. Engages in any conduct that clearly obstructs the testing process.
6. “Neutral Selection Basis” means a mechanism for selecting employees for drug tests that (1) results in an equal probability that any employee from a group of employees subject to the selection mechanism will be selected, and (2) does not give an employer discretion to waive the selection of any employee selected under the mechanism.



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7. “Specimen” means a tissue or product of the human body chemically capable of revealing the presence of drugs or their metabolites in the human body.
8. “Chain of custody” refers to procedures to account for the integrity of each urine specimen and each blood specimen by tracking its handling and storage from point of specimen collection to final disposition of the specimen.
9. “Drug and alcohol test” means a chemical test administered for the purpose of determining the presence or absence of a drug or metabolites in a person’s body fluids.
10. “Initial test” means an initial drug test to determine the presence or absence of drugs or their metabolites in a specimen.
11. “Confirmation test” means a drug and alcohol test on a specimen to substantiate the results of a prior drug and alcohol test on the specimen. The confirmation test must use an alternative method of equal or greater sensitivity than that used in the previous drug and alcohol test.
12. “Medical review officer” is a licensed physician responsible for receiving laboratory results generated by the City’s drug and alcohol testing program who has knowledge of substance abuse disorders and has appropriate medical training to interpret and evaluate an individual’s positive test result together with his or her medical history and any other relevant bio-medical information.
13. “Employee assistance program” means a program provided by an employer offering assessment, short term counseling and referral services to employees, including drug, alcohol and mental health programs.

II. *Drugs for Testing*

The City may include in its drug and alcohol testing protocols marijuana, cocaine, opiates, amphetamines, phencyclidine, and alcohol. No testing for a controlled substance other than those specifically named above will occur unless the United States Department of Health and Human Services has established an approved protocol and positive threshold for each such substance and this approved protocol has been adopted by the Mississippi State Department of Health.

III. *Specimens*

Body specimens for drug and alcohol testing are as follows:



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1. For tests for drugs, urine will be used for initial and confirmation tests.
2. For tests for alcohol, breath and/or saliva will be used for initial tests; and blood will be used for confirmation tests.

IV. *Certified Laboratory*

1. No laboratory will conduct an initial or confirmation drug or alcohol test unless the director of the laboratory and the laboratory are certified by the Mississippi State Department of Health. The laboratory will warrant that its certification or license by the State of Mississippi Department of Health has not been suspended or revoked. The laboratory must also warrant that its certification or license has not been revoked by the Substance Abuse and Mental Health Services Administration or the College of American Pathologists Forensic Urine Drug Testing and that there has been no suspension or revocation of a license or certification by an agency of another state, as such suspension or revocation also operates as a suspension or revocation of certification by the Mississippi State Department of Health. The laboratory utilized will also warrant that it has not been notified of any action taken by the Mississippi State Department of Health to suspend or revoke its certification and has not been notified of any actions by any of the other above-named certifying bodies to suspend or revoke its certification.
2. Prior to conducting any initial or confirmation drug or alcohol tests, any laboratory contracted with the City to perform initial or confirmation drug and alcohol tests will certify that to the City as follows:
 - a. The director of the laboratory and the laboratory are certified by the Mississippi State Department of Health to conduct such tests;
 - b. The laboratory has methods of analysis and procedures to insure reliable drug and alcohol testing results, including standards for initial tests and confirmation tests;
 - c. The laboratory has chain of custody procedures to insure proper identification, labeling and handling of specimens being tested;
 - d. The laboratory has retention and storage procedures to insure reliable results on confirmation tests and results;
 - e. The laboratory demonstrates satisfactory performance in the proficiency testing program of the National Institute on Drug Abuse,



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the College of American Pathology or the American Association for Clinical Chemistry, or the equivalent;

- f. The laboratory follows proper quality control procedures, including but not limited to:
 1. The use of internal quality controls, including the use of samples of known concentrations which are used to check the performance and calibration of testing equipment, and periodic use of blind samples for overall accuracy.
 2. An internal review and certification process for test results conducted by a person qualified to perform that function in the testing laboratory.
 3. Security measures implemented by the testing laboratory to preclude adulteration of specimens and test results.
 4. Other necessary and proper actions are taken to insure reliable and accurate test results.
3. The laboratory will also certify that it will disclose to the employer a written test report result within five (5) working days after the test. The laboratory will also certify to the City that laboratory reports of a test result will at a minimum state:
 - a) The name and address of the laboratory that performed the test and the positive identification of the person tested;
 - b) Any positive confirmed drug and alcohol test results on a specimen which tested positive on an initial test or a negative drug and alcohol test result on a specimen; provided, however, that reports should not make reference to initial or confirmatory tests when reporting positive or negative results;
 - c) A list of the drugs tested for;
 - d) The type of test conducted for both initial and confirmation tests and the cut-off levels of the test; and
 - e) The report shall not disclose the presence or absence of any physical or mental condition or of any drug other than the specific drug and its metabolites that the City requested to be identified.



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4. The lab will also certify that it meets and will abide by the rules promulgated by the Mississippi State Department of Health concerning drug and alcohol testing.

V. Collection and Testing

1. The City will contract with manufacturers, vendors, or other providers of drug and alcohol testing devices, or with a certified laboratory, for initial, on-site drug and alcohol testing of employees to:
 - a. Train and certify City employees implementing the drug and alcohol testing program with regard to collection of specimens and administration of initial tests; or
 - b. Provide the City with certified personnel to collect specimens and administer the initial tests.
2. The City may designate employees for training and certification by the Mississippi State Department of Health to qualify them to collect specimens and conduct on-site drug and alcohol tests.
3. The following individuals may collect specimens for a drug and alcohol test:
 - a. A physician, a registered nurse or a licensed practical nurse;
 - b. A qualified person employed by a certified laboratory; or
 - c. An employee or an independent contractor of the City who has been trained and certified as indicated above.
4. Collection of specimens will be done in a sanitary environment and under reasonable conditions to preserve the dignity of the employee or job applicant being tested.
5. Specimens will be collected in a manner to prevent specimen substitution and interference with the collection or testing of the specimens.
6. If the City performs on-site drug and alcohol tests or specimen collection, the City will establish chain-of-custody procedures to ensure proper record keeping, handling, labeling and identification of all specimens to be tested.



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7. If the City performs specimen collection, the City will document the specimen collection, including the following steps:
 - a. Label the specimen container clearly to prevent erroneous identification of test results; and
 - b. Allow the employee or job applicant an opportunity to provide information which he or she considers relevant to the test, including identification of currently or recently used prescription or nonprescription drugs or other relevant medical information. This information will be taken into account when interpreting any positive confirmed results but will not prevent the test from being given.
8. Specimen collection, storage, and transportation to the testing site will be conducted to prevent contamination or adulteration.
9. If the City performs specimen collection, the person who collects or takes a specimen will collect enough for two (2) drug and alcohol tests.
10. When the City requires current employees to submit to a drug and alcohol test, the testing will occur during or immediately after the regular work period of the employees, and the time utilized will be considered work time for purposes of determining compensation and benefits for the current employees.
11. Specimen testing for drugs will conform to scientifically accepted analytical methods and procedures as outlined below.
12. Even if the City conducts on-site initial drug and alcohol tests, the City will contract with a certified laboratory to conduct confirmation tests on specimens which produce a positive result in the initial on-site test.
13. The City will pay for the costs of all drug and alcohol tests and accompanying results which the City requests or requires an employee or job applicant to take.

VI. *Initial Tests*

1. Unless the Mississippi State Department of Health subsequently provides otherwise, the initial test for drugs shall use an immunoassay that meets the requirement of the United States Food and Drug Administration for commercial distribution. The following cut-off levels will be used for screening specimens to determine whether they are negative for the five (5) identified drugs or classes of drugs:



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| Drugs | Initial Test Cut-Off Levels (NG/ML) |
|------------------------------|-------------------------------------|
| Marijuana metabolites | 50 |
| Cocaine metabolites | 300 |
| Opiate metabolites | 300* |
| Phencyclidine | 25 |
| Amphetamine | 1000 |

* 25 NG/ML if amino assay specific for free morphine

2. These cut-off levels for the initial drug test are subject to change by the Mississippi State Department of Health as advances in technology or other considerations warrant.

Initial Test - Alcohol

3. Any detectible level of alcohol found the breath or saliva specimen of an individual shall be deemed a positive result.

VII. Confirmation Test

1. Any initial drug or alcohol test yielding a positive result may be followed by an appropriate confirmation test. If the initial drug and alcohol test is negative, there will be no confirmation drug or alcohol test performed.
2. While the City may choose to utilize appropriately trained or certified personnel to conduct the initial drug and/or alcohol test on-site, the confirmation test will be performed by a certified laboratory; and the laboratory will perform confirmation tests only on specimens which produced a positive result in the initial test for drugs and/or alcohol.
3. All confirmation tests must use an alternative method of equal or greater sensitivity than that used on the initial drug and alcohol test. All specimens identified as positive on the initial test shall be confirmed using gas chromatography/mass spectrometry (GC/MS) techniques at the cut-off levels for each drug as listed below. All confirmations shall be by quantitative analysis. Concentrations that exceed the linear region of the



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standard curve will be documented in the laboratory records as “greater than highest standard curve value.”

| Drugs | Confirmation Test Cut-Off Levels (NG/ML) |
|---|--|
| Marijuana Metabolite¹ | 15 |
| Cocaine Metabolite² | 150 |
| Opiates: | |
| Morphine | 300 |
| Codeine | 300 |
| Phencyclidine | 25 |
| Amphetamines: | |
| Amphetamine | 500 |
| Methamphetamine | 500 |

4. These cut-off levels are subject to change by the Mississippi State Department of Health as advances in technology or other considerations warrant.

Confirmation Test - Alcohol

5. An ethyl alcohol level of 10mg/dl found in the blood specimen of an individual shall be deemed a positive result.

VIII. Reporting Results of Test

1. The laboratory will report as negative all specimens that are negative on the initial test or negative on the confirmation test. Only specimens confirmed positive will be reported positive for a specific drug or alcohol.
2. The laboratory will report confirmation test results to the Department of Human Resources within an average of five (5) working days after receipt of the specimen by the laboratory. Before a test result is reported (the results of confirmation tests or quality control data) it shall be reviewed and

¹ Delta-9-Tetrahydrocannabinol-9-Carboxylic Acid

² Benzoylcegonine



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the test certified as an accurate report by the responsible individual. The laboratory will send only to the Department of Human Resources the drug or alcohol testing results which, in the case of a report positive for drug or alcohol use, shall be signed by the individual responsible for day-to-day management of the drug testing laboratory or the individual responsible for attesting to the validity of the test reports. The report shall identify the drugs/metabolites tested for, whether positive or negative, the specimen number assigned by the employer and the drug testing laboratory specimen identification number (accession number).

IX. Notification to Applicants or Employees and Objections to Positive Results

1. An employee will be provided written notification of a positive confirmed test result report from the testing laboratory, the consequences of the report, and the options available to the employee within five (5) working days after the City receives the positive confirmation.
2. If an employee requests a copy of the test result report, the City will provide a copy.
3. An employee has ten (10) working days after receiving notice of a positive confirmed test result to submit information to the City explaining the test results and why the results do not violate the City's Drug and Alcohol Free Workplace Policy. If the explanation is not satisfactory, the City will place a written statement of why the explanation was unsatisfactory, along with the report of positive results, in the employee's medical and personnel records. If any information is included in or otherwise accompanies the report, such information will be placed in the employee's medical records but will not be placed in the personnel file.
4. During the ninety (90) day period following the date the results of the positive confirmed test are mailed or otherwise delivered to the City, the employee who submitted the specimen will be permitted to have a portion of the specimen retested, at the employee's expense, at a certified laboratory selected by the employee.
5. Any additional testing requested by the employee or job applicant will be paid by the employee or job applicant.

X. Release or Disclosure of Test Results

1. Information, interviews, reports, statements, memoranda and test results, written or otherwise, received by the City through its Drug and Alcohol Free Workplace Policy are confidential communications. Any information



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obtained by the City pursuant to its Drug and Alcohol Free Workplace Policy is the property of the City. The confidentiality provisions contained in this Drug and Alcohol Free Workplace Policy do not apply to other information or parts of an employee's or job applicant's personnel or medical files.

2. Information related to drug and alcohol test results will not be released to any individual, other than the employee or job applicant, or City medical, supervisory or other personnel, as designated by the City on a need to know basis, unless:
 - a. The employee or job applicant has expressly, in writing, granted permission for the City to release such information;
 - b. It is necessary to introduce a positive confirmed test result into an arbitration proceeding, provided that the information is relevant to the hearing or proceeding, or the information must be disclosed to a federal or state agency or other unit of a state or the United States government as required under law, regulation or order, or disclosed in accordance with compliance requirements of a state or federal government contract, or disclosed to a drug abuse rehabilitation program for the purpose of evaluation or treatment of an employee; or
 - c. There is a risk to public health or safety that can be minimized or prevented by the release of such information; provided, however, that unless such a risk is immediate, a court order permitting the release shall be obtained prior to the release of the information.
3. If an employee refuses to sign a written consent form for release of information to persons as permitted under the Drug and Alcohol Free Workplace Policy or any other applicable law, the City may discipline or discharge the employee.

XI. Specimen and Records Retention by the Laboratory and Retesting

1. The laboratory will preserve positive specimens in such a manner as to insure that the specimens will be available for any necessary re-test as required by law.
2. Every specimen that produces a positive confirmed result will be preserved in a frozen state by the certified laboratory that conducts the confirmation test for a period of ninety (90) days from the time the results of the positive confirmed test are mailed or otherwise delivered to the City. During this



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period, the employee who has provided the specimen will be permitted by the City to have a portion of the specimen retested, at the employee's expense, at a certified laboratory chosen by the employee. The certified laboratory that has performed the test for the City shall be responsible for the transfer of the portion of the specimen to be retested, and for the integrity of the chain of custody during the transfer.

3. Because some analytes deteriorate or are lost during freezing and/or storage, quantitation for a retest is not subject to a specific cut-off requirement but must provide data sufficient to confirm the presence of the drug, alcohol or their metabolites.
4. Unless otherwise instructed by the City in writing, all records pertaining to the given urine or blood specimen or other specimen will be retained by the drug testing laboratory for a minimum of two (2) years.
5. The employee or job applicant is responsible for the payment of costs of any additional drug and alcohol tests requested by the employee or job applicant.

XII. Employee Assistance

1. If the City maintains an employee assistance program, the City will inform employees of the benefits and services of the employee assistance program. The City will also post notice of the employee assistance program throughout its workplace and will explore other alternatives to publicize such services. The City will also provide employees with notice of the policies and procedures regarding access to and utilization of any available employee assistance program.
2. If at any time the City does not have an employee assistance program, the City will also maintain a resource file of employee assistance service providers, alcohol and other drug abuse programs, mental health providers and other persons, entities or organizations available to assist employees with personal or behavioral problems. The City will provide all employees information about the existence of the resource file and a summary of the information contained within the resource file. The City will post this information.
3. The summary may contain but is not limited to all information necessary to access the services listed in the resource file. Further, the City will also post



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in conspicuous places a listing of multiple employee assistance providers in the area.

XII. *Supervisor and Employee Training*

1. The City will provide all employees with an education program on alcohol and other drug abuse prior to instituting its Drug and Alcohol Free Workplace Policy. Also the City will provide employees with an annual education program on alcohol and other drug abuse, in general, and its effects on the workplace, specifically. The education program will last at least one (1) hour and will include but is not limited to information on:
 - a) the explanation of the disease of addiction for alcohol and other drugs;
 - b) the effects and dangers of the commonly abused substances in the workplace;
 - c) the dangers of drug abuse in the workplace;
 - d) the City's policies and procedures regarding alcohol and other drug use or abuse in the workplace and how employees who wish to obtain substance abuse treatment can do so;
 - e) the City's policy of maintaining a drug-free workplace;
 - f) any available drug counseling, rehabilitation, and employee assistance programs; and
 - g) the penalties that may be imposed on employees for drug abuse violations.

2. In addition to the educational program referenced above, the City will also provide all supervisory personnel a minimum of two (2) additional hours of training prior to the institution of its Drug and Alcohol Free Workplace Policy and each year thereafter which will include but is not limited to the following:
 - a) recognition of evidence of employee alcohol and other drug abuse;
 - b) documentation and corroboration of employee alcohol and other drug abuse;



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- c) referral of alcohol and other drug abusing employees to the proper treatment provider;
- d) recognition of the benefits of referring alcohol and other drug abusing employees to treatment programs, in terms of employee health and safety and City savings; and
- e) explanation of any employee health insurance or HMO coverage for drug, alcohol or other problems.

XIV. Action by the City Based on Positive Test Results or Refusal to Submit to Drug and Alcohol Testing

1. The City may not discharge, discipline, or request or require rehabilitation of an employee on the basis of a positive test result that has not been verified by a confirmatory test, except the City may temporarily suspend or transfer an employee to another position after an initial positive on-site test while awaiting confirmation.
2. The City will not discharge, discipline, discriminate against or request or require rehabilitation of an employee on the basis of any medical history information revealed to the City as a result of a drug and alcohol test, except if the employee had an affirmative obligation to provide such information before, upon, or after hire.
3. The City may discipline, up to and including discharge, an employee who has had a confirmed positive test result.
4. The City in its discretion may refer any employee who has violated the City's Drug and Alcohol Free Workplace Policy to an employee assistance program or other similar program for assessment, counseling and referral for treatment or rehabilitation as appropriate. Such treatment or rehabilitation shall be at a site certified by the Mississippi State Department of Mental Health. This option does not in any way limit the City's ability to discipline any employee for a positive confirmed test result.
5. If a job applicant refuses to submit to drug and alcohol testing, the City may refuse to hire the job applicant.
6. If an employee refuses to submit to drug and alcohol testing, the City may discipline the employee, up to and including discharge, or refer the employee to a drug abuse assessment, treatment and rehabilitation



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program at a site certified by the State of Mississippi Department of Mental Health.

7. **Nothing in this Drug and Alcohol Free Workplace Policy affects any right of the City to terminate the employment of any person for reasons not related to the Drug and Alcohol Free Workplace Policy.**

XV. Federal Drug Free Workplace Program

1. The City provides a drug-free workplace under the provisions of the Federal Drug-Free Workplace Act. Accordingly, the City has implemented a policy prohibiting the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance in the workplace and indicating that actions which may be taken for such violations may include discipline up to and including termination from employment.

Awareness

2. The City also has established a drug-free awareness program to inform employees about the dangers of drug abuse in the workplace, the City's policy of maintaining a drug-free workplace, any available drug counseling, rehabilitation and employee assistance programs, and the penalties which may be imposed upon employees for drug abuse violations.

Notice to Employees

3. Further, the City has made it a requirement that each employee as a condition of employment will be given a copy of the City's Drug and Alcohol Free Workplace Policy, setting out the items identified above as required by the Federal Drug-Free Workplace Act.

Additional Employee Obligations

4. The City has further notified each employee that as a condition of employment the employee must:
 - a) abide by the terms of the City's Drug and Alcohol Free Workplace Policy and the Federal Drug-Free Workplace Act provisions, including those requirements set out above; and



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- b) notify the City in writing of any criminal drug statute conviction for a violation occurring in the workplace no later than five (5) calendar days after such conviction.

Notice to Federal Government

5. The City will provide notice, including position title, to any federal government contracting agency or federal government granting agency and to every grant officer or other designee on whose grant activity the convicted employee was working, unless the federal agency has designated a central point for the receipt of such notices, within ten (10) calendar days after receiving notice by an employee or otherwise of a criminal drug statute conviction for a violation occurring in the workplace. The notice will include the identification number(s) of each affected grant.

Termination/Discipline/Assistance

6. Within thirty (30) calendar days of receiving notice of an employee's conviction for a violation of a criminal drug statute occurring in the workplace, the City will either:
 - a) take appropriate personnel action against such employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
 - b) require such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency.
7. If an employee is terminated for such conviction, no further participation in drug abuse assistance or rehabilitation will be required.
8. The City will make a good faith effort to maintain a drug-free workplace program through the implementation of the terms set forth above.



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| Policy: Eligibility | |
| Adopted: July 15, 2017, 07/01/2025 | |
| Revised: | |
| Mississippi Statute: | |

General Statement of Policy

An applicant's eligibility for a particular job class is evaluated by established standards to determine if he/she meets the minimum qualifications. If the applicant meets the minimum qualifications, the application is then rated based according to the related education, training, and experience listed on the applicant's application form, unless the job applied for requires either a written or a proficiency test. In that case, the application will be scored on the basis of the test score. Applicants will be notified of the date and site of the proficiency test or written examination, if one is required.



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| Policy: Employee Diligence | |
| Adopted: July 15, 2017, 07/01/2025 | |
| Revised: | |
| Mississippi Statute: | |

General Statement of Policy

All employees shall apply themselves to their assigned duties during the full schedule for which compensation is being received.



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| Policy: Dress and Appearance | |
| Adopted: July 15, 2017, 07/01/2025 | |
| Revised: 07/16/2019, 08/20/2019 | |
| Mississippi Statute: | |

General Statement of Policy

The City of Southaven expects all employees to present a clean and professional appearance when representing the city and to exercise appropriate judgment with regard to personal appearance, dress and grooming to be most effective in the performance of their workplace duties.

The City recognizes that personal appearance is an important element of self-expression and strives not to control or dictate appropriate employee appearance, unless a) it conflicts with an employee's ability to perform his or her position effectively in his or her specific work environment or b) it is regarded as offensive or harassing toward co-workers, citizens, or others whom the employee comes into contact with during their workplace duties.

Monday through Thursday, the dress of the administrative offices of the City of Southaven should be business casual. In particular, employees are required to dress in a professional manner. This is accomplished by observing the following rules for business dress:

- a) No halter tops
- b) No revealing or provocative clothing
- c) No shorts, tee-shirts, short skirts or low-cut necklines
- d) No tight, clinging or see through items
- e) No clothing or accessories that would in any way be a distraction to either the public or other employees

On Fridays, the acceptable attire will be a City-issued shirt (or similar) and blue jeans. If an individual does not wish to dress casually and wear a City issued shirt (or similar) with blue jeans, they should end the week with the type of dress clothing worn Monday through Thursday. Business casual is always acceptable.

While wearing the acceptable Friday City issued shirt with blue jeans, it is wise to keep a jacket in the office that can be worn over casual attire in order to be prepared for any unexpected situations that may require a more professional look (visits by dignitaries, impromptu press conferences, etc.).



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All excessive forms of body-piercing (any piercing not confined to earlobes and/or multiple piercing in earlobes) are considered inappropriate for employees of the City of Southaven.

The following types of tattoos and body alterations are prohibited from being visible when they:

- a) Infer sexual, racial, religious, ethnic or related intolerances.
- b) Portray derogatory or offensive characterizations contrary to the values of the City.
- c) Depict or represent criminally or historically oppressive organizations.
- d) Depict any advertisement or endorsement; unless specifically exempted by the City.
- e) Appear on the hands, neck, head, ears, face, mouth, tongue or teeth; with the exception of a single ring tattoo around the base of one finger.

If management determines an employee's dress code and appearance presents a conflict to this policy, the employee will be encouraged to identify appropriate options, such as changing clothes, removal of excess or offensive jewelry, covering of tattoos or other reasonable means to resolve the conflict.

All legitimate requests to alter the dress code and appearance policy will be considered on a case-by-case basis or when an employee has a particular disability or religious belief that is contrary to this City policy.

This dress code and appearance policy is adopted in order to provide a guide for employees who wish to maintain the proper business casual attire and professional appearance while in the employment of the City of Southaven. Employees who are required to wear a City issued uniform (fire fighters, police officers, etc.) shall wear the appropriate dress in accordance with the specific department.

An environment of cooperation, respect, and fair and consistent treatment for all employees is the City's goal. Nonetheless, the City is responsible for ensuring that no employees are subject to harassment or a hostile work environment.



CITY OF SOUTHAVEN

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| Policy: Employee Educational Reimbursement | |
| Adopted: July 15, 2017, 07/012025 | |
| Revised: | |
| Mississippi Statute: | |

General Statement of Policy

The City of Southaven encourages its employees to receive as much formal education as possible. To this end, the City may provide tuition assistance for work/job related coursework only. The City shall not offer reimbursement for coursework that is not directly related to the day-to-day job duties of the employee seeking such assistance/reimbursement.

To be eligible for tuition reimbursement, an employee must earn a minimum of a 3.0 grade point average (GPA) in all coursework. The employee must attach a copy of their official grade report and a detailed explanation of the coursework taken prior to receiving any reimbursement. Such requests must be approved by the appropriate department head, the Director of Human Resources and the Mayor prior to becoming effective. If approved, the City shall assist the employee for actual tuition costs only. The City shall not reimburse the employee for other costs (fines, fees, books, supplies etc.) associated with their continuing education. Any and all reimbursement/assistance is contingent upon the availability of departmental budgetary funds and such reimbursement request may be denied as such. Nothing in this policy shall be deemed to constitute a continual reimbursement/assistance program. The City reserves the right to amend or otherwise revoke this policy with or without notice pending available funding. Employees receiving or are otherwise eligible to receive outside educational assistance (i.e. Pell Grants, scholarships, etc.) shall not be eligible to receive City funded educational assistance.



CITY OF SOUTHAVEN

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| Policy: Equal Employment Opportunity | |
| Adopted: July 15, 2017, 07/01/2025 | |
| Revised: | |
| Mississippi Statute: | |

General Statement of Policy

Equal employment opportunity for all individuals regardless of race, color, creed, sex, religion, national origin, age, mental or physical handicap, disability, veteran status, uniformed service status, political affiliation, or any other prohibited basis under applicable federal, state or local law is the policy of the Mayor and Board of Alderman. In order to assure non-discriminatory personnel administration, the Mayor and Board of Alderman promotes non-discriminatory practices and procedures in all phases of city personnel administration. The Mayor and Board of Alderman's equal opportunity policy, therefore, prohibits any form of unlawful discrimination based on the foregoing and other considerations made unlawful by federal, state or local laws.

It is the view of the Mayor and Board of Alderman that equal employment opportunity can only be attained through the City's commitment to comply with all applicable laws affording equal employment opportunities to individuals including, among others, persons with disabilities. Accordingly, it is imperative that City employees make all personnel decisions in accordance with Mayor and Board of Alderman policies, practices, and procedures. The selection process and criteria must assure fair and equitable treatment of all qualified applicants and employees, including qualified applicants and employees with disabilities who can perform the essential functions of the position.

The Americans With Disabilities Act of 1990 requires city departments to make reasonable accommodations for the known physical and mental limitations of otherwise qualified individuals with disabilities who are applicants or employees, provided such accommodations do not cause undue hardships to City operations. Qualified individuals with disabilities are persons with disabilities who meet the job-related requirements of an employment position and who can perform the essential functions of the position with or without reasonable accommodations. For an individual to be considered to have a disability that individual must have a physical or mental impairment that substantially limits one or more major life activities, has a record of such impairment, or be regarded as having such impairment.



CITY OF SOUTHAVEN

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| Policy: Ethics | |
| Adopted: July 15, 2017, 07/01/2025 | |
| Revised: 10/1/2019, 11/5/2019 | |
| Mississippi Statute: | |

General Statement of Policy

It is the policy of the City of Southaven to uphold, promote and demand the highest standards of ethics and conduct from all of its employees and officials, whether elected, appointed or hired.

All City employees and members of City boards and committees shall maintain the highest standards of personal integrity, truthfulness, honesty and fairness in discharging their public duties, and never abuse their positions or powers for improper or personal gain.

Employees are expected to use good judgment and avoid situations that create an actual or perceived conflict between their personal interests and those of the organization. The City of Southaven requires that the transactions employees participate in are ethical and within the law, both in letter and in spirit.

1. Public Service is a Public Trust, requiring City of Southaven employees and officials to place loyalty to the constitution of the United States and the Mississippi Constitution, federal and state laws and ethical principles above private gain for themselves or others.
2. Employees and officials shall not hold financial interests that conflict with their conscientious performance of public duty.
3. Employees shall not engage in financial transactions using non-public official information or allow the improper use of such information to further any private interest or private gain.
4. Employees shall not, except as otherwise permitted by ordinance or express City of Southaven policy, solicit or accept any gift, service, or favor valued over \$100 from any person or entity seeking official action from, doing business with, or conducting activities regulated by the City, or whose interests may be affected by the performance or nonperformance of the employee's or official's public duties. Procurement employees are prohibited from accepting any gifts, services, or favors regardless of value. A "procurement" employee is anyone who has the authority to approve purchases over \$1500. Gifts between employees in recognition of a special event (such as birthday, holiday, or anniversary of service, etc.) are permitted if the value of the gift is of nominal and reasonable value and is unsolicited by the receiver of the gift. "Gift" is defined as compensation, objects or



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services of value such as a meal or a service performed for an employee such as home maintenance or lawn care.

5. Employees shall never discriminate unfairly by dispensing of special favors or privileges to anyone, whether for remuneration or not; and never accept favors or benefits under circumstances which might be construed as influencing the performance of their public duties.
6. Employees shall put forth honest effort in the performance of their public duties, remaining impartial and responsible to the public.
7. Employees shall make no promises of any kind (beyond those which the City has officially authorized them to make) binding upon the duties of their office, since an employee or official has no private word which can be binding on public duty.
8. Employees shall protect and conserve City property and services, and shall not use them for other than authorized purposes or for personal benefit or gain.
9. Employees shall seek to find and employee efficient and economical ways of accomplishing their public duties, and shall disclose waste, fraud, abuse, discrimination or harassment (sexual or otherwise) and corruption to appropriate authorities.
10. No employee, officer, or agent may participate in the selection, award, or administration of a contract supported by a federal award if he or she has a real or apparent *Conflict of Interest*. Such a *Conflict of Interest* would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract. The officers, employees, and agents of the non-federal entity may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts. However, non-federal entities may set standards for situations in which the financial interest is not substantial or the gift is an unsolicited item of nominal value. The standards of conduct must provide for disciplinary actions to be applied for violations of such standards by officers, employees, or agents of the non-federal entity.

Employees are encouraged to seek assistance from their managers with any legal or ethical concerns. However, this may not always be possible. As a result, employees may contact the Department of Human Resources of the City Attorney to report anything that they cannot discuss with their manager. Employees found in violation of this policy may be subject to disciplinary actions up to and including termination of employment.



CITY OF SOUTHAVEN

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| Policy: Family and Medical Leave Act | |
| Adopted: 07/15/2017, 07/01/2025 | |
| Revised: January 20, 2009 | |
| Mississippi Statute: | |

FAMILY AND MEDICAL LEAVE ACT (FMLA)

General Provisions

The Family and Medical Leave Act (FMLA) was enacted into law on February 5, 1993 and took effect August 5, 1993. All departments of the City of Southaven are considered covered employers under the Act, and any and all future amendments/revisions to said Act.

The FMLA entitles eligible employees to take up to twelve (12) weeks of unpaid, job-protected leave in a 12-month period for specified family and medical reasons and makes it unlawful for any department to discharge or discriminate against any person for opposing any practice made unlawful by the Act or for involvement in any proceeding under or relating to the Act. Further, the governing authority shall not interfere with, restrain, or deny the exercise of, or the attempt to exercise any right provided under the Act.

The FMLA does not affect any other federal law that prohibits discrimination and does not supersede any local law that provides greater and more generous leave rights.

Notice to Employees

Each department shall post and keep posted, in conspicuous places where notices to employees and applicants are customarily posted, a notice summarizing the entitlement to family leave and providing information concerning the procedures for filing complaints of violations of the Act.

Definitions for Purposes of FMLA

Health Care Provider:

- A. A doctor of medicine or osteopathy who is authorized to practice medicine or surgery (as appropriate) by the jurisdiction in which the doctor practices; or
- B. Any other person determined by the Governing Authority to be capable of providing health care services, including only:
 - 1. Podiatrists, dentists, clinical psychologists, optometrists, and chiropractors (limited to treatment consisting of manual manipulation of the spine to correct a subluxation as



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demonstrated by X-ray to exist) authorized to practice in the jurisdiction and performing within the scope of their practice as defined under applicable law;

2. Nurse practitioners, nurse-midwives and clinical social workers who are authorized to practice under applicable law and who are performing within the scope of their practice as defined under applicable law;

3. Christian Science practitioners listed with the First Church of Christ Scientist in Boston, Mass. Where an employee or family member is receiving treatment from a Christian Science practitioner, an employee may not object to any requirement from an employer that the employee or family member submit to examination (though not treatment) to obtain a second or third certification from a health care provider other than a Christian Science practitioner, except as otherwise provided under applicable law;

4. Any health care provider from whom the City or the City's group health plan's benefit manager will accept certification of the existence of a serious health condition to substantiate a claim for benefits; and

5. A health care provider listed above who practices in a country other than the United States, who is authorized to practice in accordance with the law of that country, and who is performing within the scope of his or her practice as defined under such law.

Authorized to practice under applicable law: Means that the provider must be authorized under state law to diagnose and treat physical or mental health conditions without supervision by a doctor or other health care provider.

Incapacity: Inability to work, attend school or perform other regular daily activities due to 1) a serious health condition, 2) treatment for a serious health condition, or 3) recovery from a serious health condition.

Parent: The biological parent of an employee or an individual who stands or stood in loco parentis to an employee when such employee was a son or daughter, as defined below. This term does not include parents-in-law.

Son or Daughter: A biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis, who is either under 18 years of age or 18 years of age or older and incapable of self-care because of a mental or physical disability.

Incapable of Self-care: Means that the individual requires active assistance or supervision to provide daily self-care in three or more of the activities of daily living including grooming and hygiene, bathing, dressing and eating or instrumental activities of daily living including cooking, cleaning, shopping, taking public transportation, paying bills, maintaining a residence, using telephones and directories, using a post office, etc.



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Physical or Mental Disability: A physical or mental impairment that substantially limits one or more of the major life activities of an individual.

In Loco Parentis: Persons having day-to-day responsibilities to care for and financially support a child or, in the case of an employee, who had such responsibility for the employee when the employee was a child. A biological or legal relationship is not necessary.

Reduced Leave Schedule: A leave schedule that reduces an employee's usual number of working hours per workweek, or hours per workday. A reduced leave schedule is a change in the employee's schedule for a period of time, normally from full-time to part-time.

Serious Health Condition: An illness, injury, impairment, or physical or mental condition that involves:

A. Inpatient care (an overnight stay) in a hospital, hospice, or residential medical care facility, including any period of incapacity, or any subsequent treatment in connection with such inpatient care; or

B. Continuing treatment by a health care provider to include any one or more of the following:

1. A period of incapacity of more than three consecutive calendar days and any other subsequent treatment or period of incapacity relating to the same condition that also involves:

a. Treatment two or more times by a health care provider, by a nurse or physician's assistant under direct supervision of a health care provider, or by a provider of health care services (e.g., physical therapist) under orders of, or on referral by, a health care provider; OR

b. Treatment by a health care provider on at least one occasion which results in a regimen of continuing treatment under the supervision of the health care provider.

2. Any period of incapacity due to pregnancy, or for prenatal care.

3. Any period of incapacity or treatment for such incapacity due to a chronic serious health condition.

4. A period of incapacity which is permanent or long-term due to a condition for which treatment may not be effective. The employee or family member must be under the continuing supervision of a health care provider, but need not be receiving active treatment by a health care provider. Examples include Alzheimer's, a severe stroke, or the terminal stages of a disease.

5. Any period of absence to receive multiple treatments (including any period of recovery there from) by a health care provider or by a provider of health care services under orders



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of, or on referral by, a health care provider, either for restorative surgery after an accident or other injury, or for a condition that would likely result in a period of incapacity of more than three (3) consecutive calendar days in the absence of medical intervention or treatment, such as cancer (chemotherapy, radiation, etc.) severe arthritis (physical therapy), kidney disease (dialysis).

Chronic Serious Health Condition: A condition which (a) requires periodic visits for treatment by a health care provider, or by a nurse or physician's assistant under direct supervision of a health care provider; (b) continues over an extended period of time (including recurring episodes of a single underlying condition); and (c) may cause episodic rather than a continuing period of incapacity (asthma, diabetes, epilepsy, etc.)

Equivalent Position: A position that is virtually identical to the employee's former position in terms of pay, benefits and working condition, including privileges, prerequisites and status. It must involve the same or substantially similar duties and responsibilities, which must entail substantially equivalent skill, effort, responsibility and authority.

Intermittent Leave: FMLA leave taken in separate blocks of time due to a single qualifying reason.

Unable to Work: Where the health care provider has found that the employee is either unable to work at all, or is unable to perform any one of the essential functions of the job.

Spouse: A husband or wife, as defined or recognized under state law for purposes of marriage.

Immediate Family Member: An employee's spouse, son or daughter or parent.

Eligibility: An eligible employee is one who has been employed by the City for at least a total of twelve (12) months, and has worked for at least 1,250 hours over the prior 12 months.

Entitlement: FMLA entitles eligible City employees to take up to twelve (12) weeks of unpaid, job-protected leave during any 12-month period for any one or more of the following family and medical reasons:

- A. for the birth of the employee's son or daughter, and to care for the newborn child;
- B. the placement with the employee of a son or daughter for adoption or foster care, and to care for the newly placed child;
- C. to care for an immediate family member with a serious health condition;
- D. because of the employee's own serious health condition that makes the employee unable to perform one or more of the essential functions of his or her job.



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Entitlement to leave under (A) and (B) above shall expire at the end of the 12-month period beginning on the date of such birth or placement. The 12-month period under (C) and (D) above will begin on the date of the employee's first FMLA leave. Leave entitlement shall be determined on a rolling 12-month basis so that the amount of available leave remaining to be taken is measured based on leave previously taken during the 12 months preceding the first date of the current requested leave.

Spouses employed by the same employer are jointly entitled to a combined total of twelve (12) workweeks during any 12-month period of family leave for the birth or placement of a child for adoption or foster care, or the care of such a child after birth or placement, and to care for a sick parent (but not a parent "in-law") who has a serious health condition. However, if the leave is to care for a sick child or the serious health conditions of each other or for the employee's own serious illness, this limitation does not apply.

Substitution of Paid Leave

Generally, FMLA leave is unpaid. However, eligible employees may choose to substitute certain accrued paid leave for FMLA leave as follows:

- A. Medical leave up to 480 hours.
- B. Personal leave

If an employee does not choose to substitute accrued paid leave, the City may require them to do so.

A serious health condition may result from injury to the employee "on or off" the job. Either the employee or the department may choose to have the employee's FMLA 12-week leave entitlement run concurrently with a workers' compensation absence when the injury is one that meets the criteria for a serious health condition. Since the workers' compensation absence is not unpaid leave, the provision for substitution of the employee's accrued paid leave is not applicable.

However, if the health care provider treating the employee for the workers' compensation injury certifies that the employee is able to return to a "light duty job", but is unable to return to the same or equivalent job, the employee may decline the department's offer of a "light duty job". As a result, the employee may lose workers' compensation payments, but is entitled to remain on unpaid FMLA leave until the 12-week entitlement is exhausted. As of the date workers' compensation benefits cease, the substitution provision becomes applicable and either the employee may elect, or the department may require, the use of accrued paid leave.

However, if an employee is receiving workers compensation benefits they may elect to use a portion of their accrued leave to offset the difference between their regular pay and the compensation received from workers compensation.



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Compensatory time off is not a form of accrued paid leave that a department may require the employee to substitute for unpaid FMLA leave. The employee may request to use his/her compensatory time for an FMLA reason; however, if the department allows the compensatory time to be used, it may not be counted against the employee's FMLA leave entitlement.

An employee who elects to use paid leave should make a written request of his/her intent to use accrued paid leave. The employee should explain the reasons for the request to substitute medical and/or personal leave and provide sufficient information for the department to determine that the leave qualifies under the Act and to designate the paid leave as substitution for all or some portion of the employee's FMLA leave entitlement.

Notice to Department

The Department may require that the employee provide written notice setting forth the reasons for the requested leave, the anticipated duration of the leave, and the anticipated start of the leave in accordance with the Department's established policy. Failure to follow established Department policy may result in disciplinary action, but will not permit the Department to disallow or delay an employee's taking of FMLA leave, if the employee gives timely verbal or other notice.

In any case in which the necessity for leave is foreseeable based on an expected birth or placement, the employee shall provide the Department with no less than thirty (30) days notice, before the date the leave is to begin, and of the employee's intention to take such leave, except that if the date of the birth or placement requires leave to begin in less than (thirty) 30 days, the employee shall provide such notice as is practicable

In any case in which the necessity for leave is foreseeable based on planned medical treatment, the employee:

1. shall make a reasonable effort to schedule the treatment so as not to unduly disrupt the operations of the Department, subject to the approval of the health care provider of the employee or the health care provider of the son, daughter, spouse, or parent of the employee, as appropriate; and
2. shall provide the Department with no less than thirty (30) days notice, before the date the leave is to begin, of the employee's intention to take leave, under FMLA, except if the treatment is to begin in less than thirty (30) days, the employee is to provide such notice as is practicable.

If the employee had actual notice of the FMLA leave requirements and he/she fails to give 30 days notice for foreseeable leave with no reasonable excuse for the delay, the Department may deny taking FMLA leave until at least 30 days after the date the employee provides notice to the Department Head of the need for FMLA leave.

A Department Head may require periodic reports from an employee on FMLA leave regarding the employee's status and intent to return to work. If the employee provides a statement of intent to return to work, even if the statement is qualified, entitlement to leave and maintenance of health



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benefits continue. However, if the employee gives an unequivocal notice of intent not to return to work, the Department's obligations to provide health benefits (except pursuant to COBRA requirements) and to restore the employee end.

Should the employee discover after beginning leave that the circumstances have changed and the amount of leave needed is shorter than originally anticipated, the employee may not be required to take more FMLA leave than necessary. If the employee desires to return to work earlier than anticipated, the Department Head may require the employee to provide notice of at least two (2) business days.

Designation of Leave as FMLA Leave and Notification to Employee

The Department Head is responsible for designating leave that is FMLA qualifying and for giving notice of the designation to the employee.

A. If the Department Head knows the reason for leave is an FMLA reason at the time leave begins, the leave must be designated by the Department Head in writing at that time. If the Department Head knows the leave is for an FMLA reason at the time leave begins and fails to designate, the leave may not be counted against the employee's FMLA entitlement and the employee continues to be subject to FMLA protection. Once the Department Head designates, the leave may be counted against the FMLA entitlement only from that time forward, and not retroactively.

B. When the Department Head learns that leave is for an FMLA purpose after leave has begun, but before the employee returns to work, the entire or some part of the leave period may be retroactively counted as FMLA leave.

C. Leave may be designated as FMLA after the employee has returned to work in only two (2) circumstances:

1. The Department Head knew the reason for the leave, but was not able to confirm that the leave qualified as FMLA leave; or the Department Head requested and was awaiting medical certification; or the parties were in the process of obtaining a second or third medical opinion; and the Department Head accordingly made a preliminary FMLA leave designation and so notified the employee at the beginning of the leave or as soon as the reason was known. Upon receipt of the requisite information from the employee or of the medical certificate confirming the FMLA reason, the Department Head shall make the preliminary designation final, unless the medical certifications fail to confirm an FMLA reason, in which case the Department Head shall withdraw the designation and give written notice to the employee; or

2. The Department Head did not know the reason for the leave, but learns upon the employee's return to work. The designation must be made by the Department Head within two (2) business days of the employee's return to work and appropriate notice then given to the employee. If the Department Head was not aware of the FMLA reason, but the



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employee wants the absence to be treated as FMLA leave, the employee must notify the Department Head within two (2) business days of his/her return to work. If such notification is not made, the employee may not subsequently assert FMLA protection.

If an employee takes paid or unpaid leave and the Department Head does not designate the leave as FMLA leave, it may not be counted against the employee's FMLA entitlement.

The Department Head must provide written notice detailing the specific expectations and obligations of the employee and explaining any consequence of failure to meet these obligations. Such specific notice must be provided to the employee no less often than the first time in each six-month period that an employee gives notice of the need for FMLA leave (if FMLA leave is taken during the six-month period), within a reasonable time after notice of the need for leave is given, and must include, as appropriate:

- A. That the leave will be counted against the employee's annual FMLA leave entitlement;
- B. Any requirements for the employee to furnish medical certification of a serious health condition and the consequences of failing to do so;
- C. The employee's right to substitute paid leave and whether the Department Head will require the substitution of paid leave, and the conditions related to any substitution;
- D. Any requirement for the employee to make any premium payments to maintain health benefits, the arrangements for making such payments, and the possible consequences of failure to make such payments on a timely basis;
- E. Any requirement for the employee to present a fitness-for-duty certificate to be restored to employment;
- F. The employee's status as a "key employee", the potential consequence that restoration may be denied following FMLA leave, and the conditions required for such denial;
- G. The employee's right to restoration to the same or an equivalent job upon return from leave; and
- H. The employee's potential liability for payment of health insurance premiums paid by the Employer during the employee's unpaid FMLA leave if the employee fails to return to work after taking FMLA leave.

Intermittent Leave or Leave on a Reduced Leave Schedule

FMLA leave may be taken intermittently or on a reduced leave schedule under certain circumstances. When leave is taken after the birth or placement of a child for adoption or foster care, an employee may take leave intermittently or on a reduced leave schedule only if the



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Department Head approves. The Department Head's approval is not required, however, for leave during which the mother has a serious health condition in connection with the birth of her child or if the newborn child has a serious health condition.

Leave may be taken intermittently or on a reduced leave schedule when medically necessary for planned and/or unanticipated medical treatment of a related serious health condition by or under the supervision of a health care provider, or for recovery from treatment or recovery from a serious health condition. It may also be taken to provide care or psychological comfort to an immediate family member with a serious health condition.

Only the time actually taken as FMLA leave may be charged against the employee's leave entitlement when leave is taken intermittently or on a reduced schedule. For part-time employees and those who work variable hours, the FMLA leave entitlement is calculated on a pro-rated basis by comparing the new schedule with the employee's normal schedule (i.e., if an employee who normally works 30 hours per week works only 20 hours a week under a reduced leave schedule the employee's 10 hours of leave would constitute 1/3 of a week of FMLA Leave for each week the employee works the reduced schedule).

Medical Certification

The Department Head may require that an employee's leave to care for his/her seriously-ill immediate family member, or due to the employee's own serious health condition that makes the employee unable to perform one or more of the essential functions of his/her position, be supported by a certification issued by the health care provider of the employee or the employee's ill family member.

When the leave is foreseeable and at least thirty (30) days notice has been provided, the employee should provide the medical certification before the leave begins. When this is not possible, the employee must provide the requested verification to the Department Head within the time frame requested (which must allow at least fifteen (15) calendar days after the Department Head's request) unless it is not practicable under the particular circumstances despite the employee's diligent, good faith efforts.

The Department of Labor has developed an optional form (Form WH-380, as revised) for employees' or their family members' use in obtaining medical certification from health care providers that meet FMLA's certification requirements. This form or another form containing the same basic information may be used by the Department; however, no additional information may be required. The form contains required entries for:

A. A certification as to which part of the definition of serious health condition, if any, applies to the patient's condition and the medical facts which support the certification, including a brief statement as to how the medical facts meet the criteria or definition.



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B. The approximate date the serious health condition commenced, and its probable duration, including the probable duration of the patient's present incapacity, if different.

C. Whether it will be necessary for the employee to take leave intermittently or to work on a reduced leave schedule basis as a result of the serious health condition and if so, the probable duration of such schedule.

D. If the condition is pregnancy or a chronic condition, whether the employee is presently incapacitated, and the likely duration and frequency of episodes of incapacity.

E. If additional treatments will be required for the condition, an estimate of the probable number of such treatments.

F. If the patient's incapacity will be intermittent, or will require a reduced leave schedule, an estimate of the probable number and interval between such treatments, actual or estimated dates of treatment if known, and the period required for recovery, if any.

G. If medical leave is required for the employee's absence from work because of the employee's own condition, whether the employee:

1. is unable to perform work of any kind;
2. is unable to perform any one or more of the essential functions of the employee's position, including a statement of the essential functions that the employee is unable to perform based on either information provided on a statement from the Department of the essential functions of the position, or if not provided, discussion with the employee about the employee's job functions; or
3. must be absent from work for treatment.

H. If leave is required to care for a family member of the employee with a serious health condition, whether the patient requires assistance for basic medical or personal needs or safety or for transportation; or if not, whether the employee's presence to provide psychological comfort would be beneficial to the patient or assist in the patient's recovery. The employee is required to indicate on the form the care he or she will provide and an estimate of the time period. If the employee's family member will need care only intermittently or on a reduced leave schedule basis (i.e. part-time), the employee must also indicate the probable duration of the need.

If an employee submits a complete certification signed by the health care provider, the Department Head may not request additional information from the employee's health care provider other than for purposes of clarification and authentication.

If the Department Head has reason to doubt the validity of the certification, it may require, at City's expense, that the employee obtain the opinion of a second health care provider designated or



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approved by the City. Any such health care provider designated or approved shall not be employed on a regular basis by the City.

If the second opinion differs from the original certification, the City may require, at its own expense, that the employee obtain the opinion of a third health care provider designated or approved jointly by the City and the employee concerning the information previously certified. The opinion of the third health care provider concerning the information previously certified shall be considered to be final and shall be binding on the City and the employee.

The City may require, at the employee's expense, that the employee obtain subsequent recertification on a reasonable basis, depending on the employee's condition. No second or third opinion on recertification may be required.

Restoration

A. Employees, with the exception of certain highly paid "key employees," are entitled to be restored to their positions after returning to work:

1. The employee will be entitled to be restored by the City to the position held by the employee when the leave commenced, OR the employee will be entitled to be restored to an equivalent position with equivalent benefits, pay status, and other terms and conditions of employment.
2. The employee will not lose any employment benefit accrued prior to the date on which leave commenced,
3. The employee will not accrue any employment benefits other than group health benefits which would have been provided to the employee had the employee been continuously employed during the entire leave period, as discussed below, during any period of unpaid leave, and
4. the employee will not be entitled to any right, benefit, or position of employment other than any right, benefit, or position to which the employee would have been entitled to had the employee not taken the leave.

The employee has no greater right to reinstatement or to other benefits and conditions of employment than if the employee had been continuously employed during the FMLA leave period. The City must be able to show that the employee would not otherwise have been employed at the time reinstatement is requested in order to deny restoration to employment.

B. An employee who qualifies as a "key employee" may be denied restoration to employment. A key employee is one who is salaried and is "among the highest paid 10 percent" of the employees. The Governing Authorities may deny restoration to a "key" employee only as necessary to prevent substantive and grievous economic injury to Department operations. The Department may refuse to reinstate certain highly paid "key" employees after using FMLA leave during which health benefits are maintained. However, in order to do so, the Department must:



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1. Notify the employee of his/her status as a "key" employee in response to the employee's notice of intent to take FMLA leave;
2. Notify the employee as soon as the Governing Authorities decides it will deny job restoration and explain the reasons for this decision;
3. Offer the employee a reasonable opportunity to return to work from FMLA leave after giving this notice; and,
4. Make a final determination as to whether reinstatement will be denied at the end of the leave period if the employee then requests restoration.

An Department that will not deny restoration is not required to determine which employees are "key" employees or to notify them of that status when leave is requested.

Maintenance of Benefits

At the end of an employee's FMLA leave, benefits must be resumed in the same manner and at the same levels as provided when the leave began, and subject to any changes in benefit levels that may have taken place during the period of FMLA leave affecting the entire Department, unless otherwise elected by the employee. Upon return from FMLA leave, an employee cannot be required to re-qualify for any benefits the employee enjoyed before FMLA leave began.

Health Insurance

The city maintains group health insurance coverage for an employee on FMLA leave whenever such insurance was provided before the leave was taken, and on the same terms as if the employee had continued work.

For purposes of FMLA, the term Group Health Plan does not include an insurance program providing health coverage under which employees purchase individual policies directly from insurers provided that: (1) no contributions are made by the Department; (2) participation in the program is completely voluntary for employees; (3) the sole functions of the Department with respect to the program are, without endorsing the program to permit the insurer to publicize the program to employees, to collect premiums through payroll deductions and to remit them to the insurer; (4) the Department receives no consideration in the form of cash or otherwise in connection with the program, other than reasonable compensation, excluding any profit for administrative services actually rendered in connection with payroll deduction; and (5) the premium charged with respect to such coverage does not increase in the event the employment relationship terminates.



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A Department may recover premiums it paid for maintaining group health plan coverage during any period of unpaid FMLA leave if the employee fails to return to work after the employee's FMLA leave entitlement has expired, unless the reason the employee does not return to work is due to:

A. The continuation, recurrence, or onset of a serious health condition that would entitle the employee to FMLA leave (either affecting the employee or an immediate family member), or

B. Other circumstances beyond the control of the employee.

If an employee fails to return to work at the end of the leave period because of a serious health condition, the Department Head may request that the employee furnish a medical certification from the health care provider of the employee, or the employee's family member to support the employee's claim. If the employee fails to furnish the requested certification within thirty (30) days of the Department Head's request, or the reason for not returning to work does not meet the test of other circumstances beyond the employee's control, the City may recover the health insurance premiums it paid during the period of unpaid leave.

The Department Head and the employee are encouraged to work out arrangements that accommodate both administrative convenience for the Department and the financial situation of the employee who would not be receiving a paycheck during the leave period. There is a 30-day grace period after the agreed upon date for payment within which the employee may make payment of the premium without affecting health benefit coverage. If the employee does not make the payment within the 30-day grace period, the City may cease to maintain health coverage on the date the grace period ends, or the City may continue health coverage by making both the City's and employee's premium payments.

In order to drop the coverage for an employee whose premium payment is late, the City must provide written notice to the employee that the payment has not been received. Such notice must be mailed to the employee at least fifteen (15) days before coverage is to cease, advising that coverage will be dropped on a specified date at least fifteen (15) days after the date of the letter unless the payment has been received by that date.

If an employee fails to pay his or her share of health benefit premiums and the City elects to continue health coverage for the employee (in order to be able to restore the employee on return to work) by paying the employee's share, and the employee fails to return to work at the end of the FMLA leave period in circumstances where recovery is allowed, the City may recover all of the health benefit premiums it paid for the employee's share during the period of unpaid FMLA leave. An employee who does not return to work for at least thirty (30) calendar days is considered to have failed to "return" to work for this purpose, unless the employee retires during the first thirty (30) days after the FMLA leave ends. If the City chooses to continue coverage in this manner, the City is entitled to recover the additional payments made on behalf of the employee while on leave after the employee returns to work.



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Seniority, Medical and Personal Leave

Employees shall continue to accrue seniority during unpaid FMLA leave. Benefits accrued at the time leave began, (e.g., paid medical or personal leave to the extent not substituted for FMLA leave) must be available to an employee upon return from leave.

Life Insurance

If an employee desires to continue life insurance, disability insurance, or other types of benefits for which he or she typically pays during unpaid FMLA leave, the City is required to follow established policies or practices for continuing such benefits for other instances of leave without pay. If the City has no established policy, the employee and the City are encouraged to agree upon arrangements before FMLA leave begins.

Retirement

With respect to pension and other retirement plans, any period of FMLA leave will be treated as continued service (i.e., no break in service) for purposes of vesting and eligibility to participate.

Return to Duty from Family Leave

As a condition to return to duty, the employee may be required to provide certification from the employee's health care provider that the employee is able to resume work. A Department requiring any fitness for duty certifications must have a uniformly applied policy that is based on the nature of the illness or duration of the absence. The Department may seek fitness-for duty certification only with regard to the particular health condition that caused the employee's need for FMLA leave. Department requirements must be job-related and consistent with business necessity.

Amended January 20, 2009

Military Family Leave

An eligible employee who is the spouse, son, daughter, or parent of a member of the Armed Forces may take FMLA leave for "any qualifying exigency" if the service member is on active duty or has been notified of an impending call or order to active duty in support of a contingency operation. 29 U.S.C. § 2612(a)(1)(E).

“Qualifying exigencies” generally include:

- (1) Short-notice deployment;
- (2) Military events and related activities;
- (3) Childcare and school activities;
- (4) Financial and legal arrangements;
- (5) Counseling;



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- (6) Rest and recuperation;
- (7) Post-deployment activities, and;
- (8) Additional activities agreed to by the City and eligible employees

Military Caregiver Leave

An eligible employee who is the spouse, son, daughter, parent or next of kin of a covered military member who is recovering from a serious illness or injury sustained in the line of duty on active duty is entitled to up to 26 weeks of leave in a single 12-month period to care for the service member. This military caregiver leave is available during “a single 12-month period” during which an eligible employee is entitled to a combined total of 26 weeks of all types of FMLA leave.

For purposes of Qualifying Exigency Leave and Military Caregiver Leave a “covered military member” means the employee’s spouse, son, daughter or parent on active duty or call to active duty status.

Enforcement

The U.S. Department of Labor (DOL) is responsible for the enforcement of the FMLA and may investigate and resolve complaints and violations under the Act in the same manner as under the Fair Labor Standards Act (FLSA). For assistance in complying with the FMLA, department employers may contact the area office of the Wage and Hour Division of the DOL.



CITY OF SOUTHAVEN

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| Policy: Funeral Leave | |
| Adopted: July 15, 2017, 07/012025 | |
| Revised: | |
| Mississippi Statute: | |

An employee may use up to 24 hours per funeral of paid leave in addition to personal leave for each occurrence of death in the immediate family requiring the employee's absence from work. No qualifying time or use of personal leave will be required prior to use of leave for this purpose. The immediate family is defined as spouse, parent, step-parent, sibling, child, step-child, grandchild, grandparent, great-grandparent, son-in-law, daughter-in-law, mother-in-law, father-in-law, grandparent-in-law, brother-in-law, or sister-in-law. Child means a biological, adopted or foster child, or a child for whom the individual stands or stood in *loco parentis*.



CITY OF SOUTHAVEN

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| Policy: Holidays | |
| Adopted: July 5, 2017, 07/01/2025 | |
| Revised: November 30, 2014, May 16, 2023 | |
| Mississippi Statute: Mississippi Code of 1972, as amended, Section 3-3-7 and Section 25-3-92(1) | |

General Statement of Policy

Each year, the Governor of the State of Mississippi proclaims the closing of all offices of the State of Mississippi and political subdivisions for observance of proclaimed holidays and additional days of observation. The purpose of this policy is to identify legal holidays for the City of Southaven (“City”) in accordance with state and federal proclamations.

A. Legal Holidays

The legal holidays are as follows:

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| January 1 | New Year’s Day |
| The Third Monday of January | Martin Luther King, Jr. and Robert E. Lee’s Birthday |
| The Third Monday of February | Washington’s Birthday |
| The Friday before Easter Sunday | Good Friday |
| The Last Monday of May | Memorial Day and Jefferson Davis’ Birthday |
| July 4 | Independence Day |
| The First Monday of September | Labor Day |
| November 11 | Veterans Day |
| A day fixed by proclamation of the Governor of Mississippi as a day of Thanksgiving, which shall be fixed to correspond to the date proclaimed by the President of the United States | Thanksgiving Day |
| December 25 | Christmas Day |



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In the event any holiday hereinbefore declared legal shall fall on Saturday, then the preceding Friday shall be a legal holiday. If the holiday shall fall on a Sunday, then the following Monday shall be a legal holiday.

No employee may receive holiday pay for a holiday in which sick leave was taken either the day prior or following the holiday.

B. Holiday Compensation

City employees receive regular pay for ten (10) legal holidays and for any other day(s) proclaimed as a holiday or additional day of observance by the Governor of the State of Mississippi.

When an emergency situation occurs and it is essential that a city employee be called back to work during an official city holiday, the employee shall receive credit for the day. Emergency situations requiring employees to be called back on a legal holiday or additional day of observance must be approved by the Department Head. The governing authority may require employees in specific job classes to work on an official city holiday and be paid call-back pay in lieu of receiving time credit.

This section shall not apply to employees receiving a shift differential stipend; otherwise known as holiday equivalent compensation.



CITY OF SOUTHAVEN

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| Policy: Inclement Weather | |
| Adopted: 07/15/2017, 07/01/2025 | |
| Revised: | |
| Mississippi Statute: | |

- Mayor will declare IWP into effect with text message to all department heads.
- All department heads, public safety, and essential employees will remain available for service.
- Department heads will inform all employees within their respective departments when the IWP is in effect.
- Department heads will declare and communicate essential and non-essential employee status within their respective departments.
- Non-essential employees will not be expected to travel to work nor should they be at work when this policy is in effect and will be granted *Inclement Weather Leave* with pay.
- Department heads and public safety employees will not be eligible for IWL as their compensation already accounts for this responsibility.
- Essential employees will be eligible to receive and use IWL for equal time worked at another time approved by their department head.
- No employees will receive over-time or any other form of multiple pay for any alterations in time worked as a result of this policy.
- Information Technology and Emergency Communications will change City Hall voicemail to indicate the IWP becoming effective.
- All employees and citizens can call City Hall at 662.280.CITY (2489) to become informed of IWP status.



CITY OF SOUTHAVEN

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| Policy: Internet and Computer Policy | |
| Adopted: July 15, 2017, 07/01/2025 | |
| Revised: | |
| Mississippi Statute: | |

The City expects and requires that its employees use City computers and Internet access through City computers in a reasonable fashion. To that end, the City strictly prohibits employees from accessing, storing, or communicating any inappropriate material on City computers or through the Internet. Usage of City computers and the Internet must be consistent with City policies. Any violation of this policy may result in disciplinary action, up to and including termination. Employees have no expectation of privacy in any materials or communications or content via the Internet. Inappropriate material includes, but is not limited to, any pornographic or other sexually explicit material, violent material, derogatory, racial or ethnic material, or any other material the possession of which in the workplace would be contrary to the policies prohibiting harassment in the workplace. Any such materials or communications may be accessed and monitored by the City to ensure compliance with this policy.

The City of Southaven recognizes the growing importance of online social media networks as a communication tool. This policy addresses employees' use of such networks including: personal websites, web logs (blogs), wikis, social networks, online forums, virtual worlds, and any other kind of social media. The City of Southaven respects the right of employees to use these mediums during their personal time. Use of these mediums during City time or on City equipment, however, is prohibited.

The City of Southaven takes no position on employees' decision to participate in the use of social media networks. In general, employees who participate in social media are free to publish personal information without censorship by the City of Southaven. Employees must avoid, however, posting information that could harm the City of Southaven using the guidelines set forth below.

All employees are responsible for maintaining the organization's positive reputation and under no circumstances should employees present the City to the public in a manner that diminishes its standing within the community. Instead, employees are responsible for presenting the organization in a manner that safeguards the positive reputation of themselves, as well as the organization's employees.

If an employee chooses to identify him or herself as a City of Southaven employee on any social media network, he or she must adhere to the following:



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- Employees are required to state in clear terms that the views expressed on any social media network are the employee's alone and that they do not necessarily reflect the views of The City of Southaven.
- Employees are prohibited from disclosing information on any social media network that is confidential or proprietary to the City of Southaven or to a third party that has disclosed information to the organization. For example, information about or identifying the organization's customers, co-workers, incidents that occur at the City of Southaven.
- Employees are prohibited from displaying the City of Southaven logo on any social media network without permission from the City of Southaven. Also, they should not post images of co-workers without the written consent of their co-workers'. Finally, employees are prohibited from posting any nonpublic images of The City of Southaven premises and property.
 - Employees are prohibited from making statements about the City of Southaven, their coworkers, our customers, agents, or partners that could be considered as harassing, threatening, libelous, or defamatory in any way.
- Employees are prohibited from acting as a spokesperson for the City of Southaven or posting comments as a representative of the organization.
- Employees are prohibited from sharing any communication that engages in personal or sexual harassment, unfounded accusations, or remarks that would contribute to a hostile work environment (racial, sexual, religious, etc.), as well as any behavior not in agreement with the general municipal policies.

Employees may be required to disclose annually to the City of Southaven whether or not they have a personal web site or blog.

Employees who participate in social media may still decide to include information about their work at the City of Southaven as part of their personal profile, as it would relate to a typical social conversation. This may include:

- Work information included in a personal profile, to include organization name, job title, and job duties.
- Status updates regarding an employee's own job promotion.
- Personal participation in the City of Southaven sponsored events, including volunteer activities.

An employee who is responsible for a social media posting that fails to comply with the guidelines set forth in this policy or that otherwise causes harm to the City of Southaven may be subject to discipline, up to and including termination. Employees will be held responsible for the disclosure, whether purposeful or inadvertent, of confidential or proprietary organization information, information that violates the privacy rights or other rights of a third party, or the content of anything posted on any social media.



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Anything posted on an employee's Web site or blog or other Internet content for which the employee is responsible will be subject to all the City of Southaven policies, rules, regulations, and guidelines. The City of Southaven is free to view and monitor an employee's website or web log at any time without consent or previous approval.

Finally, employees should let the Information Technology (IT) Department know if they encounter incorrect information about the City of Southaven that might randomly appear online. Employees themselves should not attempt to correct any such information that appears online.



CITY OF SOUTHAVEN

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| Policy: Jury/Witness Duty Leave | |
| Adopted: July 15, 2017, 07/01/2025 | |
| Revised: | |
| Mississippi Statute: | |

General Statement of Policy

Leave shall be granted to all employees when they are summoned for jury or witness service. An employee summoned for jury duty or to serve as a witness, upon receiving a summons shall, on the next day the employee is working, show the summons to the employee's immediate supervisor. When not accepted for jury duty, or not required to serve as a witness, the employee should inform his/her supervisor and return to work according to his/her work schedule.

Employees are expected to report to work on scheduled work day's that the court is not in session or if the court recesses or excuses the employee. Following the completion of the jury/witness duty, employees are required to work on their first regularly scheduled workday.

Salaried employees who perform jury/witness duty on scheduled workdays shall receive their regular pay for the week during which they perform jury/witness duty, so long as they perform any work during the week they perform jury/witness duty.

Hourly employees who perform jury/witness duty on scheduled workdays are eligible for up to 24 hours of compensated jury duty leave, per summons.

Upon returning from jury/witness duty, all employees must submit the hours served for jury/witness duty, including travel to and from jury/witness duty, to human resources/payroll before a payroll check is issued.



CITY OF SOUTHAVEN

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| Policy: Light Duty Policy | |
| Adopted: July 15, 2017, 07/01/2025 | |
| Revised: | |
| Mississippi Statute: | |

General Statement of Policy

The purpose of this order is to establish the authority for granting temporary light-duty assignments and to establish procedures for granting temporary light duty to eligible personnel within city departments.

Temporary light-duty assignments, when available, are for officers and other eligible personnel in the department who, because of injury or illness, are temporarily unable to perform their regular assignments but are capable of performing alternative duty assignments. Use of temporary light duty can provide employees with an opportunity to remain productive while convalescing as well as provide a work option for employees who may otherwise risk their health and safety or the safety of others by remaining on duty when physically or mentally unfit for their regular assignment. Therefore, it is the policy of the City of Southaven that eligible personnel be given a reasonable opportunity to work in temporary light-duty assignments when available and consistent with this policy.

Eligible Personnel: For purposes of this policy, a sworn or civilian member, suffering from medically certified illness, injury, or condition, who is temporarily unable to perform their regular assignment but is capable of performing alternative assignments.

Family Medical Leave Act (FMLA): Federal law providing for up to twelve (12) weeks of leave for eligible workers, for their own serious health condition or other situations as outlined in the law and the City's FMLA policy.

GENERAL PROVISIONS

1. Temporary light-duty positions are limited in number, task, variety, and availability. Therefore:

- a. personnel injured or otherwise disabled in the line of duty may be given preference in initial assignment to light duty; and
- b. assignments may be changed at any time, with concurrence of the treating physician, if deemed in the best interest of the employee or the agency.

2. This policy in no way affects the privileges of employees under provisions of the Family and Medical Leave Act, Fair Labor Standards Act, Americans with Disabilities Act, or other federal or state law.



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3. Assignment to temporary light duty shall not affect an employee's pay classification, pay increases, promotions, retirement benefits or other employee benefits.
4. No specific position within a department shall be established for the use as a temporary light duty assignment, nor shall any existing position be designated or utilized exclusively for personnel on temporary light duty.
5. Light-duty assignments are strictly temporary and will not exceed six (6)-weeks. being defined as beginning on the first light duty day and ending 12 calendar months after the first light-duty day.) After the six-week period, personnel on temporary light duty who are not capable of returning to their original duty assignment may pursue other options as provided by employment provisions under federal or state statute.
6. Officers of the Southaven Police department on temporary light duty are strictly prohibited from engaging in outside employment in which that officer may reasonably be expected to perform law enforcement functions which they have been determined physically or mentally unable to perform on behalf of the department.
7. Officers/employees who are medically prohibited from performing their regularly assigned duties may not engage in outside or "off-duty" employment until approved by the Chief of Police and/or Department Head. Officers/employees shall provide the Chief of Police documentation from their attending physician stating that the outside / off-duty employment is medically permitted.
8. Depending upon the nature and extent of the injury or illness, an employee on temporary light duty may be prohibited or restricted from wearing Southaven Police and/or Southaven Fire departmental uniform, carrying a weapon or otherwise limited in employing police powers as determined by the Chief of Police so long as such limitations are consistent with this policy.
9. Light-duty assignments shall not be made for disciplinary purposes.
10. Officers/employees who incur a duty-related injury and refuse a temporary light- duty assignment may be subject to loss of Worker's Compensation benefits. However, such officers/employees may be covered by FMLA provisions with respect to obtaining leave, whether paid or unpaid, per FMLA.

B. TEMPORARY LIGHT-DUTY ASSIGNMENTS

1. Temporary light-duty assignments may be drawn from a range of technical and administrative areas that include but are not limited to the following:
 - a. administrative functions (e.g. report review, special projects)
 - b. clerical functions (e.g. filing)
 - c. report taking (e.g. telephone reports)
 - d. communications



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2. Decisions on temporary light-duty assignments shall be made based upon the availability of an appropriate assignment given the applicant's skills, knowledge and abilities; availability of light duty assignments; and the physical limitations imposed on the officer.

a. When available, the work hours of a Light Duty assignment are subject to need and the availability of necessary equipment or work space.

3. Every effort shall be made to assign officers/employees to positions consistent with their rank and pay classification. However, where deemed appropriate, personnel may be assigned to positions designated for personnel of lower rank or pay classification. Officers/employees thus assigned shall:

a. Retain the privileges of their rank but shall answer to the supervisory personnel of the unit to which they are assigned with regard to work responsibilities and performance; and

b. Retain the pay classification and related benefits of the position held prior to their assignment to temporary light-duty.

C. REQUESTS FOR AND ASSIGNMENT TO TEMPORARY LIGHT DUTY

1. Requests for temporary light-duty assignments shall be submitted to the officer's / employee's immediate supervisor. Requests shall be accompanied by a statement of medical certification to support a requested reassignment, which must be signed by the treating physician. The certificate must include an assessment of the nature and probable duration of the injury or illness, prognosis for recovery, nature of work restrictions and an acknowledgement by the health-care provider of familiarity with the light-duty assignment and a statement that the employee can physically assume the duties involved.

2. The request for temporary light duty and the physician's statement shall be forwarded to the appropriate department head. Department head or designee may consult with the City's Human Resources and/or other City Department prior to making a determination regarding the assignment to temporary light-duty.

a. The Department may require the employee to submit to an independent medical examination by a health provider of the Department's choosing.

In the event the opinion of this second health care provider differs from the foregoing health provider, the employee may request a third opinion at the employer's expense.

b. The employee and representative of the Department shall cooperate and act in good faith in selecting any third health-care provider, and both parties shall be bound by that medical decision.

3. Employees not eligible for FMLA leave, may be offered a temporary light duty assignment upon submission of a request from the officer's/employee's immediate supervisor or department head.



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4. As a condition of assignment to temporary light-duty, employee's may be required to submit to monthly physical assessments of their condition.



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| Policy: Longevity | |
| Adopted: 2016, 07/01/2025 | |
| Amended: 07/05/2017, 09/14/2021 | Amendment Effective Date: 10/1/2021 |
| Mississippi Statute: None | |

Effective October 1, 2021, longevity pay is no longer offered as part of the City's active compensation program. All accumulated longevity pay as of October 1, 2021, is permanently frozen. Longevity pay will continue to be distributed at the frozen pay rate but will not increase according to the prior policy accumulation schedule listed below. City employees hired after September 30, 2016 are not be eligible to receive longevity pay retroactively.

Longevity pay prior to October 1, 2021, was computed as follows:

| <u>Years of Service</u> | <u>Amount of Pay</u> |
|-------------------------|--|
| 5 | \$200.00 |
| 6 | \$400.00 |
| 7 | \$600.00 |
| 8 | \$800.00 |
| 9 | \$1,200.00 |
| 10 | \$1,500.00 |
| 11 | \$1,800.00 |
| 12 | \$2,100.00 |
| 13 | \$2,400.00 |
| 14 | \$2,700.00 |
| 15 | \$3,000.00 |
| 16 | \$3,350.00 |
| 17 | \$3,550.00 |
| 18 | \$3,750.00 |
| 19 | \$3,950.00 |
| 20 | \$4,150.00 |
| 21 | \$4,350.00 |
| 22 | \$4,550.00 |
| 23 | \$4,750.00 |
| 24 | \$4,950.00 |
| 25 | \$5,150.00 |
| 26+ | \$200 additional for each year over 25 |



CITY OF SOUTHAVEN

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| Policy: Longevity | |
| Adopted: 2016 | |
| Amended: 07/05/2017, 09/14/2021 | Amendment Effective Date: 10/1/2021 |
| Mississippi Statute: None | |

Longevity Procedure:

In accordance with the September 14, 2021 longevity policy amendment, eligible non-exempt employees will continue to receive longevity pay. The longevity earnings will be distributed via the bi-weekly payroll cycle. The earnings will be noted as a separate earnings code; longevity earnings.

In accordance with the September 14, 2021 longevity policy amendment, eligible exempt employees will continue to receive longevity pay. The longevity earnings will be distributed via the bi-weekly payroll cycle, but not as a separate earnings code but rolled into the exempt employee's annual base salary.



CITY OF SOUTHAVEN

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| Policy: Major Medical Leave (Commonly Referred to as Sick Time) | |
| Adopted: July 15, 2017, 07/01/2025 | |
| Revised: | |
| Mississippi Statute: | |

MAJOR MEDICAL LEAVE

Major medical (sick) leave may be used for illness of the employee, for illness of a member of his/her immediate family and for physician appointments when it is not possible to schedule them during non-working hours. For purposes of this section, "immediate family" shall be deemed to include: (1) spouse; (2) children, step-children; (3) parents, step-parents, foster parents and parents-in-law; (4) sibling; and (5) other members of the family who reside within the home of the employee. "Physician" means a doctor of medicine, osteopathy, dental medicine, podiatry or chiropractic. For each absence due to illness more than two (2) working days/shift days, paid Major medical leave shall be authorized only when certified by the attending physician.

Major medical leave is provided for the reasons stated in this policy and may not be used for other purposes and may not be advanced. Abuse of sick leave by an employee will result in the withholding of payment of the sick leave and possible disciplinary action up to and including termination. A supervisor, or his designee, may perform a routine wellness check by going to the employees' place of residence to check on their well-being.

You will begin to earn major medical leave on the day you begin work but may not use it until you have completed six months of continuous employment. However, if you have less than six-months of service and have filed a Workman's Comp claim and are set to miss work due to an on the job injury sustained during your first six-months of employment, you may use the Major medical leave you have in order to compensate for any gaps in compensation by Workman's Comp.

Major medical leave will be based on an employee's workweek, and overtime will not be used to add extra time to accumulate sick leave. Employees accrue Major medical leave at the following rate(s): all hourly and salaried employees (excluding employees on a 24-hour shift) earn major medical leave at a rate of four (4) hours per pay period of major medical leave. Major medical leave shall not be accrued for an hourly or salaried employee that does not work at least 76 hours in any given pay period. Employees on a twenty-four hour shift earn major medical leave at the rate of six (6) hours per pay period. Employees on a 24-hour shift shall not accrue major medical leave until that employee has worked at least 80 hours in a pay period. For the purposes of this section "hours worked" shall mean all hours worked This shall include personal leave, major medical leave, funeral leave and/or other leave for which the employee has prior departmental approval



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No payment will be made for unused major medical leave upon termination of employment.

All sick leave and prime leave earned prior to January 1, 2012 shall be transferred to and classified as major medical leave.

An employee who is approved for major medical leave, or who is approved for limited duty, is prohibited from engaging in secondary employment.

Employees who engage in other employment or in self-employment while on authorized leave of absence or light duty may be terminated unless written authorization has been granted by the Mayor prior to commencement of the leave of absence.

The above limitations specifically do not apply to an employee's use of annual/personal leave or absences resulting from a temporary reduction in force.



CITY OF SOUTHAVEN

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| Policy: Maternity Leave | |
| Adopted: July 15, 2017, 07/01/2025 | |
| Revised: | |
| Mississippi Statute: | |

General Statement of Policy

Federal law requires that women affected by pregnancy, child-birth or related medical conditions shall be treated the same for all employment-related purposes, including receipt of benefits under fringe benefit programs, as other persons not so affected but similar in their ability or inability to work. (42 U.S. Code Section 2000e (k))

1. All types of leave shall be granted to pregnant women on the same terms as leave is granted to other disabled employees in accordance with these rules.
2. The governing authority shall not terminate the employment of any employee in the department because of pregnancy or require that such employee take a mandatory leave.
3. When certified in advance by a medical doctor, pregnant women shall be allowed to use medical leave for regularly scheduled prenatal care by a medical doctor.



CITY OF SOUTHAVEN

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| Policy: Military Leave | |
| Adopted: July 15, 2017, 07/01/2025 | |
| Revised: 09/02/2008, | |
| Mississippi Statute: Mississippi Code of 1972, Section 33-1-21 | |

General Statement of Policy

The purpose of this policy is to provide a leave framework for employees dedicated to service in a branch of the United States Uniformed Services.

Military Leave

In accordance with the Uniformed Services Employment and Reemployment Rights Act of 1994, members of the United States Uniformed Services will be granted unpaid, military leave(s) of absences. Prior to the leave of absence, appropriate documentation must be submitted to the Department Head. Any employee who completes a military leave of absence will be reinstated to his/her previous or similar job in accordance with federal and state law.

Mississippi Military Leave

All officers and employees, who shall be members of any of the reserve components of the Armed Forces of the United States, or former members of the service of the United States discharged or released therefrom under conditions other than dishonorable, 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 training at encampments, field exercises, maneuvers, outdoor target practice, or for other exercises, for periods not to exceed fifteen (15) days, and all such officers and employees shall for such periods in excess of fifteen (15) 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 person: (1) when discharged or released from the armed forces shall have received a certificate of satisfactory completion of service, (2) shall be still qualified to perform the duties of such position, (3) shall make application for re-employment within ninety (90) days after June 1, 1966, within ninety (90) days after such person is relieved from such training and service or released from hospitalization for a period of not more than one (1) year for causes attributable to such services. Any person restored to a position under the above provisions shall not be discharged from such position without cause within (1) year after restoration. The fact that there has been a change of administration affecting any position with the State of Mississippi, or any county, city, town, political subdivision, or any state institution thereof shall in no manner affect or deny to such person his former position, and regardless of any limitation on the number of employees, such person shall be re-employed. The provisions of this section do not apply to any officer elected by the vote of the electors of the



CITY OF SOUTHAVEN

state, county, municipality, or political subdivisions, when the statutory or constitutional term of the office has expired upon the discharge of such person from military service, but this section does grant re-employment rights to all other officers and employees of the State of Mississippi, or of any county, municipality, or political subdivision when ordered to military duty.



CITY OF SOUTHAVEN

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| Policy: Nepotism | |
| Adopted: July 15, 2017, 07/01/2025 | |
| Revised: June 16, 2020 | |
| Mississippi Statute: | |

The employment of immediate family members can cause conflicts of interest, hurt feelings, and limit the diversity of our workforce. The City of Southaven believes in hiring and promoting people based on their knowledge, skills, abilities, and potential. As such, the City desires to limit the potential conflicts of interest that can occur when family members work together.

Definition of Immediate Family Members

For the purpose of this policy, an immediate family member is defined as spouse, partner, parents, step-parents, siblings, step-siblings, aunts and uncles, nieces and nephews, grandparents, grandchildren, or cousins. In-laws (or partner's family) are also considered family. Other non-family relationships may be considered on a case-by-case basis.

Nepotism Policy

No immediate family members shall:

- Work in the same department or share a manager.
- Have any reporting relationship between them.
- Oversee processes that will affect a family member. For instance, HR employees may not be a business partner, employee relations manager, or compensation supervisor over any department that the family member is in.
- Participate in any disciplinary, promotional or other employment decision that directly affects an immediate family member.

This policy shall be enforced when hiring, promoting, and/or transferring employees.

Any department that wishes to hire an immediate family member of an existing City employee located in a separate department must disclose and have prior authorization of the City Administrator/CAO before advancing the application for hiring.

When dealing with outside firms, either as vendors, clients, or service providers, these same guidelines shall apply. (See the City's Ethics Policy Section 3. Part T)

If a new relationship violates the nepotism policy, report the change or potential change to the City's Human Resources representative as soon as possible. Human Resources will work with you, your family member, and your manager(s) to find a solution that doesn't violate the



CITY OF SOUTHAVEN

nepotism policy. If you have any concerns about relationships within the business, please notify the Human Resources Department as soon as possible.



CITY OF SOUTHAVEN

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| Policy: Notice of Arrests and/or Convictions | |
| Adopted: 07/15/2017, 07/01/2025 | |
| Revised: August 2, 2011 | |
| Mississippi Statute: | |

General Statement of Policy

Any employee who is arrested for a misdemeanor or felony must notify his or her supervisor of such arrest no later than seventy-two (72) hours after the arrest. If an employee is convicted of a misdemeanor or felony while employed with the City of Southaven, he or she must inform a supervisor of such conviction (including pleas of guilty and nolo contendere) no later than seventy-two (72) hours after the conviction.

The arrest of an employee - whether on or off duty - may result in corrective action. Corrective action depends upon a review of all factors involved - including whether or not the employees action was work-related, the nature and severity of the act, or any resultant circumstances that adversely affect the employees attendance and/or eroding of public confidence. Such corrective actions may include termination.

If an employee is convicted of a criminal offense while employed with the City of Southaven, he or she may be terminated and, if terminated, may be ineligible for rehire. The ultimate disposition of the issue will depend upon the nature of the offense and the employee's work duties. Any corrective action taken must be supported by available information coming from witnesses, police, or court records.

Any employee who is arrested for a misdemeanor or felony shall notify his or her supervisor of such arrest no later than seventy-two (72) hours after the arrest. Any employee on a leave of absence must report any arrest (for a misdemeanor or felony) and any subsequent disposition(s) - including conviction(s) - to his/her supervisor prior to returning to work.

If an employee is convicted of a misdemeanor or felony while employed with the City of Southaven, he or she must inform a supervisor of such conviction (including pleas of guilty and nolo contendere) no later than seventy-two (72) hours after the conviction. Failure to inform the supervisor within the designated time period subjects the employee to corrective actions up to and including termination.

An employee's failure to report an arrest or a conviction (for a misdemeanor or felony) within the specified time period may result in immediate termination.



CITY OF SOUTHAVEN

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| Policy: Open Door Policy | |
| Adopted: July 15, 2017, 7/01/2025 | |
| Revised: May 16, 2023 | |
| Mississippi Statute: | |

General Statement of Policy

The City is concerned about the wellbeing and morale of its employees and encourages all employees to voice any questions or concerns. Employees should use the proper chain of command in addressing all questions or concerns. Employees should first bring an issue or concern to the attention of their immediate supervisor. If you have addressed a matter with your supervisor and it has not been handled to your satisfaction, please bring the issue to the attention of the Department Head or the Director of Human Resources.



CITY OF SOUTHAVEN

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| Policy: Outside Employment | |
| Adopted: October 18, 2005, 07/01/2025 | |
| Revised: 1/25/2006, 06/01/2021 | |
| Mississippi Statute: | |

All outside employment must have the prior written approval of the Mayor. Revocation of written approval may occur at the sole discretion of the Mayor, at any time. Once an employee has procured written approval from the Mayor for outside employment, in order to continue with the outside employment, he or she shall receive additional written approval by the Mayor in July of each new term of office, regardless to when such prior Mayoral written approval was granted. No employee may engage in outside employment that may cause a conflict of interest or use the city employment for the advancement of such outside employment. No city employee shall use his/her city employment for personal gain. Outside employment must not interfere with performance of regularly assigned city duties. No employee will be permitted to conduct any other work during the hours he/she is on duty with the City of Southaven.



CITY OF SOUTHAVEN

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| Policy: Personal Leave | |
| Adopted: July 15, 2017, 07/01/2025 | |
| Revised: 6/2/2020, 1/21/2020, 2/3/2015, 9/20/2011, 8/30/2011, 10/2/2023 | |
| Mississippi Statute: Mississippi Code Section 25-11-103(i) | |

January 1, 2024, all full-time and exempt employees, other than fire fighters, with less than one year of continuous service will accrue paid personal leave at the following rate based on total continuous services, as of the employee's hire date. Leave accrual will be awarded upon completion of each service level.

| Service | Leave accrual rate |
|-----------|--------------------|
| 3 months | 20 hours |
| 6 months | 20 hours |
| 12 months | 40 hours |

All full-time firefighters, with less than one year of continuous service will accrue paid personal leave at the following rate based on total continuous services, as of the employee's hire date. Leave accrual will be awarded upon completion of each service level.

| Service | Leave accrual rate |
|-----------|--------------------|
| 3 months | 30 hours |
| 6 months | 30 hours |
| 12 months | 60 hours |

All full-time and exempt employees, other than fire fighters, hired *after* January 1, 1991 will accrue paid personal leave at the following annual rate based on total continuous service, as of the employees hire date anniversary:

| <u>Service</u> | <u>Leave accrual rate</u> |
|-----------------------|---------------------------|
| 13 Months—23 months | 80 hours |
| 24 months - 72 Months | 120 hours |
| 73 Months—120 Months | 160 hours |
| 121 Months—Over | 200 hours |



CITY OF SOUTHAVEN

All full-time firefighters hired *after* January 1, 1991 will accrue paid personal leave at the following annual rate based on total continuous service as of their hire date anniversary:

| <u>Service</u> | <u>Leave accrual rate</u> |
|------------------------|---------------------------|
| 13 Months—23 months | 144 hours |
| 24 months - 72 Months | 168 hours |
| 73 Months---120 Months | 240 hours |
| 121 Months—Over | 300hours |

All full-time and exempt employees, other than fire fighters, hired *prior* to January 1, 1991 will accrue paid personal leave at the following annual rate based on total continuous service as of their hire date anniversary:

| <u>Service</u> | <u>Leave accrual rate</u> |
|----------------|---------------------------|
| Over 360 | 280 hours |

All full-time firefighters hired *prior* to January 1, 1991 will accrue paid personal leave at the following annual rate based on total continuous service as of their hire date anniversary:

| <u>Service</u> | <u>Leave accrual rate</u> |
|-----------------|---------------------------|
| Over 360 Months | 360 hours |

Part-time and temporary employees shall not earn personal leave. Personal leave shall begin accruing on the date the employee begins work, not the date of initial hire.

For the purpose of computing credit for personal leave, each employee shall be considered to work not more than forty hours each week. The provisions of this section shall not apply to military leaves of absence. The time for taking personal leave shall be determined by the governing authority of which such employees are employed.

The earned personal leave of each employee shall be credited the first full pay period after the employee's anniversary date each year. It shall be unlawful for a department to grant paid personal leave greater than was earned and accrued by the employee.



CITY OF SOUTHAVEN

Employees are encouraged to use earned personal leave. Personal leave may be used for vacations and personal business as scheduled by the governing authority. Accrued personal or compensatory leave may also be used for an illness in the employee's immediate family. There shall be a limit to the accumulation of personal leave. Only upon voluntary termination of employment or retirement and in good standing and under no pending employment investigation and/or pending disciplinary action may an employee be paid for not more than one hundred and sixty (160) hours; two-hundred and forty (240) for firefighters, of accumulated, unused personal leave.

Personal leave pay will be based on the rate of pay you receive when your personal leave time begins. You can use earned personal leave time for injury leave or in conjunction with holiday pay. Except as provided by the Family and Medical Leave Act, personal leave may not be used in conjunction with major medical leave.

Up to 80 hours of leave without pay per employee per year may be approved by each department head. Salaried employees (exempt employees) shall use personal leave whenever they are not at work. The beneficiary of an employee who dies with unused personal leave shall receive payment for all personal leave accumulated but not used by the employee up to one hundred sixty (160) hours of accumulated leave.

After January 1, 2012, paid leave will be used by drawing down on any existing leave balance. Should an employee not use and/or otherwise take their accrued leave within a 12-month period, such leave shall not carry over into a following 12-month period. Any personal leave earned but not used in a 12-month period shall be designated as follows: 100% of time shall be counted as major medical leave.

In accordance with Mississippi Code Section 25-11-103(i), the Governing Authority of the City of Southaven may offer an employee leave buy-back program. When funding is available and accounted/budgeted for within the municipal budget, an employee may "cash-out" his or her unused vacation balance in an amount not to exceed 160 hours. The Governing Authority will establish the date such buy-back will take place and the maximum amount of time/leave to "buy back". Prior to any employee leave balance buy back, the funding shall be adopted by the Governing Authority.

A one-time accrual of 40 or 60 hours, in accordance with the aforementioned service levels, will be added to all current City employees; to account for the additional new hire accruals. The one-time accrual will not carry over at the next accrual date. If not used prior to the next accrual date, the time will transfer to major medical leave.



CITY OF SOUTHAVEN

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| Policy: Physical Examinations | |
| Adopted: July 15, 2017, 07/01/2025 | |
| Revised: | |
| Mississippi Statute: | |

General Statement of Policy

All city employees must submit to a physical examination that is job related and consistent with business necessity. The examination will be conducted at the city's expense and the results will be maintained in strict confidentiality as provided by law. As a condition of employment, the city may require additional medical examinations at the expense of the city whenever, in the opinion of the city, such needs arise.



CITY OF SOUTHAVEN

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| Policy: Political Activity | |
| Adopted: July 15, 2017, 07/01/2025 | |
| Revised: | |
| Mississippi Statute: | |

General Statement of Policy

It is the policy of the Mayor and Board of Alderman that personnel administration be conducted in an atmosphere free from political influence or coercion.

Political Contributions and Services

No city employee shall be obliged, by reason of his or her employment, to contribute to a political fund or to render political service, and he or she may not be removed or otherwise prejudiced for refusal to do so.

Use of Official Authority or Influence to Coerce Political Action

No city employee shall use his or her official authority or influence to coerce the political action of a person or body.

Fair Treatment of Applicants and Employees

The city shall assure fair treatment of applicants and employees in all aspects of personnel administration without regard to political affiliation.

Freedom from Political Coercion

The city shall assure that employees are free from coercion for partisan or political purposes.

Informing Employees of Political Activities Laws

The city shall inform all employees which political activities are permitted or prohibited by law.

Violation of Provisions

Any employee who violates any of the provisions of this section may be subject to appropriate disciplinary action.

Grievance and Appeals

Any applicant or employee who believes he or she has been discriminated against on the basis of political affiliation or unlawful political activity affecting department employment may grieve and appeal in accordance with Section 4 of this handbook.



CITY OF SOUTHAVEN

Political Activity Prohibited

Agencies receiving federal loans or grants:

The federal "Hatch Act," 5 U.S.C. § 1501 and following, covers individuals employed by department or local agencies whose principal employment is in connection with an activity which is financed in whole or in part by loans or grants made by the United States or a federal Department, but does not include (a) an individual who exercises no function in connection with that activity; or (b) an individual employed by an educational or research institution, establishment, Department, or system which is supported in whole or in part by the State, the City or another political subdivision of the State, or by a recognized religious, philanthropic, or cultural organization.



CITY OF SOUTHAVEN

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| Policy: Probationary Employment | |
| Adopted: July 15, 2017, 07/01/2025 | |
| Revised: February 20, 2024 | |
| Mississippi Statute: | |

General Statement of Policy

The City of Southaven's workforce is comprised of public safety officers, first responders, infrastructure employees, public service employees and administrative city staff. As such, the probationary period for employees varies by position. Police, fire, ems and emergency communications employees must successfully complete a one-year probationary period. All other City employees must complete a 6-month probationary period.

During the course of the probationary period, employees' work and conduct are carefully observed to provide individual performance coaching. After careful observation, a department leader will determine if each employee's individual performance is progressing towards successful performance of the major duties of the job by the end of the probationary period. Probationary periods may be extended up to an additional six months of employment; pending approval by the governing authorities.

Nothing in this policy should be construed as a guarantee of continued employment. City employment may be terminated at any time, for any reason, with or without cause, with no advance prior notice. Likewise, any employee may terminate his/her employment at any time for any reason without prior notice.



CITY OF SOUTHAVEN

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| Policy: Promotions | |
| Adopted: July 15, 2017, 07/01/2025 | |
| Revised: May 16, 2023 | |
| Mississippi Statute: | |

General Statement of Policy

A promotion is the movement of an employee from a position in one job class to a vacant position in a job class with more responsible duties and a higher salary range.

The City of Southaven (“City”) may consider filling vacancies by promoting qualified employees. The Department Head will post position openings on the City’s career opportunities webpage. An employee wishing to apply for a posted position should tell his/her immediate supervisor who may then arrange an appointment for the employee with the appropriate Department Head.

Promotions are made on a trial basis of six (6) months. A promoted employee will be entitled to all rights and benefits of the new position immediately upon assuming the position. After a promotion is made, however, there is no guarantee the employee will be able to return to the previous position if the promotion is unsuccessful.



CITY OF SOUTHAVEN

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| Policy: Recruitment | |
| Adopted: July 15, 2017, 07/01/2025 | |
| Revised: | |
| Mississippi Statute: | |

General Statement of Policy

The Mayor and Board of Alderman and/or City Departments (through the Chief Administrative Officer) announces city job opportunities, places those job classes on recruitment, and accepts applications for those open positions. Job announcements are made in response to indicated manpower needs and, in some instances, to build lists of eligible applicants for anticipated future needs. Job announcements are posted on city bulletin boards located throughout City of Southaven facilities and on the City web site, www.southaven.com. The City accepts applications for open/posted positions only. However, in some instances, the City may accept applications in order to build an applicant pool for potential future openings.

Job announcements may include the following:

- the job title
- the beginning salary
- the minimum education and experience requirements
- the department where the vacancy exists
- requirements for examination, if any
- the recruitment period and closing date, when applicable.

Current City of Southaven employees who have completed at least six (6) months of continuous employment with the City of Southaven may submit applications for any job classification at any time. Applications of individuals who are not City of Southaven employees, or who have not completed at least six (6) months of continuous employment with the City are accepted only for jobs that are posted as open for recruitment.



CITY OF SOUTHAVEN

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| Policy: Resignation | |
| Adopted: July 15, 2017, 07/01/2025 | |
| Revised: | |
| Mississippi Statute: | |

General Statement of Policy

An employee who desires to terminate service with the City should submit a written resignation to the governing authority.

A resignation should provide a two-week notice at the time of the notice of intent to resign. If a two-week notice is not given, absent some extraordinary justification, the employee may not be eligible for rehire. All city property shall be turned over to the appropriate official prior to an employee receiving final paycheck upon termination of employment with the City.



CITY OF SOUTHAVEN

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| Policy: Retiree Continued Insurance Coverage | |
| Adopted: 09/19/2017, 07/01/2025 | |
| Revised: | |
| Mississippi Statute: MS 21-17-5 | |

RESOLUTION OF CITY OF SOUTHAVEN BOARD OF ALDERMAN FOR RETIREE CONTINUED INSURANCE COVERAGE

WHEREAS, pursuant to Mississippi Code 21-17-5, the City of Southaven Governing Authorities (“City”) has the power to adopt any orders, resolutions or ordinances with respect to such City affairs, property and finances which are not inconsistent with the Mississippi Constitution of 1890, the Mississippi Code of 1972, or any other statute or law of the State of Mississippi; and

WHEREAS, the City desires to afford City retirees the option of remaining on the City's plan of insurance provided that the retiree pays the entire cost thereof in accordance with the policy attached hereto as Exhibit A and pursuant to Mississippi Code 25-15-103; and

NOW THEREFORE, be it resolved as follows:

1. The City Governing Authorities hereby adopts the Retiree Continued Insurance Coverage Policy attached hereto as Exhibit A.
2. The City Governing Authorities shall have the authority to amend, modify, and/or revoke the Retiree Continued Insurance Coverage Policy attached hereto as Exhibit A.
3. This policy shall be effective immediately upon passage by the City Governing Authorities and the Mayor and/or City Administrator may take any and all actions to effectuate the intent of this Resolution.

Retiree Continued Insurance Coverage (Miss. Code Ann. Section 25-15-103)

To be classified as a retiree with the City of Southaven for purposes of continued insurance coverage an employee or elected official must meet the criteria for service retirement benefits under the Public Employees’ Retirement System of Mississippi (PERS) AND be employed with the City when the employee is eligible and makes application for retirement benefits.

Eligibility for service retirement benefits under PERS will be determined by applicable state law and PERS regulations, as amended from time to time, including but not limited to Miss. Code Ann. Section 25-11-111 (Superannuation retirement) and 25-11-113 (Disability retirement).

Upon retirement of an employee or elected official who is receiving full-time benefits and who meets all eligibility requirements under the Public Employees’ Retirement System of Mississippi (PERS), the retiree may elect to remain a member of the City’s group health plan as agreed to by the City and the City’s insurance carrier, provided that the retiree pays 100% of the cost of such coverage. The retiree shall keep their existing coverage plan (employee only, family coverage, etc...) upon a qualifying retirement. The premium payments shall be the sole responsibility of the retiree. Only during the City’s annual open enrollment may the retiree amend and/or otherwise change their coverage plan. It shall be the retiree’s responsibility to notify the City of changes in contact



CITY OF SOUTHAVEN

information and/or other information pertinent to the retiree's continued enrollment in the City's health insurance plan.

The City of Southaven is responsible for submitting the payment to insurance carrier and therefore all payments must be received/withdrawn from the retiree in a timely manner. Continued retiree health coverage will automatically discontinue for the retiree when the retiree:

- 1) becomes eligible for Medicare
- 2) becomes eligible for Social Security disability benefits
- 3) obtains replacement health coverage from another source

If the retiring employee does not elect to continue health coverage at the time of retirement, they will not be allowed to elect coverage at a later date. If a retiree elects continued health coverage at the time of retirement, but discontinues such coverage at a later date, they will not be allowed to later resume coverage under the City's group health plan.

Premiums shall be the responsibility of the retiree and shall be deducted via ACH draft on or before the first day of the month in order for coverage to be effective for the upcoming month. The retiree shall complete an ACH deduction form and provide to the City prior to becoming enrolled as an eligible retiree. Should the first of the month fall on a holiday, Saturday or Sunday, premiums shall be deducted on or about the following Monday or the day after the holiday. No monthly notice of payments will be provided to the retiree or the spouse of a retiree. Failure to make payments or valid ACH deduction shall result in termination of coverage.

First payment for continuation retiree medical insurance coverage

If you elect continuation retiree medical coverage, the City shall debit/draft the retiree's account you must make your first premium payment not later than 30 days after the date of your retirement. If you do not make your first payment for coverage in full not later than 30 days after the date of your retirement, you will lose all continuation coverage rights under the Plan. You are responsible for making sure that the amount of your first payment is correct. You may contact the Human Resources staff at 662.393.5931 to confirm the correct amount of your first payment. The City will not send notices of payments due for these coverage periods.

Correspondence, ACH forms and all other information/request regarding continuation of coverage should be sent to:

City of Southaven, Mississippi
Attn: Human Resources 8710 Northwest Drive
Southaven, MS 38671
Or email to: HR@southaven.org



CITY OF SOUTHAVEN

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| Policy: Retirement | |
| Adopted: July 15, 2017, 07/01/2025 | |
| Revised: | |
| Mississippi Statute: Mississippi Public Employees' Retirement Act, Also See 1985 Additional Agreement to Article II | |

Policy

Employees and officials of the City of Southaven become members of the Public Employees' Retirement System as a condition of employment. Employees may receive service credit for accumulated, uncompensated leave, if eligible, in accordance with the rules and regulations of PERS.

Retirement System participation and coverage is provided to employees in positions requiring employees to work and receive compensation for not less than 20 hours per week OR not less than 80 hours per month. Participation is restricted to employees whose wages are subject to payroll taxes and are reported on Form W-2.

When an employee is first employed, the City of Southaven will furnish that employee with a member information form to establish a membership account. The employee's social security number will serve as a membership number. A fiscal year membership statement will be sent to the employee each year containing data pertinent to contributions paid into the Public Employees' Retirement System. Additional information may be obtained by contacting the Public Employees' Retirement System (www.pers.state.ms.us).



CITY OF SOUTHAVEN

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| Policy: Safety Policy | |
| Adopted: July 15, 2017, 07/01/2025 | |
| Revised: April 4, 2023 | |
| Mississippi Statute: | |

General Statement of Policy

The City of Southaven has as its objective for all employees that any operation performed as part of an employee's duties be conducted in the safest and most efficient manner possible.

To that end, Department Heads and Divisional Leaders are charged with the responsibility and authority to direct safety training and deal with safety issues within their respective area of operation. Policies and procedures will be reviewed by the respective Department Head and Human Resources for adoption, amendment and/or implementation if warranted; compliance and corrective measures (if warranted) shall be addressed in a collaborative manner between the Departments, Human Resources and presented to the Mayor and Board of Alderman if required by policy.

All employees must take ownership of daily safety and be aware of their work conditions, equipment and environment and shall report unsafe conditions, accidents/incidents or any other safety matter to their direct supervisor immediately. The following guidelines must be adhered to by all City employees:

- Report any injury to his/her direct supervisor immediately.
- Inspect machinery, equipment or vehicle(s) daily prior to any use in performance of duties.
- Report any unsafe equipment or working conditions to Supervisor immediately.
- Do not operate any machinery, equipment or vehicle(s) without appropriate safety equipment.
- Do not operate any machinery, equipment or vehicle(s) without training provided by supervisor unless the supervisor has given prior approval for such operation based on employee's knowledge and experience.
- Do not modify stand operation procedures for any machinery, equipment or vehicle(s) whether for time efficiency or any other reason.
- Do no misuse any machinery, equipment or vehicle(s) for purposes other than it was intended nor for any "practical jokes) or other horseplay.
- Ask supervisor if there are any doubts about the safe use of any machinery, equipment or vehicle.



CITY OF SOUTHAVEN

- All substance abuse policies and prohibitions included in the Employee Handbook and respective policies apply to this Safety Policy.
- Notify supervisor if any legal prescription or over-the-counter medications are being taken that could impair ability to operate machinery, equipment or vehicle used in the performance of duties.
- Use all safety devise and equipment available in order to perform duties safely – including proper dress for duties performed.
- Obey all safety warnings posted either by the City or by product manufacturer when performing duties.
- Avoid unsafe conditions like standing under suspended loads, jumping from heights without using steps, etc. or any other such actions that may result in unnecessary injury.



CITY OF SOUTHAVEN

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| Policy: Searches of City Property | |
| Adopted: July 15, 2017, 07/01/2025 | |
| Revised: | |
| Mississippi Statute: | |

General Statement of Policy

Employees have no expectation of privacy in any City property, including, but not limited to, City lockers and desks. Any such City property may be monitored to ensure compliance with this and other City policies, if the City has a reasonable belief some prohibited item is being kept in such City property, or if something is being kept in such City property to aid in the violation of the law or any policy of the City. Further, City property may be searched if the City has a reasonable belief that something is being maintained in City property that would adversely affect the health or safety of City employees, customers, or visitors, or adversely affect the job performance of City employees.



CITY OF SOUTHAVEN

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| Policy: Seniority | |
| Adopted: July 15, 2017, 07/01/2025 | |
| Revised: | |
| Mississippi Statute: | |

Each employee will accrue seniority as of his/her official date of hire. However, seniority is recognized only for full-time employees who have completed their probationary period. Employees automatically lose their seniority upon termination of continuous employment with the city. When and if an employee is rehired, the most recent date of rehire will become the date of hire for the purpose of seniority. Continuous employment is defined as a period of employment that has not been interrupted by a voluntary or involuntary relief from employment other than a separation from which an employee is eligible for reinstatement.

Seniority may be used as follows:

1. to determine the number of vacation days due an employee
2. to determine vacation scheduling when all other factors are equal
3. to determine shift bids and/or when job assignments in departments having such a system when all other factors are equal and the Department Head determines that use of seniority does not compromise the function of the department or endanger the safety of any employee.



CITY OF SOUTHAVEN

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| Policy: Social Security | |
| Adopted: July 15, 2017, 07/01/2025 | |
| Revised: | |
| Mississippi Statute: | |

General Statement of Policy

Every employee of the City of Southaven is required to participate in the federal Social Security program.



CITY OF SOUTHAVEN

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| Policy: Stand-By and Call-Back Policy | |
| Adopted: 04/19/2022, 07/01/2025 | |
| Revised: | |
| Mississippi Statute: | |

General Statement of Policy

The purpose of this policy is to provide guidelines to department heads and supervisors regarding the process and procedures to be followed for **non-exempt** employees who are required to maintain their availability after hours or during days off and/or to be on stand-by to come back to work, be called to work on a schedule day off or to otherwise be available to respond to emergency situations. This policy is consistent with the provisions of the Fair Labor Standards Act.

A. Definitions

Stand-By – If an employee who is able to use his or her time freely and is not performing a specific assigned task or work, that employee is considered “waiting to be engaged” otherwise known as “stand-by.” The employee can be available by telephone if needed; however, since he or she is waiting (off-duty), the employee is not compensated for that time.

Call-Back – When an employee is called back to work, outside the employee’s normal work schedule to perform work either in-person or via phone or computer.

B. Identification and Notification

Department Heads should identify positions and employees who are required, as a condition of employment; to be on stand-by or to come back to work outside of the employee’s regular shift.

Any individual hired or promoted into one of these positions should be notified that the essential functions of his or her job requires the employee to maintain a stand-by status on either an intermittent or regularly scheduled basis. Each job description should be updated accordingly.

C. Requirements

Department Heads and/or supervisors shall provide employees who are required to be on stand-by status with a schedule of the time and date that the employee must be on stand-by. In addition, the following guidelines apply:



CITY OF SOUTHAVEN

- Unless otherwise advised, the employee is not required, while on stand-by, to remain on the City's premises. However, the employee must remain available by telephone or text while off site and respond to any message within fifteen (15) minutes.
- If an emergency requires the employee to return to work, he or she must do so within one (1) hour of responding to the message or as deemed necessary by the department head and/or supervisor.
- The employee is not required to restrict his or her activities while on stand-by, but the employee must remain free of the influence of alcohol or illegal drugs. In addition, the employee should not take any prescription drug(s) that adversely affects his or her ability to safely and effectively perform his or her job duties. If an employee has a medical condition and has concerns about complying with this requirement, the employee should consult with the Human Resources Department.
- If the employee has a conflict and is unable to be on stand-by during his or her assigned time, it is the employee's responsibility to pre-arrange with his or her immediate supervisor for a replacement to cover the employee's stand-by shift.

D. Call-Back Compensation

- If an employee is called to come back to work while he or she is on stand-by, the employee is subject to a minimum of 2-hours of call-back compensation for the stand-by shift, at the employee's regular rate of pay. This 2-hour of call-back compensation counts as time worked for purposes of calculating overtime. If the employee time worked exceeds the 2-hour call back minimum, the employee shall receive compensation for the actual time worked at the employee's regular rate of pay.
- An employee receives a minimum of 2-hours of call-back pay for each time that an employee is called back to work during a 24 hour period, up to a maximum of 8 hours.
- Continuing to work on a call back that extends into the next day shall not entitle the employee to a second 2-hours of call back pay.
- A non-exempt employee who does not return to work but handles a work related task by phone or computer will be paid for the actual time worked. Employees must record their time on their time sheet. For this purpose the seven (7) minute rule shall apply.



CITY OF SOUTHAVEN

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| Policy: Tardiness | |
| Adopted: July 15, 2017, 07/01/2025 | |
| Revised: | |
| Mississippi Statute: | |

General Statement of Policy

If you are unavoidably delayed in getting to work, you should call the Department Head and tell them when you expect to arrive. All employees are expected to maintain punctual arrival times, however, there may be times when circumstances prohibit an employee from being on time. While allowances are made for such occasions when tardiness is beyond the control of the employee, habitual tardiness may result in further disciplinary action up to and including termination.



CITY OF SOUTHAVEN

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| Policy: Telecommuting policy | |
| Adopted: July 15, 2017, 07/01/2025 | |
| Revised: 09/20/2022, 06/02/2020, 10/01/2019 | |
| Mississippi Statute: | |

General Statement of Policy

To provide work life balance to City of Southaven (“City”) employees, telecommuting may provide a flexible work option for employee(s) while maintaining business continuity. Telecommuting allows employee(s) to work at home, on the road or in a satellite location for all or part of their workweek. Telecommuting may be appropriate for some employees and jobs but not for others. Telecommuting is not an entitlement; it is not a citywide option or benefit, and it in no way changes the terms and conditions of employment with the City as prescribed in the City’s Employee Handbook, or under applicable Mississippi law.

Eligibility

Individuals requesting formal telecommuting arrangements must be employed with the City for a minimum of 12 months of continuous, regular employment and must have a satisfactory performance record. However, accommodations may be made for telecommuting, at the sole discretion of the City, during times of local, state or national emergency.

Before entering into any telecommuting agreement, the employee and department head, with the assistance of the Director of Human Resources, will evaluate the suitability and eligibility for telecommuting, reviewing the following areas:

- Employee suitability. The employee and department head will assess the needs and work habits of the employee, compared to traits customarily recognized as appropriate for successful telecommuters.
- Job responsibilities. The employee and department head will discuss the job responsibilities and determine if the job is appropriate for a telecommuting arrangement.
- Equipment needs, workspace design considerations and scheduling issues. The employee and department head will review the physical workspace needs and the appropriate location for the telework.
- Tax and other legal implications. The employee must determine any tax or legal implications under IRS, state and local government laws, and/or restrictions of working out of a home-based office. Responsibility for fulfilling all obligations in this area rests solely with the employee.



CITY OF SOUTHAVEN

Telecommuting Requests

Telecommuting can be informal, such as working from home for a short-term project or on the road during business travel, or a formal, set schedule of working away from the office as described below. Either an employee or a supervisor can suggest telecommuting as a possible work arrangement.

Any telecommuting arrangement will be on a trial basis for a specified period of time and may be discontinued at will and at any time at the request of either the telecommuter or the City. Every effort will be made to provide 30 days' notice of such change to accommodate commuting, child care and other issues that may arise from the termination of a telecommuting arrangement. There may be instances, however, when no notice is possible. Every employee shall be available to attend regular and/or special City Board Meetings and participate in other required office activities at the designated location as needed and/or required. Except for extraordinary circumstances, the City will attempt to provide reasonable notice for any such meeting when possible.

Equipment While Telecommuting

On a case-by-case basis, the City will determine, with information supplied by the employee and the supervisor, the appropriate equipment needs (including hardware, software, modems, phone and data lines and other office equipment) for each telecommuting arrangement. The human resource and information system departments will serve as resources in this matter. Equipment supplied by the organization will be maintained by the organization and shall not be used by the employee for personal gain. Equipment supplied by the employee, if deemed appropriate by the organization, will be maintained by the employee.

The City accepts no responsibility for damage or repairs to employee-owned equipment. The City reserves the right to make determinations as to appropriate equipment, subject to change at any time. Equipment supplied by the organization is to be used for business purposes only. The telecommuter must sign an inventory of all City property received and agree to take appropriate action to protect the items from damage or theft. Upon termination of employment, all company property will be returned to the City.

The City may provide the employee with appropriate office supplies (pens, paper, etc.) as deemed necessary.

The employee will establish an appropriate work environment within his or her home for work purposes. The City will not be responsible for costs associated with the setup of the employee's home office, including, but not limited to: remodeling, furniture or lighting, nor for repairs or modifications to the home office space.



CITY OF SOUTHAVEN

Security

Consistent with the organization's expectations of information security for employees working at the office, telecommuting employees will be expected to ensure the protection of proprietary company and customer information accessible from their home office. Steps include the use of locked file cabinets and desks, regular password maintenance, and any other measures appropriate for the job and the environment.

Safety

Employees are expected to maintain their home workspace in a safe manner, free from safety hazards.

Telecommuting is not designed to be a replacement for appropriate child care. Although an individual employee's schedule may be modified to accommodate child care needs, the focus of the arrangement must remain on job performance and meeting business demands. Prospective telecommuters are encouraged to discuss expectations of telecommuting with family members prior to entering a trial period.

Time Worked

Telecommuting employees who are not exempt from the overtime requirements of the Fair Labor Standards Act will be required to accurately record all hours worked using the City's time-keeping system. Hours worked in excess of those scheduled per day and per workweek require the advance approval of the telecommuter's supervisor. Failure to comply with this requirement may result in the immediate termination of the telecommuting privilege.

Ad Hoc Arrangements

Temporary telecommuting arrangements may be approved for circumstances such as inclement weather, special projects or business travel. These arrangements are approved on an as-needed basis only, with no expectation of ongoing continuance.

Other informal, short-term arrangements may be made for employees on family or medical leave to the extent practical for the employee and the organization and with the consent of the employee's health care provider, if appropriate.

All informal telecommuting arrangements are made on a case-by-case basis, focusing first on the business and operational needs of the City.



CITY OF SOUTHAVEN

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| Policy: Timekeeping | |
| Adopted: July 15, 2017 07/01/2025 | |
| Revised: | |
| Mississippi Statute: | |

General Statement of Policy

All employees are responsible for recording all actual hours worked using the department's time keeping procedures. No one other than the employee may record hours worked for that particular employee without the prior approval of the appropriate department head. Each department head, or their designee, is responsible for submitting their department's time records to Human Resources for processing.

Failure to properly record or submit time records in a timely manner for payroll processing may result in not being paid for those hours in question. Continued non-compliance may result in disciplinary action(s) in accordance with City policy.



CITY OF SOUTHAVEN

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| Policy: Title VI Policy and Complaint Procedures | |
| Adopted: 03/21/2023, 07/01/2025 | |
| Revised: | |
| Mississippi Statute: | |

Purpose

The purpose of Title VI of the Civil Rights Act of 1964 is to prohibit discrimination on the basis of race, color or national origin in federally assisted programs. The intent of the law is to ensure that all persons, regardless of their race, color or national origin, are allowed to participate in these federally funded programs.

General Statement of Policy

The City of Southaven (“City) and its sub-recipients of federal funds will not:

1. Deny an individual service, or provide only inferior or discriminatory service, aid or benefits because of an individual’s race, color or national origin;
2. Subject a person to segregation or treat a person differently because of race, color or national origin;
3. Restrict or discourage individuals in their enjoyment of facilities because of race, color or national origin;
4. Discriminate in any way against an individual in any program or activity that is conducted with federal funds.

The City will publicize its Title VI policy statement. The City will investigate Title VI complaints about City employees and contractors. The City will appoint one or more Title VI Coordinators to implement its Title VI Policy and procedures.

Complaint Procedures

To allow time to file first with the City and then externally with an appropriate outside agency or court, as the complainant chooses, any complaint to the City should be filed promptly and must be filed not later than one hundred eighty (180) calendar days after the alleged discrimination occurred. If the complainant is not satisfied with the findings or the proposed remedial action, the complainant may still file externally within any applicable statute of limitations.



CITY OF SOUTHAVEN

If a complaint is filed within the City and is filed externally during the same time, the external complaint supersedes the internal complaint filing. Accordingly the City's complaint procedures will be suspended pending outcome of the external complaint.

Step 1: The complainant and/or the complainant's representative are encouraged to initiate the process by meeting with the City department head of the service or facility where the alleged discrimination took place. The complainant should provide the basis of the complaint (race, color, national origin) and the nature of the incident that led the complainant to feel that discrimination was a factor.

The department head shall immediately notify the Title VI Coordinator. The department head shall, within ten (10) workdays after receiving the complaint, reach a decision and communicate the decision to the complainant and the Title VI Coordinator.

Step 2: If the complaint is not resolved at Step 1, or if the complaint is not first brought to the department head, a written complaint shall be filed with the City's Title VI Coordinator.

The complainant should complete a Complaint Form, which contains the following information;

1. Name, address and telephone number of the complainant;
2. The location and name of the city department delivering the service;
3. The nature of the incident that led to the complainant to feel that discrimination was a factor.
4. The basis of the complaint (race, color or national origin);
5. Names, addresses and phone numbers of people who may have knowledge of the event;
6. The date or dates on which the alleged discriminatory event or events occurred.

The Coordinator shall notify the department of the formal complaint and initiate an investigation immediately. The department head shall provide assistance during this internal investigation as requested by the Coordinator. The investigation shall be completed within twenty (20) workdays of receipt of the complaint, at which time the Coordinator will inform the complainant in writing of its disposition, including any findings of fact and any actions to be taken.



CITY OF SOUTHAVEN

Disposition of Complaints

Substantiated complaints – If the complaint is substantiated, this policy and procedure prohibiting discrimination will be reviewed with the offender. Appropriate disciplinary action and/or training will be taken pursuant to the City’s disciplinary procedures.

Unsubstantiated Complaints – If there is insufficient evidence to either prove or disprove the allegation(s), both parties to the complaint will be informed of the reason(s) for this disposition.

Unfounded Complaint – If it is determined that an act reported pursuant to this policy/procedure did not in fact occur, a finding of “unfounded” shall be made.

Exonerated Complaints – If it is determined that an act reported pursuant to this policy/procedure did in fact occur, but was lawful and proper within the guidelines established herein, a finding of “exonerate” shall be made.

Review by Appeal

If the complainant is not satisfied with the resolution, an appeal process is available. An appeal request for review of a determination of unlawful denial of access or accommodation to public service or facility must be filed, in writing, within thirty (30) calendar days of the resolution of the complaint, with the Title VI Coordinator.

The written appeal must include the complainant’s name, address, and telephone contact number. A statement of reason(s) why the complainant believes the denial of the complaint was inappropriate is recommended.

The Title VI Coordinator will set a time and place for the review process with the complainant—appellant and/or representative and the Board of Alderman within thirty (30) days of the request. The complainant—appellant may submit documents or other information to be included with the record and considered in the review process. A record of the review will be kept by the City.

A complainant’s right to a prompt and equitable resolution of the complaint will not be impaired by the complainant’s pursuit of other remedies. Use of this complaint procedure is not a prerequisite to the pursuit of other remedies.



CITY OF SOUTHAVEN

Complaint Log

The Coordinator will maintain a Title VI complaint log to show identifying information type, and status of each complaint filed, including those filed under Step 1 of this procedure. When any investigation is concluded, the Coordinator will keep a copy of the report on permanent file.



CITY OF SOUTHAVEN

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| Policy: Transfer Between Departments | |
| Adopted: July 15, 2017, 07/01/2025 | |
| Revised: May 6, 2025 | |
| Mississippi Statute: | |

General Statement of Policy

The movement of an employee from one department to another constitutes a transfer between departments.

City employee(s) is eligible for department to department transfer only if the employee has successfully completed his or her initial new hire or rehire probationary period. In addition, City employee(s) will not be allowed to transfer again for a period of 12 months after approved department to department transfer.

Internal department to department transfers may be granted for personal reason(s) or to increase City operational efficiencies. City employee(s) who desires to transfer between departments must initiate the process by completing an application for an open position in accordance with the City's recruitment policy.

Once approved by both department heads, the internal transfer form must be submitted to the Director of Human Resources for submission to the Mayor. City employee(s) may not transfer between departments without Mayoral approval.

All accrued leave, both medical and personal leave, shall be transferrable between departments.



CITY OF SOUTHAVEN

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| Policy: Travel and Expenses Policy | |
| Adopted: 09/02/2014, 07/01/2025 | |
| Revised: February 20, 2024 | |
| Mississippi Statute: MS Code of 1972, Sections 25-3-45, 21-39-27, 25-3-41, 25-3-45 | |

Travel Approval

Employees traveling within the State of Mississippi shall provide department head authorization prior to being approved for official travel. Employees traveling out-of-state shall provide department head authorization as well as Mayoral authorization prior to being approved for official travel. For the purposes of this policy, out-of-state travel shall not include travel in and within the Memphis, TN metropolitan statistical area (MSA) as defined by the Bureau of the Census, U.S. Department of Commerce and includes the following counties: Shelby (TN), DeSoto (MS), Tunica (MS), Tate (MS), Marshall (MS), Benton (MS), Crittenden (AR), Fayette (TN), Tipton (TN).

The City's elected officials wishing to travel for official business within the United States shall require individual authorization from the City Board of Alderman through an official Board action.

Allowable Expenses

If an officer or employee (part-time or full-time) is required to travel in the performance of an official duty (official travel), travel expenses incurred by the officer or employee related to the official travel may be paid or reimbursed by the City of Southaven ("City") in accordance with Mississippi Code of 1972 Sections 21-39-27, 25-3-41, 25-3-45 and any other section of Mississippi Code of 1972 that applies to official travel and/or reimbursement/payment thereof.

Travel expenses shall include, but not be limited to: mileage, taxi fares, rental car expense, public carrier fares (airplane, bus, train), conference/seminar registration fees, lodging expenses, meal expenses, telephone charges, baggage handling charges, hotel/airport parking fees.

In order for an officer or employee (part-time or full-time) of the City to be reimbursed for any official travel related expense, the required approval must be obtained as stated above. Detailed receipt(s) or similar support must be provided stating the purpose of the expense, excluding meals. The original invoice for which reimbursement is claimed must be attached. Invoices must be submitted for hotel, airfare and airport parking and other charges in excess of \$10.00. For hotels, reimbursement is made for only the single room rate.



CITY OF SOUTHAVEN

Mileage if using a personal car shall also be reimbursed at the current federal approved mileage rate. Where two (2) or more officers or employees travel in one (1) privately-owned motor vehicle, only one (1) travel expense allowance at the authorized rate per mile shall be allowed for any one (1) trip. When the travel is done by means of a public carrier or other means not involving a privately-owned motor vehicle, then the officer or employee shall receive as travel expense the actual fare or other expenses incurred in such travel.

Travel Advances

Any officer or employee (part-time or full-time) of the City, who is required to travel in the performance of his official duties, may receive funds before the travel, in the discretion of the administrative head of the employee's department, board or commission involved, for the purpose of paying necessary expenses incurred during the travel within appropriated and approved municipal budget.

Upon return from the travel, the officer or employee shall provide receipts of lodging, meals, and other expenses incurred during the travel. Any portion of the funds advanced which is not expended during the travel shall be returned by the officer or employee.

Meal Reimbursement

The city shall reimburse the maximum daily meal amount as determined by State of Mississippi and the State Department of Finance and Administration for each day or half day of travel.

Officer and employees shall be reimbursed the actual cost of meals incident to official travel, not to exceed the daily maximum for the specific location of assignment. Meal tips should be included in the actual cost of the meal unless the inclusion of the tips causes the meals to exceed the maximum daily meal reimbursement (as noted below). If the daily meal limitations would be exceeded, then the tips can be separated and recorded as other expenses. All tips reported in this manner should be totaled for the day and not exceed 15% of the maximum daily meal reimbursement or the actual meal expense, whichever is less. Alcoholic beverages are not reimbursable. Reimbursement shall be made based on the following sliding scale not to exceed the following rates (As per the State of Mississippi Travel Rules & Regulations 10/18/2012):

| Federal Register Maximum Per Diem Rate | Maximum State Reimbursement Rate |
|---|-------------------------------------|
| \$1-\$149 | \$41.00 |
| \$150-\$164 | \$46.00 |
| \$165-\$179 | \$51.00 |
| \$180- up | \$56.00 |



CITY OF SOUTHAVEN

City Issued Credit Card Travel Expenses

The City may acquire one or more credit cards which may be used by members of the governing authority of the City and City employees to pay expenses incurred by them when traveling in or out of the state in the performance of their official duties. The municipal clerk shall maintain complete records of all credit card numbers and all receipts and other documents relating to the use of such credit cards.

The members of the governing authority and City employees shall furnish receipts for the use of such credit cards each month to the City clerk who shall submit a written report monthly to the governing authority. The report shall include an itemized list of all expenditures and use of the credit cards for the month, and such expenditures may be allowed for payment by the municipality in the same manner as other items on the claims docket.

The issuance of a credit card to a member of the governing authority or City employee under the provisions of this section does not authorize the member of the governing authority or City employee to use the credit card to make any expenditure that is not otherwise authorized by law. Any member of the governing authority or City employee who uses the credit card to make any expenditure that is not approved for payment by the governing authority shall be personally liable for the expenditure and shall reimburse the City. The employee shall be subject to all interest and fees and other charges related to the collection of expenditures not approved by the governing authority.

Any travel expenses paid for by a City issued credit card or a personal debit/credit card shall require a receipt prior to any payment and/or reimbursement. Failure to provide any receipt shall make the individual incurring the travel expense personally liable for the expense(s). In accordance with the Mississippi Code of 1972, Section 25-3-45, anyone who knowingly and willfully violates any provisions of the law, is guilty of a misdemeanor. The penalty for conviction is loss of job, a fine of not more than \$250.00, and civil liability for the full amount of the expenses illegally received, allowed, or approved. The person receiving the reimbursement is also liable whether the violation was willful or not.



CITY OF SOUTHAVEN

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| Policy: Unemployment Compensation | |
| Adopted: July 15, 20107, 07/01/2025 | |
| Revised: | |
| Mississippi Statute: | |

General Statement of Policy

If an employee becomes separated from a job with the City, for reasons beyond the employee's control, that employee may be eligible for unemployment compensation. Inquiries may be directed to the Mississippi Employment Security Commission.



CITY OF SOUTHAVEN

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| Policy: Statement of USERRA Notice | |
| Adopted: July 15, 2017, 07/01/2025 | |
| Revised: | |
| Mississippi Statute: | |

The Uniformed Services Employment and Reemployment Rights Act (USERRA), prohibits discrimination against persons because of their service in the Armed Forces Reserve, the National Guard, or other uniformed services. USERRA prohibits an employer from denying any benefit of employment on the basis of an individual's membership, application for membership, performance of service, application for service, or obligation for service in the uniformed services. USERRA also protects the right of veterans, reservists, National Guard members, and certain other members of the uniformed services to reclaim their civilian employment after being absent due to military service or training. Ref: [38 U.S.C. § 4301](#), et. seq.



CITY OF SOUTHAVEN

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| Policy: Workplace Performance | |
| Adopted: July 15, 2017, 07/01/2025 | |
| Revised: | |
| Mississippi Statute: | |

General Statement of Policy

All employees shall meet established performance standards. Any conditions or circumstances in the work environment that prevents an employee from performing effectively are to be reported to the supervisor.

Many departments maintain more specific rules for employees. The employee's supervisor or the Department Head may provide additional information.



CITY OF SOUTHAVEN

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| Policy: Work Schedules | |
| Adopted: July 15, 2017, 07/01/2025 | |
| Revised: May 16, 2023 | |
| Mississippi Statute: | |

General Statement of Policy

All City of Southaven (“City”) offices shall be open and staffed for the normal conduct of business from 8:00 a.m. until 5:00 p.m., Monday through Friday, unless altered by the Mayor and Board of Alderman.

The normal work schedule for City employees, with the exception of 24-hour shift fire employees and 12-hour shift law enforcement officers, is eight hours per day, 40 hours per week, 173.929 hours per month and/or 2,087 hours per year. The work schedules of 24-hour shift fire employees and 12-hour shift law enforcement officers vary week to week but remain in compliance with the Fair Labor Standards Act.

Seasonal and part-time employees shall be provided a schedule of working hours.

To provide for maximum flexibility in scheduling employees, each department may develop modified work schedules providing for flextime or compressed work schedules. “Flextime” is a schedule that offers departmental management a choice, within limits, to vary employee arrival and departure times from work. A “compressed work schedule” allows departmental management to schedule the basic work requirements in less than the usual five workdays a week. All “flextime” and compressed time work schedules must be approved by the Mayor and Board of Alderman.



CITY OF SOUTHAVEN

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| Policy: Worker's Compensation | |
| Adopted: July 15, 2017, 07/01/2025 | |
| Revised: | |
| Mississippi Statute: | |

General Statement of Policy

The basic purpose of Worker's Compensation is to provide fixed benefits to employees in the event an employee is injured in the course of employment. These benefits may include:

- Compensation for medical expenses;
- Partial compensation for income lost because of the injury or illness;
- Retraining for new skills when necessary; and
- Certain other related benefits.

Worker's Compensation may also provide benefits to an employee's dependents and compensation for funeral expenses in case of death due to a job-connected accident or illness. If an employee is injured, no matter how minor the injury, the employee should report this to the supervisor immediately.



CITY OF SOUTHAVEN

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| Policy: Workplace Violence Policy | |
| Adopted: July 15, 2017, 07/01/2025 | |
| Revised: | |
| Mississippi Statute: | |

General Statement of Policy

It is the policy of the City to provide all employees with a safe, violence-free workplace. Therefore, the City prohibits all forms of workplace violence, and it prohibits all conduct that could lead to workplace violence. This applies to violence by any individual, including employees, customers, vendors, and visitors. The following conduct is strictly prohibited under this policy:

1. Physical Assaults. Any physical assault such as hitting, pushing, kicking, holding, or other unwelcome touching.
2. Threatening behavior. Any threats, including direct verbal threats, veiled threats, menacing gestures, harassing phone calls and stalking.
3. Possession of Weapons. Any possession of weapons (other than weapons authorized for use in law enforcement or security activities for the City), including firearms, knives, chains, dangerous chemicals, explosives, or other objects carried for the purpose of injuring or intimidating others.

Any employee who violates this policy shall be subject to discipline up to, and including, termination.

Employees are encouraged to report violations of this policy to a manager or call 9-1-1 for outside assistance. Employees are encouraged to err on the side of safety when determining whether to report anything that may constitute a violation of this policy. Retaliation against individuals who report violations of this policy is strictly prohibited.