

There came for consideration of the Mayor and Members of the Council of the City of Gautier, Mississippi, the following:

**ORDER NUMBER 025-2013**

**IT IS HEREBY ORDERED** by the Mayor and Members of the Council of the City of Gautier, Mississippi, that the Employee Handbook be amended to include new city policies on Fuelman Fleet Cards, Social Media, Sick Leave Abuse and Overtime is hereby approved.

**IT IS FURTHER ORDERED** that the City Manager or City Clerk is authorized to execute any and all documents necessary.

Motion was made by Councilman Macfarland, seconded by Councilwoman Martin and the following vote was recorded:

**AYES:** Tommy Fortenberry  
Johnny Jones  
Hurley Ray Guillotte  
Gordon Gollott  
Mary Martin  
Scott Macfarland  
Adam Colledge

**NAYS:** None

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**MAYOR**

**ATTEST:**

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**CITY CLERK**

**PASSED AND ADOPTED** by Mayor and Members of the Council of the City of Gautier, Mississippi, at the meeting of February 5, 2013.

**CITY OF GAUTIER  
MEMORANDUM**

**To:** Samantha Abell, City Manager  
**From:** Jason Pugh, Human Resources Director  
**Date:** 01/28/13  
**Subject:** Request to Approve New City Policies

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**REQUEST:**

The Human Resources Department requests that the Gautier City Council consider approving three (3) new policies to be added to the Employee Handbook. Additionally, it is requested that the Gautier City Council consider revising the city Overtime policy (Adopted April 17, 2012) of the Employee Handbook.

**BACKGROUND:**

The Human Resources Department has reviewed the current employee handbook and determined that additional policies are needed and should be added. Additionally, a change to the approved Overtime policy is requested, (See Attachment 4).

**DISCUSSION:**

The Human Resources Department has researched and developed three (3) additional policies which should be considered for addition to the Employee Handbook. A change to the Overtime policy (adopted April 17, 2012) is also requested.

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|------------------------------|--|
| <b>Fuelman Fleet Cards -</b> | Establishes proper use and procedures for fueling city vehicles under the Fuelman Program, (Attachment 1).   |
| <b>Social Media -</b>        | Provides for the benefits of social media in the workplace and establishes provisions for City sponsored sites, (Attachment 2).  |
| <b>Sick Leave Abuse -</b>    | Establishes sick leave abuse and provides directors a safeguard to control overtime costs due to sick leave abuse, (Attachment 3).   |
| <b>Overtime -</b>            | Improves budget practice for fiduciary control. FLSA establishes that only <u>actual hours worked</u> count when calculating overtime. With the city's austerity measures, it's necessary to revise the city's past policy of counting paid or unpaid time off for holidays, annual leave or sick leave when calculating overtime, (Attachment 4). |

Upon approval, these new policies will be evaluated periodically to determine their effectiveness in meeting the city's goals.

**RECOMMENDATION:**

The Human Resources Department recommends that the Gautier City Council approve the three (3) new policies (Fuelman, Social Media, Sick Leave Abuse) and authorize the City Manager and Human Resources Department to add these policies to the Employee Handbook. Additionally, the Human Resources Department recommends the Gautier City Council approve the requested change to the city Overtime policy.

**ATTACHMENT(S):**

1. New Fuelman Fleet Card Policy
2. New Social Media Policy
3. New Sick Leave Abuse Policy
4. Revised Overtime Policy

## Fuelman Fleet Cards

### **Standards and Guidelines**

The City of Gautier has developed this Fuelman policy to establish minimum standards for use of the Fuelman fuel card. This policy will be the official document governing the City of Gautier Fuelman program.

### **General Information**

It is important that the City of Gautier properly safeguard and account for purchases of gasoline and diesel fuel for city owned vehicles. Under the direction of the City Clerk, Fuelman cards will be used by designated City of Gautier employees to make authorized fuel purchases for city vehicles. The City Clerk's office will track and review fuel transactions to maintain records for each city vehicle; these records will track vehicle and driver purchasing and reflect any misuse of the cards.

### **Procedures**

Except when delegated, the authority to issue Fuelman cards resides exclusively with the City Manager. Fuelman cards shall be issued to vehicles, not individuals, and are restricted to use with the vehicle to which it was issued. Only one Fuelman card shall be issued to a vehicle. An additional Fuelman card may be issued to employees for the purchase of fuel for gas powered lawn maintenance equipment where applicable. Employees required to drive vehicles and operate equipment will receive a Personal Identification Number (PIN) that can be used with any Fuelman card assigned to vehicles owned and operated by the city. The issuance of PINs will be managed by the City Clerk or his/her designee. PIN creation, assignment and usage must comply with the following requirements:

- A. PINs shall not be shared by employees.
- B. Use of the PIN serves as an electronic "signature" of the person to whom it is issued.
- C. PINs can be used by the individual with any card on the account.
- D. Generic PINs are prohibited (e.g. one PIN for an entire office or department)

- E. Vehicle numbers, employee numbers and other easily obtained or guessed numbers shall not be used as PINs
- F. PINs shall not be written on the card or on the protective card sleeve.
- G. Compromised PINs must be cancelled immediately and a new PIN issued.
- H. Lost, stolen or damaged cards shall be reported to the City Clerk or his/her designee and the card replaced immediately.

#### **Responsibilities**

Employees will be held personally liable for all unauthorized and/or unallowable Fuelman card purchases. Under no circumstances is an employee permitted to use the Fuelman card for personal purchases, including fuel for personal vehicles or other non-city owned or operated vehicles. Such use will be considered theft and will result in disciplinary action, up to and including termination, and may result in criminal prosecution. Supervisors or other approving officials who knowingly, or through willful neglect, approve personal or fraudulent purchases are subject to the same disciplinary actions as fuel card users.

#### **Other Requirements**

In order to assist the city in monitoring its fleet costs, card users shall completely fill the fuel tank at each fill up and shall make every reasonable effort to enter the accurate vehicle odometer reading at the time the fueling transaction takes place to ensure detailed vehicle mileage data is calculated.

## Social Media

### Purpose

The City of Gautier will employ the use of social media web sites to reach citizens it might not otherwise reach through other traditional means. It is understood that social media sites provide an excellent resource for communicating the city's various messages and promoting the city's services, programs and initiatives. Social media allows real time interaction with citizens, and increases efficiency as it pertains to news, special events and advertising, and also provides a nontraditional support device to internal departments and divisions.

### General Provisions

The city, through the City Manager's office, may create and operate a web site on Facebook, Twitter and any other reputable social networking site. The creation of additional sites by individual city departments is allowed with City Manager approval (e.g. Police Department, Fire Department). All sites representing the City of Gautier must strictly adhere to city policy. Content posted to any City of Gautier social media site must be approved by the Director of the department establishing the site. Content posted to city managed social media sites may include news releases, approved photos and videos, agendas, announcements, promotional tools, and similar material.

### Guidelines

- The City Manager's designee will create and maintain the city's official social media accounts.
- Under certain circumstances, individual city departments may want to create and maintain social media sites that are separate from those maintained by the City Manager's designee. Departments are required to obtain approval from the City Manager before implementing separate social media sites.
- Department Directors must provide specific justification and reasons for maintaining separate social media sites. If approved, the City Manager or his/her designee will periodically review each city managed social media site. Those sites that do not meet the city's intended goals and objectives may be removed at any time.

- Unless a social media site has been authorized to accept comments, unofficial or public comments may not be posted by followers.
- Some avenues to allow user comments may be turned off, including discussion boards, “walls” and comments sections.
- If the public is allowed to post comments to a social media account or page, the following posts are inconsistent with the city’s policies and will not be allowed:
  - Obscene or racist content
  - Personal attacks, insults, or threatening language
  - Potentially libelous statements
  - Private, personal information published without consent
  - Comments totally unrelated to the content of the post
  - Links to material that is not directly related to the discussion
  - Commercial promotions or spam
  - Political activity in any form
  - Pornographic or sexually explicit content
- Anyone may become a “fan” of the city operated sites. However, individuals who display objectionable profile pictures or who do not follow the above guidelines on the city social media sites will not be accepted as “fans” or allowed to “follow” the site(s).

#### **Prohibited Content**

Prohibited content on city managed social media sites include political activity, offensive, harassing or sexually explicit imagery or language, endorsements of any product, service or private organization, or commercial or fund-raising activities, except those sponsored or sanctioned by the City of Gautier.

#### **Personal Social Media Accounts**

Employees shall refrain from posting information about the City of Gautier using their personal social media accounts. Any person identified as an employee of the City of Gautier on a publicly accessible site is expected to maintain a positive online image and shall avoid conduct that is inappropriate or unbecoming a City of Gautier employee. Any conduct on a social media site that brings discredit upon the City of Gautier, its employees, its services or any of the City of

Gautier's legitimate business interests may result in disciplinary action up to and including termination. (Examples of conduct that may bring discredit upon the city would include discriminatory or derogatory remarks, inflammatory or offensive language, harassment, threats of violence or any other similar inappropriate or unlawful conduct.)

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#### Section 14.1 Sick Leave Abuse

Directors shall closely monitor use of sick leave by their employees. Sick leave shall not be considered as a right which an employee may use at the employee's discretion, but shall be considered a privilege and allowed only in cases of actual sickness or disability of the employee or in circumstances where illness in the employee's immediate family makes it necessary for the employee to be absent. (Authorized uses of paid sick leave are established in the city sick leave policy, Section 14)

It is anticipated that employees using paid city sick time for their own illness/injury or that of a family member will use their sick leave time to recuperate or care for their family member. Trips to the doctor, hospital stays or other justifiable illness related travels which take the employee away from home are acceptable; however, employees who establish a pattern of non-illness related personal pursuits during sick leave may subject themselves to disciplinary action up to and including termination.

Furthermore, employees who consistently use sick leave in any observable pattern may be considered to be abusing sick leave privileges. Examples of patterns that may indicate sick leave abuse include, but are not limited to:

- Consistently using sick leave as soon as it is accrued.
- Consistently using sick leave on Fridays and/or Mondays.
- Consistently using sick leave the day before or after an approved holiday.
- Consistently using sick leave in conjunction with approved vacation.
- Consistently using sick leave during certain days of the week, weeks of the year, seasons of the year, etc.
- Consistently using sick time on days where vacation was denied.
- Consistently using sick leave in any other similar observable pattern.

Employees who abuse sick leave will be subject to disciplinary action up to and including termination and may render themselves ineligible for paid sick leave benefits.

**SECTION 6. Overtime/Compensatory Time.**

An employee who is not exempt from the provisions of the Fair Labor Standards Act (FLSA) who works unscheduled hours and/or works hours beyond the threshold of FLSA for their job will be paid one and one-half times their regular rate of pay for each overtime hour worked. Paid or unpaid time off for holidays, annual leave or sick leave will not be counted as hours worked for the purposes of overtime calculations. *Council directive to Interim City Manager*

All overtime must be pre-approved by the department head and documented; working unauthorized overtime may be grounds for discharge even though compensation for those hours will be paid in accordance with FLSA.

The City compensates overtime for all employees as follows:

- a) Non-Exempt – Non Public Safety: Overtime is compensated at a rate of one and a half (1.5) times the normal rate of pay for hours worked in excess of forty (40) hours per week.
- b) Non-Exempt – Fire Department: Shift personnel (Schedule 2808) shall refer to Article 24, Hours worked – Overtime of labor agreement between the City of Gautier and Local 3290.
- c) Police Officers. The scheduled hours worked for uniformed sworn personnel with powers of arrest, shall be 168 hours per 28-day work cycle. Overtime shall be paid at a rate of time and a half (1.5) the normal rate of pay for those police officers working more than 168 hours in a 28-day work cycle.
- d) Detectives and Non-Uniformed. The scheduled hours worked for non-uniformed sworn personnel with powers of arrest, shall be 160 hours per 28-day work cycle. Overtime shall be paid at a rate of one and a half (1.5) times the normal rate of pay for those Detectives working more than 160 hours in a 28-day work cycle.
- e) Dispatchers. The scheduled hours worked for uniformed dispatchers, covered by this agreement, vary from 36 hours to 48 hours per seven (7) day work cycle. Overtime shall be paid at a rate of one and a half (1.5) times the normal rate of pay for those Dispatchers actually working more than 40 hours in a seven (7) day work cycle.
- f) Office and other. The scheduled hours worked for office and other employees, including the Animal Control Officer, shall be 40 hours per seven (7) day work cycle. Overtime shall be paid at a rate of one and a half (1.5) times the normal rate of pay to office and other employees actually working more than 40 hours in a seven (7) day work cycle.

Compensatory time: The City of Gautier does not use Compensatory time.

Exempt employees are expected to work the hours required to accomplish their jobs, which may be in excess of forty (40) hours per week. Exempt employees may take short periods of leave (four (4) hours or less without charge to their accruals, if approved by the Department Director and City Manager. Leave exceeding four (4) hours or more must be charged against the appropriate leave accrual.

There came for consideration of the Mayor and Members of the Council of the City of Gautier, Mississippi, the following:

**ORDER NUMBER 026-2013**

**IT IS HEREBY ORDERED** by the Mayor and Members of the Council of the City of Gautier, Mississippi, that the Shepard State Park mobile home lease agreement between the City of Gautier and Mike Hooks is hereby approved.

**IT IS FURTHER ORDERED** that the City Manager or City Clerk is authorized to execute any and all documents necessary.

Motion was made by Councilman Colledge, seconded by Councilwoman Martin and the following vote was recorded:

**AYES:** Tommy Fortenberry  
Johnny Jones  
Hurley Ray Guillotte  
Gordon Gollott  
Mary Martin  
Scott Macfarland  
Adam Colledge

**NAYS:** None

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**MAYOR**

**ATTEST:**

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**CITY CLERK**

**PASSED AND ADOPTED** by Mayor and Members of the Council of the City of Gautier, Mississippi, at the meeting of February 5, 2013.

**CITY OF GAUTIER  
MEMORANDUM**

**To:** Samantha Abell, City Manager  
**From:** Patty Huffman, Grants and Projects Manager  
**Through:** Eric Meyer, Director of Economic Development and Planning  
**Date:** January 30, 2013  
**Subject:** Shepard State Park Mobile Home Lease Agreement

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**REQUEST:**

The Economic Development and Planning Department requests City Council approval of the attached lease agreement for a three-bedroom mobile home located on the premises of Shepard State Park.

**BACKGROUND:**

The City of Gautier assumed the administration of Shepard State Park on January 28, 2013. A three-bedroom mobile home is located on the property. Since the Park includes RV and tent camping sites, the City needs to have on-call staff available for maintenance issues after business hours on weekdays and on weekends.

**DISCUSSION:**

City staff proposes to allow a current City employee (Michael Hooks and family) to reside in the mobile home in exchange for performing eight (8) hours of maintenance work (such as lawn mowing and weed-eating) per week and serving as the on-call worker during off hours. This agreement will be in effect for one year and is automatically renewable for a period of three (3) months unless written notice is received from either party at least 60 days prior to the end of the term. The Cultural Services Manager will be responsible for scheduling work and supervision.

**RECOMMENDATION:**

The Economic Development and Planning Department staff recommends that City Council approve the Lease Agreement as described above. City Council may

- 1) authorize the Lease Agreement outlining maintenance work and on-call duties at Shepard State Park in lieu of rent for a three-bedroom mobile home located on the property;
- 2) authorize the Lease Agreement with changes; or
- 3) disapprove the Lease Agreement as presented.

**ATTACHMENT(S):**

Real Estate Lease