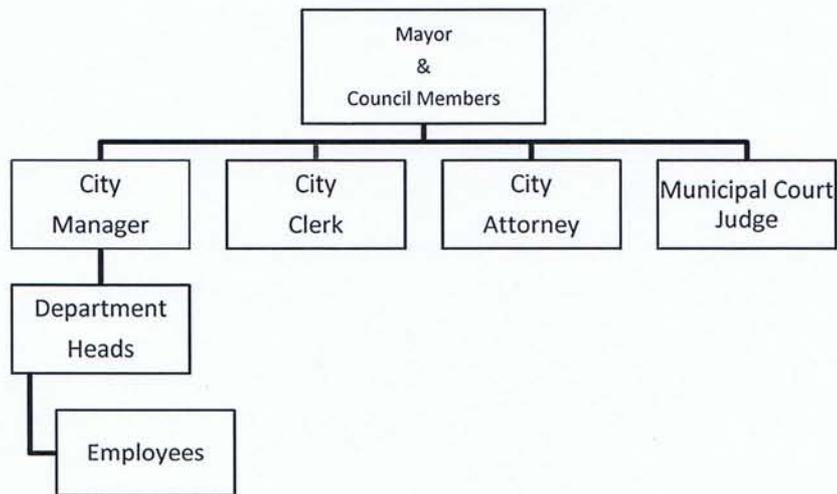


SECTION 1. Introduction.

As a City employee, your work and conduct on and off the work site are always subject to public scrutiny. Your contacts with individual citizens will often be the only basis on which the public judges its local government. It is important that you make the best possible impression at all times and perform your work efficiently, competently, and with the highest degree of professionalism. Each position with the City is an essential part of the overall operation of our municipal government. Everyone in the City is relying on you to provide honest, proficient, and courteous service.

SECTION 2. Type of Government

The City of Gautier is a Council-Manager Form of Government. This form of government (made generally available to Mississippi’s municipalities in 1952) is similar to the Commission Form of Government in that it does not provide for the separation of executive and legislative powers between a mayor and council. It differs from the Commission Form of Government, however, in that it does recognize the separate but coordinate functions of politics and administration: an elected council is responsible for making policy, while administration is assigned to an appointed professional known as the City Manager.



SECTION 3. Date of Hire/Anniversary Date.

The Date of Hire shall be the effective date of an individual’s employment. The Anniversary Date shall mean the date the employee began his or her employment in their current position.

An employee reinstated to the same position or a position in the same classification following a layoff from the City will cause his or her anniversary date to be extended by the same length of time as the layoff. A regular employee returning from a leave of absence greater than ninety (90) days will have his or her anniversary date extended by the same length of time the employee was on leave without pay. Employees out under the Family and Medical Leave Act (FMLA) will retain their anniversary date as this leave is not considered a break in service.

SECTION 3.1 Seniority

~~Fire/Police Departments: Within ninety (90) days of the approval of this Employee Handbook, the City will establish a department wide seniority list by rank, indicating the name, position, date of employment, and date of appointment to current rank.~~

~~Upon its establishment, the City will provide a copy to the Civil Service Commission, which will receive this list on an annual basis. (Pending Negotiation)~~

SECTION 4. Employee Orientation.

All new employees of the City must attend a new employee orientation program. At the orientation program, each new employee will be provided with information on employee benefits, City policies and operations. In addition to the orientation program, the hiring department may provide additional information to the new employee, including general hours of work, time cards or reports, and leave requests.

SECTION 5. Types of Employment.

The types of City employment are:

- 1) **Appointed Employee:** An employee who is appointed by the City Council of the City of Gautier to a position which may be limited in duration. Such employees serve at the pleasure of the City Council and can be terminated at any time for any reason or for no reason at all, with or without notice. The only positions of this class are: City Manager, City Clerk, City Attorney, and Municipal Court Judge.
- 2) **Regular Full-Time Employee (“Civil Service” employee):** An employee assigned to a position which is expected to continue for an indefinite duration, and is regularly scheduled to work a forty (40) hour or more workweek. Employees within the probationary period, which is set by the City Manager and/or Civil Service, will be evaluated every 3 months.
 - a. **Exempt:** Employees must generally meet certain tests regarding their job duties and be paid on a salary basis not less than \$455 per week. Job titles do not determine exempt status. An employee’s specific duties and salary must meet all requirements of the FLSA regulations. (Ex.: City Manager, City Clerk, Department Directors, etc.)
 - b. **Non-Exempt:** All other work not classified as “exempt”
- 3) **Part-Time Employee:** An employee who is assigned to a position which is expected to continue for an indefinite duration, and works a shift schedule of less than eighty (80) hours per month.
- 4) **Temporary Full-Time Employee:** An employee whose work assignment is usually limited to a period not to exceed four and one-half (4 ½) months and who works a regularly scheduled 40 hour or more workweek.

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.

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. (Pending negotiation)
- c) Police Officers. The scheduled hours worked for uniformed sworn personnel with powers of arrest, shall be ~~168~~ 84 hours per ~~28~~ 14-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~~ 84 hours in a ~~28~~ 14-day work cycle.
- d) Detectives and Non-Uniformed. The scheduled hours worked for non-uniformed sworn personnel with powers of arrest, shall be ~~160~~ 40 hours per ~~28~~ 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 Detectives working more than ~~160~~ 40 hours in a ~~28~~ 7-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.

Exempt employees are typically paid a salary that is not subject to deductions for hours not worked. Deductions from an exempt employee's salary, however, will be made for absences from work exceeding four (4) or more hours for personal reasons other than sickness or disability if the employee has no accrued annual or sick leave. Deductions from an Exempt employee's salary will also be made for a disciplinary suspension of one or more full days for workplace misconduct.

SECTION 7. Performance Development Plan (PDP)

The implementation of the Performance Development Plan (hereinafter referred to as a "PDP") is to ensure that each employee is aware of his/her duties, responsibility, and the expectations of the supervisor and the City in the performance of those duties and responsibilities. The purpose of the PDP is established to retain employees on the adequacy of their job performance; to correct inadequate performance; and to separate employees whose inadequate performance cannot be corrected.

Supervisors are required to evaluate all employees, using the PDP process and evaluations shall be performed annually. Employees are required to sign the evaluation form as an acknowledgement that the evaluation was performed, as required by the PDP, and that all questions, concerns or comments of the employee and/or the department director are duly noted on the document.

Thereafter, the completed evaluations will be reviewed and signed by the Department Director and by the City Manager; each of whom, in his or her judgment, may change the recommended rating or return the form for reconsideration by the supervisor. Per Civil Service Commission regulations, "Any covered employee may request the Commission to re-evaluate his or her appraisal." (CSC, Rule 17.3)

SECTION 8. Promotions/Lateral Transfers.

Employees are encouraged to apply for any vacancy for which they may qualify. Any current employee interested in applying for a transfer or promotion to an open position must file an updated resume or City job application form with the Personnel Generalist in accordance with instructions listed on the job posting. A City employee's application for such a position will be considered in the same manner as all other applications.

An employee selected for promotion or lateral transfer will retain all leave accruals previously earned. Neither a promotion nor a lateral transfer will change an employee's date of hire. If the position to which an employee has been transferred or promoted carries benefits different from those of the previous position, the person becomes eligible for the benefits of the new position upon assuming the new position. All promotions and transfers are subject to a one (1) year probationary period as determined by the City Manager.

The Department Director may with the approval of the City Manager make temporary assignments for a specified time or assignment as necessary. Such appointments are made on an "acting" basis and the employee returns to his or her regular position upon completion of the assignment. Temporary assignments that include supervisory duties or that result in a grade increase of two or more grades may be entitled to out of title pay. It is subject to the discretion of the Director and approval of the City Manager as to whether the employee receives out of title pay. To qualify for out of title pay the employee must hold the position for a period greater than five (5) days and fulfill

all the requirements of the position. It is not to be inferred that a temporary assignment will carry the position's higher salary.

~~Fire Department: Shift personnel shall refer to Article 10 Promotions, Removal, Temporary Discharge, Reinstatements and Lateral Transfers of labor agreement between the City of Gautier and Local 3290. (Pending Negotiation)~~

~~Police Department: Except in the case of relief during vacation, employees shall receive six (6%) above their present pay rate when filling any higher rank in which he or she may serve for more than three (3) consecutive work shifts. Out of Rank pay shall be retroactive to the first (1st) shift worked. The Chief of Police shall notify the employee of every temporary assignment. (Pending Negotiation)~~

SECTION 9. Holidays.

The City celebrates the following holidays off with pay for probationary and regular full-time employees:

NEW YEAR'S DAY	January 1
MARTIN LUTHER KING, JR.	3rd Monday of January
PRESIDENT'S DAY	3rd Monday of February
GOOD FRIDAY	Friday before Easter
MEMORIAL DAY	Last Monday of May
INDEPENDENCE DAY	July 4
LABOR DAY	1st Monday of September
VETERAN'S DAY	November 11
THANKSGIVING DAY	4th Thursday of November
CHRISTMAS DAY	December 25

These holidays, or the dates when they occur or are observed, may change by proclamation of the Governor or the City Council or federal, state, or local law and such change(s) govern and override the listings contained in this employee handbook. Holidays are observed from 12:00 a.m. (midnight) the eve of the holiday to 12:00 a.m. (midnight) the day of the holiday. Employees will not be required to work on a day designated as a holiday and will receive their normal pay. Employees who are required to work on a day designated as a holiday will receive straight time for all hours actually worked on the holiday, in addition to their regular pay. ~~Holiday pay for the Fire Department will be paid under terms of their union contract. (Pending Negotiation)~~

The City compensates holiday pay for all employees as follows:

- 1) All employees who normally work a 40 hour week shall have the above listed days off with no reduction in pay. Any 40 hour per week employee who is required to work on one of the days listed above shall receive straight time pay for each hour actually worked in addition to their regular pay.
- 2) *Police Department* employees who normally work shifts (168 hours in a 28 day cycle) shall receive eight (8) hours straight time pay in addition to their normal pay for each of the days set out above.

~~3) Fire Department personnel who normally work shifts (216 hours in a 28 day cycle) shall be paid Time and One-half for each hour they work on each of the days set out above per the terms of their contract. Order No. 220-2011 Approved on December 20, 2011 (Pending Negotiation)~~

When a holiday falls within an eligible employee's approved annual or medical leave period, the holiday shall not be counted as a leave day in computing the amount of leave deducted. An employee who is away from work and not in a paid leave status the day immediately preceding or following a holiday will not receive any pay for the holiday.

SECTION 10. Bereavement Leave.

Regular full-time employees who have a member of his or her immediate family taken by death shall receive up to twenty-four (24) hours off with pay as bereavement leave to arrange and/or attend funeral activities. If additional time is necessary, it shall be taken as sick leave, with advance authorization by the Department Director. If sick leave is not available, it may be taken as unpaid leave with advance authorization by the Department Director and approval by the City Manager for situations involving Department Directors. Employees who require time off due to the death of an immediate family member (in order to obtain bereavement leave) should immediately notify their supervisor and/or Department Director.

~~Fire Department shift personnel shall refer to Article 17, Death of an Employee or Family Member of labor agreement between City of Gautier and Local 3290. (Pending Negotiation)~~

"Immediate family" shall be defined as spouse, mother, father, mother-in-law, father-in-law, children, sister, brother, daughter-in-law, son-in-law, sister-in-law, brother-in-law, grandparents and grandchildren. A current step-child, step-father, step-mother, step-father-in-law, or step-mother-in-law may also fall under this definition. An aunt, uncle, or cousin who is a dependent of or who resides in the household of the eligible employee, or over whom the eligible employee is a court appointed guardian or conservator, may also be treated as "immediate family" under this Section.

SECTION 11. Jury/Court Leave.

Full-time employees who are required to participate in legal proceedings, legislative committees or quasi-judicial bodies, as a witness in response to a subpoena or other directive shall be allowed authorized leave with pay. An employee who receives notice of jury duty or witness service must notify his/her supervisor immediately so that arrangements may be made to cover the position.

Time away as a result of jury or court leave as set forth above will not affect vacation, sick leave or other leave accruals. The City will continue to provide health insurance benefits for the full term of the jury duty absence. Employees may retain any jury and mileage fees received. A copy of fees received should be submitted to the Personnel Generalist for verification of dates served.

Employees are to return to work after jury duty, although no more than the regularly scheduled number of hours for both jury duty and work shall be required in any one (1) day. If excused as a juror on any given day, the employee is expected to contact his/her supervisor immediately and to report to work as instructed.

Employees who appear in court as a party or as a witness on behalf of any party whose action is not