

SECTION 29. Life and Accidental Death and Dismemberment Insurance.

Regular full-time employees are provided a term life and accidental death and dismemberment insurance policy provided by the City in the amount of \$15,000.00 and \$100,000.00 respectively subject to the following eligibility requirements:

Coverage is effective the first day of the month coincident with or following thirty (30) days of employment and continues until the employee leaves the City's employment, the employee moves to an employee class which is not eligible for this benefit, or the policy is discontinued completely by the City, which may occur at any time and without notice. Termination under the policies shall be effective when premium payments for such employee's insurance are discontinued or upon separation of the employee from City employment.

SECTION 30. Group Medical Insurance.

The City offers to all regular full-time employees and all eligible dependents thereof group medical and dental insurance. Coverage under such insurance becomes effective the first day of the month coincident with or following thirty (30) days of employment. Benefits and terms of both plans are described in insurance brochures provided to each new employee at the time of eligibility or which are otherwise available to employees from the Personnel Generalist.

Enrollment forms for such coverage are available from the Personnel Generalist. It is the employee's responsibility to notify personnel of any change in dependent status by completing updated enrollment forms. Upon termination of employment with the City, the employee may elect to continue medical coverage under the Consolidated Omnibus Budget Reconciliation Act (COBRA).

SECTION 31. Continuance of Medical Coverage (COBRA).

Employee and/or dependent medical coverage under the current plan may cease as a result of one (1) of the following events:

- 1) Termination of employment
- 2) Change to nonparticipating employment status
- 3) Divorce
- 4) Dependent child becoming ineligible

Employees or dependents may elect to continue medical and dental coverage, at their own expense, beyond the date that it would otherwise terminate. The insurance administrator will provide all eligible employees and their dependents information on COBRA upon separation of employment. Employees seeking to maintain coverage for ineligible child may contact the Personnel Generalist for cost information. If an employee or eligible spouse or dependent does not elect to continue coverage, group health insurance will end as scheduled under the plan.

SECTION 32. Retirement System.

Eligible employees who select City employment as a career can look forward to retirement benefits through the State retirement system. Participation in the retirement system is mandatory for all full-time employees and part-time employees working no less than twenty (20) hours per week. You must contribute a portion of your salary and the City also will contribute to the retirement system on your behalf. These benefits, plus those from Social Security, are designed to provide a measure of security at retirement. If you should quit your job with the City before you retire, the money you paid into the system, plus interest, will be refunded to you when you submit proper forms to the State retirement system. However, contributions can be left in the system under certain circumstances. For further information, please contact the Personnel Generalist.

SECTION 33. Employee Assistance Program (EAP)

This is an employer/employee benefit program designed to identify and provide counseling for employees and dependents that have personal problems that may contribute to unacceptable job performance, absenteeism, employee/employer relations, and on-the-job accidents. A range of substance abuse/chemical dependency and mental health treatment services are also offered. Any employee who is interested in any services provided by Singing River Services under the EAP contract; must contact the Personnel Generalist for more information.

SECTION 34. Tuition Reimbursement.

All regular full time City employees with one (1) year tenure are eligible for tuition reimbursement. An eligible employee may apply for and receive reimbursement for no more than four (4) courses per year. Only courses directly related to the employee's job or a job to which the employee may reasonably aspire are eligible for this program. The City Manager has final say as to whether courses are eligible for reimbursement and granting class attendance during business hours.

Employees may request annual leave to attend classes, but the City makes no promises to grant such requests.

Only tuition will be eligible for reimbursement. Reimbursement will not be made for any course when the employee is receiving scholarship money or tuition benefits.

Tuition will be reimbursed as follows:

Grade of "A"	100%
Grade of "B"	75%
Grade of "C"	50%
Grades < "C"	0%

To apply for this program, the employee must submit a request form with course information prior to enrollment date. Request forms may be obtained from the Personnel Generalist. All course work must be pre-approved by the City Manager and be job-related and beneficial to the City of Gautier to be eligible for participation in the program. A copy of course schedule must be submitted to personnel upon enrollment. Upon successful completion of a course, the employee must provide an

original grade report and detailed receipt of tuition payment to Personnel within thirty (30) days to receive reimbursement.

~~Fire Department: Shift personnel shall refer to Article 33, Tuition, in labor agreement between City of Gautier and Local 3290. (Pending Negotiation)~~

SECTION 35. Risk Management.

35.1 Accident Prevention and Safety

Maintaining a safe workplace demands the continuous cooperation of all employees. All department heads and division supervisors will be held accountable for their responsibility in the success of an effective safety program, and will participate in its development, implementation and improvement to eliminate unnecessary accidents and needless expenses.

The city-wide safety program will be under the control of the Personnel Generalist. He or she will develop an appropriate education and training program and establish and implement rules and regulations which are sure to enhance and maintain a safe workplace.

Employees are expected to use common sense and good judgment in everyday work habits and comply with safe work practices. Illustrations of safe work practices are:

- 1) Use of proper safety equipment when performing an assignment.
- 2) Not operating equipment or machinery while under the influence of prescribed medication while under a physician's care and written approval.
- 3) Under no circumstances should an employee operate machinery or equipment while under the influence of drugs or alcohol.
- 4) Operating only equipment or machinery for which training or certification has been received.
- 5) Warning co-workers of an unsafe work environment or practices.
- 6) Adhering to all safety/operating rules posted on equipment, machinery and at work areas.
- 7) No horseplay on employer premises or in the field.

35.2 Reporting

Employees are required to promptly document and notify their immediate supervisors or, if unavailable, others within their chain of command or authority, of all accidents involving City property and City personnel. In addition, any employee who suffers accidental injury or occupational disease in the course and scope of his or her employment must report the incident to his or her supervisor or Department Director immediately or within twenty-four (24) hours after the time of the accident. Failure to notify supervisory personnel of any accident involving City property may result in immediate disciplinary action up to and including termination. The Director or Supervisor is responsible for immediately notifying the Office of Human Resources and processing all documentation to same within twenty-four hours of incident.

Employees injured after normal business hours or over a holiday or weekend while performing duties and responsibilities for the City; and who require medical attention before the next business day, will go to the Singing River Hospital or Ocean Springs Hospital Emergency Room, whichever is closer. If the employee refuses medical treatment of the provider selected by the City; he or she reserves the right to choose their own physician and must complete a Physician's Choice form with the Office of Human Resources.

In every case requiring medical attention, the employee will submit a work status report (signed by the attending physician authorizing his/her return to work) to the Personnel Generalist who will then contact the department director. Under no circumstances will he or she return to duty until this document has been received. If follow-up treatment is required, the employee must keep the Personnel Generalist and their department director or division supervisor informed of their condition.

35.3 Alcohol Breathalyzer and Drug Screening

In the case of a vehicle accident including single vehicle accidents, the employee will be subjected to an alcohol breathalyzer and drug screening (refer to Drug and Alcohol Policy). Authorization of these and additional medical procedures shall be authorized by the Personnel Generalist who will also receive the test results.

35.4 Worker's Compensation

Payment of worker's compensation to any employee injured as a result of an injury arising out of and during the performance of their work duties with the City will be governed by the Mississippi Workers' Compensation Law.

An employee sustaining a lost-time injury with sick and annual leave credited to account may request the department director to apply sick and/or annual leave in order to obtain pay while absent from duty as a direct result to an injury identified in items (a) through (c) of this section.

In the event of an absence resulting from injury or illness discussed in this section, an employee's sick or annual leave may be used to make up the difference in pay from the amount he/she receives in accordance with the worker's compensation rate. Sick and annual leave hours may be used to make up for any lost wages, however, the employee may not receive more compensation than he or she would have received had they not been injured. Amount of pay by an employee for injury in the line of duty shall be reduced by the amount of any worker's compensation benefits received by the employee and in no event shall the pay exceed 100% of the salary paid to such an employee.

- a) Full wages will be paid for the time spent at the initial visit to the doctor for the injury. Moreover, if the injured employee cannot return to work, compensation shall be paid in accordance with the Mississippi Workers' Compensation Law.
- b) If the employee is unable to return to duty on his or her next shift or normal work day; the injury will be considered a disability beginning the following day of the injury.
- c) Mississippi Workers' Compensation Law does not allow for compensation for the first five (5) days of disability. However, if the injury results in disability of fourteen (14) days or more, compensation shall be allowed from the date of disability.

~~Fire Department: Shift personnel shall refer to Article 13, Compensation of Injured Employees/Safety, Item A1, A2, and A3 between the City of Gautier and Local 3290. (Pending Negotiation)~~

35.5 Safety Equipment and Devices

The City will provide proper and necessary safety equipment and devices for employees engaged in work when such equipment and devices are necessary. When safety equipment and devices are provided, they must be used. Failure to utilize provided safety equipment or devices will be subject to disciplinary action. If equipment or devices are reported to be worn or damaged; the City will replace them.

Personally purchased/owned safety devices shall not be utilized without written approval from the department head.

35.6 Vehicle Safety

All city employees' using city vehicles or personal vehicles on city business must abide by all state and federal traffic laws including seatbelt requirements. Activities such as eating, drinking, texting, emailing, personal grooming, or other distractions shall be refrained from while the vehicle is in motion.

Any driver determining that the vehicle assigned is unsafe to operate must report the unsafe condition(s) to his or her immediate supervisor. The department director or division supervisor must then take action to rectify the unsafe condition(s).

SECTION 36. Grievances.

An employee may make a request for resolution of any dissatisfaction arising from the interpretation and the application of work rules, policies, procedures, or practices (i.e., a "grievance"). Dissatisfactions involving job classifications, grade, salary, and other wage issues, benefit determinations, payroll procedures, or any matter outside the control of the immediate supervisor are not included for resolution under this procedure for grievances.

Disciplinary actions involving verbal and written reprimands are included within this grievance process and procedure. As to grievances pertaining to harassment and discrimination, employees are referred to other provisions and sections contained in this personnel manual and the policies and procedures referred to or incorporated in this manual.

Compliance with the time frames outlined in each step of the procedure must be followed in order that the request for resolution is considered timely. If the employee does not follow the prescribed time frame, the request becomes outdated and the last response made will become final. If the party responding to the employee's request does not follow the time frame, the response becomes outdated and the employee may proceed to the next step of the procedure. Such time frames may be extended by written mutual agreement that must be entered into before expiration of the applicable time frame as outlined in each step. To insure compliance with time frames involving written requests and written responses, all correspondence should be copied to the City Clerk. All responses will be hand-delivered to the recipient or their representative or sent by certified mail to the most recent address in the personnel record of the employee making the request. When

presenting the dissatisfaction and requested remedy at each step, all prior requests, responses, and documentation must be provided by the employee.

When initiating a verbal discussion with his or her Supervisor/Manager or submitting a written request for resolution to the Supervisor/Manager or Department Director, or, if applicable, the City Manager, as provided in the procedure below, an eligible employee must provide:

- 1) A clear statement of the circumstances which affected the employee and caused the dissatisfaction; and
- 2) A clear statement of the requested remedy to resolve the dissatisfaction. No new requested remedies may be introduced after the completion of Step Two (2) of this procedure unless mutually agreed upon by the parties involved.

PROCEDURE:

(1) Step One: The employee shall first discuss the concern with his immediate supervisor and every attempt shall be made by the supervisor and the employee to resolve the matter at that level. The best solutions are usually found at this point. If an employee's grievance concerns the supervisor, however, the employee may proceed directly to Step Two.

(2) Step Two: If the matter is not resolved in Step One, the employee may, within three (3) working days bring the matter to the attention of the next level of supervision for discussion and consideration.

(3) Step Three: If the matter is not resolved in Step Two, the employee may, within three (3) working days, bring the matter to the attention of his Department Director for discussion and consideration.

(4) Step Four: If the department head does not resolve the matter to the satisfaction of the employee, the employee may within three (3) working days request an appointment to present the problem to the City Manager. The City Manager shall make an appointment within five (5) working days of the time of the request and hear the employee's presentation of the matter. The employee shall reduce the matter to a written, signed statement including the results of steps 1, 2, and 3 for presentation to the City Manager.

A determination shall be made by the City Manager within five (5) working days after the meeting between the employee and the City Manager. The decision of the City Manager will be final.

Grievances within the jurisdiction of the Civil Service Commission as per Miss. Code Ann. §21-31-1 et seq., are excluded from the purview of this grievance procedure if such grievance can be fairly said to fall within the established jurisdiction of the Civil Service Commission.

~~Employees covered under union contract are excluded from this procedure. Individual grievance procedures may be found in the union contract. (Pending Negotiation)~~

The case file will be forwarded to and maintained in the Administration Department where it will be filed separately from any official personnel files. Grievances will be kept on file for the duration of the employee's employment with the City. If the City Manager is the subject of a grievance or

otherwise has a conflict, the employee may request the City Clerk to refer the matter to the City Attorney for investigation and recommendation in lieu of the City Manager.

SECTION 37. Americans with Disabilities Act (ADA).

The City will not discriminate against qualified applicants and employees on the basis of disability. The City will provide a reasonable accommodation to the known physical or mental limitations of a qualified applicant or employee with a disability unless the accommodation will impose an undue hardship on the City. You may contact the ADA Coordinator for more information on ADA Policies and Procedures.

SECTION 38. Equal Employment Opportunity (EEO) Policy.

It is the policy of the City to provide equal employment opportunity for all employees. This commitment includes a mandate to promote and afford equal treatment and services to all employees and to assure equal employment opportunity based on ability and fitness to all persons regardless of race, religion, color, creed, national origin, sex, age, or the presence of any sensory, mental, or physical disability, unless otherwise excepted or limited by law. If an employee believes that he or she has been subjected to discriminatory harassment by a co-worker, supervisor, or anyone else during the course of his or her employment, he or she should immediately submit his or her concerns in accordance with the City's separate policy on equal employment opportunity, which establishes administrative grievance procedures. The goals and objectives of this separate policy are to insure fair treatment and non-discrimination in hiring and employment and to provide compliance with state and federal equal opportunity requirements and regulations. Retaliation against an employee by another employee or supervisor for opposing discriminatory harassment, for filing a bona fide complaint of discriminatory harassment, or for providing information in good faith regarding another employee's complaint will not be tolerated. Employees should contact the City Clerk to obtain a copy of this policy.

SECTION 39. Harassment/Sexual Harassment.

Harassment is unwarranted and unwanted verbal or nonverbal conduct which threatens, intimidates, pesters, annoys, or insults another person, where such conduct has the purpose or effect of creating an offensive, intimidating, degrading, or hostile environment, or interferes with or adversely affects a person's work performance.

It is the policy of the City that harassment in any form will not be tolerated. The City will not tolerate acts of sexual harassment or related retaliation against or by any employee and fully supports enforcement of state and federal anti-discrimination laws pertaining to sexual harassment. Prohibited conduct includes, but is not limited to, the following:

- 1) Offensive, derogatory, inappropriate or abusive statements, comments, slurs or gestures;
- 2) The use of sexually suggestive language and other behavior that is offensive, derogatory, inappropriate or abusive;
- 3) Conduct that interferes with job performance or creates an offensive or intimidating work environment;