

**TOWN OF MONTEAGLE
ORDINANCE NO. 10-26**

AN ORDINANCE REPLACING ORDINANCE 02-20 TO READ IN ITS ENTIRETY AS FOLLOWS:

BE IT ORDAINED by the Board of Mayor and Aldermen of the Town of Monteagle, Tennessee:

SECTION 1. The following personnel policies and Procedures for the Town of Monteagle, Tennessee, are hereby adopted:

CHAPTER 1

PERSONNEL POLICIES AND PROCEDURES

Per the Town of Monteagle Charter, the Mayor shall employ, discipline, and suspend all employees. Promotions, demotions, and discharge of employees requires the approval of the Board of Alderman. The department heads shall take a vote of the Mayor and board of Alderman to hire or fire, in accordance with these personnel policies adopted by ordinance, by the Board of Mayor and Aldermen. § 6-3-106 (2)(A).

4-101. Purpose. The purpose of these policies and procedures is to establish a system of personnel administration in the Town of Monteagle, hereinafter referred to as "Monteagle" that is based on merit and fitness. The system shall provide means to select, develop, and maintain as effective municipal work force through impartially applying personnel policies and procedures free of personal and

political considerations and regardless of race, color, gender, age, creed, national origin, or disability.

4-102. Coverage. All offices and positions of the municipal government are divided into the exempt service and the classified service. The classified service shall include all regular full-time and regular part-time positions in the town's service unless specifically placed in the exempt service. All offices and positions of the municipal government placed in the exempt service are as follows:

1. All elected officials;
2. Members of appointed boards and commissions;
3. Consultants, advisers, and legal counsel rendering Temporary professional service;
4. Town attorney;
5. Independent contractors;
6. People employed by the town for not more than three Months during a fiscal year;
7. Part-time employees paid by the hour of the day and are Not regular employees as defined by Section 4-103
8. Volunteer personnel appointed without compensation, including volunteer fire personnel;
9. Town judge;

4-103. Classes of Employees.

REGULAR FULL-TIME – Regular full-time employees are individuals employed by the municipal government who work 40 hours, per week and have completed a 90 day initial employment period. Regular full-time employees receive full benefits unless specifically excluded by the town charter, code, or ordinance.

REGULAR PART TIME – Regular part-time employees are individuals who do not work on a daily basis and whose hours cannot exceed 32 hours per week unless approved by the Mayor. Regular part-time employees are excluded from all benefits afforded full-time employees.

TEMPORARY EMPLOYEE – A temporary employee is an individual who works for the town for no more than six months during one calendar year. Temporary employees receive no benefits.

TEMPORARY PART-TIME EMPLOYEE – A temporary part-time employee is an individual who works less than 32 hours per week for six months or less. Temporary part-time employees receive no benefits.

VOLUNTEER EMPLOYEE – A volunteer is an individual who works for the town for no compensation but may be paid on a per call basis.

VOLUNTEER FIREFIGHTERS - Volunteer firefighters are appointed by the Fire Chief. Volunteer firefighters are covered under the Volunteer Firefighter's Insurance Coverage Policy and are not employees subject to the workers compensation laws of the State of Tennessee. Volunteer firefighters may be paid on a per call basis as established by the Board.

4-104. Hiring Procedures.

POLICY STATEMENT. The town's hiring policy is to ensure compliance with the law and to obtain qualified personnel to serve the citizens of the town. Appointments to positions are based on merit, technical knowledge, and work experience. No person shall be employed, promoted, demoted, discharged, or in any way favored or discriminated against because of race, gender, age, color, religion, creed, ancestry, disability, or national origin. Nothing in the personnel

rules and regulations document shall be deemed to give employees any more property rights in their jobs than may already be given by the town charter. The town reserves the right to alter or change any or all of these rules without prior notice to employees.

RECRUITMENT. The town shall employ only capable and responsible personnel who are of good job-related character and reputation. When a vacancy occurs, the recorder shall prepare and post the appropriate position description at city hall. The recorder shall also provide notice of vacancies in alternate media including taped messages radio announcements, or other methods to ensure effective communication to the people with disabilities.

APPLICATION PROCESS. All people seeking appointment or employment with the town shall complete a standard application form as provided by the municipal government. Employment applications shall be accepted in the recorder's office during regular office hours only. The recorder will make reasonable accommodations in the application process to applicants with disabilities making a request for such accommodations.

INTERVIEWS. All appointments are subject to an interview with the respective department head and Mayor.

APPOINTMENTS. All appointments to positions in Montecagle shall be made by the Mayor and the department heads. Applicants for the position of department head are to be appointed by the Mayor and City Council. Following a conditional offer of employment, positions for which an examination is job-related shall be given a medical examination and a general physical exam by a licensed

physician. The Mayor shall have the right to designate the physician if it so chooses. The sole purpose of the medical examination and a general physical exam is to ensure that the prospective employee can perform the essential functions of the position offered. The cost of this medical exam shall be borne by the town. Any prospective employee who is unable to successfully perform the essential functions tested for in the medical examination shall have the offer of employment by the town withdrawn only if they:

Cannot perform the essential functions due to a disability that cannot reasonably be accommodated; or

Pose a direct threat to themselves and /or others.

CITIZENSHIP AND ALIEN STATUS VERIFICATION. The town will not discriminate on the basis of a person's national origin or citizenship status with regard to recruitment, hiring, or discharge. However, the town will not knowingly employ any person who is or becomes an unauthorized alien. In compliance with the Immigration Reform and Control Act, all employees hired after Nov. 6, 1986, regardless of national origin, ancestry, or citizenship, must provide suitable documentation to verify identity and employability. The documentation must be provided within three days of employment or the individual will not be hired.

NEPOTISM. No Town of Monteagle employees who are relatives shall be placed within the same direct line of supervision whereby one (1) relative is responsible for supervising the job performance or work activities of another relative; provided, that to the extent possible, this shall not be construed to prohibit two (2) or more such relatives from working for the Town Of Monteagle as long as they are not employed within the same department. "Relative" means a parent,

foster parent, parent-in-law, child, spouse, brother, foster brother, sister, foster sister, grandparent, grandchild, son-in-law, brother-in-law, daughter-in-law, sister-in-law, or other family member who resides in the same household.

INITIAL EMPLOYMENT PERIOD. Applicants appointed to positions with Monteagle are required to serve a 90 day initial employment period. During this period, the employee's work performance will be subject to written review regarding the competence of the employee to fill the position. An employee may be terminated at any time. Ongoing employees may receive raises in the budget year, the Department Head or Mayor shall submit written justification to the Board of Alderman for approval and the justification shall become part of the employees permanent record.

TRANSFERS. The Mayor may make transfers of employee. A transfer may also be implemented as a reasonable accommodation when an employee is unable, due to a disability, to continue to perform the functions of the job.

PROMOTIONS/DEMOTIONS. The Mayor shall make promotions/demotions of employees subject to Alderman approval, until such time that a city administrator is appointed. A demotion may also be implemented as a reasonable accommodation when an employee, due to a disability, becomes unable to perform the essential functions of the job.

Section 4-105. COMPENSATION

SALARIES. The MTAS annual salary survey that shows reported market rates of salaries and wages may be consulted in determining employee compensation in the event that market rates of salaries is not available from other sources. Due consideration shall be given to duties performed, responsibilities, technical knowledge and skills required to perform the work satisfactorily, the labor market, and availability of people having the desired qualifications.

HOURS OF WORK. The Town shall establish the hours of work per week for each position in the service of the town. Employees unavoidably late or absent from work due to illness or other cause must notify their supervisor within the time frame established by each department (unless unusual circumstances prevent the employee from making proper notification). Such employees must explain the reason for the absence and, if possible, an anticipated time and date of return to work. Failure to notify one's supervisor of absences may result in disciplinary action. Employees found falsifying time sheets will be subject to disciplinary action up to and including dismissal.

BREAKS. (Federal law does not require that employees be given any particular rest breaks, or breaks of any particular duration.) If a town gives employees rest breaks, the FLSA requires that the employer pay for breaks of 20 minutes or less, and for all breaks and lunch periods during which the employee must remain at the work station and/or perform some duties. Lunch breaks, however, when no services are required of the employee, can be unpaid.) Employees are entitled to a thirty minute lunch break.

PAYDAY. All employees of Monteagle shall be paid every two weeks. Questions about work time, salary, or paycheck, should be directed to the City Recorder within the pay period in question or immediately thereafter.

If an employee is absent on payday and wishes to have someone else obtain his/her paycheck, identification and a signed note authorizing the town to give the check to the bearer must be provided to the City Recorder.

If an employee loses a paycheck, he/she should notify the City Recorder immediately. The employee will be required to sign an affidavit that the paycheck has been lost, and a new one will be issued. If an employee resigns. The last paycheck will be issued on the next regular payday. The employee should give written notice of where the check should be sent if he/she is not available to pick it up.

The town may pay its employees with direct deposit.

PAYROLL DEDUCTIONS

Federal Income Tax: Federal taxes are withheld from employees' paychecks based on the number of dependents claimed by the individual. Employees are required to keep on file with the municipal government a copy of the W-4 form. In the event of changes in the employee exemption status, a revised W-4 must be filed before payroll deduction adjustments will be made.

Social Security: Social Security payments and deductions will be made in accordance with the Social Security Act. The City Recorder shall keep such records and make such reports as may be required by applicable state and federal laws or regulations.

Others: Other deductions may be made from and employee's paycheck, upon approval of the employee and the town board.

An employee who is garnished for more than one indebtedness within a 12- month period may be subject to disciplinary action in accordance with the Consumer Credit Protection Act (15 USC, Ch. 41); except for assignment(s) of wages for spousal or child support (T.C.A. 36-5-501 (c)(2)(i)).

The Town may deduct from an employee's final paycheck any amount due (on a depreciated/prorated basis) for failure to return Town property as long as the deduction(s) do not reduce final pay to below minimum wage.

OVERTIME. Non-exempt employees required to work overtime shall be compensated in accordance with the FLSA at a rate of 1 ½ the employee's regular pay rate. Administration of the policy and accumulation of time shall also be in accordance with the FLSA. The Board shall develop regulations for determining when an employee should be required to work overtime.

4-106 BENEFITS

ELIGIBILITY. All full-time employees are eligible for all benefits provided by the town.

HOLIDAYS

New Year's Day	January 1
Martin Luther King, Jr. Day	3 rd Monday in January
President's Day	3 rd Monday in February
Good Friday	Friday prior to Easter
Memorial Day	Last Monday in May
Juneteenth	June 19
Independence Day	July 4
Labor Day	1 st Monday in September
Columbus Day	3 rd Monday in October
Thanksgiving Day	4 th Thursday in November
Day after Thanksgiving	4 th Friday in November
Veteran's Day	November 11
Christmas Eve	December 24
Christmas Day	December 25

If a holiday falls on Sunday, it will be observed on the following Monday. If the holiday falls on Saturday, it will be observed on the preceding Friday. To receive compensation for the holiday, employees must be in a pay status on the workday before and on the workday after the holiday unless otherwise excused by the Board.

HOLIDAY PAY. When an employee must work on a designated holiday the employee shall be paid double pay for the actual hours worked. Full time public safety officers (police and fire department employees, and plant operators) shall receive holiday pay in the form of an additional 8-hours pay for each of the above holidays when not on duty. Employees eligible for holiday pay must be in a pay status for the last regular shift before a holiday and for the first regular scheduled shift after a holiday in order to receive compensation for the holiday.

ANNUAL VACATION.

Fulltime employees (exempt and non-exempt) shall be entitled to annual leave days in accordance with the number of years worked as follows:

Regular Full-time Employees (37.5 Hours)

Years of Service	Days Earned
1-4	5 days
5-15	10 days
15-20	15 days
20-25	20 days
25+	25 days

Vacation/Annual Leave does not accrue until the employee's anniversary date of employment. The anniversary date is one year from the date the employee first reports to work. An employee who was employed on July 1, for example, would not be eligible for annual leave until June 30 of the following year. The maximum amount of vacation an employee may accrue is six weeks. Therefore, an employee who has accrued three weeks annual leave when his/her anniversary date arrives and is entitled to two weeks of annual leave, the employee will receive only one additional week. In unusual circumstances, where an employee cannot take his/her annual leave due to situations beyond the employee's control, such as scheduling problems, absence of another employee from that department or office, etc., the employee may be granted additional time to schedule annual leave or be paid for the annual leave time accrued.

Should an employee cease to be employed with the Town of Monteagle, he/she is entitled to receive pay for any unused accumulated annual leave if the employee voluntarily separates from employment with appropriate notice or retires. An employee who is terminated, resigns in lieu of termination, or resigns while under investigation will not be paid any annual leave upon separation.

The Mayor may, at his/her discretion adjust schedules for a salaried employee for time off which is not charged to his/her accrued vacation or sick leave.

SICK LEAVE

Sick leave may be granted to all full time employees for:

Personal illness or physical incapacity resulting from
Caused beyond the employee's control

Exposure to contagious disease so that the employee's
Presence at work might jeopardize the health of others

Medical, dental, optical, or other professional treatments
Or examinations

Acute illness of a member of the employee's immediate
Family (i.e., spouse, sibling, children, in-laws,
Grandparents).

Upon termination or resignation, any unused sick leave shall not be cashed in for compensation. After an employee (either exempt or non-exempt) has exhausted his/her accrued sick leave, a leave of absence without pay may be granted, at the discretion of the board as a reasonable accommodation to people with disabilities, or the employee may be placed on special leave without pay, or the employee may be terminated if he/she is unable to perform his/her job or another job with or without reasonable accommodation. Should the employee be able later to return to work, upon presentation of certification by a doctor, he/she shall be given preference for a position for which he/she is qualified. An employee who has exhausted all accumulated vacation/annual leave and sick leave may petition the Board for leave without pay. The town may not pay for any leave except for officially approved holidays, accumulated vacation/annual leave, bereavement leave, sick leave, or administrative leave, unless otherwise required by law.

Sick leave may only be used for illness of the employee, spouse, child, parent, or grandparent and is accrued in accordance with the following schedule:

½ day per month ---- first two years of employment

¾ day per month ---- next three years

1 day per month ---- after five years

The maximum number of sick leave hours an employee may accumulate is 600 hours. The Board may require a doctor's excuse for any employee who is absent from work for two days.

FUNERAL/BEREAVEMENT LEAVE – Full-time employees shall be allowed three days of leave with pay for the death of an employee's spouse, children, brothers and sisters, or parent. One day of leave with pay will be allowed for the death of in-laws and grandparents. Employees wishing to attend services of other relatives and non-relatives must use annual leave for this purpose.

CIVIL LEAVE – Civil leave with pay may be granted to employees to:

Serve on jury duty

Answer a subpoena to testify for the town, and/or

Perform emergency duty for national defense

Employees selected for civil service shall be excused for the actual duration of the civil service. Upon release from civil duty during the employee's normal working hours, he/she is expected to return to duty. Employees will receive full pay during such service.

SPECIAL BONUS PAY – Bonus pay will be determined by the Mayor and board of Aldermen.

ADMINISTRATIVE LEAVE – Administrative leave shall include occasions where the office is closed due to inclement weather, loss of power, heat or cooling, or some other emergency that would prevent town employees from working. Duration of Administrative Leave will be determined by the Mayor.

MILITARY LEAVE – Any regular employee who enters the U.S. armed forces will be placed on military leave. The Board shall approve military leave without pay when the employee presents his/her official orders. The employee must apply for reinstatement within 90

days after release from active military duty. The employee will be reinstated to a position in the current classification plan at least equivalent to his/her former position. His/her salary will be the salary provided under the position classification and compensation plan prevailing at the time of reinstatement or re-employment for the position to which he/she is assigned.

Any employee who is a member of the U.S. Army Reserve, Navy Reserve, Air Force Reserve, Marine Reserve, or any of the armed forces will be granted guard/reservist leave for any field training. Such leave will be granted upon presentation of the employee's official order to his/her jurisdictional official. Compensation for such leave will be paid pursuant to T.C.A. 8-33-109.

DEATH OF AN EMPLOYEE – Upon the death of a full-time regular employee, his/her beneficiary will receive his/her next due payroll check and pay for accrued vacation/sick time. Further, his/her beneficiary shall be given complete assistance by the city recorder in settling retirement, life, and hospital insurance benefits.

RETIREMENT SYSTEM – Employees of the town may participate in the town's retirement program, if the town board elects to provide this retirement benefit. Currently the town contributes 3 percent of wages and/or salaries bi-weekly to the program. The full-time employee who elects to participate may have funds deducted from each paycheck to contribute to the program. It is up to the employee to enroll in the program.

INSURANCE COVERAGE – Employees of the town may participate in group health insurance coverage, if the town board elects to provide

such benefits. Insurance coverage is only offered to employees after their 90 introductory period is up. Should circumstances dictate terminating benefits, the town will offer employees and their dependents the opportunity to extend their health insurance coverage under COBRA.

The town sponsors various other insurance plans such as disability and cancer coverage. These plans require 100 percent contributions from the participating employee. The city does not participate financially in paying for these optional programs. Premiums are deducted, at the employee's request, from the employee's regular paycheck. It is the responsibility of the employee to enroll in any insurance plan the town offers, but only at open enrollment.

WORKERS' COMPENSATION – All injuries arising out of and in the course of one's employment shall be governed by the Tennessee workers' compensation law. Employees on occupational disability leave shall receive only those benefits due under workers' compensation. The town requires all injuries to be reported to the supervisor within 24 hours.

In all cases of occupational disability, other than those governed by the Tennessee Workers Compensation Act, the responsibility of determining the character, degree, and potential duration of an injury shall rest with the licensed, practicing medical doctor(s) designated by the Board. The medical doctor(s) may make periodic examinations, progress reports, and recommendations as deemed necessary by the Board.

Before an employee is returned to full duty, the employee must be certified by the treating physician as able to perform the duties of the job. Should an employee be unable to return to work within three months from the day following the date of injury, the employee may be subject to separation only if he/she:

Cannot perform the essential functions due to a disability that cannot reasonably be accommodated; and

Poses a direct threat to himself/herself and /or others.

4-107 PERFORMANCE SEPARATIONS AND DISCIPLINARY ACTIONS

PERFORMANCE REVIEW All employees of the town of Montegale must participate in an annual review as described in Appendix A Reviews will be carried out for each full-time employee by each department head or the mayor as appropriate.

All personnel reviews will be presented to the board of Alderman for review. Performance reviews are considered confidential by law and alderman will treat them as such.

Employees who disagree with the substance of their review may appeal that review in writing to the board of Alderman. The board will have 45 days to endorse or reject that appeal. The appeal and related board action, shall become part of the employee's permanent record.

TYPES OF SEPARATIONS – All separations of employees from town positions shall be designated as one of the following types and shall be accomplished in the manner indicated: resignation, layoff, death, retirement, dismissal, and the inability to perform the essential job functions with or without a reasonable accommodation due to a disability. At the time of separation and prior to final payment, all

records, assets, and other items of town property in the employee's custody must be transferred to the department. Any amount due because of shortages shall be withheld from the employee's final compensation on a depreciated, or prorated basis, as long as the employee's final pay is not reduced to below minimum wage.

RESIGNATION – In the event an employee decides to leave the municipal government's employ, a two-week notice is expected to his/her supervisor so that arrangements for a replacement can be made. In such a case, employees will be expected to return any or all municipal government equipment assigned. An unauthorized absence from work for a period of three consecutive working days may be considered by the department head as a resignation. If a former employee returns to municipal government employment, his/her status of seniority, pay, leave, etc. will be the same as any new employee beginning work for the first time unless otherwise approved by the Board.

LAYOFF – The Mayor and board of Aldermen may lay off an employee in the municipal government service when they deem it necessary by the reason of shortage of funds, the abolition of a position, or other material changes in the duties or organization of the employee's position, or for related reasons that are outside the employer's control and that do not reflect discredit upon the employee's service. Quality of work will be the primary basis upon which layoff and reinstatement decisions are made. Length of service will be used as a tie-breaker.

DISABILITY – An employee may be separated for disability when he/she cannot perform the essential functions of the job because of

physical or mental impairment that cannot be accommodated without undue hardship or because the disability poses a direct threat to the health and safety of others. A reasonable accommodation may include transfer to a comparable position for which the individual is qualified. Action may be initiated by the employee or the municipality, but in all cases it must be supported by medical evidence acceptable to the Board, and the disability must prevent the employee from performing the essential functions of the job. The town may require an examination at its expense to be performed by a licensed physician of its choice.

The Town is committed to the fair and equal employment of individuals with disabilities under the Americans with Disabilities Act (ADA). It is The Town's policy to provide reasonable accommodation to individuals with disabilities who are qualified for the job in question unless the accommodation would impose an undue hardship on the Town. The Town prohibits any harassment of, or discriminatory treatment of, employees on the basis of a disability or because an employee has requested a reasonable accommodation.

In accordance with the ADA as amended, reasonable accommodations will be provided to qualified individuals with disabilities to enable them to perform the essential functions of their jobs or to enjoy the equal benefits and privileges of employment. This policy applies to all applicants for employment and all employees.

Disability

"Disability" refers to a physical or mental impairment that substantially limits one or more of the major life activities of an individual. A "qualified person with a disability" means an individual with a disability

who has the requisite skills, experience, and education for the job in question and who can perform the essential functions of the job with or without reasonable accommodation.

Reasonable Accommodation

The Town will seek to provide reasonable accommodation for a known disability or at the request of an individual with a disability. Many individuals with disabilities can apply for jobs and perform the essential functions of their jobs without any reasonable accommodations. However, there are situations in which a workplace barrier may interfere. A "reasonable accommodation" is any change or adjustment to the job application process, work environment, or work processes that would make it possible for the individual with a disability to perform the essential functions of the job without placing an undue hardship on the Town. The Town is not required to create light duty work, but if it does so as a reasonable accommodation that allows the employee to perform the essential functions of the job it can create light duty on a temporary basis. The aim of light duty work is to gradually transition an employee back into his/her position, and to allow the employee a modest amount of time to heal until they are ready to perform their job duties again. The Town is not obligated to create light duty work that does not already exist.

There are three types of reasonable accommodation that may be considered:

- Changes to the job application process so that a qualified applicant with a disability will receive equal consideration for the job opportunity;

- Modifications to the work environment so that the qualified individual with a disability can perform the essential functions of the job; or
- Adjustments that will allow a qualified individual with a disability to enjoy the same benefits and privileges of employment as other similarly situated employees without disabilities.

Essential Job Functions

For each position, the job description typically will identify essential job functions. The Mayor generally will review job descriptions on a periodic basis to evaluate job functions designated as essential. An employee's questions about a job's requirements should be directed to the employee's supervisor or the Mayor.

Requesting a Reasonable Accommodation

An employee with a disability is responsible for requesting an accommodation from his/her supervisor and engaging in an informal process to clarify what the employee needs and to identify possible accommodations. The Town will provide notice of the employee's rights under the ADA and document the interactive process discussions. If requested, the employee is responsible for providing medical documentation regarding the disability.

The employee should describe the problem created by a workplace barrier so that an appropriate accommodation may be considered. The Mayor, or designee, will work with the employee to identify possible reasonable accommodations and to assess the effectiveness of each in allowing the employee to perform the essential functions of the job.

Based on this interactive process, a reasonable accommodation will be selected that is appropriate for both the Town and the individual employee. While an individual's preference will be considered, The Town is free to choose between equally effective accommodations with consideration toward expense and impact on the rest of the organization.

A request for reasonable accommodation may be denied if it would create an undue hardship for the Town. The Town will provide notification in writing of denial based on undue hardship. Factors to be considered when determining whether an undue hardship exists include the cost of the accommodation, the organization's overall financial resources, the financial resources of the particular facility at which the accommodation is to be made, the number of employees at the facility, the total number of employees of the organization, and the type of operation.

Grievances

In the event that an employee would like to grieve the outcome of the reasonable accommodation and interactive process, he/she should contact the Mayor.

Safety

All employees are expected to comply with all safety procedures. The Town will not place qualified individuals with disabilities in positions in which they will pose a direct threat to the health or safety of others or themselves. A "direct threat" means a significant risk to the health or safety of oneself or others that cannot be eliminated by reasonable accommodation. The determination that an individual with a disability poses a direct threat typically will be made by the Town and will be

based on factual, objective evidence. A written copy of the determination will be given to the employee so that s/he may submit additional information and/or challenge the determination that s/he poses a direct threat.

Confidentiality

All information obtained concerning the medical condition or history of an applicant or employee will be treated as confidential information, maintained in separate medical files, and disclosed only as permitted by law.

It is the policy of the Town to prohibit any harassment of, or discriminatory treatment of, employees on the basis of a disability or because an employee has requested a reasonable accommodation. If an employee feels s/he has been subject to such treatment or has witnessed such treatment, the situation should be reported using the harassment complaint procedure.

The Town's policy prohibits retaliation against an employee for exercising his or her rights under the ADA or applicable state fair employment laws. Any employee found to have engaged in retaliation against an employee for exercising his or her rights or for making a request for reasonable accommodation under this policy will be subject to disciplinary action up to and including discharge. If an employee feels he or she has been retaliated against, the situation should be reported using the harassment complaint procedure.

DEATH – Separation shall be effective as of the date of death of an employee. All compensation due in accordance with these rules

shall be paid to the estate of the employee, except for such sums as by law must be paid to the surviving spouse.

AT-WILL EMPLOYMENT – Tennessee is an at will employment State, therefore, employees of the Town of Monteagle have no rights to continued employment with the town. Employees may be dismissed for cause, for no cause, for any cause as long as it does not violate federal and state law.

4-108 MISCELLANEOUS PERSONNEL POLICIES

USE OF MUNICIPAL TIME, FACILITIES, ETC. – No employee of the Town of Monteagle shall use or authorize the use of municipal time, facilities, equipment, or supplies for private gain or advantage to oneself or any other private person or group.

POLITICAL ACTIVITY -NOTE**** - Nothing in this section is intended to prohibit any municipal government employee from privately expressing his/her political views or from casting his/her vote in all elections.

In elections for municipal offices – No municipal government employee shall become a candidate for or campaign for an elective office of the town.

In all other elections for public office – Town employees are entitled to seek election to offices that are not a part of the Town of Monteagle. Employees may not campaign in any way for candidate for any public office while on duty for Monteagle.

SOLICITATION – The town believes that its employees should not be exposed to frequent solicitations for charitable purposes. Therefore, solicitation shall be prohibited unless approved by the board.

DRIVER'S LICENSES – Every employee who operates a city vehicle and is required to have a driver's license is required to notify the city recorder of any potential change in the status of that license. The police department shall check the status of licensed operators with the Department of Safety every six months. Employees and elected officials are strictly prohibited from operating any Monteagle vehicle or equipment that would require an operator's license, unless the employee has a current license to operate the vehicle or equipment.

BULLETIN BOARDS – Monteagle maintains a bulletin board at City Hall on which important information connected with an employee's work is posted from time to time. Cooperation is needed in protecting the posted material. All material to be placed on the bulletin board must be approved by the city recorder before it is posted.

TRIP REIMBURSEMENT – All trips that involve reimbursement and/or municipal government expense shall not be undertaken without prior approval. Mileage, hotel, food, and other travel reimbursements shall be in accordance with travel regulations. For details regarding travel, obtain a copy of the municipal government's travel policy from the city recorder.

USE OF CITY/TOWN VEHICLES AND EQUIPMENT – All town vehicles and equipment are for official use only. No person other than an elected official, a town employee or a volunteer firefighter, may operate a town vehicle or piece of machinery. Drivers and/or

operators must have a valid Tennessee driver's license and be approved by the Board.

ON CALL – Employees of the water, sewer and street departments are required to be on call on alternating weeks including weekends and holidays. If an on-call employee is called out during off duty hours, the employee will be paid as follows:

Calls that require up to one(1) hour will receive two(2) hours of compensation at the employees regular rate of pay. (This insures that the employee receives at least double time for the call.) Calls that require more than one hour will receive compensation at one and a half times the employee's hourly rate of pay. The overtime rate will be paid regardless of whether the employee has worked at least forty (40) hours in that pay period. Employees who are not on call but are called out for an emergency will receive one and a half times their hourly rate of pay for the call out hours regardless of whether and the employee has worked at least forty (40) hours in that pay period.

DRUG AND ALCOHOL POLICY – The Town of Monteagle has a zero-tolerance policy for drug and alcohol abuse by any of its employees. Drug tests may be given at random to employees in safety sensitive positions for the protection of the public. These tests may be administered to any employee at the request of the Board, but are specifically aimed at those who job directly affects public safety such as police officers, dispatchers, and utility workers. All employees who are hurt on the job and require medical attention, whether at a doctor's office, clinic, or hospital, and required to submit to a drug test. Failure of a drug test is grounds for immediate dismissal of nay employee.

REPEAL OF ORDINANCE – All ordinances, including Ordinance 08-24 in its entirety or parts of ordinances in conflict herewith are hereby repealed.

SEVERABILITY – Each section, subsection, paragraph, sentence, and clause of this ordinance is hereby declared to be separable and severable. The invalidity of any section, subsection, paragraph, sentence, or clause shall not affect the validity of any other portion of this ordinance, and only the portion declared to be invalid by a court of competent jurisdiction shall be deleted herein.

EFFECTIVE DATE – This ordinance shall become effective upon final passage, the public welfare requiring it.

SOCIAL MEDIA POLICY – RESOLUTION 13-01 -- This policy applies to every employee, whether part-time or full-time, currently employed by the Town in any capacity, and every member of the Town's volunteer fire department, who posts any material, whether written, audio, video or otherwise, on any web site is subject to corrective action, up to and including immediate termination of employment or any volunteer relationship will be terminated.

Upon passage of this ordinance the personnel policy adopted under Ordinance 10-23 is hereby rescinded in its entirety.

PASSED 1ST READING May 26, 2026

PASSED 2ND READING June 29, 2026

Greg Maloof
MAYOR, GREG MALOOF

ATTEST:

Debbie Taylor
DEBBIE TAYLOR, CITY RECORDER/CMFO



Performance Review Guide for Employees

Purpose of the Performance Review Process

Imagine you've been working hard in your job, and now it's time for your performance evaluation. You might feel nervous or unsure about what to expect, but this conversation isn't about criticism—it's about helping you grow. Think of it as a chance to reflect on your work, understand your strengths, and get support for areas where you want to improve.

The conversation will start with your achievements. We'll highlight the positive behaviors you consistently bring to the team—whether it's how much you know about your work, how you work well with others, solve problems, or the quality of work you deliver. We want you to feel recognized for your hard work and contributions.

Then, we'll discuss opportunities for growth. It's natural for everyone to have areas where they can improve – even the most skilled person, and this part of the conversation is designed to be helpful, not critical. We'll focus on specific examples, so the feedback feels clear and actionable. The goal is to identify small steps that can help you perform even better.

Finally, we'll talk about how we can support you. This isn't just about what you need to change—it's also about how we, as a city, can help you reach your goals. Whether through additional training, mentoring, or resources, we want to ensure you have the tools to succeed.

Remember, this is a two-way conversation. Your thoughts and experiences are just as important as the feedback you receive. If something feels unclear or you want to discuss a particular situation, don't hesitate to bring it up. We're here to work together.

Ultimately, the review is about growth and improvement. It's not a pass-or-fail test but an opportunity to become even better at what you do. So, relax, and know that this process is designed to help you, not to judge you.

What the Form Looks Like

One of the first concerns people have is 'when can I see the form?' We are providing the items contained in the review for you in advance here, as well as the definitions that we will be using for each level of performance:

Definitions of Performance Levels	
O - Outstanding - Performance is exceptional in all areas and is recognizable as being far superior to others.	I - Improvement Needed - Performance is deficient in certain areas. Improvement is necessary.
EE - Exceeds Expectations - Results clearly exceed most position requirements. Performance is of high quality and is achieved on a consistent basis.	U - Unsatisfactory - Results are generally unacceptable and require immediate improvement. No merit increase should be granted to individuals with this rating.
ME - Meets Expectations - Competent level of performance. Meets performance standards of the job.	

The form itself is fairly straightforward using the ratings discussed above, and the definitions for each category below:

General Factors	RATING		Supporting Details											
1. Quality - Task accuracy, attention to detail, completeness of work performed, meets or exceeds standards as defined by regulations, directions, or processes. Keeps own work area organized.	O	5	Rating											
	EE	4												
	ME	3												
	I	2												
	U	1												
2. Productivity - High task efficiency, gets work done on time or early, works at optimal pace, produces significant work output.	O	5	Rating											
	EE	4												
	ME	3												
	I	2												
	U	1												
3. Job Knowledge - Knows technical aspects of job, knows how to apply technical aspects in a practical fashion, very familiar with equipment used, obtains and maintains required certification(s).	O	5	Rating											
	EE	4												
	ME	3												
	I	2												
	U	1												
4. Reliability - Does what he/she commits to doing, is dependable, is self-accountable for work assigned, accepts responsibility, accepts assignment of work, is trustworthy.	O	5	Rating											
	EE	4												
	ME	3												
	I	2												
	U	1												
5. Attendance - Notifies of leave needs as soon as practical, adheres to established guidelines of notification, does not abuse leave practices, is at work when he/she is supposed to be.	O	5	Rating											
	EE	4												
	ME	3												
	I	2												
	U	1												
6. Independence / Initiative - Works without unnecessary oversight, makes decisions within his/her authority. Leads by example, finds ways to help out others.	O	5	Rating											
	EE	4												
	ME	3												
	I	2												
	U	1												
7. Creativity - Looks for better ways to do work, proposes new ideas to supervisor, applies new thinking to solve existing problems. Learns new things.	O	5	Rating											
	EE	4												
	ME	3												
	I	2												
	U	1												
8. Adherence to Policy - Knows, understands, and follows all regulations, directions, instructions, and procedures. Follows state and local laws, and performs work safely.	O	5	Rating											
	EE	4												
	ME	3												
	I	2												
	U	1												
9. Interpersonal Relationships - Listens well, communicates clearly (written and verbal), cooperates with others, respectful of others, maintains professional bearing and task-appropriate appearance, maintains customer-service focus.	O	5	Rating											
	EE	4												
	ME	3												
	I	2												
	U	1												
10. Judgment - Makes good job decisions. Asks for clarification to help decision-making improvement. Applies knowledge, skill and experience to solve problems.	O	5	Rating											
	EE	4												
	ME	3												
	I	2												
	U	1												
Average indicated below is average rating of employee's overall performance. The scale indicated to the right illustrated performance range based on avg rating.			<table> <tr> <td>Outstanding</td> <td>4.25 - 5.00</td> </tr> <tr> <td>Exceeds Expectation</td> <td>3.75 - 4.24</td> </tr> <tr> <td>Meets Expectation</td> <td>3.00 - 3.74</td> </tr> <tr> <td>Improvement Needed</td> <td>2.00 - 2.99</td> </tr> <tr> <td>Unsatisfactory</td> <td>1.00 - 1.99</td> </tr> </table>		Outstanding	4.25 - 5.00	Exceeds Expectation	3.75 - 4.24	Meets Expectation	3.00 - 3.74	Improvement Needed	2.00 - 2.99	Unsatisfactory	1.00 - 1.99
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Unsatisfactory	1.00 - 1.99													
Avg Rating														

How Were These Things Chosen?

We, the city department heads, held several meetings with MTAS. We discussed which important behaviors made for a highly effective workforce across all levels of us doing work for the Citizens of Kingston Springs. While each job may be different in things done, these contribute to each job being 'done well.' After defining what each of these behaviors 'looks like' in terms of strength and opportunity to improve, we recorded each simple definition in the illustration you've seen prior of the form itself.

Low and High Behavior Examples

We held several meetings with MTAS to identify examples to provide for all of us. We discussed which important behaviors made for a highly effective workforce across all levels of us doing work for the citizens of Kingston Springs. While each job may be different in things done, these contribute to each job being 'done well.' You can seek clarification on how these general examples apply to your specific job and work. Below are the examples of both 'low' and 'high' behaviors for each category that help describe what we will all be looking at as a team together in the future:

QUALITY	
Examples of Behavior	
LOW	HIGH
Is disorganized in doing work	Everything in its proper place and orderly
Work 'sloppy' or with incomplete results	All work thorough and complete
Skips important steps	Follows proper steps
Misses important details	Catches ALL details

PRODUCTIVITY	
Examples of Behavior	
LOW	HIGH
Tasks incomplete	ALL tasks completed
Runs out of time (too slow)	Maintains steady, and quick pace of work
Single task ability	Engages multiple tasks simultaneously
Low volume of work done	Produces high output of work

JOB KNOWLEDGE	
Examples of Behavior	
LOW	HIGH
Doesn't know things appropriate to experience level	Knows enough to teach others at early stage of employment
Unskilled in application of expected knowledge	Highly skilled at applying knowledge
Highly unfamiliar with tools/resources needed	Demonstrates high expertise with tools and resources used
Failed to achieve certification/training timely	Gains certifications, training, and expertise early in job

RELIABILITY	
Examples of Behavior	
LOW	HIGH
Breaks promises and commitments	Keeps ALL promises and commitments
Shirks responsibility of outcomes	Demonstrates extreme ownership of outcomes
Avoids work	Looks to do more when done with work
Needs too much oversight	Earns and builds trust in delivering outcomes

ATTENDANCE	
Examples of Behavior	
LOW	HIGH
Improper use of, or 'surprise' leave that isn't an emergency	Communicates leave needs in all cases as soon as is known
Fails to follow leave policy or protocols	Follows ALL leave policies and protocols
Abuses leave policy	Is responsible with leave usage, balancing own needs with city needs
Misses work inappropriately	Is at work when should be, and safe to be, for self and others

INDEPENDENCE/INITIATIVE	
Examples of Behavior	
LOW	HIGH
Requires constant instruction	Leads and instructs others correctly and consistently
Waits for help inappropriately	Volunteers to help others consistently
Avoids challenges	Prepares for challenges in advance
Too dependent on others at current experience level	Works independently at appropriate times

CREATIVITY	
Examples of Behavior	
LOW	HIGH
Relies too much on 'the way we've always done it'	Finds new solutions to old issues
Avoids new idea generation	Generates new ideas
Avoids learning new things	Actively seeks to learn new things

ADHERENCE TO POLICY	
Examples of Behavior	
LOW	HIGH
Ignores use of policies and procedures	Knows ALL required policies and procedures or how to access them quickly
Avoids compliance	Follows ALL policies and procedures
Rejects direction and instruction	Follows lawful direction and instruction at all times
Works unsafely	Sets example of safety at work

INTERPERSONAL RELATIONSHIPS	
Examples of Behavior	
LOW	HIGH
Rarely listens to others	Listens to understand others
Isolates from others	Collaborates with others
Unprofessional bearing or demeanor	Is highly professional in all interactions
Disrespectful or intentionally unhelpful	Service-focused for all persons encountered

JUDGMENT	
Examples of Behavior	
LOW	HIGH
Indecisive	Appropriately decisive to the situation
Makes poor decisions	Makes decisions that are good examples for others
Makes too many assumptions	Seeks appropriate clarification
Takes poor risks on the job	Takes safe, but calculated risks, to improve the workplace

EMPLOYEE ACKNOWLEDGEMENT

I acknowledge that I have received a copy (written or electronic access) of the Town of Monteagle, TN Personnel Manual adopted by **Ordinance# 10-26.**

I understand and agree that it is my responsibility to read and familiarize myself with the policies and procedures contained in these policies. If I have any questions, I understand that it is my responsibility to ask my supervisor or the Mayor.

I understand and agree that the Personnel Policy may be changed at any time upon issuance of ordinance by the Board. I understand that nothing in the Personnel Policy or any summary brochure or employee handbook should be deemed to be a promise by the Town to provide any benefit. The Town reserves the right to alter or eliminate any benefit, without notice, at any time by appropriate Board action.

I understand that the Personnel Policy replaces (supersedes) any and all prior ordinances and any and all prior Personnel Policies or employee handbooks and any information contained in any such prior policy, handbook, or manual is no longer in effect.

As an employee, I am aware that I may be required to undergo drug and/or alcohol tests appropriate to the position/job and classification of safety-sensitive, and that I may be subject to immediate dismissal if I refuse to take the test.

I understand that the Personnel Policies grant me no property interest in my employment, and employment with the Town is At-Will.

I understand and agree that the Town may deduct from my final paycheck any amount due (on a depreciated/prorated basis) for failure to return Town property, or for reimbursement of appropriate fees paid for educational assistance, as long as the deduction(s) do not reduce final pay to below minimum wage.

Upon delivery of these personnel policies, the continuance of performing work for the Town indicates my agreement to abide by these rules, even without the presence of a signature below.

Employee Signature

Date