



AGENDA ITEM #: 32

MEMORANDUM

TO: Metropolitan Planning Commission
FROM: Dan Kelly, Deputy Director
DATE: Wednesday, February 28, 2018
SUBJECT: Amendments to MPC Employee Handbook
3-A-18-OB

STAFF RECOMMENDATION:

APPROVE the proposed MPC Employee Handbook as presented by staff.

BACKGROUND:

The Knoxville/Knox County Metropolitan Planning Commission's (MPC) Employee Handbook: Personnel Policies and Benefits outlines and summarizes personnel guidelines and employee benefits, responsibilities, and rights, establishing uniform policies and procedures for employees in their service to the agency.

Staff has been working for some time to update and clarify various elements of the MPC Employee Handbook. Major changes are reflected in a clarification of the Equal Employment Opportunity Grievance Procedure and the FMLA policy and administration. Other revisions are proposed which are intended to either clarify or update existing policies and benefits. I have included a listing and a brief explanation of the proposed changes to the handbook.

In addition to consulting with employees in the Knox County HR Department, this effort to update the handbook has included a staff review committee that was headed by Terry Gilhulia our Information Services Manager. Other members of the committee included Kaye Graybeal, Doug Burton, Donna Hill and Elizabeth Watkins. Subsequent to the committee completing their review, Gerald Green and I reviewed the proposed handbook. Additionally, a draft of the proposed handbook has been reviewed by Mr. Mark Jones the Director of the Knox County H.R. Department.

If this version of the Employee Handbook is adopted by the Metropolitan Planning Commission it becomes effective immediately, and it will replace any and all previously adopted versions of the handbook.

MAJOR CHANGES TO EMPLOYEE HANDBOOK

February 7, 2018

1. INTRODUCTION and PURPOSE: Combined and shortened.

2. ABOUT MPC: Removed.

3. MISSION AND PRINCIPLES: Removed.

4. ORGANIZATION CHART: Removed.

5. STATE AND FEDERAL POLICIES

Equal Employment Opportunity Grievance Procedures: Language was clarified to ensure readers understand that the procedures cover policy and grievance steps related to any type of discrimination or harassment. In previous version, the handbook included separate grievance procedures for harassment and ADA complaints. Knox County HR informed us that harassment and ADA complaints are handled through EEO policy. The separate procedures for harassment and ADA complaints were removed. Also tied EEO process to general Employee Grievances and Complaints procedures (in section Employee Conduct) re. appeals to Executive Committee.

Workplace Harassment: Added Abusive Conduct Prevention Policy on the recommendation of Knox County HR. Language taken from Knox County employee handbook. Complaint procedure refers readers back to EEO process which covers harassment complaints.

Disability and Accommodation: Complaint procedure refers readers back to EEO process which covers discrimination complaints.

6. CLASSIFICATION AND COMPENSATION

Employment Categories: Added number of work hours to definitions of Full-Time and Part-Time. Removed language about adoption of 2016 FLSA standards. Removed language about voluntary reclassification to Exempt Status.

Compensatory Time: Clarified language about eligibility and ineligibility based on status (non-exempt/exempt).

Employee Appreciation: New section.

7. GENERAL PERSONNEL POLICIES

Work Hours: Added language about alternative work schedules.

Nursing Mothers: New section. Added on recommendation of Knox County HR.

Inclement Weather: Clarified procedures. Added language re. compensation for time during official closings.

8. EMPLOYEE CONDUCT

Ethical Conduct: Removed Appendix B, Code of ethics and Professional Conduct of the American Institute of Certified Planners. Replaced it with direction to online code.

Political Activity: Added language re. staff running for elected offices and unacceptable types of political activity.

Employee Grievances and Complaints: Clarified process based on type of complaint. Also tied process to EEO procedures re. appeals to Executive Committee.

9. LEAVE POLICIES

Payment to Eligible Employees for Unused Accrued Sick Leave: Simplified criteria for qualification for payment. Added stipulation that terminated employees will not qualify for payment, but those dismissed due to reduction in workforce would qualify.

Family and Medical Leave Act: Knox County HR now administers our FMLA procedures. As a result, we must follow their FMLA policy. Language from Knox County handbook replaced MPC language.

Maternity/Paternity Leave: New section to comply with state law.

Volunteer Activity Leave: Added paid time off for volunteer activity.

Educational Reimbursement Program, Professional Conferences/Seminars, and Professional Dues/Exams: Moved to Employee Benefits section.

10. APPENDICES

Appendix A – Definitions: Removed.

Appendix B – Code of Ethics: Removed. Readers referred to online version.

Appendix C – Grievance Procedure Pursuant to Americans With Disabilities Act: Removed. Covered by EEO policy and procedures.

Appendix D – FMLA: Replaced with Knox County policy.

Acknowledgement Form: Abbreviated and simplified.



**KNOXVILLE/KNOX COUNTY
METROPOLITAN PLANNING COMMISSION**

**EMPLOYEE HANDBOOK
PERSONNEL POLICIES AND BENEFITS**

DRAFT

February 7, 2018

Adopted **Date**

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INTRODUCTION

The Knoxville/Knox County Metropolitan Planning Commission's (MPC) *Employee Handbook: Personnel Policies and Benefits* outlines and summarizes personnel guidelines and employee benefits, responsibilities, and rights, establishing uniform policies and procedures for employees in their service to the agency.

This Handbook is a guide to both benefits and expectations of employment with MPC, however, no provision of this Handbook will be construed as an employment agreement or legal contract, express or implied. Employment is at-will and can be terminated at any time, with or without cause, either by the employee concerned or by the employer, MPC. No manager, supervisor, or employee of MPC has any authority to enter into an agreement for employment for any specified period of time or to make an agreement for employment other than at-will. Only the MPC Executive Director has the authority to make such agreements, and then only in writing.

The policies and procedures outlined in this Handbook have been adopted by MPC. Amendments may be made periodically. The Executive Director reserves the right in his/her sole discretion to make administrative changes, such as corrections of errors and omissions. The Executive Director, with input from staff, may make substantive amendments with approval by MPC.

It is the responsibility of the employee to ensure that he/she has the current version of the Handbook. Questions about Handbook content should be referred to the Executive Director.

DRAFT

STATE AND FEDERAL POLICIES

Equal Employment Opportunity Policy

The Metropolitan Planning Commission maintains an equal employment opportunity policy and does not discriminate in hiring practices or any other terms and conditions of employment. All applicants and employees receive equal employment opportunities, and all personnel decisions, actions, and conditions affecting employees, including, but not limited to hiring, assignment, transfer, promotion, retention, and compensation, will be governed by the principles of equal opportunity.

All employment decisions, including, but not limited to recruitment, examination, appointment, training, promotion, retention, or discipline will be made without regard to race, color, religion, national origin, sex, sexual orientation, age, disability, genetic information, military affiliation or obligation, or any other protected category.

The MPC Executive Director is designated as the Equal Employment Opportunity (EEO) Officer for MPC. The EEO Officer has overall responsibility for the implementation and monitoring of MPC's Equal Employment Opportunity Policy, as well as authority over the internal procedures employees use to address EEO and harassment concerns.

Equal Employment Opportunity Grievance Procedures

It is the policy of MPC to establish a procedure for employees to follow to bring grievances of discrimination or harassment to the attention of management. No retaliation will be tolerated against any employee for participating in the grievance procedure, either as a complainant, a representative, or a witness. The procedure is as follows:

1. If there is a question or complaint regarding discrimination in employment decisions or practices that you are unable to resolve with your immediate supervisor, you are encouraged to make that question or complaint known to MPC's EEO Officer (who is the Executive Director). You will be asked to state in writing the nature and detail of the complaint.
2. Complaints of unwelcome harassment should be brought to the attention of the EEO Officer or to the employee's supervisor, at the option of the employee. If the complaint is regarding conduct of the Executive Director, employees should direct the complaint to the Chair of MPC for review by the Executive Committee.¹ See the Employee Grievances and Complaints section in this Handbook.
3. The EEO Officer will investigate your complaint with your supervisor and any other person with knowledge of the situation.
4. You will be advised in writing of the results of the investigation and the Executive Director's decision regarding the complaint.
5. A record of the complaint and findings will become a part of the complaint investigation record, and the file will be maintained separately from your personnel file.
6. If you do not agree with the decision of the Executive Director, you have the right to appeal the decision to the MPC Chair for review by the Executive Committee. See the Employee Grievances and Complaints section in this Handbook.

¹MPC's Executive Committee consists of the appointed Planning Commission's Chair, Vice Chair, and three other members of the Commission. Among its many duties, the Executive Committee reviews and resolves MPC employee grievances in accordance with the provisions of the adopted employee handbook. A complete description of Executive Committee duties is provided in MPC's *Bylaws*.

Workplace Harassment/Abusive Conduct Prevention Policy

It is the policy of MPC that all employees have a right to work in an environment free from harassment based on sex, gender, race, age, national origin, religion, genetic information, disability, military affiliation or obligation, veteran status, or any other protected discriminatory factor. MPC prohibits any form of harassment of its employees by other employees and will take immediate and appropriate action to prevent and to correct behavior that violates that policy. MPC also strives to protect its employees from any form of harassment by third parties, including citizens and customers.

Sexual Harassment. Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature. This conduct constitutes unlawful sexual harassment when:

1. Submission to such conduct is either explicitly or implicitly made a term or condition of an individual's employment,
2. Submission to or rejection of such conduct is used as the basis for an employment decision, or
3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

While sexual harassment usually involves members of the opposite sex, it also includes "same sex harassment" (i.e., males harassing males and females harassing females because of the recipient's sex).

Sexual harassment does not refer to behavior or occasional compliments of a socially acceptable nature. It refers to behavior that is not welcome, that is personally offensive, that fails to respect the rights of others, that lowers morale, and that, therefore, interferes with our work effectiveness. Sexual harassment may take different forms. One specific form is the demand for sexual favors. Other forms of harassment include:

1. Verbal: Sexual innuendos, suggestive comments, jokes of a sexual nature, sexual propositions, threats.
2. Non-verbal: Sexually suggestive objects or pictures, graphic commentaries, suggestive or insulting sounds, leering, whistling, obscene gestures.
3. Physical: Unwanted physical conduct, including touching, pinching, brushing the body, coerced sexual intercourse, assault.

Sexual harassment may be overt or subtle. Some behavior which is appropriate in a social setting may not be appropriate in the workplace. Whatever form it takes – verbal, non-verbal, or physical – sexual harassment can be insulting and demeaning to the recipient and cannot be tolerated in the workplace. Sexual harassment by an employee, manager, supervisor, or third-party non-employee will not be tolerated by MPC. All employees, managers, and supervisors will be expected to comply with this policy and take appropriate measures to ensure that such conduct does not occur. Appropriate disciplinary action will be taken against any employee who violates this policy against sexual harassment. Based on the seriousness of the offense, disciplinary action, up to and including termination, will be taken against any employee who violates this policy.

In furtherance of this policy, MPC prohibits managers and supervisors from dating or otherwise having a romantic or sexual involvement with any subordinate employee. Such relationships can be disruptive to the work environment, create a conflict or the appearance of a conflict of interest, and lead to charges of favoritism, discrimination, and claims of indirect sexual harassment. While MPC has no desire to interfere with the private lives of its employees or their off-duty conduct, where such conduct impacts upon the work environment in a negative manner, such as noted above, MPC reserves the right to take

whatever action is appropriate, in its discretion, to protect its interests. Violation of this policy can lead to disciplinary action up to and including termination for both employees involved.

Other Workplace Harassment. MPC also has a strong policy against harassment on the basis of race, color, age, religion, national origin, genetic information, disability, military affiliation or obligation, veteran status, or any other protected category. Harassment is verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of his or her race, color, religion, national origin, age, genetic information, disability, military affiliation or obligation, veteran status, or any other protected category, or that of his or her relatives, friends, or associates, and that:

1. Has the purpose or effect of creating an intimidating, hostile, or offensive working environment,
2. Has the purpose or effect of unreasonably interfering with an individual's work performance, or
3. Otherwise adversely affects an individual's employment opportunities.

Harassing conduct includes, but is not limited to, the following:

1. Epithets, slurs, negative stereotyping, or threatening, intimidating, or hostile acts that relate to race, color, religion, national origin, age, genetic information, disability, military affiliation or obligation, veteran status, or any other protected category, and
2. Written or graphic material that denigrates or shows aversion or hostility toward an individual or group because of race, color, religion, national origin, age, genetic information, disability, military affiliation or obligation, veteran status, or any other protected category, and that is placed on walls, bulletin boards, or elsewhere on the agency's premises or circulated in the workplace.

Abusive Conduct Prevention Policy. MPC believes that all employees have the right to be treated with dignity and respect in the workplace. No employee shall engage in threatening, violent, intimidating, or abusive conduct or behavior. Abusive conduct includes but is not limited to:

1. Repeated verbal abuse such as derogatory remarks or insults,
2. Nonverbal conduct that is threatening, intimidating, or humiliating, or
3. Sabotaging or undermining an employee's work performance.

A single act generally will not constitute abusive conduct, unless such conduct is determined to be severe and egregious.

Abusive conduct does not include:

1. Disciplinary procedures as provided in this handbook,
2. Routine counseling or correction of work performance,
3. Reasonable work assignments,
4. Individual differences in styles of personal expression,
5. Passionate expression with no intent to harm others,
6. Differences of opinion on work related concerns, or
7. The non-abusive exercise of managerial prerogative.

All employees should avoid any action or conduct that might be viewed as workplace harassment. Approval of, participation in, or acquiescence in conduct constituting workplace harassment will be considered a violation of this policy. If MPC determines that workplace harassment has occurred on the basis of race, color, religion, national origin, age, genetic information, disability, military affiliation or obligation, veteran status, or any other protected category, corrective action will be taken. Depending upon the circumstances, this corrective action may include, but would not be limited to, verbal or written warning, suspension, demotion, or termination.

Complaint Procedure. Employees have the responsibility to *immediately* bring any form of unwelcome harassment to the attention of the EEO Officer (who is the Executive Director) or to the employee's supervisor, at the option of the employee. It is the policy of MPC to adhere to the complaint and grievance procedures established in the Equal Employment Opportunity Grievance Procedures section above.

MPC recognizes that the question of whether a particular action or incident produces a discriminatory employment effect requires a determination based on all facts in the matter. Given the nature of this type of discrimination, MPC also recognizes that false accusations of harassment can have serious effects on innocent individuals. MPC trusts that all employees of MPC will continue to act responsibly to establish and maintain a pleasant working environment, free from discrimination, for all. MPC *encourages* any employee to raise questions he or she may have regarding harassment with the Executive Director, the employee's supervisor, or, if the question involves conduct or complaint about the Executive Director, to the chair of MPC for review by the Executive Committee.

Disability and Accommodation

MPC complies with the Americans with Disabilities Act (ADA) of 1990, as amended, and other applicable laws, which prohibit discrimination against qualified job applicants and employees with respect to any terms, privileges, or conditions of employment because of a disability.

MPC invites qualified individuals to ask for a reasonable accommodation in the workplace for any disability covered by the ADA if necessary to safely perform the essential functions of their jobs. We may not realize an accommodation is needed unless it is requested. Reasonable documentation from an appropriate health care or rehabilitation professional will be required to establish that you have an ADA disability and that the disability necessitates a reasonable accommodation. MPC will make every attempt to provide reasonable accommodations for qualified individuals with known disabilities unless doing so would result in an undue hardship for MPC and/or its employees. This policy governs all aspects of employment, including, but not limited to, selection, job assignment, compensation, discipline, termination, and access to benefits and training. Federal and state law prohibits retaliation against an employee who requests a reasonable accommodation, and MPC will not tolerate any retaliation against such employee.

Inquiries concerning the ADA and requests for reasonable accommodations should be directed either verbally or in written form to your supervisor or the Executive Director. Complaints will be addressed in accordance with the Equal Employment Opportunity Grievance Procedures stated above.

Employee Medical Information

Any medical information of MPC employees and their dependents, including any record of disability, will be kept confidential in accordance with the ADA and the Health Insurance Portability and Accountability Act (HIPAA) of 1996.

Title VI of the Civil Rights Act of 1964

MPC complies with Title VI of the Civil Rights Act of 1964, related statutes, and regulations to the end that no person will be excluded from participation in, or be denied the benefits of, or be subjected to, discrimination under any program or activity receiving federal assistance on the grounds of race, color, sex, national origin, or any other protected category. Any complaints should be reported to the Executive Director or supervisor.

CLASSIFICATION AND COMPENSATION

Employment At-Will

The Metropolitan Planning Commission is an at-will employer and as such there is no specific length or guarantee of continued employment. MPC may terminate your employment at-will, without cause or prior notice, at any time, and you have the same right. None of the MPC policies may be construed to create a contract of employment or any other legal obligation, expressed or implied, and any policy may be amended, revised, supplemented, rescinded, or otherwise altered, in whole or in part, at any time, at the sole and absolute discretion of MPC.

Employment Categories

MPC has defined employment classifications so that employees understand their employment status and benefit eligibility. These classifications do not guarantee employment for any specified period of time.

Full-Time. These employees are not in a contract or introductory status and work 75 hours per two-week pay period on a regular basis. Generally, they are eligible for MPC's benefit package, subject to the terms, conditions, and limitations of each benefit program.

Part-Time. These employees are not in a contract or introductory status and work less than 75 hours per two-week pay period on a regular basis. Part-time employees may be eligible for benefits sponsored by MPC, subject to the terms, conditions, and limitations of each benefit program.

Introductory. These are employees whose performance is being evaluated to determine whether further employment in a specific position or with MPC is appropriate. Employees who satisfactorily complete the introductory period will be notified of their new employment classification. The usual introductory period is six months. The introductory period can be extended for a specified period, after which time the employee will be assigned to either full-time or part-time status or not offered employment. Both during and after completion of the introductory period, employment with MPC is at-will and can be terminated by either the employee or MPC, with or without cause or advance notice.

Contract. These workers routinely follow either a full-time or a part-time schedule pursuant to a written employment and/or service contract. MPC offers this category in limited classifications and to limited numbers of employees. Individuals participating in this program must sign waivers of their rights to participate in the benefit programs applicable to regular employees. Service in this category cannot be credited in any way toward any benefit program, even if the employee is later assigned to a benefit-eligible category.

FLSA Employment Classification

Each MPC employee is designated as either non-exempt or exempt, as governed by the Fair Labor Standards Act (FLSA). Non-exempt employee classifications are covered by the overtime provisions of the FLSA. Exempt employee classifications are not covered by the overtime provisions of the FLSA. Non-exempt and exempt designations are determined by salary level, salary basis, and duties. (See www.flsa.com/coverage.html for more details.)

Compensatory Time

Non-Exempt Employees. Non-exempt employees who are required to work in excess of 37.5 hours per week will be granted compensatory time off at a rate of one hour for each hour worked between 37.5 and 40 hours per week and compensatory time off at a rate of one and one-half hours for each hour worked over 40 hours. (Time off such as holidays, annual leave, or sick leave does not count as time worked.)

It is a condition of employment for non-exempt employees to receive compensatory time off in lieu of overtime pay. In extraordinary circumstances, payment of overtime may be made to non-exempt employees in lieu of compensatory time. Such payments will be at the rate of one and one-half times the employee's hourly rate for hours worked over 40 in a workweek. Authorization for overtime work for which payment is to be made must be obtained in advance from the Executive Director.

Non-exempt employees are encouraged to avoid work hours in excess of their regularly scheduled pay period total (e.g., 75 hours for full-time employees) by managing their time within the current pay period through flexible work scheduling, as needed. Prior approval from your supervisor is required for any adjustment to your work schedule, including, but not limited to, flexible work scheduling and overtime work (i.e., overage that will accrue as compensatory time). Additionally, you may not voluntarily begin work early, or work after hours, to extend your workday for the purpose of accumulating compensatory time.

A non-exempt employee may accrue up to 240 hours of compensatory time and is permitted to use compensatory time on the date requested unless doing so would unduly disrupt the operations of the agency.

Exempt Employees. These employees are expected to work whatever hours are necessary to accomplish the goals and deliverables of their exempt positions. Exempt employees do not receive compensatory time regardless of time worked. Exempt employees have more flexibility in their schedules to accomplish work than non-exempt or hourly employees.

Job Descriptions

All job descriptions are based on an analysis of the duties and responsibilities of each position and include minimum requirements of education, training, experience, skills, knowledge, and abilities necessary for the job. MPC will maintain its own job descriptions. Any changes to MPC's job descriptions will be approved by the Executive Director. When you begin a new position, you will receive a copy of your job description.

Compensation

MPC intends to provide equal compensation for work of equivalent responsibility, to pay according to work performance and/or outstanding service, and to establish pay rates which are comparable with those of regional governmental employers. Pay rates for each position may include any or all of the following factors: client/customer service, experience, knowledge, training, duty, complexity, leadership, effect of errors, communication, problem solving, job demands, potential work hazards, stewardship/responsibility, and education. Job classifications and compensation will be placed within a salary range guideline, which may be updated periodically to provide a framework for evaluating MPC job classifications and salaries in relation to each other and to the market.

Merit-Based Pay

Merit-based pay adjustments may be awarded to recognize superior performance. The decision to award such adjustments is dependent on many factors, including the information documented by the affected employee's formal performance appraisal and budget limitations.

Market-Based Adjustment Pay

At the discretion of the Executive Director, MPC may, from time-to-time, undertake a salary survey to guide MPC salaries with respect to the market of comparable cities and regions. The Executive Director may use any salary survey information, or any other information, as a basis for awarding market-based adjustments to any employee's pay. Market-based adjustment pay may be used in combination with merit-based pay to bring an employee's pay into range with the data provided.

Performance Bonus Pay

At the discretion of the Executive Director, a one-time bonus may be awarded in lieu of a merit increase to recognize superior performance. If you receive a bonus, you will remain at the same rate of pay. The criteria for awarding a bonus are the same as those for approving a merit-based increase. Bonus pay may be awarded as a lump sum payment or may be spread over several pay periods.

Promotions, Transfers, and Reassignments

At all times, MPC's objective for promotions, transfers, and reassignments will be to place the most qualified person in each position.

Promotions. MPC continually strives to promote employees and fill job vacancies on an equal opportunity basis, conducting objective evaluation of each vacancy and the candidates involved. Vacancies will be advertised and, when possible, MPC will promote from within employees with the necessary qualifications and skills. In some instances, outside recruitment may be deemed to be in the best interest of MPC.

An employee may be promoted without necessarily having to fill a vacancy. In such cases, an employee will have demonstrated experience, proficiencies, and skills to fulfill the duties and responsibilities of the position to which promotion is made. Promotions are made upon recommendation of the supervisor or Executive Director and require approval by the Executive Director.

A promotion may be accompanied by a pay increase, based on factors including, but not limited to, salary range guidelines for positions, employee salary history, availability of funds, and the discretion of the Executive Director.

Transfers and Reassignments. It is the policy of MPC that it may, at its discretion, initiate or approve employee job transfers. An employee may request a voluntary job transfer to another MPC position by applying for a posted open position. However, to be eligible for a voluntary transfer, you must be able to meet the requirements of the new position, must have satisfactory performance, and must have had no adverse disciplinary actions during the previous six-month period. The six month requirement may be waived in situations where a transfer or reassignment is within the best interest of MPC.

Performance Appraisals

Employees are formally evaluated annually by supervisors. The process includes the completion of an evaluation form (with employee- and employer-specific performance appraisal measures and ratings)

and a face-to-face meeting to discuss the content of the evaluation form. The performance appraisal is a systematic method of measuring and strengthening your performance based on factors such as job knowledge, duties, leadership, promotion of accuracy, safety, communication, problem solving, stewardship, and responsibility. Your supervisor gives you feedback about your performance, and together you will develop goals to improve your job skills and enhance your performance.

Supervisors and employees are strongly encouraged to discuss job performance and goals periodically on an informal basis throughout the year in addition to the annual formal performance appraisal.

If you are an introductory employee, your supervisor will provide you an evaluation after your first 60 days and 120 days as well as at the conclusion of the six-month introductory period. After the introductory period, you are evaluated annually.

Promotions or changes in job responsibilities will not result in a new introductory period, though your performance in the new position will be evaluated by the supervisor during annual review and at other appropriate times.

MPC's performance appraisal system will be determined by the Executive Director.

Employee Appreciation

The Executive Director may establish a program to formally recognize employee service (longevity) and exemplary work. Recognition may take the form of a small gift, paid time off, presentation at staff or Planning Commission meetings, or other form of reward. The program may be revised or discontinued at the discretion of the Executive Director.

GENERAL PERSONNEL POLICIES

Attendance

MPC is committed to providing the highest level of services and functions to best serve the community. To accomplish this, your prompt and regular attendance is required. In case of illness, injury, or other personal matter that would prevent you from reporting to work at the scheduled time, you are required to telephone and speak directly with your supervisor at least 30 minutes before the start of your normal work hours, absent extenuating circumstances. At the discretion of your supervisor, an email, text, or voicemail message may be accepted as notification of absence.

Failure to provide notification of absence for three consecutive workdays may result in your removal from the payroll as having resigned without notice. If you resign under such circumstances, you are not eligible for rehire.

Time Records

An MPC employee will not falsify his/her time records or alter another employee's time records. An MPC employee or manager will not instruct another employee to incorrectly or falsely report hours worked or alter another employee's timecard to under- or over-report hours worked, or conceal any falsification of time records. If you become aware of any such action, report it immediately to the Executive Director or your supervisor. It is MPC's policy that no adverse action (i.e., retaliation) will be taken against any employee who follows this reporting procedure.

MPC makes every effort to ensure its employees are paid correctly. Occasionally, inadvertent mistakes happen. Any mistakes you discover in your pay or in your time records must be brought to the attention of your supervisor or MPC's Finance Officer, and necessary corrections will be made promptly.

Work Hours

The normal work week consists of 37.5 hours. The normal work day consists of 7.5 hours. Core business hours are from 8:00 am to 4:30 pm, Monday through Friday.

Some positions may allow alternative hours of work. One type is a schedule that differs from the core business hours, such as 8:30 am to 5:00 pm. Another alternative is a compressed schedule (e.g., four 10-hour days within a week, with a fifth day off). Alternative time schedules are those that have daily variances from core business hours but maintain a regular daily pattern and total number of hours within the pay period. Alternative schedules require approval of the Executive Director, upon recommendation from the supervisor.

Prior approval from your supervisor is required for any adjustment to your work schedule, including, but not limited to, overtime (that is, compensatory time) work.

On occasion, some work may be completed from home or other remote site to fulfill the requirements of a complete work week. That work requires prior approval of the supervisor.

Rest Periods

Each work day, you may take two rest periods, each 15 minutes in length, provided work demands allow for such breaks. To the extent possible, rest periods will be provided in the middle of work periods. Since this time is counted and paid as time worked, you must not be absent from your work station beyond

your allotted rest period time; however, you are encouraged to leave your work station during rest periods to obtain the full benefit.

Nursing Mothers

A nursing mother can take up to two paid breaks (15 minutes each, exclusive of rest periods) per day to express breast milk for her nursing child for up to one year after the child's birth. The supervisor should work with the employee to schedule break time that reasonably accommodates both the mother's needs and her work responsibilities. The supervisor is responsible to help the mother identify a place to express milk, other than a bathroom, that is shielded from view and free from intrusion from coworkers and the public.

Lunch Periods

Lunch period is time set aside for eating, rest, exercise, or other activities that serve as a mid-day break from your work. The time is not considered part of the basic workday, and no pay is earned during this period. The duration and time allowed for lunch will be approved by your supervisor, based on your established work schedule. For example, if your schedule is 8:00 am to 4:30 pm, your lunch period is 60 minutes. Your lunch period may need to change from time to time in accordance with agency or division scheduling needs.

Normally, a work day may not be shortened by "working through" or reducing the lunch period on a voluntary basis. Eliminating or reducing your lunch period for the purpose of reducing the length of a work day requires prior approval from your immediate supervisor. Such approvals must be limited and will typically be for one day due to unusual or special circumstances (unless a shorter lunch period is approved as part of an alternative work schedule).

Payroll Administration

You are paid on a bi-weekly basis. Some pay dates may occur earlier due to holidays. At this time MPC has elected to handle its payroll administration through Knox County, and the Knox County Finance Department is its Payroll Administrator.

Payroll and various withholding records are maintained by the Payroll Administrator and MPC's Finance Officer. It is important that you promptly report any change affecting payroll, taxes, or withholdings to the Payroll Administrator and Finance Officer.

It is the policy of MPC to deduct from an employee's paycheck only those amounts that are required by law or authorized by the employee. If you believe that an improper or unauthorized deduction has been made from your paycheck, it is your duty to report the matter to the Executive Director and Finance Officer. If, upon investigation, the deduction was improper, you will be reimbursed for the deduction, and MPC will make the appropriate change to its payroll system.

Garnishments and Levies

In the event that garnishment or similar proceedings are instituted against you, MPC will comply with legal obligations and deduct the required amount from your paycheck.

Personnel Data Changes

It is your responsibility to promptly notify MPC of any changes in personnel data. Personal mailing address, telephone number, number and names of dependents, individuals to be contacted in the event

of an emergency, educational accomplishments, and other such information should be accurate and current at all times. If any information has changed, you should notify the Executive Director or Finance Officer to ensure that payroll, insurance, and other personnel records are up to date.

Personnel Files and Release of Information Procedure

MPC provides the following procedures for all employees to review personnel files and for releasing information from personnel files:

Review of Your Personnel File. Employees may review their own personnel files. Requests must be made to the Executive Director or Finance Officer during normal business hours. Any copy requests by the employee may incur reasonable copying fees. The Finance Officer or Executive Director will be present at all times when any personnel file is reviewed.

Other Access/Disclosure of Information. Information in your personnel record, including salary information, will be given to prospective employers, lending institutions, and other persons or entities seeking information for employment, credit, or other business purposes upon your written request.

Under the laws of the State of Tennessee, personnel records are considered public records and may be inspected and copied by any citizen of the state during normal work hours. Portions of files that are confidential will be redacted from public inspection, including, but not limited to, home telephone and personal cell phone numbers, bank account information, social security number, home address, and other personal information. MPC requires that any request for inspection or copying of a personnel file must be directed to the Executive Director. Those requesting access to personnel records may be required to make an appointment and must show identification verifying state residency. The employee whose file is to be inspected will be contacted and may be present when the file is reviewed. A representative of MPC will be present at all times when any personnel file is reviewed.

Management Access. The individuals in an employee's direct chain of command may be given access to an employee's personnel records without notification to the employee. Supervisors not in the direct chain may inspect with consultation of the employee's supervisor or the Executive Director.

Use of Vehicles

MPC provides vehicles for agency business only. When using MPC vehicles, you are expected to exercise care and obey all traffic laws. Improper, careless, negligent, destructive, or unsafe use or operation of vehicles, as well as excessive or avoidable traffic and parking violations, may result in disciplinary action, up to and including dismissal.

You must notify the Deputy Director and the Finance Officer if any vehicle appears to be damaged, defective, or in need of repair. In the event of an accident or charge of traffic violation during the use of an MPC vehicle, the Executive Director must be informed by the employee as soon as reasonably possible. MPC provides automobile liability, comprehensive, and collision insurance coverage for agency-owned vehicles being used in an official capacity by an employee.

You are expected to use MPC vehicles for travel if required by work. If no MPC vehicle is available, your personal vehicle may be used, with prior approval of the Finance Office and your supervisor. Approval will be determined based on availability of personal and agency liability and damage insurance coverage.

If approved, you will be reimbursed for mileage at the rate established each year by the Internal Revenue Service.

Business Travel Expenses

MPC will reimburse you for reasonable business travel expenses incurred while on assignments away from the normal work location. All business travel must be approved in advance by your supervisor, the Finance Officer, and the Executive Director. The proper travel request form must be completed. If your travel plans have been approved, you are responsible for making your own travel arrangements.

When approved, the actual reasonable costs of travel, meals, lodging, and other expenses directly related to accomplishing business travel objectives will be reimbursed by MPC. Reimbursement will be limited to the maximum allowable in the agency's travel policy. When travel is completed, you must submit, within 30 days, completed travel expense reports and include accompanying receipts for reimbursement.

Ask your supervisor or the Finance Officer for assistance on procedures related to business travel. Abuse of this policy, including falsifying expense reports to reflect costs not incurred by you, may be grounds for disciplinary action, up to and including dismissal.

Inclement Weather

Inclement weather usually does not warrant closing MPC offices. If severe weather is forecast or occurring before the agency's regularly scheduled morning opening time of 8:00 a.m., the Executive Director and supervisors will monitor weather-related information and make a determination to open, close, or alter the schedule of agency operations. An email will be issued to staff members, and a website announcement will be made by the Executive Director by 7:00 a.m., providing details of the determination.

If you have not been contacted and no notifications are posted to the agency's website, you should assume the office is open as usual. However, if you have any question about an official closing or delays due to inclement weather, you should contact your supervisor or the Executive Director before traveling.

If MPC offices are open during inclement weather, you must make a personal judgment pertaining to your safety in traveling to and from work. Loss of work time for this reason is charged to your accrued compensatory time or annual leave. If you have no compensatory time or annual leave, then the time may be charged as leave without pay, or you may make arrangements to make up lost time with your supervisor. If you make the effort to report on time and actually report within a reasonable period of time (based on the circumstances of the event), you may not be required to use leave for that absence. The Executive Director will determine if you must use accrued leave for late arrival.

If MPC offices are closed due to inclement weather, you will receive administrative pay for your regularly scheduled working hours during the period of closing. If you are not scheduled to work during an inclement weather closing, you will not be paid for the closing. If you are on annual, sick, or any other leave with pay during the declared times of closing, you will receive administrative leave with pay and will not have to charge that time to annual, sick, or other leave.

EMPLOYEE CONDUCT

It is the policy of MPC to uphold, promote, and demand the highest standards of ethics from all employees. Accordingly, you should maintain the utmost standards of personal integrity, truthfulness, honesty, and fairness in carrying out your public duties; avoid any improprieties in your role as a public servant; and never use your position or authority for improper personal gain.

Ethical Conduct

You are required to maintain the highest ethical standards in the conduct of your official duties. This also applies to non-work situations when you identify yourself as an MPC employee (e.g., wearing an MPC identification badge, distributing an MPC business card, wearing an MPC uniform, driving an MPC vehicle, etc.). To fulfill this requirement:

1. Personal characteristics such as honesty, courtesy, dependability, sobriety, diligence, and use of sound judgment are required for all employees in all classes of work at MPC.
2. All planners on MPC staff are expected to adhere to the professional code adopted by MPC, which is the Code of Ethics and Professional Conduct of the American Institute of Certified Planners (see <https://www.planning.org/ethics/ethicscode.htm>). Staff with other professional affiliations or certifications are expected to adhere to the professional codes of their respective memberships.

Conflict of Interest

Employment with MPC is a public trust. You must not have any personal or financial interest in, or receive any personal or financial benefit from, MPC activities that interferes or conflicts with the full discharge of your duties.

Political Activity

Employees of MPC have the right to freely express their views as citizens and to cast their votes. You may join or affiliate with civic organizations of a partisan or a political nature, attend political meetings, and advocate and support the principles or policies of civic or political organizations in accordance with the Constitution and laws of the State of Tennessee and in accordance with the Constitution and laws of the United States of America. However, you may not:

1. Make a statement which could be presumed to state an official MPC position in regard to a candidacy for political office,
2. Engage in any political activity while on duty,
3. Use official authority or influence for the purpose of interfering with or affecting the result of an election or nomination for office,
4. Be required as a duty of employment or as a condition of employment, promotion, or tenure of office to contribute funds for political or partisan purposes,
5. Coerce or compel contributions for political or partisan purposes from another employee, or
6. Use any supplies or equipment of the agency for political or partisan purposes.

Any MPC employee who wishes to accept or to seek nomination, election, or appointment to public office will take an unpaid leave of absence from MPC service, which will not be unreasonably withheld, upon indicating such intention by formal declaration and/or other evidence of candidacy. Upon such election or appointment, the employee will resign from MPC service. Nothing in this Handbook, however, will be construed to prevent any employee from becoming and/or continuing to be a member of a political organization, from attending any political meetings, or from enjoying complete freedom from all interference in exercising the employee's rights as citizens.

Canvassing/Solicitation

If you wish to schedule charitable activities in MPC's offices, or solicit other MPC employees for charitable purposes, you must first receive approval from the Executive Director. Such activities will be conducted only in non-work areas. Under no circumstances are MPC employees and non-MPC employees allowed to solicit MPC employees for commercial purposes during working hours.

Property Ownership

You may not own real estate in Knox County other than a personal residence and no more than one other property on which you have lived or plan to live. Exceptions to this policy must be approved by the Executive Director.

Outside Employment

The Executive Director must be notified of and give prior consent for outside employment. Notification should include the nature and hours of work. Employment in real estate or development pursuits in Knox County will not be approved. If outside employment is approved, you must continue to meet the performance standards of their job with MPC. All employees will be judged by the same performance standards and will be subject to MPC's scheduling demands, regardless of any existing outside work requirements.

If MPC determines that your outside work interferes with your performance or your ability to meet the requirements of MPC as they are modified from time to time, you may be asked to revise your outside work schedule or terminate the outside employment if you wish to remain with MPC.

Outside employment that constitutes a conflict of interest is prohibited. Employees may not receive any income or material gain from individuals outside MPC for materials produced or services rendered in the course of performing their job functions at MPC. Disregard of this policy will be cause for dismissal.

Nepotism

No relatives of persons currently employed by MPC may be hired. If the relative relationship is established after employment, the Executive Director will decide if the individuals can remain in their current positions or can be transferred to another department within MPC.

You are not permitted to directly supervise a relative. Direct or immediate supervision includes, but is not limited to, any participation in the hiring decision, promotional decision, work assignment decision, shift assignment decision, disciplinary decision, or the evaluation process of another employee.

For the purpose of this policy, a relative is any person who is related by blood or marriage, or whose relationship with you is similar to that of persons who are related by blood or marriage.

MPC Equipment

MPC equipment, materials, vehicles, and/or other resources assigned to you will be used with care and economy and will be used only for MPC purposes. Waste or misuse of MPC resources may result in disciplinary action, up to and including dismissal.

Gifts and Contributions

You may not solicit or accept, either directly or indirectly, for yourself or for any member of your household, any gift, gratuity, service, favor, entertainment, lodging, transportation, loan, loan guarantee, or anything of monetary value from any person who:

1. Has, or is seeking to obtain, contractual or other business or financial relations with MPC,
2. Conducts operations or activities that are regulated by MPC, or
3. Has interests that may be substantially affected by the performance or nonperformance of your official duties.

There are exceptions on accepting gifts, entertainment, and favors:

Meals. You may accept meals at lunch, dinner, and business organization meetings as long as they are of nominal value. This also applies to any favors that are provided at the event.

Family Members or Friends of Long-standing. There is no prohibition if the circumstances make it clear that it is the relationship, rather than the business or the persons concerned, which is the motivating factor and where the value of the gift, entertainment, or favor is appropriate to the circumstance and consistent with the long-standing relationship. If such a gift, entertainment, or favor exceeds \$100 in value, you must disclose the nature and value of the gift, entertainment, or favor in a letter to the Executive Director.

Ordinary Loans. There is no prohibition if the loan is from an established financial institution made in the course of business on usual and customary terms. However, there can be no guarantees or collateral provided by any person described in the first paragraph of this section.

Unsolicited Advertising Material. You may keep and use gift items with advertising (calendars, pens, key chains, etc.) as long as you did not request the items, and they are of nominal value.

Safety

MPC is concerned for your health and safety in the performance of your job. Any workplace accidents, incidents, or injuries must be reported immediately to the Executive Director or your supervisor. If eligible, refer to the Workers' Compensation section in this Handbook.

Workplace Violence

MPC expects and requires all employees to display common courtesy and respect for others and to engage in safe and appropriate behavior at all times. Any involvement in incidents of physical violence is considered unacceptable behavior which violates this policy.

“Physical violence” means any unwanted or hostile contact such as hitting, fighting, pushing, shoving, slapping, or throwing objects. Racial or ethnic slurs, harassing remarks, threats of violence, and any other provocative comments, language, or actions also violate this policy and will not be tolerated. A “threat of violence” means a verbal or other expression of an intention to cause physical harm.

Individuals who threaten violence or otherwise engage in provocative conduct towards co-workers, clients, vendors, or other individuals ordinarily are held at least equally at fault for an ensuing physical altercation, even if they do not strike the first blow or otherwise initiate a physical confrontation.

All employees have a duty to warn their supervisor or the Executive Director of any workplace activities, situations, or incidents that they observe or are aware of involving other employees, clients, and visitors and which appear to violate this policy. Reports pursuant to this guideline will be held in confidence to the maximum extent possible under the circumstances. MPC will promptly investigate any physical or verbal altercation, threats of violence, or other conduct by employees that threaten the health or safety of other employees, clients, or the public or otherwise might involve a violation of this policy. Information will be released only to those persons directly involved in the investigation or with a need to know, including law enforcement as necessary, and confidentiality will be maintained to the extent practicable. MPC will make every effort to guard the reputations of those involved.

MPC will not tolerate any form of retaliation against any employee for making a report under this policy or otherwise participating in a complaint or investigation, and individuals have an immediate duty to report any retaliation they experience or observe to one of the above named individuals.

All individuals who commit violent acts or who otherwise violate this policy are subject to corrective action, up to and including termination. MPC may seek prosecution of those who engage in violence on its premises or against its employees while they are engaged in business.

Alcohol and Drugs: Drug-Free Workplace Policy

MPC is committed to providing a drug-free, healthful, and safe workplace. The agency regards its personnel as individuals as well as employees and believes that alcoholism and drug addictions are illnesses and should be treated as such. MPC further believes that if you develop alcoholism or other drug addictions you can be helped to recover and should be offered appropriate assistance.

Substance abuse can be reasonably expected to produce impaired job performance, lost productivity, absenteeism, accidents, wasted materials, lowered morale, rising health care costs, and diminished interpersonal relationship skills. MPC and its employees share a commitment to create and maintain a drug-free workplace.

No employee may use, possess, distribute, sell, or be under the influence of alcohol or illegal drugs while on duty; on MPC premises; while operating MPC machinery or equipment; or while conducting MPC business activities off MPC premises. The legal use of prescribed drugs is permitted on the job only if it does not impair an employee's ability to effectively perform the essential functions of the job in a safe manner that does not endanger other individuals in the workplace. Social events sponsored by MPC, or non-agency events to which employees have been invited, may be exceptions to the alcohol prohibition policy while conducting MPC business activities outside agency offices. Any such exception must be approved by the Executive Director.

Violations of this policy may lead to disciplinary action, up to and including immediate termination of employment, and/or required participation in a substance abuse rehabilitation or treatment program. Such violations may also result in criminal prosecution.

Under the Drug-Free Workplace Act, an employee who performs work for a government contract or grant must notify MPC of a criminal conviction for drug-related activity occurring in the workplace. The report must be made within five days of the conviction.

Employees with questions or concerns about substance dependency or abuse are encouraged to access the agency's Employee Assistance Program or discuss these matters with their supervisor or the Executive Director to receive assistance or referrals to appropriate resources in the community.

Employees with questions on this policy or issues related to drug or alcohol use in the workplace can raise their concerns with their supervisor or the Executive Director without fear of reprisal.

Tobacco Use

Tobacco products and electronic/vapor cigarettes may only be used outside buildings in a specific area designated by the building manager. Ask your supervisor where this area is located. Additionally, tobacco products and electronic/vapor cigarettes may not be used in any vehicle owned or leased by MPC.

Use of Electronic Resources

MPC computers, software, telephones, Internet connections, messaging systems, and other technology and related equipment (i.e., electronic resources) are for business use. Electronic resources furnished to you are property of MPC. They may be monitored, searched, and reviewed by MPC or its representatives at any time. Electronic resources are not private or secure, and no material on the systems will be considered personal or confidential. Additionally, your correspondence in the form of electronic mail may be a public record under public records law and may be subject to public inspection. MPC holds employees accountable for using good judgment in the use of these resources.

Inappropriate Usage. No inappropriate usage of any of MPC's electronic resources will be tolerated. MPC maintains a workplace free of harassment and is sensitive to the diversity of its employees. You are prohibited from using electronic resources in any way that is disruptive, harmful to morale, or offensive to others on the basis of race, sex, religion, ancestry, disability, or any other basis protected by law, or that otherwise violates MPC's Workplace Harassment policy. The use of vulgarities, threats, abusive language, obscenities, or threatening or harassing language in voicemail or email messages, message posts, or by downloading such information from email attachments or the Internet is also prohibited. For example, the display or transmission of sexually explicit images, messages, and cartoons is not allowed. Other such misuse includes, but is not limited to, ethnic slurs, racial comments, off-color jokes, or anything that may be construed as harassment or showing disrespect for others. Voicemail or electronic messages or files that are harassing, threatening, discriminating, or contain inappropriate material may be grounds for disciplinary action, up to and including termination. Prohibited material as defined above which is received via unsolicited email is not covered by this policy as long as the recipient deletes the prohibited material immediately upon receipt and directs the sender to avoid sending any such material in the future.

Solicitation. Electronic resources should not be used to solicit others to promote or conduct personal events or causes, commercial ventures, religious or political causes, outside organizations, or other non-business matters. You are prohibited from uploading, posting, emailing, or otherwise transmitting any unsolicited or unauthorized advertising, promotional materials, "junk mail," "spam," "chain letters," "pyramid schemes," or any other form of solicitation. Electronic resources are provided to accomplish your business goals and are not considered private. MPC has the right to ascertain whether you are abusing the use of its resources. Abuse subjects you to disciplinary action, up to and including dismissal.

Duplication or Downloading of Software. MPC purchases and licenses the use of various voicemail and computer software programs solely for business purposes and does not own the copyright to this software or its related documentation. You are prohibited from illegally duplicating software and its related documentation.

Passwords. You should notify systems administration of all passwords and password changes associated with MPC's computers and email systems.

Social Media

MPC encourages dialogue among staff, its partners, volunteers, and the general public regarding the work of the agency. Staff members can both derive and provide important benefits from exchanges of perspective, ideas, and information. Therefore, it is in MPC's interest to be aware of and participate in social media.

This policy establishes guidelines for the use of social media, directing staff in how to avoid conflicts between personal and professional social media content.

Personal Content. MPC does not seek to control, through this policy or otherwise, the purely personal and constitutionally-protected online content posted by MPC staff members, when that content:

1. Is posted during non-working time,
2. Is posted using the staff member's own equipment, and
3. Is clearly not related to the business of, or is explicit in not representing, MPC.

Identifying Personal Comments as Personal. Where subject material pertains to MPC business, or is tied to MPC boards, committees, task forces, etc., MPC staff making personal statements must be clear and open:

1. Identify your name,
2. Identify your relationship to MPC, and
3. State a disclaimer such as, "The postings on this site are my own and do not reflect or represent the opinions of MPC."

Staff Affiliations. Refer to Political Activity section of this Handbook, which also directly applies to the use of social media, just as it relates to any affiliation or expression outside of your official MPC duties.

Non-Public Material. You may not discuss or divulge any material that pertains to MPC business that has not been made available to the public. If you are unsure if a particular comment would constitute a violation of this policy, check with their supervisor or simply avoid discussing the material in question.

Official Content Posting. Official MPC posts to social media sites will be the responsibility of Social Media Administrators, that is, staff persons assigned responsibility and permissions for MPC social media content. The Executive Director will designate Social Media Administrators. No one other than the Executive Director and designated Social Media Administrators may post content on behalf of MPC.

Official Content. Official posts on behalf of MPC must adhere to the following:

1. Official content will only be posted using accounts that display the name of MPC or its departments. Staff is not permitted, and will not be asked, to post official content from profiles that display to the public as personal accounts.

2. MPC staff will not engage users who submit content that violates any MPC standards for acceptable content, but rather will simply delete inappropriate content and/or block the users. Comments received are part of the public record, therefore, comments to be deleted must first be recorded with a note that indicates the reason for deletion.
3. Official MPC content posted by staff must not interject personal viewpoints. Content will not be written with an opinionated, biased, or adversarial tone.
4. MPC staff must not use official MPC social media or social networking sites for political purposes, to conduct personal/private commercial transactions, or to engage in personal or private business activities of any kind.

Discipline Procedure

The Executive Director and supervisors are responsible for maintaining proper job performance level, conduct, and discipline of employees under their supervision. When corrective action is necessary, the Executive Director or supervisor will administer disciplinary action at the step appropriate to the infraction, conduct, or performance. MPC generally uses the progressive disciplinary process explained below. However, MPC reserves the right to impose discipline on an individualized basis, including immediate termination if the agency deems it appropriate in its sole discretion.

Verbal. The Executive Director or supervisor may issue a verbal warning to you for unacceptable conduct or performance of duties to identify the problem and to state the corrective action needed. The Executive Director or supervisor will provide you with written documentation of the date of the discussion and other necessary information regarding expectations for improvement.

Written. The second step in the process is a written warning with specific examples cited. The Executive Director or supervisor will prepare a letter or memo that states a specific time frame in which you must improve and give the exact consequences of failure to improve. Prior to issuing the letter, the Executive Director or supervisor will review it with you. A copy of the letter is forwarded to the Executive Director for review and placement in your personnel file. You have the option of submitting a written statement which also will be placed in the file.

Adverse Action. If repeated attempts at corrective action fail to produce satisfactory results, adverse action will be taken. The term “adverse action” means action involving suspension, demotion, or dismissal. Such action will be determined by the Executive Director.

Suspension

The Executive Director may suspend you without pay for matters of poor performance, inappropriate conduct, or any other reason deemed appropriate. If the suspension (or sum of suspensions) does not exceed 10 working days in any three-month period, you have no right of appeal. Any suspension(s) in excess of 10 working days in a three-month period may be appealed.

You may not take annual leave, sick leave, or compensatory leave while on suspension. Further, annual leave or sick leave will not accrue during your suspension.

The progressive discipline process will be followed prior to suspension, unless the situation warrants immediate suspension in MPC’s sole discretion.

Demotion

A demotion is an assignment to a job at a lesser basic pay rate. There are two kinds of demotion: (1) demotion for disciplinary reasons, and (2) demotion due to reduction in workforce.

Demotion for Disciplinary Reasons. A demotion may be made for disciplinary reasons including, but not limited to, violations of rules, failure to perform job duties adequately, misconduct, or neglect of duty. The progressive discipline process will generally be followed prior to demotion unless the situation, in MPC's sole discretion, warrants immediate demotion.

Demotion Due to Reduction in Force. If a demotion is based on reduction in force, you will be given consideration, based on seniority and work performance record, for future openings in higher job classifications. No progressive discipline process is necessary for a demotion based on reduction in force.

Work Rules

Regulations for acceptable conduct of employees are necessary for orderly operation of any business and for the benefit and protection of the rights and safety of all employees. Below are examples of prohibited conduct which are not in accordance with the general work rules of MPC. The list is not all-inclusive but is meant as a guideline for acceptable conduct. You are subject to appropriate disciplinary action, up to and including dismissal, if you engage in any of these activities:

1. Violation of the attendance policy
2. Refusal to carry out orders of the Executive Director or your supervisor pertaining to work or other similar insubordination
3. Leaving the job during work hours in conflict with a determined work schedule without permission of the Executive Director or your supervisor
4. Deliberate neglect or destruction of MPC property, tools, uniforms, or equipment, property of fellow employees, or other equipment, in any manner
5. Willful falsification of Commission records including, but not limited to, applications for employment or other data requested by MPC, doctors' notes, or time and expense records
6. Engaging in any conduct which presents a conflict of interest or which violates any ethical or professional conduct standard
7. Failure to adhere to safety responsibilities, practices, and policies, or otherwise endangering the safety and health of you or others
8. Theft of MPC property or property of other employees or other dishonesty
9. Immoral conduct or indecency
10. Smoking in areas that have been designated as non-smoking
11. Violation of MPC's Drug-Free Workplace Policy
12. Inability to get along with co-workers
13. Use of abusive or threatening language
14. Poor performance or productivity, willful neglect, or inability to meet standards of performance or productivity
15. Engaging in conduct that violates Equal Employment Opportunity or Workplace Harassment policies
16. Non-compliance with appropriate business dress
17. Violation of any of MPC's policies regarding use of electronic resources
18. Failure to follow any rule or standard of practice in Administrative Rules and Procedures
19. Violation of any policy in this Employee Handbook

MPC reserves the right to determine in its sole discretion, whether an employee's conduct is in keeping with this Handbook and general MPC policies. This guideline is not intended to limit MPC's right to take whatever disciplinary action it deems necessary when prohibited conduct, which it considers contrary to its best interests or those of other employees, is brought to its attention. These guidelines are subject to change by MPC.

Resignations

If you want to resign your position, you should notify the Executive Director in writing no less than 10 working days before your expected termination date. Failure to provide such a notice will be recorded in your personnel file and may constitute grounds for "no-rehire." After you give notice, your supervisor or the Executive Director may discuss exit plans with you.

Reduction in Force

Reduction in force is the release of an employee due to lack of funds, curtailment of work, reorganization, or any other reason necessitating reduction in the number of MPC employees. If you are discharged because of a reduction, you are considered terminated, unless you are offered and accept another position with MPC.

The Executive Director will determine when a reduction in force is warranted and which employee(s) will be released. The decision about individual employees is made with consideration of job knowledge, skills, work performance, and whether and how each of those factors meets MPC's future needs. If all factors are equal, seniority will govern. If you lose your job through a reduction in force, you may apply for other posted positions, now or in the future.

When there is a reduction in force, there is no appeal process available.

Employee Grievances and Complaints

Any employee or group of employees who disagrees with the application of an established written policy, or who wishes to appeal a decision of the Executive Director pertaining to an EEO discrimination or harassment complaint, or who wishes to file a harassment complaint regarding conduct of the Executive Director, may file a grievance through the process defined here.² The established grievance procedure will also be utilized to settle disputes between employees.

Grievances will be given prompt and fair consideration according to the procedures outlined below. No retaliation will be tolerated against any employee for participating in the grievance procedure, either as a complainant, a representative, or a witness. Employees who participate in grievances will be allowed to do so during working hours; however, established deadlines and schedules for completion of work products must still be met.

Procedure:

Step 1a. Any employee or group of employees who disagrees with the application of an established written policy or has a dispute with another employee or group of employees will, within 10 working days of the incident giving rise to the grievance, discuss the matter openly with their

²Note: Any complaint regarding potential violation of MPC's Equal Employment Opportunity Policy, Workplace Harassment/Abusive Conduct Prevention Policy, Disability and Accommodation policy, or other anti-discrimination policy is governed first by MPC's Equal Employment Opportunity Policy and Grievance Procedures and must be brought pursuant to the specific complaint procedure in that policy.

supervisor and attempt to resolve the matter. The supervisor will respond, in writing, no later than the end of the fifth working day following the discussion.

Step 1b. Any employee who wishes to appeal a decision of the Executive Director pertaining to an EEO discrimination or harassment complaint, or who wishes to file a harassment complaint regarding the conduct of the Executive Director, may proceed directly to Step 3.

Step 2. If the matter is not resolved in Step 1a, then the grievant(s) may carry the matter to Step 2 by submitting a written statement describing the incident and the corrective action requested to the Executive Director within five working days of the supervisor's response. The Executive Director will conduct an independent investigation of the matter and meet with the grievant(s) and attempt to resolve the matter. Within 10 working days of the Step 2 submission, the Executive Director will issue a written disposition of the grievance including the reasons for the decision.

Step 3. If the matter is not resolved to the satisfaction of the grievant(s) in Step 2, then the grievant(s) may, within five working days, submit a written request to the Chair of the Metropolitan Planning Commission for review by the Executive Committee. The Executive Committee will, in consultation with counsel for MPC, review the materials submitted and issue its written decision within 30 days of receipt of the material. The decision of the Executive Committee will be final.

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LEAVE POLICIES

Holidays

MPC adheres to the schedule of observed holidays prescribed by Knox County government and listed below. Offices may be closed without further notice on the following days:

1. New Year's Day
2. Martin Luther King, Jr. Day
3. Presidents' Day
4. Spring Holiday
5. Memorial Day
6. Independence Day
7. Labor Day
8. Veterans Day
9. Thanksgiving Day
10. Day after Thanksgiving
11. Winter Holiday (December 25 and one other day to be announced annually)

You are eligible to be paid for holidays if you work at least 18.5 hours per week on a regular basis. If you are eligible for holidays, you will receive pay for each holiday, whether or not you are scheduled to work on those dates. The amount of pay is prorated based on the number of hours you work each pay period, not the hours scheduled for work on the holiday. For each hour worked during the pay period, one tenth of an hour of holiday credit is received. The amount of holiday credit received is based on the number of hours in your regularly scheduled pay period, as shown in the table, Paid Holiday Credit.

Paid Holiday Credit

Hours Per Pay Period	Holiday Credit
75	7.5
70	7.0
65	6.5
60	6.0
50	5.0
40	4.0
37.5	3.75

If the holiday falls on a day when you are scheduled to work fewer hours than the holiday credit hours you receive, you will take the remaining hours another day. You will need to arrange any schedule changes with your supervisor and receive advanced approval.

Example: The chart indicates you will receive five hours of holiday credit, but on the day of the holiday you are scheduled to work only three hours. You are still "owed" two hours, and you need to take them on another day within the same pay period.

If the holiday falls on a day when you are scheduled to work more hours than the holiday credit you will receive, you need to "make up" those hours by working additional time on another day in the same pay period, or you may use annual leave. You will need to arrange any schedule changes with your supervisor and receive advanced approval.

Example: The chart indicates you will receive five hours of holiday credit, but on the day of the holiday you are scheduled to work six hours. For that day you are paid for five hours, but you missed six hours of work. You may either work an additional hour on another day in the same pay period, or you may choose to use annual leave for that hour.

If you wish to observe a religious holiday, contact your supervisor to make arrangements. Annual leave will be used for time off for religious holidays. If you have no accrued annual leave, you must use available compensatory leave, sick leave, or leave without pay, in that order.

Annual Leave Eligibility and Accrual

If you work 18.5 hours or more per week on a regular basis (including during any introductory period), you are eligible to accrue and use annual leave. The following guidelines apply:

1. You may take annual leave any time during the calendar year (with prior approval from your supervisor), January 1 through December 31.
2. You accrue leave based on the number of paid hours in a pay period. This number may be greater or lesser than your scheduled hours.
3. Annual leave may be accrued as long as you are paid and have a balance of accrued leave.
4. Your accrual rate increases with each year of service, as shown in the table, Annual Leave Accrual Factor. The accrual factor increase takes effect the first pay period following your employment anniversary date.

Annual Leave Accrual Factor

Years of Service	Accrual Factor	Annual Leave Hours Earned Per Pay Period*	Maximum Accrued Hours Per Year*	Maximum Accrued Days Per Year*
Less than 1	0.0462	3.46	90.0	12
1	0.0500	3.75	97.5	13
2	0.0538	4.04	105.0	14
3	0.0577	4.33	112.5	15
4	0.0615	4.62	120.0	16
5	0.0654	4.90	127.5	17
6	0.0692	5.19	135.0	18
7	0.0731	5.48	142.5	19
8	0.0769	5.77	150.0	20
9	0.0808	6.06	157.5	21
10 – 14	0.0846	6.35	165.0	22
15 – 19	0.0885	6.63	172.5	23
20 and over	0.0962	7.21	187.5	25

*Based on 75-hour pay period.

To calculate your hours of annual leave:

1. From the Annual Leave Accrual Factor table, find the line for the number of years you have been employed.
2. Multiply the Accrual Factor number on that line by the number of hours in your bi-weekly pay period (45, 60, 75, etc.).

3. That answer tells you how many *hours* of annual leave you earn per bi-weekly pay period.
4. To determine how many *days* of annual leave you earn per year, multiply that number by 26 (number of pay periods per year), then divide the resulting number by the number of scheduled hours in your workday (7.5, 8.0, 10.0, etc.).

Example: If you have been employed 2 years and work 75 hours per pay period:

- $0.0538 \times 75 = 4.04$ hours of annual leave earned per pay period
- $4.04 \times 26 = 105.04$ hours of annual leave earned per year
- $105.04 \div 7.5 = 14.00$ days of annual leave earned per year

Additional considerations:

1. You may take annual leave in increments of 30 minutes.
2. You may not take annual leave before you have earned it, except in cases where special circumstances warrant such consideration. Approval in these cases must be granted by the Executive Director, in consultation with your supervisor.
3. The number of accrued leave hours to be used for one day of leave is equal to the number of scheduled paid hours of work for that day of leave. For example, if you work four 10-hour days per week, you must use 10 hours of annual leave to have the entire day off. If you work 7.5 hours per day, you must use 7.5 hours of annual leave to have the entire day off.
4. You may take annual leave in the calendar year (January 1 through December 31) you earned it, or you may carry it over for use in later years. However, there is a limit to the amount of annual leave you may accrue and carry over, shown in the table, Maximum Annual Leave Accrual.
5. If you have an annual leave balance in excess of the maximum accrued amount at the end of the calendar year (December 31), the excess will be transferred to your sick leave account in the pay period following the beginning of a new calendar year (January 1).
6. Authorized days off for annual leave will not be considered as working time for calculating weekly overtime.
7. When you terminate employment, you will receive payment for any unused annual leave that has accrued, including annual leave balance in excess of the maximum accrued amount. Payment is based on the rate of compensation received at the time of termination. Payments are subject to normal payroll taxes and withholding. Checks are computed on the regular payroll day and are available at the normal time and place. No checks are issued in advance.

Maximum Annual Leave Accrual

Years of Service	Maximum Accrued Hours*
1 - 10	300
11 - 20	330
Over 20	375

*At the end of the calendar year.

Annual Leave Scheduling and Approval

You may take your annual leave at any time of the year as long as you have accumulated the time, and the needs of MPC are met. You must submit your annual leave request to your supervisor and receive approval prior to taking the leave. MPC will make every effort to approve employee requests for annual leave use, but in all cases, MPC reserves the right to deny employee requests to meet business demands

and ensure sufficient coverage. MPC has a form for requesting use of annual leave, which must be completed by you and approved by your supervisor.

Sick Leave Eligibility and Accrual

If you work 18.5 hours or more per week on a regular basis, you are eligible to accrue and use paid sick leave for authorized absences as defined here:

1. Your own illness or injury
2. Family illness or injury (specified family members only, listed below)
3. Medical appointments for self or family
4. School conferences (eight-hour limit per year)
5. Death of persons not in your immediate family

The amount of sick leave you earn is based on the number of paid hours per pay period. The number of paid hours is multiplied by the accrual factor of 0.0462 to determine the total sick leave earned. Examples are shown in the table, Sick Leave Accrual.

Sick Leave Accrual

Hours Per Pay Period	Accrual Factor	Hours of Earned Sick Leave Per Pay Period	Hours of Earned Sick Leave Per Year
45	0.0462	2.08	54
60	0.0462	2.77	72
75	0.0462	3.46	90

Additional considerations:

1. You may take sick leave in increments of 30 minutes.
2. You may not use any hours of sick leave in advance of earning them, except in cases where special circumstances warrant such consideration. Approval to take sick leave in these cases must be granted by the Executive Director, in consultation with your immediate supervisor.
3. Sick leave may continue to accrue while you are on extended sick leave as long as you are paid and have a balance of accrued sick leave.
4. There is no maximum for the amount of sick leave you can accrue. You may not convert unused sick leave into cash, personal holidays, or annual leave. Additionally, unused hours of accumulated sick leave are not paid when employment terminates (except as provided for eligible employees when certain conditions are met, detailed in the following section).

Payment to Eligible Employees for Unused Accrued Sick Leave

MPC employees are generally not entitled to pay-out of sick leave at separation of employment. However, for the purpose of rewarding longevity and judicious use of the sick leave benefit, MPC employees who have worked for the agency for a minimum of 15 years are eligible upon separation to receive a payment for unused accrued sick leave in accordance with the following:

1. You will receive payment for unused accumulated sick leave as specified here:
 - Employee provides **60-day written separation notice**: \$100 per 7.5 hours of accrued leave (\$10,000 maximum).
 - Employee provides **less than 60-day written separation notice**: \$60 per 7.5 hours of accrued leave (\$6,000 maximum).

2. If an eligible employee dies while employed by MPC, the beneficiary, as listed on the employee's designation of beneficiary for wages form, will receive up to the maximum payment, as provided for employees who give a 60-day written separation notice, for the deceased employee's unused accrued sick leave.
3. You are not eligible for payment for unused accrued sick leave when separation results from dismissal.
4. You are eligible for payment for unused accrued sick leave when separation is due to reduction in workforce, as provided for employees who give a 60-day written separation notice.
5. Payments for unused accrued sick leave will be processed after the separation date of the employee, that is, after the last active pay period. Payments are subject to normal payroll taxes and withholding. Payments are not retirement eligible, that is, employee retirement contributions and employer retirement matching contributions are not made.

Sick Leave Notification and Approval

To be eligible for sick leave with pay, you must give your supervisor as much advance notice of an absence as possible. Notification must be no later than during the first day of your absence. You are required to speak directly with your supervisor or, at the discretion of the supervisor, you may leave a voicemail, email, or text message. If the duration of your absence is not known in advance, you must contact your supervisor each day of your absence.

Sick Leave for Employee Illness or Injury

You may use paid sick leave for authorized absences due to your own illness or injury. Your supervisor may require that you submit a health care provider's statement showing the nature of the illness or injury and expected date of return to work. This requirement may be waived by your supervisor or the Executive Director if circumstances warrant such consideration.

Sick Leave for Family Illness or Injury

With proper documentation, you may be permitted to use accrued sick leave to attend to, or provide care for, certain family members who are ill or injured. Those family members include your:

1. Spouse or domestic partner
2. Parent/adoptive parent
3. Son or daughter
4. Brother or sister
5. Grandparent
6. Grandchild
7. Step-relatives of the above categories
8. In-laws of the above categories
9. Any person actually residing in your household

In cases of absence because of family illness, you may be required to submit a health care provider's statement certifying that you are needed to care for the family member.

Sick Leave for Medical Appointments

You may use your accrued sick leave for medical appointments such as doctor, dental, or optical appointments or for assessments or treatment prescribed by your health care provider. This includes medical appointments for your family members as described in the previous section, Sick Leave for Family Illness or Injury.

Sick Leave Accounting

Sick leave may be taken in increments of 30 minutes. MPC will not consider authorized days off for sick leave as time worked for calculating weekly overtime compensation.

Annual leave use may be converted to sick leave use if you become sick while on annual leave. A request for this conversion must be accompanied by a written statement from a health care provider.

Bereavement Leave/Funeral Leave

Death of an Immediate Family Member. You are eligible for bereavement leave up to five consecutive days at regular pay (not including overtime) with no deduction from your other leave balances due to the death of any of these persons in your family:

1. Spouse or domestic partner
2. Parent/adoptive parent
3. Son or daughter
4. Brother or sister
5. Grandparent
6. Grandchild
7. Step-relatives of the above categories
8. In-laws of the above categories
9. Any person actually residing in your household

Your supervisor or the Executive Director will make the final decision on the number of approved days for bereavement leave based on factors such as required travel and level of involvement in funeral arrangements. Other factors may also be considered.

Any request for additional time beyond the maximum five days must be submitted to and approved by your supervisor or the Executive Director. Additional leave taken beyond five days will be charged to accrued compensatory time, sick leave, or annual leave, in that order, as appropriate. If there is no accrued compensatory time, sick leave, or annual leave, then you will be charged leave without pay.

Death of Any Other Person. You may use up to three consecutive days of accrued leave for the bereavement of other persons not listed above. The supervisor or Executive Director will make the final decision on the number of days approved for this leave. This leave will be deducted from your sick leave balance. If no sick leave remains, you must use compensatory time or take annual leave. If no annual leave remains, you must take unpaid leave. If this bereavement period exceeds the three day limit, annual leave must be used for the additional days.

Personal Leave of Absence

If you exhaust all of your annual and sick leave and still need time off for personal reasons, MPC may provide an unpaid leave of absence for a period of up to three months. As soon you become aware of the need for a personal leave of absence, you must request the leave from your supervisor and the Executive Director. A request for personal leave will be evaluated based on a number of factors, including anticipated work load requirements and staffing considerations during the proposed period of absence. The length of the personal leave is to be agreed upon by you, your supervisor, and the Executive Director.

Subject to the terms, conditions, and limitations of the applicable plan, MPC's portion of health insurance premium contributions will be provided by MPC until the end of the month in which the approved personal leave begins. At that time, you will become responsible for the full costs of these benefits if you wish coverage to continue and if the plan allows for coverage during such a leave. When you return from personal leave, benefit premium contributions will again be provided by MPC according to the applicable plans.

Benefit accruals, such as annual leave, sick leave, or holiday benefits, will be suspended during the leave and will resume upon return to active employment.

When a personal leave ends, every reasonable effort will be made to return you to the same position, if it is available, or to a similar available position for which you are qualified. However, MPC cannot guarantee reinstatement in all cases.

Failure of an employee to report to work promptly at the expiration of the approved leave period will constitute resignation from employment. If you are unable to return to work, you are responsible for requesting an extension (in advance) from your supervisor or the Executive Director.

Family and Medical Leave Act (FMLA)

MPC offers leave under the Family and Medical Leave Act for eligible employees. MPC has elected to use the Knox County Human Resources Department as its FMLA administrator. In accordance with the requirements of that department, MPC will adhere to FMLA policy as established by Knox County. See Appendix for details.

Maternity/Paternity Leave

Maternity/paternity leave is granted to eligible employees for a maximum of 16 weeks (with the first 12 weeks of leave falling under FMLA and the remaining four weeks as leave under the Tennessee Maternity Leave Act) for adoption, pregnancy, childbirth, and nursing an infant. To be eligible to receive this leave, you must be a full-time MPC employee and have worked for MPC full-time for at least 12 consecutive months.

To qualify for leave and subsequent reinstatement, you must provide MPC with at least 12 weeks' advance notice of:

1. Your anticipated date of departure for leave in order to receive the maximum of 16 weeks, except in those cases where medical emergency prevents this notice,
2. The length of leave, and
3. Your intention to return to full-time employment at the end of the leave.

You are required to use your accrued leave (sick, annual, compensatory) during maternity/paternity leave. Accrued leave and maternity/paternity leave are used at the same time – you do not take your accrued leave first and then take maternity/paternity leave.

You must use accrued leave during a maternity/paternity leave of absence in accordance with MPC's policies regarding annual, sick, and compensatory time. Once available leave is exhausted, the remainder of your leave will be unpaid.

During maternity/paternity leave, MPC will continue to pay its portion of health insurance premiums, and you must continue to pay your portion of the premiums. Your contribution of health insurance premiums should be paid continually according to your pay periods (i.e., bi-weekly).

If you do not return to work at the end of your leave, you will be required to reimburse MPC for payment of health insurance premiums, unless you do not return because of the presence of a serious health condition which prevents you from performing your job or circumstances beyond your control. You may then choose to elect COBRA coverage. You will be responsible for any other elected contributions while on leave.

The purpose of this leave is to provide time off for pregnancy, childbirth, nursing, and/or bonding with the infant. If MPC finds that you pursued other employment opportunities or worked part-time or full-time for another employer during the period of maternity/paternity leave, then MPC does not have to reinstate you at the end of your leave period.

Employee Medical Leave

Eligibility. FMLA-eligible employees who request leaves of absence for eligible FMLA reasons will be subject to the rules and regulations of FMLA (Appendix: Family and Medical Leave Act). Additionally, only employees who meet FMLA guidelines, rules, and regulations, such as length of employment, site coverage, and hours of service requirements, are eligible for FMLA leave. All other requests for medical leave of absence are governed by this policy.

Employees are eligible to apply for medical leave for their own serious health condition (see definition in Appendix: Family and Medical Leave Act), procedure, or illness, or for the birth of a child or placement of a child for adoption (for both male and female employees), or for an extension to any approved FMLA leave. To qualify for leave based on the employee's health condition, the employee's condition must require them to be under the continuous care of a physician. An employee requesting an extended medical leave must submit a written physician's recommendation detailing the medical necessity and duration of the requested leave. MPC reserves the right to send employees to a physician designated by MPC if there is any question about the statement of the employee's physician.

Upon submission of a physician's recommendation, MPC may, in its discretion, grant the employee a medical leave of absence. Before granting medical leave, MPC may establish the terms and conditions of the leave. During this period of absence, if an employee has any accrued leave (sick, annual, or compensatory), the employee will be required to use the remainder of his or her accrued leave to cover the absences. After accrued leave is exhausted, the absence will continue unpaid, up to the maximum amount of time approved.

Duration of Leave. The maximum amount of leave for which an employee may be approved is 12 weeks (inclusive of any FMLA leave). If the employee has accrued leave (sick, annual, or compensatory) remaining after the initial 12-week period of leave, the employee may take additional leave as a reasonable accommodation for the employee's disability until the accrued leave is exhausted.

If an employee has exhausted his/her accrued leave, an extension of medical leave beyond the initial 12-week maximum must be approved by the Executive Director as a reasonable accommodation for the employee's disability.

Compensation Limits. At no time during the period of absence can sick, annual, or compensatory leave, when used in conjunction with other paid benefits (such as workers' compensation benefits, disability benefits, etc.), be used in an amount which would result in an employee receiving an amount greater than the employee's regular compensation. Sick, annual, and compensatory leave will only be approved in an amount sufficient to equal regular compensation by the employee.

Responsibility for Group Health Insurance Premiums. MPC will pay the employer-provided portion of group health insurance premiums for a period up to 12 weeks of medical leave. The employee-paid portion of premiums must be paid by the employee in order to continue coverage through the medical leave:

1. While accrued leave is used during the absence, the employee-paid portion of medical insurance premiums is a payroll deduction.
2. If accrued leave (sick, annual, and compensatory) is exhausted at some point during the medical leave period, and the employee goes to unpaid status, the employee is responsible for making personal payment to MPC to cover the employee-paid portion of premiums, to retain the medical insurance benefit.

For employees granted an extension of medical leave beyond the initial 12-week period, the employer-provided portion of group health insurance premiums will be paid by MPC only during the portion of extended leave for which the employee has accrued leave, and the employee-paid benefits must be paid by the employee through payroll deduction. Once accrued leave is exhausted, the remaining portion of the medical leave extension is unpaid, and the employee is responsible for the entire group health insurance premium, if the employee wants continued coverage. In such cases, the employee must make arrangements for insurance coverage through Knox County Benefits.

GINA. The Genetic Information Nondiscrimination Act of 2008 (GINA) prohibits employers and other entities covered by GINA Title II from requesting or requiring genetic information of an individual or family member of the individual, except as specifically allowed by this law. To comply with this law, MPC asks that the employee and the employee's physician not provide any genetic information when responding to this request for medical information, unless such information is directly related to the employee's request for reasonable accommodation. "Genetic Information" as defined by GINA includes an individual's family medical history, the results of an individual's or family member's genetic tests, the fact that an individual or an individual's family member sought or received genetic services, and genetic information of a fetus carried by an individual or an individual's family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services.

Return to Work. A physician's statement releasing an employee to return to his or her job duties must be presented prior to returning to work. If an employee seeks to return to work following the extension of medical leave with work-related restrictions, the nature and duration of such restrictions should be included in the physician's statement releasing the employee to return to work. This statement must be presented to MPC prior to reporting to work. At MPC's discretion, the employee may be requested to report to MPC's designated physician for examination to determine fitness to return to work. The final decision as to the suitability of an employee to return to work will be made by MPC's designated physician in consultation with the Executive Director.

MPC will attempt to return you to your position if you can perform the essential functions of the job with or without reasonable accommodation (when required). Where, as a result of the illness or injury, you are not capable of performing the essential functions of the job with a reasonable accommodation

(when required), but are capable of performing duties for a vacant position, without risk of further injury, MPC will consider transferring you to such position. However, nothing contained in these policies should be construed to require MPC to bump employees from positions to accommodate an individual with a disability, nor should it be construed as requiring MPC to create positions.

Military Leave

A military leave of absence will be granted to employees to attend scheduled drills or training or if called to active duty with the U.S. armed services. Requests for such leave must be accompanied by a copy of official orders. If you are requesting more than 10 days off, you must make the request in writing no less than two weeks in advance.

You will receive your regular salary while on military leave for up to 30 working days per calendar year (January 1 through December 31). The portion of any military leaves of absence in excess of 30 days will be unpaid. However, employees may use any accrued annual or sick leave for the absence.

Subject to the terms, conditions, and limitations of the applicable plan for which you are otherwise eligible, health insurance benefits will be provided by MPC for the full term of the military leave of absence at the same benefit premium contributions as active employment status. Annual leave, sick leave, and holiday benefits also will continue to accrue during a military leave of absence.

Employees on active duty training assignments or inactive duty training drills are required to return to work for the first regularly scheduled work day after the end of training, allowing reasonable travel time. Employees on longer military leave must apply for reinstatement in accordance with all applicable state and federal laws.

Every reasonable effort will be made to return you to your previous position or a comparable one. You will be considered as though you were continuously employed for purposes of determining benefits based on length of service, such as the rate of annual leave and sick leave accrual and job seniority rights.

Jury Duty Leave

MPC encourages you to fulfill your civic responsibilities by serving jury duty when required. You may retain jury pay and receive normal MPC pay during this time.

If you are called to serve on jury duty for more than three hours on a given day (including travel time) you will be excused from work for that day. If you are called to serve on jury duty for less than three hours (including travel time) you must report to work immediately for the remainder of the workday. It is the responsibility of each employee on jury duty to obtain a signed attendance statement verifying the dates of jury service and showing the total amount of compensation received for jury duty, and to submit this statement to the Executive Director. MPC is dedicated to allowing its employees leave for civil service, and no adverse action (i.e., retaliation) will be taken against any employee on the basis of such leave.

You must show the jury duty summons to your supervisor or Executive Director as soon as possible so that he/she may make arrangements to accommodate your absence. You are expected to report for work whenever the court schedule permits.

Either you or MPC may request an excuse from jury duty if, in MPC's judgment, your absence would create serious operational difficulties.

MPC will continue to provide health insurance benefits for the full term of the jury duty absence. Benefit accruals, such as annual leave, sick leave, or holiday benefits, will continue during jury duty leave.

Voting Leave/Elections

In accordance with Tennessee law, if you are entitled to vote in an election held in this state, you may be absent from work on the day of the election for a reasonable amount of time, not to exceed three hours, if your work schedule does not provide adequate time for voting.

If your shift begins three or more hours after the opening of the polls or ends three or more hours before the polls close in the county in which you live, this leave does not apply to you.

If you need to take leave for voting, the leave must be arranged with your direct supervisor before 12:00 pm of the day before the election. The supervisor may select the hours during which you may be absent for voting.

Volunteer Activity Leave

MPC believes that, in addition to being employees, we are citizens and members of our respective communities. To encourage and support positive contributions to communities, MPC grants leave to pursue approved volunteer activities.

If you work at least 18.5 hours per week on a regular basis, your supervisor may approve paid release time up to 15 hours per calendar year (January 1 through December 31) from your job for approved volunteer activities. If you choose to volunteer more than 15 hours, annual leave or compensatory time may be used. The following conditions must be met:

1. The volunteer agency/organization is recognized to provide charitable, educational, or other similar community contributions.
2. You request leave from your supervisor or Executive Director in writing and inform him/her of the volunteer agency/organization, the activity, and the scheduled time and date. Approval may be based on an evaluation of the mission of the organization and compatibility with MPC's mission.
3. Your supervisor or Executive Director agrees that the needs of the department can be met during your absence and grants prior approval.

Educational Leave

MPC may grant educational leaves of absence without pay to regular full-time employees who wish to take time off from work duties to pursue course work that is applicable to their job duties with MPC.

Eligible employees who have completed 12 months of service may request educational leave for a period of up to 12 months every three years. Requests will be evaluated based on a number of factors, including anticipated work load requirements and staffing considerations during the proposed period of absence.

Subject to the terms, conditions, and limitations of the applicable plan, health insurance benefits will be provided by MPC until the end of the month in which the approved educational leave begins. At that time, you will become responsible for the full costs of these benefits if you wish coverage to continue

and if the plan allows for coverage during such a leave. When you return from educational leave, benefits will again be provided by MPC according to the applicable plans.

Benefit accruals, such as annual leave, sick leave, or holiday benefits, will be suspended during the leave and will resume upon return to active employment. Approved educational leave time will not count toward service time for purposes of seniority, sick and annual leave time accrual, etc.

When an educational leave ends, every reasonable effort will be made to return you to the same position, if it is available, or to a similar available position for which you are qualified. However, MPC cannot guarantee reinstatement in all cases.

Your failure as an employee to report to work promptly at the expiration of the approved leave period will constitute your resignation from employment.

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EMPLOYEE BENEFITS

Types of Benefits Offered

MPC elects to participate in a number of health, life insurance, and retirement benefit programs administered by Knox County Benefits and Knox County Retirement and Pension Board. The programs are available for coverage of eligible MPC employees and eligible family members, subject to the terms, conditions, and limitations of each benefit program. MPC also administers its own education and professional development benefits.

Health and Life Insurance Benefits:

1. Medical, dental, and vision coverage
2. COBRA
3. Employee assistance program
4. Flexible spending accounts
5. Workers' compensation
6. Basic and supplemental life insurance

Retirement Benefits:

1. Asset accumulation plan
2. Deferred compensation plan
3. Medical expense retirement plan
4. Disability benefits

Education and Professional Development Benefits:

1. Educational reimbursement
2. Professional conferences/seminars
3. Professional dues/exams

Health and Life Insurance Benefits

Benefit Premiums/Payroll Deductions. MPC pays a significant portion of the premiums and expenses for some of the health benefit programs offered, such as medical coverage and employee assistance program. Whole or partial premiums and expenses not paid by MPC are the responsibility of the employee, paid through payroll deductions.

Knox County Benefits staff will determine the effective date of coverage for their benefit programs. Deductions from your paycheck will begin the first pay period in the month in which your coverage starts. You are responsible to review your paycheck to ensure the appropriate benefit deductions have been taken. If you believe an improper deduction has been made, you should tell the Finance Officer immediately. MPC will investigate, correct any improper deduction, and make appropriate changes.

If you are on unpaid leave, you are responsible to contact MPC's Finance Officer to make payment arrangements for continuation of certain benefits.

Generally, benefits end the last day of the month in which you actively work. If you do not receive paychecks (and have premiums deducted) to cover the entire final month, you may be required to submit personal payment to cover the remaining portion of benefit costs.

Change in Status. You are required to report personal changes and/or changes in work status to MPC's Finance Officer within 30 days of any status change. This includes:

1. Dependent status change
2. Address change
3. Divorce
4. Marriage
5. Birth/adoption
6. Reduction in work hours
7. Any other change that could affect benefit plan eligibility

Annual Enrollment/Transfer Period. Coverage plans, benefit designs, eligibility rules, and premiums are subject to change each plan year. Announcements concerning changes for the upcoming plan year are made during the open enrollment/transfer period each fall. You are required to review your notices, home mailings, and department memos for information about benefits for the upcoming year.

Following are highlights of health and life insurance benefits currently available to eligible MPC employees and their eligible dependents. Where information in this manual conflicts with actual plan documents, the plan documents control. Employees should always consult plan documents for information concerning benefits and eligibility. MPC reserves the right to modify, amend, or terminate any of these benefit plans at any time. Plan documents and notices for all benefits are available at www.knoxcounty.org/benefits.

Medical, Dental, and Vision Coverage. Through its participation in the benefit programs offered by Knox County, MPC offers a selection of medical, dental, and vision insurance products. Each plan is priced based on type of coverage and the number of dependents covered. Detailed information about current medical, vision, and dental plans, premiums, and eligibility requirements is available at www.knoxcounty.org/benefits.

Employees who work a minimum of 30 hours per week are eligible for coverage. If your hours drop below 30 hours per week on a regular basis, you will lose eligibility for health insurance, and you and all covered dependents will be offered COBRA.

For current employees, enrollment may occur with an eligible qualifying event or during the annual open enrollment period. For new hires, enrollment in health insurance programs must be completed within 30 days of employment. Temporary employees, seasonal employees, and interns are not eligible for health program coverage.

COBRA. If you lose medical coverage due to termination of employment, reduction in work hours, or other qualifying event, you and your covered dependents may be eligible to continue coverage through COBRA. For a full explanation of COBRA terms and eligibility, contact the health insurance administrator at www.knoxcounty.org/benefits.

Employee Assistance Program. MPC is very much concerned with the physical and emotional well-being of its employees and families. The Employee Assistance Program (EAP) provides free and confidential counseling and information to employees and their immediate families who are dealing with difficult issues.

Flexible Spending Accounts. Flexible spending accounts allow an employee's medical out-of-pocket expenses and dependent care expenses to be paid with pre-tax earnings. If you elect this benefit, you establish a funding amount based on your needs, and a portion of this amount is deducted from each paycheck throughout the calendar year. There are minimum and maximum deduction limits with this benefit. You do not have to be enrolled in a health insurance plan to participate, and you may enroll during the annual enrollment/transfer period.

Workers' Compensation Insurance. MPC provides a comprehensive workers' compensation insurance program at no cost to employees. This program covers injuries or illnesses sustained in the course of employment. Subject to applicable legal requirements, workers' compensation insurance provides benefits after a short waiting period, which may eventually be waived if the employee is out of work for an extended period of time.

If you sustain work-related injuries or illnesses, you should inform your supervisor or the Executive Director immediately, no matter how minor the injury may appear. You are required to assist MPC in filling out the First Report of Work Injury form.

Basic and Supplemental Life Insurance. Through its participation in the benefit programs offered by Knox County, MPC's basic life and accidental death and dismemberment insurance is provided at no cost to employees who work at least 18.5 hours per week on a regular basis. You may purchase supplemental term life insurance coverage for yourself and your eligible dependents.

Retirement Benefits

MPC provides retirement benefits by participating in the programs offered by the Knox County Retirement and Pension Board. The package of benefits includes a mandatory 401(a) asset accumulation plan, a voluntary 457 (deferred compensation) asset accumulation plan, a medical expense retirement plan, and disability benefits.

The benefits are subject to the terms and limitations specified in the actual plan documents. Where there is any conflict between this Handbook and the plan documents, the plan documents control. See plan documents or contact the Retirement Office at www.knoxcounty.org/retirement.

Mandatory 401(a) Asset Accumulation Plan. Regular full-time and part-time (minimum of 18.5 hours of work per week) employees are required to enroll in the Knox County Asset Accumulation Program's 401(a) plan. You must contribute 6% of gross salary on a pre-tax basis from each paycheck. This contribution is matched dollar-for-dollar by MPC. You may elect to contribute up to an additional 9%, which will be deducted on an after-tax basis, none of which is matched by MPC.

You are always 100% vested in your own contributions and any earnings/losses associated with those contributions. MPC's matching contributions are fully vested over a five-year period.

You may choose how your funds are invested from many different options, including individual mutual funds and pre-selected investment blends, based on your own investment objectives. Plan statements are provided quarterly by the administrator.

Voluntary 457 (Deferred Compensation) Asset Accumulation Plan. MPC employees enrolled in the Knox County Asset Accumulation Program may contribute more than the mandatory amount by enrolling in the voluntary 457 plan. This option allows you to make additional pre-tax contributions up

to a dollar limit set by the IRS. Depending on your years of enrollment in the program, MPC will match a portion of your contributions.

Medical Expense Retirement Plan. The medical expense retirement plan assists retirees with the cost of medical care and insurance premiums. Participants may contribute after-tax money to this account and use it for medical expenses upon retirement.

Disability Benefits. MPC employees are provided disability benefits through the retirement program. Once you are fully vested (after five years of service) and the program administrator has determined that a qualifying disability exists, you are eligible for a disability benefit.

Education and Professional Development Benefits

Educational Reimbursement Program. MPC recognizes that the skills and knowledge of its employees are critical to the success of the organization. The educational reimbursement program encourages personal development through formal education so that employees can maintain and improve job-related skills or enhance their ability to compete for reasonably attainable jobs within MPC.

MPC may make available educational reimbursement to regular full-time and regular part-time employees with a minimum of one year of service and who have satisfactorily completed their introductory period. To maintain eligibility employees must remain on the active payroll and be performing their job satisfactorily through completion of each course.

Individual training courses or courses that are part of a degree, licensing, or certification program must be related to the employee's current job duties or a foreseeable-future position in the organization to be eligible for educational reimbursement. The Executive Director, in consultation with the employee's supervisor, has the sole discretion to determine whether a course relates to an employee's current job duties or a foreseeable-future position.

Employees requesting reimbursement must obtain written approval from the Executive Director prior to the start of class or training. All requests are subject to availability of budgeted funds. If approved, the cost of tuition or training will be reimbursed upon satisfactory completion of the course, providing a grade of B, or better, is made, as appropriate. MPC will limit the amount of reimbursement to three hours per semester or the cost of the required training. An itemized receipt for the tuition or training will be required along with payment verification. The cost of books, student government fees, activity fees, liability insurance, etc. will not be covered by MPC.

While educational reimbursement is expected to enhance an employee's performance and professional abilities, MPC cannot guarantee that participation in formal education will entitle the employee to advancement, a different job assignment, or pay increases.

Professional Conferences/Seminars. MPC may provide travel and related expense reimbursement to employees who wish to attend conferences or meetings of professional organizations. Approval of attendance will be the decision of the Executive Director, with the recommendation of the supervisor. Approval will take into account the employee's active participation in the organization, job performance, demands of the work program, and limitations of the budget. Any request for reimbursement must be submitted in advance of the conference or meeting.

MPC encourages employees to participate as panelists and to present research and project findings at conferences. The employee should notify the Executive Director prior to submission of a presentation. If a presentation recounts a case history of an MPC project or can be presumed to state MPC policy, its presentation or publication must be approved by the Executive Director.

Professional Dues/Exams. To contribute to the ongoing professional growth of MPC staff, the agency will pay for membership, including any license fee, in one professional organization for each employee per year. The Executive Director may also approve to pay registration and application fees for AICP and PE exams and other exams that are related to the employee's position and duties.

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APPENDIX: FAMILY AND MEDICAL LEAVE ACT

MPC offers leave under the Family and Medical Leave Act (FMLA) for eligible employees. MPC has elected to use the Knox County Human Resources Department as its FMLA administrator. In accordance with the requirements of that department, MPC will adhere to FMLA policy as established by Knox County:

Eligibility. If you have worked for MPC for at least one year and for 1,250 hours in the 12 months prior to the start of FMLA leave, you are eligible to take up to 12 weeks of leave annually when the absence is necessitated by any of the following circumstances:

1. The birth or placement for adoption or foster care of a child;
2. Your own serious health condition that prevents you from performing the essential functions of your job; or
3. The serious health conditions of a child, parent, or spouse if you are needed to help provide care.

Certification. If you request leave for your own serious health condition, or to care for the serious condition of a child, parent or spouse, you must provide Knox County with certification from a treating healthcare provider. Healthcare Provider Certification Forms are available from the Human Resources Department.

Measuring. Knox County has chosen the "measured forward" method that entitles you to 12 weeks of leave during the year beginning on the first date the FMLA leave is taken after the previous 12-month period ends.

Example: The 12-month period begins Sept. 1, 2016 if that is the first day of FMLA leave. If you exhaust all of your FMLA leave, the next date when you could again take FMLA leave would be Sept. 1, 2017.

Intermittent or Reduced-Time Leave. FMLA leave can be taken on an intermittent or reduced-time basis under certain circumstances. You may request intermittent or reduced leave for the following reasons:

1. When medically necessary to care for a seriously ill family member, or because of your own serious health condition; or
2. For the birth or placement of a child for adoption or foster care. Intermittent or reduced time leave shall not exceed 12 weeks combined if both spouses are employed by MPC.

Only the amount of leave actually taken while on intermittent/reduced schedule leave may be charged as FMLA leave. If you need intermittent/reduced schedule leave for planned medical treatment, you must work with your supervisor to schedule the leave so it does not unduly disrupt the agency's operations, subject to the approval of your healthcare provider.

MPC may, in its sole discretion, temporarily transfer an employee on intermittent leave to an alternative job with equivalent pay and benefits that accommodates recurring periods of leave better than the employee's regular job.

Serious Health Condition. "Serious health condition" means an illness, injury, impairment, physical or mental condition that involves:

1. Any period of incapacity or treatment connected with inpatient care (i.e., an overnight stay) in a hospital, hospice, or residential medical care facility;
2. A period of incapacity requiring absence of more than three calendar days from work that also involves continuing treatment by (or under the supervision of) a healthcare provider;
3. Any period of incapacity due to pregnancy, or for prenatal care;
4. Any period of incapacity (or resulting treatment) due to a chronic serious health condition (e.g., asthma, diabetes, epilepsy, etc.);
5. A period of incapacity that is permanent or long-term due to a condition for which treatment may not be effective (e.g., Alzheimer's, stroke, terminal diseases, dialysis, etc.); or
6. Any absences to receive multiple treatments (including any period of recovery) by, or on referral by, a healthcare provider for a condition that likely would result in incapacity of more than three consecutive days if left untreated (e.g., chemotherapy, physical therapy, dialysis, etc.).

Health Insurance Premiums. During FMLA leave, MPC will continue to pay its portion of health insurance premiums, and you must continue to pay your portion of the premiums. Your contribution of health insurance premiums should be paid continually according to your pay periods (i.e., bi-weekly).

If you do not return to work at the end of FMLA leave, you will be required to reimburse MPC for payment of health insurance premiums, unless you do not return because of the presence of a serious health condition which prevents you from performing your job or circumstances beyond your control. You may then choose to elect COBRA coverage. Sufficient notice will be given to you at the end of FMLA when and if this event occurs.

You will be responsible for any other elected contributions while on FMLA leave.

Accrued Leave. You are required to use your accrued leave (sick, annual, compensatory) during FMLA leave. Accrued leave and FMLA leave are used at the same time – you do not take your accrued leave first and then take FMLA leave.

An employee must use accrued leave (sick, annual, compensatory) during a family leave of absence in accordance with MPC's policies regarding annual, sick, and compensatory time. Once available leave is exhausted, the remainder of FMLA leave will be unpaid.

During unpaid FMLA leave, you will not accrue employment benefits, such as vacation pay, sick pay, pension, etc. Employment benefits accrued up to the day on which the family leave of absence begins will not be lost.

Return to Work. If you return to work from FMLA leave before or on the business day following the expiration of the 12 weeks, you are entitled to return to your job or an equivalent position without loss of benefits or pay.

Applications. Applications for FMLA leave must be submitted in writing. Applications should be submitted at least 30 days before the leave is to start, or as soon as possible if leave is not foreseeable. You should provide the County with an appropriate medical certification when you request FMLA.

When you are on leave, you must periodically report (if possible) to your supervisor on your status and indicate when you intend to return to work. Appropriate forms must be submitted to Knox County Human Resources to initiate family leave or to return the employee to active status.

Extensions. Family and medical leave is available only for up to 12 weeks under the FMLA or Tennessee Leave Law, unless you contact your supervisor and obtain special approval for an extended leave of absence (without pay if accrued leave is exhausted) due to special circumstances. Your supervisor will consult with the Executive Director and the Knox County Human Resources Department about the approval.

Any extensions must be requested, whenever possible, two weeks in advance of your scheduled return date. MPC reserves the right to grant or deny such extensions in whole or part in accordance with state and federal law.

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REVISIONS

Version 2005-1

- Original distribution of MPC Handbook

August 1, 2007

- Compensatory Time: clarification of terms
- Work Records and Time Records: added text pertaining to remote access
- Safety: revised On-the-Job Injury Procedure/Workers' Compensation Insurance
- FMLA: addressed accrual
- Workers' Compensation: addressed MPC's provision of workers' compensation insurance
- MPC Employee Handbook Acknowledgement form: added

August 16, 2007

- Revision History: page numbers corrected
- MPC Employee Handbook Acknowledgement form: updated

December 12, 2013

- Update of entire Handbook, approved by Planning Commission

December 1, 2016

- Mission, Organization Chart, Employment Categories, Flexible and Compensatory Time, Military Leave: updated
- Sick Leave Accrual Factor table: corrected

Date, 2018

- Update of entire Handbook, approved by Planning Commission

EMPLOYEE HANDBOOK ACKNOWLEDGEMENT

- The Metropolitan Planning Commission's *Employee Handbook: Personnel Policies and Benefits* describes important information about MPC, and I understand that I should consult the Executive Director regarding any questions not answered in the Handbook.
- Since the information, policies, and benefits described here are necessarily subject to change, I acknowledge that revisions to the Handbook may occur. All such changes will be communicated through official notices, and I understand that revised information may supersede, modify, or eliminate existing policies.
- Furthermore, I acknowledge that this Handbook is not a contract of employment. I understand and agree that my employment is at-will, which means that either I or MPC can terminate the employment at any time, with or without cause and with or without notice.
- I have received the Handbook, and I understand that it is my responsibility to read and comply with the policies contained in this Handbook and any revisions made to it.

(Employee Signature)

(Date)