



Employee Handbook

A Guide to Working For the City of Gulfport

THE POLICIES AND PROCEDURES CONTAINED HEREIN, AND ANY PROPERLY
ADOPTED AMENDMENTS THERETO, ARE APPLICABLE TO ALL EMPLOYEES
EFFECTIVE AUGUST 29, 2016

**CITY OF GULFPORT
EMPLOYEE HANDBOOK**

Our Commitment to Equal Employment Opportunity

The City of Gulfport is strongly committed to providing equal employment opportunity for all employees and all applicants for employment. For us, it is the only acceptable way to do business.

All employment decisions at the City – including those relating to hiring, promotion, transfers, benefits, compensation, placement and termination – will be made without regard to race, color, creed, gender, religion, national origin, age, physical handicap, disability, citizenship or political affiliation.

If you believe you have been discriminated against in violation of this policy you should immediately file a complaint as explained in our complaint policy. We encourage you to come forward if you have suffered or witnessed what you believe to be discrimination – we cannot solve the problem until you let us know about it.

We will not retaliate, or allow retaliation, against any employee or applicant who complains of discrimination, assists in an investigation of possible discrimination, or files an administrative charge or lawsuit alleging discrimination.

The City will not tolerate discrimination against any employee or applicant. We will take immediate and appropriate disciplinary action against any employee who violates this policy.

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Article 1. Welcome to the City of Gulfport

It is our pleasure to welcome you to employment with the City of Gulfport (the City). We are dedicated employees of the people of Gulfport, committed to high standards of excellence and quality. We value each one of our employees, and we hope that you find your work here rewarding and satisfying.

Section 1.01 Introduction to the City as an Employer

This section introduces you to our history, purpose, and goals. Please read it carefully so that you can better understand who we are and what we do. Gulfport is a special place - made even more so by the hard work and dedication of City employees.

The City is a picturesque beachfront city on the Gulf of Mexico with a diverse culture and safe family-oriented neighborhoods. Gulfport is a city supported by a progressive economy, where everyone feels welcome and at home.

Our Mission is to provide efficient, effective, and openly responsive municipal services to all citizens while promoting responsible economic development, preserving our heritage, enhancing our quality of life, and creating a better community.

Whether you have just joined the City or have been with us for a while, we are confident that you will find the City a dynamic and rewarding place to work.

Section 1.02 History of the City

The City incorporated on July 28, 1898. In 1902, the harbor was completed, and the Port of Gulfport became a working seaport. The Port of Gulfport has flourished over the years and today accounts for millions of dollars in annual sales and tax revenue for the state of Mississippi.

From its simple, humble beginnings as a lumber and port city, the City has evolved into a thriving, diversified community. With about 6.7 miles of manmade white sandy beaches along the Gulf of Mexico, the City is one of the fastest growing areas in the state. The City is a community of safe, family-oriented neighborhoods, supported through a multi-industry business core.

The downtown area provides a strong commercial center. Along the beach are historic home sites with several motels scattered throughout to accommodate the tourists that make up a large part of the economy.

In December 1993, the City annexed 33 square miles north of Gulfport making it the second largest city in Mississippi with a land area of 62.37 square miles and a population in excess of 71,000 as of the 2000 census.

The City is the Gulf Coast home of the US Navy Seabees and birthplace of professional football player, Brett Favre. The Sun Herald, the City newspaper, won the 2006 Pulitzer Prize in journalism for its Katrina coverage.

The strong east side of Hurricane Katrina hit the City on August 29, 2005, causing widespread damage and destruction. The courage of her citizens, along with the dedication of volunteers from around the world, has set the City of Gulfport on a remarkable journey of rebuilding and growth.

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Section 1.03 Purpose of This Handbook

As a City employee, the public is your ultimate employer. Your work and conduct, on and off the work site, represent the City to our citizens and require the highest level of honesty, courtesy, and professionalism. With your contribution, hard work, and dedication to public service, the City will continue to provide efficient, effective, and openly responsive services to all citizens.

In the preceding sections, we introduced you to our history, values, culture, and goals. We expect you to incorporate that information into your day-to-day job performance, striving to meet our City's values in everything you do.

We consider you, the employees of the City of Gulfport, to be one of our most valuable resources. This Employee Handbook serves as the guide for your employment with us, telling you what you can expect from the City and what the City expects from you.

There are several important things to keep in mind when using this Handbook:

The handbook contains only general information and guidelines. It is not meant to be comprehensive, nor does it address all the possible applications of, or exceptions to, the general human resource management policies and procedures used by the City. For that reason, if you have any questions concerning eligibility for a particular benefit, or the applicability of a policy or practice to you, you should address those questions to the Human Resources Office.

Nothing in this Handbook or in any other employment document confers any contractual right, either expressed or implied, to remain in the City's employment. With the exception of post-probationary Police and Fire Department employees, and 'grandfathered' Civil Service employees, (employees hired before October 3, 2005), employment with the City is on an "at-will" basis. The City does not offer tenured or guaranteed employment nor does it guarantee any fixed terms and conditions of your employment. Either the City or you can terminate the employment relationship at any time, with or without cause, with or without notice. No supervisor or other representative of the City has the authority to enter into any agreement for employment for any specified period, or to make any agreement contrary to the above.

The procedures, practices, policies, and benefits described here may be added, modified, amended, or discontinued at any time. While we will try to inform you of changes as they occur, there may be occasions when changes will happen without notice. You are responsible for reading, understanding, and complying with the policies, procedures, practices, and regulations of the City. If you have questions about any aspect of the City's policies, procedures, practices, or regulations, you may contact the Human Resources Office for more information.

Some of the subjects addressed here are covered in more detail in other official policy documents. You should refer to these documents for specific information, since this Handbook only briefly summarizes the subjects.

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We are always looking for ways to improve communications with our employees. If you have suggestions for ways to improve this Handbook in particular or employee relations in general, please feel free to bring them to the Human Resources Office.

The remainder of this Handbook will familiarize you with the privileges, benefits, and responsibilities of being an employee of the City of Gulfport.

Section 1.04 Check Our Website and Bulletin Boards

You can find important information about the City and your employment posted on the City's website (at www.gulfport-ms.gov under 'Human Resources') and on bulletin boards located in your work areas. This is where we post important information, including information regarding equal employment opportunity laws and wage and hour laws. We expect you to periodically read the information on the website and bulletin board.

Because the website and bulletin boards are our ways of communicating with employees, we do not allow anyone but managers and City officials to post information there.

Article 2. The Employment Relationship Section

2.01 Employment is "At-Will"

We sincerely hope that your employment with the City will be a positive and rewarding experience. However, we cannot make any guarantees about continued employment. Your employment here is "at-will", except as otherwise stated herein. This means that you are free to quit at any time, for any reason, with or without notice, with or without cause, just as we are free to terminate your employment at any time, for any reason, with or without notice, with or without cause. No reference to or applicability of state laws is required, and you have no right to any pre-termination process, procedure, or administrative hearing.

No employee or City representative has the authority to change the "at-will" employment relationship.

For those who are "civil servants," this relationship is established by state law and, for some, extended by City Ordinance.

Section 2.02 Residency Requirement

The City has a residency requirement for certain positions, wherein new employees will have six (6) months in order to comply with the residency requirement. Please check with Human Resources for the specific positions.

If employed in one of these positions, you **must** be a resident and registered voter in George, Hancock, Harrison, Jackson, Pearl River, or Stone County to work for the City.

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Section 2.03 Handbook Acknowledgement Form

You are required to sign a Handbook Acknowledgement Form similar to that in Appendix A. Signing this form is a condition of employment. The form will be retained by the Human Resources Office.

Article 3. Hiring

Section 3.01 Pre-employment Drug Screens

The City is a drug free work environment. Pre-employment drug screens are administered in accordance with the City's policy on drug and alcohol testing. A copy of the Drug and Alcohol Testing Policy can be obtained from the Human Resources Office. You are urged to become familiar with the City's drug policy.

Section 3.02 Date of Hire/Anniversary Date

The date of hire is the effective date of your employment. Your anniversary date is the date you began your employment in your most recent position.

An employee reinstated to the same position or a position in the same class following layoff from the City will have the anniversary date extended by the same length of time as the duration of the layoff. A regular employee returning from leave without pay will have the anniversary date extended by the length of time spent on leave without pay.

Section 3.03 Probationary Periods for Fire and Police Employees

All full-time Police and Fire employees, with the exception of appointed positions, will serve a one year probationary period. Upon successful completion of the probationary period, employees in these positions may be converted to regular full-time employees with Civil Service status. During the probationary period, they are "at-will" employees with the same consideration as all other "at-will" employees. The probationary period may be extended upon request of the Department Director/Manager and by approval of the Civil Service Commission.

Examples of circumstances in which the probationary period could be extended include:

- a. Military leave
- b. Extended jury service

Approved Leave of Absence—A leave of absence without pay during the probationary period cannot exceed 90 days. Any accrued vacation or compensatory time must be exhausted prior to beginning a leave of absence without pay.

A probationary employee may apply for a different position within the City after serving for at least 90 days prior to application for the new position.

- a. If the transfer is to another Police or Fire position, the employee must complete the balance of the original 12-month probationary period and any applicable extensions. Upon

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successful completion of the probationary period including all extensions, the employee will become a regular full-time employee and attain Civil Service status as provided by Mississippi laws pertaining to Civil Service and the Code of Ordinances of the City.

All other non-civil service employees are “at-will” employees and cannot be converted to permanent employment with the benefits of Civil Service status regardless of the length of time they have worked.

Article 4. New Employee Information

Section 4.01 New Employee Orientation

You will be scheduled for a new employee orientation meeting prior to starting work. During this meeting, you will receive important information about the City’s policies and procedures. You will also be asked to complete paperwork and forms relating to your employment, including, but not limited to, tax withholding forms, emergency contact forms, and benefits paperwork.

Please ask any questions you might have about the City during this orientation meeting. If additional questions come up after the meeting, you can ask your supervisor or Department contact.

Section 4.02 Orientation Period

When your employment begins, you will meet with a Human Resources representative, who will explain your benefits and payroll procedures and assist you in completing your employment paperwork.

When you report to your work site, you begin a departmental orientation period. The Department determines the length of this orientation period. Your supervisor will:

- a. work with you to help you learn what the City expects of you and how to do your job successfully,
- b. go over your job goals and performance requirements,
- c. give you feedback on your performance, and
- d. answer any questions you might have.

This period can provide both you and the City with an opportunity to decide whether you are suited for the position.

Successful completion of your orientation period does not guarantee you continuation of employment for any period of time or in any way change the “at-will” employment relationship. In addition, the fact that employees are afforded an “orientation period” does not in any way alter or change the employee’s “at-will” employment with the City.

This orientation period does not apply to employees that have a probationary period as outlined in Section 3.03.

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Section 4.03 Position Descriptions

The Human Resources Office maintains position descriptions and job specifications. Your position description does not constitute an employment agreement between the City and you. It is subject to change, without notice, as the needs of the City or the requirements of the job change or as otherwise required. The duties listed in your position description are examples of the various types of work you may perform and do not include all the duties of the position. Your job may require that you perform duties not listed in your position description.

Section 4.04 Proof and Verification of Work Eligibility

- a. You must provide proof of work eligibility. The Human Resources Office will give you a Federal I-9 Form and explain it to you. Within three business days of your first day of work, you must return the completed Form I-9 and provide the required documentation proving your identity and your eligibility to work in the United States. If it has been more than 3 years since you worked for the City, or if your previously completed I-9 form is no longer valid, you will need to complete and return a new I-9 form.
- b. We verify work eligibility. We participate in the Department of Homeland Security and Social Security Administration E-Verify Program to verify identity and employment eligibility.

Section 4.05 Child Support Reporting Requirements

Federal and state laws require us to report basic information about you, including your name, address, and Social Security number, to the State Directory of New Hires. The state collects this information to enforce child support orders. If the state determines that you owe child support, it will send us an order requiring us to withhold money from your paycheck to pay your child support obligations.

Article 5. Types of Employment

Section 5.01 "At-Will" Employment

With the exception of Police and Fire employees, and those employees hired prior to October 3, 2005, all employees are "at-will" employees. "At-will" employment may be terminated for any reason or no reason, without explanation and without notice. No reference to or applicability of state laws is required, and the terminated employee has no right or guarantee of a pre-termination process or procedure and/or administrative hearing.

Section 5.02 Civil Service Employment

Employees hired prior to October 3, 2005; retain the Civil Service status they held on October 2, 2005. When a position held by a 'grandfathered' Civil Service employee becomes vacant, it becomes an "at-will" position unless filled by another employee with grandfathered (i.e., Civil Service status).

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Police and Fire employees are eligible for Civil Service status upon satisfactory completion of their respective probationary periods, including any extensions.

State statutes and laws, adopted or extended by the City in its Code of Ordinances govern Civil Service Employment.

Any employee with Civil Service status can be disciplined for misconduct, poor job performance, or other reasons after following the required Civil Service procedures.

Section 5.03 Appointed Employment

Certain employees are appointed by the Mayor and ratified by the City Council. These employees serve at the discretion of the Mayor or the Appointing Authority.

Section 5.04 Probationary Employment of Fire and Police Employees

Only Police and Fire employees serve probationary periods. They are “at-will” employees during the probationary period, including any extensions. The probationary status, unless extended, is for 1 year from the date of hire.

An employee serving in a position requiring a probationary period may transfer to another position requiring a probationary period without having to serve a new probationary period in the new position. If the employee transfers before completing the probationary period, or any extensions, the employee will be required to complete the time remaining on the probationary period.

An employee who completes a probationary period and transfers to an “at-will” position becomes an “at-will” employee.

Upon successful completion of the probationary period and any extensions, the employee becomes a regular full-time employee and gains Civil Service status as provided by Mississippi laws pertaining to Civil Service and the Code of Ordinances of the City.

Section 5.05 Temporary Employees

Periodically, the City hires individuals to perform a job or to work on a project that has a limited duration. Typically, this happens in the event of a special project, special time of year, abnormal workload, or emergency.

Individuals we hire for such work are temporary employees. They are not eligible to participate in any of our benefit programs, nor can they earn or accrue any leave, such as vacation leave or sick leave. Temporary employees are not eligible for Holiday Pay. Temporary employees are provided those benefits mandated by law.

Temporary employees cannot change from temporary status to any other employment status by remaining in our employ for a long period of time or through oral promises made to them by coworkers, members of management, or supervisors.

Like most employees who work for the City, temporary employees work on an “at-will” basis. This means that both they and the City are free to terminate their employment at any time for any reason even if they have not completed the temporary project for which they were hired.

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Section 5.06 Part-Time and Full-Time Employees

You will need to understand which of the following classifications you fit into, because the classification is important in determining whether you are entitled to benefits and leave.

Part-Time

- (1) Part-Time Plus---The employee works for three (3) months or more duration and works a shift schedule of 20-hours or more, but less than 30-hours per week.
- (2) Part-Time Minus---The employee works for an indefinite duration and regularly works a shift less than 20-hours per week or one that varies from week to week.
- (3) Temporary Part-Time---The employee works a shift schedule for a period of 4 1/2 months or less, which on an annual basis would total less than 40-hours per week.

Full-Time

- (1) Regular/Appointed Full-Time--The employee works for an indefinite duration and works a regularly scheduled 30-hour or more workweek.
- (2) Temporary Full-Time ("seasonal") ---The employee works a regularly scheduled 30-hour or more workweek for a period not to exceed 4 1/2 months.

Section 5.07 Exempt and Non-Exempt Employees

Your entitlement to earn overtime pay depends on whether your position is classified as 'exempt' or 'non-exempt' under the Federal Fair Labors Standard Act (FLSA).

Exempt employees do not earn overtime because the positions they hold are exempt from the overtime provisions of the FLSA.

Non-exempt employees are those whose positions are covered by the overtime provisions of the FLSA.

If you are uncertain about which category you fall into, speak to the Human Resources Office.

Section 5.08 Promotions, Lateral Transfers, and Temporary Assignments

You are encouraged to apply for any vacancy for which you qualify. You may apply for a transfer or promotion to an open position by filing a completed City transfer form with the Human Resources Office in accordance with the instructions listed on the job posting. Your application will be considered in the same manner as all other applications.

- a. Promotions and Lateral Transfers. If selected for promotion or lateral transfer, you will take all accruals with you to the new position. Neither a promotion nor a lateral transfer will change your date of hire. If the new position carries benefits different from those of the previous position, you become eligible for the benefits of the new position upon assuming that new position.

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- b. Temporary assignments. The Department Director/Manager or Appointing Authority may temporarily assign you to a different position or type of duties for a specified time as necessary. Such appointments are on an “acting” basis, and you return to your regular position upon completion of the assignment. At their sole discretion, the Director and the Chief Administrative Officer may approve paying you the higher salary if the “acting” position is classified higher. Do not assume that a temporary assignment will carry that position’s higher salary.

Article 6. Work Periods and Hours of Work

Section 6.01 Work Periods

The normal work period for City employees, with the exception of 24-hour shift firefighters and all commissioned police officers, is a 7-day period beginning on Monday at 12:01 a.m. and ending the following Sunday at 12:00 a.m. (midnight). Work periods may change to accommodate special work schedules, emergency conditions, or other times deemed necessary by the Mayor or Appointing Authority.

The work period for all employees must comply with the FLSA. The work period for any 24-hour shift firefighter and all commissioned police officers must be consistent with Title 29 of the FLSA or any other statutes or governing regulations.

Section 6.02 Hours of Work

The normal working hours for employees, other than some public safety positions, is 8 hours, with an unpaid lunch period designated by the employee’s supervisor. You are to report to work each workday at the beginning of your work schedule, and at your workstation at the beginning of your designated shift. Your lunch period will be scheduled to allow for continuous office staffing with at least one person whenever possible. Your work hours may be adjusted as necessary to meet the needs of the department. If working conditions warrant, the Department Director/Manager will approve any adjustment in your work hours.

Hours for part-time and certain other employees may vary from normal working hours due to the nature of their work. The Department Director/Manager, with the agreement of the Chief Administrative Officer, will determine the hours of these employees.

Section 6.03 Meal and Rest Breaks

Meal Breaks. Meal breaks, for other than some public safety positions, are unpaid periods designated by your supervisor. You are expected to be at your assigned work area and ready to resume work at the end of the designated meal period.

Rest Breaks. Supervisors may permit brief rest breaks should working conditions warrant. Normally rest breaks consist of a brief break in the first part of the shift and a brief break in the second part of the shift. You are expected to be at your assigned work area and ready to resume work at the end of any rest break.

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Smoking breaks. Smoking is permitted only within your allotted meal break or rest break, if the supervisor permits rest breaks. No additional time is allowed for smoking.

Article 7. Pay Policies

Section 7.01 Compensation

- a. New Employees.* Normally a new employee is paid at the entry step of a grade, but pay may be set higher for prior experience, qualifications, or training. The Chief Administrative Officer must approve the higher rate of pay.
- b. Longevity Pay.* Effective October 1, 2009 longevity pay is frozen for employees hired prior to October 1, 2009. New employees will not receive longevity pay.
- c. Education Pay.* Effective October 1, 2009 education pay will no longer be granted to new employees or existing employees receiving degrees after October 1, 2009.
- d. Grade Re-evaluation.* If a grade re-evaluation results in a higher salary range for your position, you will retain the current salary step, closest step to it, or go to the entry level step of the new range, whichever is greater. The Chief Administrative Officer must approve any grade re-evaluation.

Section 7.02 Overtime

Overtime is work performed in excess of the hours permitted by the Fair Labor Standards Act. Overtime is compensated at the rate of 1 1/2 times your normal rate of pay for hours worked in excess of the number of hours allowed per week. Fire Department shift personnel earn overtime for hours over 204 in a 27-day cycle. Police Officers earn overtime for hours over 86 in a 2 week period.

Not all time spent at work is counted toward figuring overtime. Only actual time worked is counted towards figuring overtime. Prior approval must be obtained from the Department Director/Manager prior to your working overtime or comp time.

Section 7.03 Compensatory (Comp) Time

Non-Exempt Employees

Compensatory time is defined as time off granted in lieu of pay for hours worked in excess of the regularly scheduled workday or workweek. Employees will not be allowed to accumulate any compensatory time in excess of one (100) hundred hours. Overtime will be paid for comp time worked in excess of 100 hours. Comp time must be used before annual leave can be used.

Non-exempt employees who work a fifty six (56) hour schedule may accumulate compensatory time up to two (200) hundred hours.

Non-exempt employees have a choice of receiving either comp time or overtime; however, work in excess of 40 hours per week must be **pre-approved** by the Department Director/Manager.

Compensatory time is accrued at a rate of one and one half (1.5) times your regular accrual rate.

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Exempt Employees

Comp time is defined as time off granted in lieu of pay for hours worked in excess of the regularly scheduled workday or workweek. Hours worked in pay periods in excess of 80 will be compensated with comp time accruals on a straight time basis (1:1). Exempt employees will be allowed to accumulate compensatory time up to 40 hours. All compensatory time must be used before annual leave is used.

In no case will an exempt employee be paid for compensatory time earned while in an Exempt status upon termination. Comp time balances will be eliminated upon separation.

Section 7.04 Holiday Compensatory (Comp) Time

Holiday compensatory time will be accrued for shift employees when a holiday falls on the employee's normal scheduled day off. Holiday compensatory time must be used before regular compensatory time and annual leave. Holiday compensatory time cannot be cashed out upon termination, nor can it be credited to PERS. Only shift employees, such as Police and Fire personnel, accrue Holiday compensatory time.

Section 7.05 Time Sheets/Preparation of Payroll

You are required to clock in using the Kronos® Workforce Timekeeper or Kronos® Workforce Central. You must make sure your time sheet is complete in accordance with City policy. Your time sheet must be approved electronically through the Kronos® Workforce timekeeper (at the clock) or Kronos® Workforce Central (at a City computer) by the approval deadline. If you are scheduled to be away from work, (e.g., military leave, scheduled sick or annual leave, or comp time off) you must approve your time or timesheet prior to taking leave. Your supervisor can answer questions about how to complete your time sheet. Your time sheet is a pay document that you must complete accurately, correctly, and on time.

A time off request must be made through the Kronos® Workforce Timekeeper (at the clock) or Kronos® Workforce Central (at a City computer). If you are requesting time off "after the fact", you must report it to your supervisor for the correct adjustments to be made in your time sheet at Kronos® Workforce Central.

If you are employed in a position that does not have access to the Kronos® Workforce Timekeeping system, you will be required to complete bi-weekly timesheets and submit them to your supervisor. You must complete your timesheets in accordance with City policy and submit it to your supervisor by the submission deadline. Your time sheet is a pay document that you must complete accurately, correctly, and on time.

Your submission of this document electronically to payroll is an acknowledgement by you that this submission is a true and correct representation of the actual hours you worked, as well as any leave taken and previously and properly approved, if required.

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Paychecks will be distributed electronically via e-mail. It is the employee's responsibility to provide payroll with a current e-mail address.

a. Direct Deposit. Direct deposit of your paycheck is mandatory, as with direct deposit, your pay goes directly to the financial institution of your choosing. You do not have to wait for manual distribution at work or stand in line at the bank. It is quick, easy, and very convenient.

If a payday falls on a holiday, the payday will be the last working day before the holiday.

Employees should direct questions concerning payroll matters to their Department Director/Manager or the Payroll Specialist in the Payroll Office.

If a payday falls on a holiday, the payday will be the last working day before the holiday.

Employees should direct questions concerning payroll matters to their Department Director/Manager or the Payroll Specialist in the Payroll Office.

Section 7.06 Payroll and Deductions

The following deductions from your pay are required under Federal, State and local laws:

- Federal and State Income Tax withholding
- Social Security
- Retirement contributions (eligible employees only)
- Deductions authorized by law, such as garnishments
- Medicare deductions

You may request the following optional deductions:

- Deferred compensation
- Payment of health insurance premium (if applicable)
- Payment of dental insurance premium (if applicable)
- Other City-approved employee plans

You will receive a statement of earnings and deductions, which will itemize the deductions as well as cumulative totals.

An official record of your accruals can be viewed in the Kronos® Workforce Timekeeper (at the clock) or Kronos Workforce Central (on a City Computer).

Any errors in payroll should be brought to the attention of the Payroll Department immediately. Errors will be corrected by the next payday.

Section 7.07 Garnishments

The Finance Department is the only department who is authorized to receive and sign for a notice of garnishment. Garnishment is a legal action to deduct a specified sum from wages to satisfy a creditor. The Payroll Specialist will make the necessary deductions from your wages and a check for the garnished amount will be forwarded as directed by the garnishment documents.

The Finance Department or their designee will notify you that the garnishment has been processed. Garnishments may be considered cause for disciplinary action, including termination of employment, where not prohibited by law.

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Section 7.08 Changes in Rate, Position, or Status Location

Changes in your rate of pay, position, or status require a Personnel Action Notice (PAN) form signed by the Department Director/Manager and Chief Administrative Officer or Mayor. A salary change must be accompanied by an approved PAN form or a performance evaluation indicating a salary increase signed by the Department Director/Manager and approved by the Chief Administrative Officer or Mayor. Global cost-of-living raises also require a PAN form.

Except for regular longevity, if authorized, salary increases can be made only after specific City Council authorization.

Article 8. Employee Benefits

As part of our commitment to you and your well-being, the City provides you with a variety of benefit plans.

Although we introduce you to those plans in this section, we cannot provide the details of each plan here. You should receive official plan documents for each of the benefit plans that we offer. Those documents, along with any updates, should be your primary resource for information about your benefit plans. If you see any conflict between those documents and the information in this Handbook, you should rely upon the official plan documents.

The benefits we provide are intended to help you maintain a high quality of life, both professionally and personally. We encourage you to take full advantage of these benefits. If you do not understand information in the plan documents or if you have any questions about the benefits we offer, please talk to the Human Resources Office.

Section 8.01 Health Care Benefits

All probationary, appointed full-time, regular full-time employees and their eligible dependents are offered group medical and dental insurance. The insurance is effective on the first day of the month that occurs on or after the 60th day of employment. The Human Resources Office will provide brochures explaining the benefits and terms to you.

Human Resources will provide you with on-line enrollment instructions. You must notify the Human Resources Office of any change in dependent status by completing updated enrollment forms.

Medical coverage may cease as a result of:

- termination of employment,
- change to nonparticipating employment status,
- divorce, or
- a dependent child becoming ineligible.

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Section 8.02 Continuation of Medical Coverage under COBRA

If you or your dependent is losing medical coverage, you may elect to temporarily continue that coverage under the Consolidated Omnibus Budget Reconciliation Act (COBRA). Employees or dependents may elect to continue coverage at their own expense, plus a small administrative fee, beyond the date that it would otherwise terminate.

If you, your eligible spouse, or other dependent does not elect to continue coverage, group medical insurance will end as scheduled under the plan. You may contact the Human Resources Office to determine the procedures for continuing medical coverage.

Section 8.03 Life and Accidental Death and Dismemberment Insurance

The City may provide probationary, appointed full-time and regular full-time employees a term life and accidental death and dismemberment insurance policy in the amount of \$50,000.00. The insurance is effective on the first day of the month that occurs on or after the 90th day of employment. Coverage continues until you leave the City's employment, move to a classification that is not eligible for this benefit, or the policy is discontinued completely by the City. Note: the City may discontinue the policy at any time and without notice. The effective date of termination will be the date when premium payments for your insurance are discontinued or upon separation from City employment.

Upon termination of employment with the City, you may apply to the insurer to convert the policy to a comparable individual policy of life insurance without furnishing evidence of insurability, provided the application and payment of the first premium are made within 31 days after termination of employment and all applicable policy requirements are satisfied. Continuation of coverage by the City and conversion rights are not guaranteed by the City.

You are individually responsible for keeping current information related to this policy on file and complying with the terms and provisions of the policy.

Contact the Human Resources Office or the applicable insurer to learn more about the terms and conditions of the policy.

Section 8.04 Workers' Compensation

If you suffer from an illness or injury arising out of, and in the course of your employment, you may be eligible for workers' compensation benefits. Workers' compensation will pay for medical care and may compensate for lost wages resulting from job-related illnesses or injuries.

If you are involved in an accident, if you are injured or become ill at work, regardless of how minor the incident or injury, you are required to notify your immediate supervisor promptly or, if unavailable, others within your chain of command or authority. The incident must be documented promptly, either by you or by your supervisor, and forwarded to Human Resources within twenty-four hours.

To find out more about workers' compensation coverage, contact the Human Resources Office.

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Section 8.05 Deferred Compensation

The State of Mississippi Public Employees Retirement System (PERS) presently provides an option to probationary, appointed full-time or regular full-time employees to invest a portion of their present earnings in the Mississippi Deferred Compensation Plan (MDC).

This is an opportunity for you to designate a certain dollar amount to be withheld from your paycheck and invested for payment at a later date. All deductions are pre-taxed, which reduces your taxable income. Under this arrangement, neither the deferred amount nor earnings of the investments are subject to income taxes until you receive payment from the plan. The plan is voluntary. The City makes no guarantee or recommendation of investments under the plan, specific or otherwise.

Benefits received through this program are in addition to any Social Security or PERS benefits for which you would be eligible.

Contributions to the program are financed solely by you through payroll deduction. You can obtain information through the Human Resources Office.

This plan may be discontinued at any time, without notice.

Section 8.06 Retirement System

The following categories of employees participate in the PERS:

Probationary

Regular Full-Time

Appointed Full-Time

Part-Time Plus

Temporary working more than 20 Hours per week **OR** averaging 80 hours per month

Temporary working for more than 4 ½ months

Temporary with previous PERS coverage

Temporary employees not scheduled to work more than 4 ½ months per year are not eligible to participate in the PERS.

Enrollment and benefit forms are available from the Human Resources Office. You are individually responsible to keep up-to-date name, address, and beneficiary information on file.

Retirement benefits accrue from both employee and City contributions. Contributions are deducted from your salary each payroll period. If you terminate employment without retiring, your accumulated contributions may be refunded subject to the PERS regulations.

PERS provides an annual benefit statement to participating employees.

You may request an estimate of benefits from the retirement system at any time to obtain an approximate projected retirement benefit figure.

Employees who plan to retire are encouraged to contact the Human Resources Office at least 90 days in advance of the anticipated retirement date to secure estimate of benefits information, to finalize the retirement date, and to complete all necessary paperwork.

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Article 9. Use of City Property

We have invested a great deal of money in property and equipment so you can do your job. Use of City property and equipment is not a benefit and no employee has a claim or entitlement to use City property. The assignment of property is not permanent and can be changed at any time, with or without notice. You are responsible for taking reasonable precautions to prevent theft or vandalism of all equipment and, except for intervening tortuous acts of others, for protecting against damage or destruction beyond normal wear and tear.

Section 9.01 Responsibility for and use of City Property

It is a senseless and avoidable drain on the City's budget when City property is abused, misused, and worn out prematurely. You are being trusted to take care of City property and report any problems to your supervisor. If a piece of equipment or property is unsafe for use, report it immediately to your supervisor.

You are not allowed personal use of City property unless specifically authorized by your Department Director/Manager. Use property only in the manner intended and as instructed. Failure to use City property appropriately, and failure to report problems or unsafe conditions, may result in disciplinary action, up to and including termination.

The City may establish additional or other policies, guidelines, and requirements regarding the acquisition, provision, or use of City property and related services. You are expected to adhere to such changes in policies, guidelines, and requirements and will be held responsible for doing so.

When your employment with the City ends, we expect you to return City property clean and in good repair. This includes:

- all manuals and guides,
- all documents,
- all phones,
- all computers and other electronic equipment,
- all equipment,
- all keys, and
- all tools.

If you do not return a piece of property, we will withhold the cost of replacing that piece of property from your final paycheck. If you return a piece of property in disrepair, we may withhold the cost of repair from your final paycheck. We will take all lawful action necessary to recover or protect our property.

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Section 9.02 City Owned and Leased Vehicles/Equipment

Only authorized City employees with current and valid driver's licenses, who are acting in the course of their employment and in connection with the City's business, can operate City vehicles and/or equipment. You must operate city vehicles and/or equipment, in a safe and courteous manner, and abide by the rules of the road and the law. If you receive any tickets for parking or moving violations, you are responsible for paying them. You are also responsible for notifying your Department Director/Manager within 24 hours of receiving a traffic citation. Failure to report a traffic citation may result in disciplinary action.

While using the City vehicles:

- a. do not smoke in the vehicle,
- b. do not use City vehicle while under the influence of drugs (including prescription or over the counter medication) or alcohol or otherwise impaired,
- c. do not park in any location that could cause embarrassment to the City,
- d. do not increase the potential of liability or responsibility upon the City, including, but not limited to, by transporting non-city employees, including family members.
- e. do use seat belts at all times.

If you have been assigned a City owned or leased vehicle, it is your responsibility to keep the car in good condition and repair. At a minimum, this means:

- keeping the car clean,
- bringing it in for scheduled maintenance by an authorized service department, and checking and changing the oil on schedule.

Periodically, we may inform you of other ways in which you must care for the car. We will reimburse you for any ordinary expenses associated with maintaining the assigned vehicle.

City vehicles assigned for off duty purposes are not to be used as personal vehicles. The only exception is the required commuting to and from the work location and your home. Other exceptions are based on work requirements and must be approved in writing by your supervisor prior to use.

Notify your immediate supervisor as soon as possible when a City vehicle is involved in an accident or any incident that may have caused or could possibly have caused damage or injury to any person or property. Also, notify your immediate supervisor immediately if equipment is found to be defective, as well as notify your supervisor if your equipment has any defects.

If you cannot meet the requirements or obligations involved in using a City vehicle, notify your immediate supervisor right away.

Additional vehicle policy information is available from your Department Director/Manager. Violation of this policy may result in disciplinary action, up to and including termination.

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Section 9.03 Telephone System

The City telephone systems, including FAX machines, are for business use only. Personal calls, when necessary, must be local, of short duration and on an infrequent basis. It is your responsibility to ensure that no cost to the City results from personal telephone or FAX calls. If you must make or receive a personal call, keep it to a minimum and keep your conversation brief. Extensive personal use of the City phones is grounds for discipline.

Section 9.04 Cellular (Cell) Phones

Certain employees and officials within the City of Gulfport may be provided cellular telephones in connection with their employment with the City. The provision of such telephones is in no way to be considered or construed to be a benefit or a guarantee and no employee has a claim or entitlement to such a telephone or equipment. The acquisition of such telephones shall be limited to those instances in which there is a demonstrated need for such equipment to perform essential City business or to improve safety, increase productivity, increase service to the public, or in situations in which necessary communications cannot be provided by any other means. The purchase, rental and lease of cellular telephones shall be subject to the approval of the Department Director and the Chief Administrative Officer.

a. Use of Cellular Phones

Cellular telephones shall be used only when a lower cost alternative is unsafe, inconvenient or not readily available. Cellular transmissions can be overheard by others. Discretion is to be used in discussing confidential information using cellular communication. Employees are responsible for taking reasonable precautions to prevent theft and/or vandalism of cellular equipment.

The use of cellular communications devices or equipment while operating a vehicle is prohibited if such use will jeopardize the safe operation of the vehicle.

Cellular phones or equipment are to be used for City business-related purposes only. City employees have no expectation of privacy in the use of City-owned cellular telephones and the use of such telephones will be monitored by the City. The City reserves the right to monitor the billing and use of all City-owned cellular telephones.

b. Termination of Use of City-Owned Cellular Telephones

If the conditions of this policy are violated by an employee, the Department Director and/or Chief Administrative Officer shall terminate the use of City-owned cellular telephones by such employee. In addition, violations of this policy are subject to disciplinary action, and depending on the severity of such violations, may include termination of employment.

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Section 9.05 Computers and Electronic Communication systems

- a. Use and Monitoring of Use. You are responsible for using the City computer systems, networks, e-mail, internet service, and other electronic communications systems for job-related purposes only. The City has the right to monitor, access, read and/or copy email, instant messages, or other electronic communication by any City user for any reason. You should not expect that your use of City equipment, including messages you consider to be, or label as, personal will be private.

You may use only the computing resources you are specifically authorized to use and only for specified job related purposes. You are accountable for ALL usage of your systems and need to keep your keywords and passwords confidential to protect yourself and your files. You are not to access or copy software or data belonging to others or to the City. You are not to read files or data of another employee or official unless authorized by the Department Director/Manager or the Chief Administrative Officer. You must not transport software or data provided by the City to another computer site without prior authorization from the Department responsible for the data.

Data files containing confidential or sensitive data should be treated accordingly.

- b. Examples of Misuse of Computers and the Network. If you misuse City computers and its networks, you are subject to disciplinary action, up to and including termination. Examples of misuse may include:

placing unlawful information on a system,

copying copyright materials,

transportation of copyrighted software from one site to another without the owner's expressed permission,

use of abusive or objectionable language in either public or private messages;

accessing, viewing, downloading, or any other method for retrieving non-City related information, including:

Entertainment or pornographic sites, social sites such as, Facebook, LinkedIn, shopping sites, instant messaging,

Chain letters, jokes, lists, or music chain letters, jokes or lists, music,

any other type of use that would cause congestion or disrupt operation of the networks or interfere with the work of others,

use of systems or networks in attempts to gain unauthorized access to other networks, and

decryption of system or user passwords.

- c. Hardware and Software. Improper installation of hardware and software can damage a system or cause it to malfunction. Therefore, all software and hardware can be installed only with the express consent of the Department Director/Manager and with the assistance of the City's Information Systems Department.

All software, programs, applications, templates, data, and data files on City microcomputer systems or storage media or developed on City systems are property of the City, and are

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not to be removed from the workplace without proper authorization. The City may access, copy, change, alter, modify, destroy, delete, or erase this property at any time, with or without notice.

The City does not own computer software but licenses the right to use it. Therefore, only authorized City employees or officials may reproduce software and they will do so in accordance with the terms of the software licensing agreements. Unauthorized copying, redistribution, or republishing of copyrighted or proprietary material may be a direct infringement of the Federal copyright law. Illegal copying of software will subject you to disciplinary action.

City computer programs may not be rented, leased, or loaned for direct or indirect commercial advantage. Computer programs may not be used or transferred to any site other than that specified by the licensing agreement.

- d. The Internet and Intranet.* Employees accessing the Internet or Intranet through City computers or networks are representing the City and all communications must be for business related purposes. The City has the right to monitor Internet and Intranet use to ensure such use is for legitimate business purposes and not for illegal or objectionable purposes and that employees are not abusing access.

Files downloaded from the Internet, or any other outside service, may contain a virus and must be scanned by a virus checking software prior to being used on a City computer. Downloading and uploading files is prohibited without the express consent of the Department Director/Manager and/or the Chief Administrative Officer.

- e. Electronic Communication.* The e-mail system hardware and software are the property of the City. All messages composed, sent, or received via e-mail, text messaging, instant message or similar electronic communication media are the property of the City. The City has the right to monitor, access, read or copy email, instant messages, or other electronic communication by any City user for any reason.

You should not expect that your use of City equipment, including messages or attachments you consider to be, or label as, personal will be private.

You are not authorized to retrieve or read e-mail messages that are not specifically sent to you.

The City's e-mail system should only be used for City business, and should not be used for non-business purposes, including to:

- Solicit, operate, or proselytize commercial ventures, religious or political causes, outside organizations, or other non-job related solicitation or business.

- Create any offensive or disruptive messages, including sexual implications, racial slurs, gender-specific comments, or other comments offensively addressing someone's age, sexual orientation, religious or political beliefs, national origin or disability.

- Send or receive copyrighted materials, trade secrets, proprietary or financial information or similar materials without prior written authorization from the owner of the material.

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For an in-depth Computer and Electronic Communications policy, please review on the City's Internet Technology policy.

Section 9.06 Reporting Abuse

If you receive harassing, intimidating or other inappropriate email, do not delete the email. Notify your Department Director/Manager immediately.

Section 9.07 Postage and Personal Mail

You may not use City postage for personal correspondence or receive personal mail at the City's post office box or address.

Article 10. Leave and Time Off

Section 10.01 Annual Leave

The City recognizes that our employees occasionally need to take time off to rest and relax, to enjoy a vacation, or to attend to personal matters. That's why we offer a paid vacation program. Probationary, regular full-time, and part-time plus employees are eligible to participate in the program. Annual, or vacation, leave accrues from the date of hire. Accruals are posted on the last day of each month. You are eligible to take annual leave on the last day of the month that occurs on or after you have worked 6 full months.

Leave is charged in quarter hours rounded to the nearest quarter on the employee's timesheet/Kronos system. Accrued comp time must be used before annual leave. Annual Leave shall be charged against an employee's accrued Annual Leave on a "first in, first out" basis.

a. Accrual. Eligible employees accrue annual leave as follows:

Employees hired after August 1, 2006 shall accrue leave as follows:

Regular Full Time Employees (I.e., Non-Fire Shift and Fire Shift Employees):

1 calendar month thru 3 years of continuous service—12 hours/calendar month – 18 days/year
37 calendar months thru 8 years of continuous service – 14 hours/calendar month – 21 days/year
97 calendar months thru 15 years of continuous service – 16 hours/calendar month - 24 days/year
Over 15 years of continuous service – 18 hours/calendar month - 27 days/year

Part Time Plus Employees:

1 calendar month thru 3 years of continuous service – 6 hours/calendar month - 9 days/year
37 calendar months thru 8 years of continuous service – 7 hours/calendar month - 10.5 days/year
97 calendar months thru 15 years of continuous service – 8 hours/calendar month - 12 days/year
Over 15 years of continuous service – 9 hours/calendar month - 13.5 days/year

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Employees hired before August 1, 2006 will have pre-selected leave based upon the foregoing leave schedule ("Option A") or the following leave schedule ("Option B"):

Regular Full Time Employees:

Non-Fire Shift Employees:

1 calendar month thru 5 years continuous service – 10 days/year

6 years thru 10 years continuous service – 10 days/year, plus one day for each year over five (5) years

11 years thru 15 years continuous service – 15 days/year, plus one day for each year over ten (10) years

16 years thru 20 years continuous service – 20 days/year plus one day for each year over fifteen (15) years

Over 20 years of continuous service – 25 days per year

Fire Shift Employees:

1 calendar month thru 5 years continuous service – 10 hours/calendar month – 5 shifts/year

Over 5 years of continuous service, additional (1) hour/month (1/2 shift/year)

20 + years, 25 hours/calendar month -12.5 shifts/year

Part Time Plus Employees:

1 calendar month thru 3 years of continuous service – 6 hours/calendar month - 9 days/year

37 calendar months thru 8 years of continuous service – 7 hours/calendar month - 10.5 days/year

97 calendar months thru 15 years of continuous service – 8 hours/calendar month - 12 days/year

Over 15 years of continuous service – 9 hours/calendar month - 13.5 days/year

Upon separation from the City you may receive a lump sum payment for a maximum of 240 hours of unused accrued annual leave.

Annual leave is not earned during an unpaid leave of absence or sick leave that exceeds 30 calendar days. Earning resumes upon return to active status.

- b. Scheduling in Advance.* You are expected to schedule your annual leave in advance with your Department Director/Manager. Your request for annual leave must be approved by the Department Director/Manager prior to the beginning your leave. The Chief Administrative Officer may approve annual leave schedules for Department Directors/Managers.

We will try to grant your leave request for the days off of your choice. However, we must have enough employees at work to meet day-to-day needs, in which case we might not be able to grant every vacation request, especially during holidays.

- c. Use by Members of the Armed Forces, National Guard, or Reserves.* If you are a member of the Armed Forces, National Guard, or Reserves you may request to use any accrued annual leave before the beginning of your military service instead of unpaid leave. However, you cannot be forced to use vacation time for military service.

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- d. Payment of Accrued Annual Leave.* If you voluntarily terminate employment or are terminated prior to completing one year of continuous service, you will not be paid for unused annual leave. If you are a probationary employee and you terminate employment or are terminated prior to completing your probationary period, including any extensions, you will not be paid for unused annual leave. Once you have met your length of service requirement, you will be paid for accumulated accrued annual leave when your employment terminates.

Section 10.02 Sick Leave

You may use sick leave when you are unable to work due to illness or injury. Sick leave is not to be used as extra vacation time, or to “take a break from work”. Any employee who abuses sick leave may be subject to disciplinary action.

An employee shall be subject to disciplinary action if he/she engages in outside employment at any time which he/she has used sick leave.

Sick Leave is provided for absences due to:

- Personal illness or accident,
- Doctor or dental appointments,
- Maternity leave,
- Sickness of an immediate family member,
- Involuntary or enforced quarantine, or
- Requests for your presence by immediate family, doctor, or clergy due to family illness.

- a. Accrual.* Part-time minus, temporary and seasonal employees do not accrue sick leave.

Regular Full Time Employees receiving Annual Leave under Option A in 10.01a. above, shall accrue Sick Leave, as follows:

- 1 calendar month thru 3 years of continuous service – 8 hours per month
- 37 calendar months thru 8 years of continuous service – 7 hours per month
- 97 calendar months thru 15 years of continuous service – 6 hours per month
- Over 15 years of continuous service – 5 hours per month

Regular Full Time Employees receiving Annual Leave under Option B in 10.01 a. above, shall receive Sick Leave, as follows:

- 1 calendar month thru 5 years of continuous service – 8 hours per month
- 6 years thru 10 years of continuous service – 8 hours per month
- 11 years thru 15 years of continuous service – 8 hours per month
- 16 years thru 20 years of continuous service – 8 hours per month
- Over 20 years of service of continuous service – 8 hours per month

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Part Time Plus Employees shall receive Sick Leave, as follows:

- 1 calendar month thru 3 years of continuous service – 4 hours/calendar month
- 37 calendar months thru 8 years of continuous service – 3.5 hours/calendar month
- 97 calendar months thru 15 years of continuous service – 3 hours/calendar month
- Over 15 years of continuous service – 2.5 hours/calendar month

Subject to conditions and terms of the PERS, or other applicable regulations or requirements, unused sick leave may be credited to the employee's retirement in the PERS as hours worked upon termination, resignation, or retirement. The City will not pay you for accrued Sick Leave upon termination, resignation or retirement.

Leave without pay must be used if the employee has no accrued personal leave or comp time. Sick Leave shall be charged against an employee's accrued sick leave on a "first in, first out" basis.

A doctor's excuse is expected upon returning to work as follows:

- Regular 40-hour Employees: if you miss 3 consecutive days of work
- Police Shift Workers: if you miss 3 consecutively scheduled shifts
- Fire Shift Workers: if you miss 2 consecutively scheduled shifts

For purposes of this subsection, the immediate family is defined as spouse, parent, stepparent, sibling, child, stepchild, grandchild, grandparent, son- or daughter-in-law, mother- or father-in-law, or brother- or sister-in-law. Child means a biological, adopted, or foster child, or a child for whom the individual stands or stood in *loco parentis*.

In the case of extended illness of the employee or immediate family member, which exceeds three (3) days, the employee should notify the Human Resource Department to determine if the illness/injury qualifies for FMLA and request to start the process for FMLA, which will run concurrently with any unused sick, vacation or compensatory leave.

Sick leave is not earned during a leave of absence that exceeds 30 calendar days. Earning resumes upon return to active status.

- b. Scheduling Planned Sick Leave. Planned sick leave use, such as doctor or dentist appointments, elective surgeries, etc., should be scheduled in advance with your supervisor as soon as you know you will need to be absent.
- c. Use. Sick leave cannot be taken until the end of the month following 30 days of employment, and will not be given in excess of the amount earned and available. Sick leave is charged in quarter hour increments rounded to the nearest quarter hour in the Kronos timekeeping system or timesheet.

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You may remain away from work until all accrued sick leave is exhausted. When sick leave is exhausted, any comp time and then annual leave may be used subject to approval by your immediate supervisor or Department Director. In accordance with the Family Medical Leave Act, accrued annual leave may be used to supplement sick leave if sick leave accruals are exhausted.

d. Notification. You must notify your Department Director/Manager at least 1 hour before the beginning of the scheduled workday if you cannot report to work due to illness. You should also tell your supervisor when you expect to return to work. If your absence is longer than initially anticipated, you must report to your supervisor by phone *each subsequent day* you are absent on sick leave at least 1 hour before the beginning of the scheduled workday. If you fail to provide notification as required, your paid sick leave may be denied and disciplinary action up to and including termination may result.

Note: Department call in requirements may vary. Please check with your specific department.

e. Certification. Sick leave in excess of three consecutive workdays must be certified by a qualified health care provider's statement, provided to your supervisor and Human Resources, immediately after the third consecutive day of absence. The certification must contain a statement either that:

- (1) you are fit to return to work, or
- (2) when you will be fit to return to work.

If the certification is not received or is incomplete, you can be placed on leave without pay for the period of absence until you do submit the certification or you may be required to use accrued comp time or annual leave for the absence.

If a full day of sick leave is requested for the workday before or after an observed holiday, certification from a qualified health care provider is required. At the supervisor's discretion, the employee may be allowed to provide a sworn affidavit regarding the circumstances of the illness in lieu of the certification.

Qualified health care providers who may provide certification of a serious health condition include:

- (1) doctors of medicine or osteopathy authorized to practice medicine or surgery (as appropriate) by the State in which the doctor practices,
- (2) podiatrists, dentists, clinical psychologists, optometrists, and chiropractors (limited to treatment consisting of manual manipulation of the spine to correct a subluxation as demonstrated by X-ray to exist) authorized to practice in the State and performing within the scope of their practice under State law,
- (3) nurse practitioners, nurse-midwives, and clinical social workers authorized to practice under State law and performing within the scope of their practice as defined under State law, and
- (4) any health care provider recognized by the City or our employer group health plan benefits manager.

A qualified health care provider must certify any sick leave used during the last 2 weeks of employment when sick leave is taken after notice of a severance or termination of employment.

The City will make every effort to maintain the confidentiality of information provided in accordance with this section.

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Section 10.03 Donated Leave

The City has a donated leave program to assist employees who have exhausted all earned paid time off due to a catastrophic illness or injury, either personally or in the case of an immediate family member for whom the employee cares. In order for you to be eligible for donated leave, you must meet the following conditions and apply using the procedure outlined here.

a. Eligibility (Without Limitation)

- (1) you must be employed by the City for a least 12 consecutive months before requesting donated leave, and
- (2) you must have worked a minimum of 1250 hours during the 12 months immediately preceding the date of your request for donated leave, and
- (3) you must submit supporting documentation and satisfy any additional reporting requirements, and
- (4) you must have exhausted all earned sick leave, annual leave, and compensatory time due to a catastrophic illness or injury or by providing care to an immediate family member who has suffered from a catastrophic illness or injury.
- (5) If you have received donated leave before, you must have returned to work with the City and worked at least 12 consecutive months and minimum of 1250 hours during the 12 months preceding your current request.

A “catastrophic illness or injury” means a life-threatening illness or injury to you, or a member of your immediate family, which:

totally incapacitates you from work,

forces you to exhaust all your earned leave time, resulting in a loss of pay,

Chronic illnesses or injuries such as cancer, major surgery, unresponsive syndromes, which result in intermittent absences from work and which are long-term in nature and require long recuperation periods may be considered catastrophic, and

Conditions that are short term in nature such as influenza, measles, common injuries, broken bones, strained ligaments, uncomplicated pregnancy, and the like are **not** catastrophic.

“Immediate family” is defined for the purposes of this section as a spouse, parent, step-parent, child or step-child, or legal dependent.

Donated leave may not be used in lieu of disability retirement.

For an in-depth Donated Leave Policy, please review on the Human Resources Office website.

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Section 10.04 Holidays

a. Designated Holidays. Probationary or regular full-time and part-time plus employees traditionally celebrate designated holidays with pay. Full-time employees receive 8 hours Holiday pay, part-time plus receive 4 hours Holiday pay. Designated holidays are:

New Year's Day	January 1
Martin Luther King's Birthday	3rd Monday in January
President's Day.....	3rd Monday in February
Good Friday	Friday before Easter
Memorial Day	Last Monday in May
Independence Day.....	July 4
Labor Day	1 st Monday in September
Veteran's Day	November 11
Thanksgiving Day	4 th Thursday of November
Christmas Day	December 25

These holidays and the dates when they are observed may change by declaration of the Governor or the City's governing authority or federal, state, or local law. Such changes override the list here.

Holidays are observed from 12:01 a.m. to 12:00 p.m. (midnight) the day of the holiday. Unless otherwise declared, a holiday that falls on Saturday will be observed on the previous Friday, and a holiday that falls on a Sunday will be observed on the following Monday.

b. Holiday Pay. Eligible employees whose work schedule includes the day on which the holiday occurs, or is observed, will be paid Holiday pay. When the holiday occurs within a period of approved leave, the holiday will not be counted as a leave day in computing the amount of leave used.

You must be either at work or in an approved leave status both the work day before and the work day after a holiday in order to receive holiday pay. Approved leave status is comp time or annual leave approved in advance by your supervisor, or sick leave certified by a qualified doctor. If you do not have leave accrued but requested unpaid leave in advance, covering the work day before and the work day after a holiday, you will also receive holiday pay.

When a holiday falls on a Saturday or Sunday, shift employees shall be paid holiday pay based upon the exact holiday and not the observed holiday, i.e., not a Friday or Monday.

Non-exempt employees who work on the holiday will receive pay at one and half times the hourly rate for the hours worked. Exempt employees who work on a holiday receive their regular pay.

c. Holiday Compensatory Time. Holiday comp time will be accrued for shift employees when a holiday falls on the employee's normal scheduled day off. Holiday comp time must be used before regular comp time and annual leave. Holiday comp time cannot be cashed out upon termination, nor can it be credited to PERS.

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Section 10.05 Family and Medical Leave Act (FMLA)

Without the prior approval of the Human Resources Manager and Department Director, employees may not engage in secondary employment, (including self-employment), while they are on Family Medical Leave. Failure to inform your Department Director/Manager is grounds for disciplinary action, up to and including termination.

Employee Eligibility

A regular, regular full-time, or part-time plus employee is entitled to take up to 12 workweeks of unpaid, job-protected leave for specified family and medical reasons, provided the employee:

- (1) has worked at least 12 months for the City. The 12 months do not have to be consecutive. If the employee was on the payroll for a part of a week, the entire week will count. Fifty-two weeks equal 12 months.
 - (2) has worked for the City for at least 1250 hours over the 12 months before the leave would begin.
- a. Service Credit Under the Uniformed Services Employment and Re-employment Rights Act (USERRA). Upon your return following military service, you will be given credit for your period of military service towards the FMLA eligibility requirement. You will be credited for any months and hours of service you would have been employed but for your military service.
 - b. Entitlement Reasons for Leave Under FMLA. If eligible, you are entitled to leave for one or more of the following reasons:
 - (1) The birth of your child or placement of a child with you for adoption or foster care,
 - (2) To care for your immediate family member (spouse, child, or parent) with a serious health condition, or
 - (3) When you are unable to perform the essential functions of the job because of a serious health condition.
 - c. Special Entitlement to Care for Members of the Armed Forces, National Guard, or Reserves. If you are a spouse, son, daughter, parent, or next of kin, you may take up to 26 workweeks of leave to care for a member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness.
 - d. Qualifying Exigency Leave. If you are a spouse, son, daughter, or parent of a covered military member on active duty or who has been notified of an impending call or order to active duty in support of a contingency operation, you may be entitled to take up to 12 weeks of leave. Activities that trigger leave entitlement must be related to, arise out of, or be necessitated by the active duty or call to active duty.
 - e. Immediate Family. Immediate family for FMLA purposes are your spouse, son or daughter, and parents. "Parent" does not include a parent-in-law. "Son or daughter" does not include individuals age 18 or over unless they are incapable of self-care because of mental or physical disability that limits one or more of the "major life activities" as those terms are defined under the Americans with Disabilities Act (ADA).

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f. Serious Health Condition Under FMLA. Ordinary illnesses such as common colds, flu, ear aches, upset stomach, headaches, and routine medical or dental care do not qualify for FMLA. Substance abuse is covered when you are seeking treatment, and not just impaired by your usage. A serious health condition is an illness of a serious and long-term nature resulting in recurring or lengthy absences. Treatment of such an illness would occur in an inpatient situation at a hospital, hospice, or residential medical care facility or would consist of continuing care provided by a licensed health care provider.

g. Concurrent Leave Use. If you take leave under FMLA for a serious personal medical condition or the serious health condition of an immediate family member, you must first use all comp time, annual leave, and sick leave and then will be eligible for unpaid leave. Any combination of family leave and medical leave may not exceed 12 weeks within any rolling 12-month period.

If you are off work due to the birth of a child and the following physical recovery, accrued sick leave, then comp time, followed by annual leave must be used before you will be eligible for unpaid leave under FMLA. The combination of the types of leave will not exceed 12 weeks within any rolling 12-month period.

If you are off work due to adoption of a child or foster care of a child, comp time and accrued annual leave must be used first and only then will you be eligible for leave under FMLA for the remainder of the 12 weeks. Sick leave *cannot be used* in this situation.

h. Notice of FMLA Use. You must give a 30-day notice if possible. If it is not possible to give a 30-day notice, you must give notice as soon as possible. You are required to report regularly to your supervisor regarding your medical condition and your intent to return to work.

i. Both Spouses are City Employees. When both you and your spouses are City employees, you are entitled to share 12 workweeks of family and medical leave for the birth or placement of an adopted or foster child, and to care for parents with a serious health conditions.

j. Calculation of Leave. You can use up to 12 weeks of leave under FMLA during a rolling 12-month period. The rolling 12-month period is measured backward from the date you need to use any leave under FMLA, paid, or unpaid.

k. Maintenance of Benefits. You are entitled to maintain uninterrupted group health insurance coverage during a period of FMLA, but must continue to pay your share of the insurance premium either through payroll deduction or by direct payment.

The health insurance premium payments can be made in person or by mail to the Human Resources Office by the 1st day of the month. If the premium is more than 30 days overdue, the City will drop the coverage after notifying the employee at least 15 days in advance.

The City's obligation to provide health benefits ends when you inform the City that you do not intend to return to work. If you choose not to return to work at the end of the leave period for reasons other than a continued serious health condition, you will be required to reimburse the City for the contributions made by the City toward your health insurance during the leave period.

Payroll deductions will continue while you are on paid leave. When you are on unpaid leave, you must pay all payments that would have been deducted through the payroll process.

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Earned benefits such as seniority, leave, and holidays will not accrue during unpaid leave. Using leave under FMLA is not considered a break in service when vesting or when eligibility to participate in benefit programs is being determined.

- l. Job Restoration.* An employee who uses leave under FMLA will be restored to the same job or to a job with equivalent status, pay, benefits, and other employment terms.

The City may exclude certain highly compensated, “key” employees from this job restoration requirement and not return them to the same or similar position upon return from FMLA leave. Employees who are excluded will be informed of this status when they request leave. If the City determines it necessary to deny job restoration for a key employee on FMLA leave, the City will inform the employee of its intention and will offer the employee the opportunity to return to work immediately.

- m. Intermittent/Reduced Use of Leave Under FMLA.* If you wish to use FMLA leave intermittently or to work a reduced workweek for birth or adoption purposes, you need to discuss and gain approval from your Department Director/Manager and the Chief Administrative Officer.

If the need to use leave is foreseeable and based on preplanned and prescheduled medical treatment, you are responsible to schedule the treatment in a manner that does not unduly disrupt the work operations. The City may temporarily transfer you to a different job with equal pay and benefits if another position would better accommodate your intermittent or reduced workweek schedule.

- n. Medical Certification.* The City may require you to provide medical certification from a qualified healthcare provider. You must respond within 15 days of the supervisor’s request or provide a reasonable explanation for the delay. Qualified health care providers who may provide certification of a serious health condition include:

- (1) doctors of medicine or osteopathy authorized to practice medicine or surgery (as appropriate) by the State in which the doctor practices,
- (2) podiatrists, dentists, clinical psychologists, optometrists, and chiropractors (limited to treatment consisting of manual manipulation of the spine to correct a subluxation as demonstrated by X-ray to exist) authorized to practice in the State and performing within the scope of their practice under State law,
- (3) nurse practitioners, nurse-midwives, and clinical social workers authorized to practice under State law and performing within the scope of their practice as defined under State law, and
- (4) any health care provider recognized by the City or our employer group health plan benefits manager.

You should ensure the certification contains the following information:

- (1) A date when the condition began, expected duration, diagnosis, and a brief statement of treatment.
- (2) If the requested leave is for you, a statement that you are unable to perform the essential functions of your position.
- (3) For a seriously ill family member, a statement that the patient requires assistance and that your presence would be beneficial or desirable.

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- (4) If taking intermittent leave or working a reduced schedule, the certification must include the dates and duration of treatment and a statement of medical necessity for taking intermittent leave or working a reduced schedule. If we do not receive the required certification in a timely manner or if it is incomplete, we may delay or deny your request for FMLA leave.

o. Other Doctors' Opinions. The City may require you to get a second opinion by a doctor selected by the City. If there is a conflict between the original certification and the second opinion, the City may require the opinion of a third doctor. The City and you will jointly select the third doctor. The third opinion is final. The City will pay for the second and third opinions.

p. Forms and/or Questions. The required FMLA form is available from the Human Resources Office. If you have questions regarding the sick leave policy or specific illnesses covered by FMLA, you should meet with the Human Resources Manager.

Section 10.06 Military Leave

a. Eligible Absences

You are permitted to be absent on military leave when participating in the following:

- (1) Annual Training (Summer Camp)
- (2) Active Duty Training (School)
- (3) Inactive Duty Training Assemblies (Weekend Drills)
- (4) Extended Leave of Absence for Voluntary Active Duty Service (Enlistment)
- (5) Involuntary Call-up

The City is obligated to grant you military leave with pay for absences not exceeding 15 days per calendar year. You may request use of annual leave to supplement your absences while on military leave. You are required to notify your supervisor of scheduled military duty at the earliest possible date. You are also required to submit your time or timesheet for the leave to your supervisor prior to taking the leave.

We will make a reasonable effort to adjust your work schedule and assignments to accommodate your military obligations. A replacement may be hired or promoted to fill your position until you return from military leave. Upon your return, you will be restored to your original or an equal position and the replacement employee may be laid-off if no other position is available. You will not lose seniority or pay which would have normally accrued if you had not been absent for military service.

b. Continuation of Health Insurance Coverage. If you and your dependents have health insurance coverage before leaving for military service, you can elect to continue health insurance coverage under the following circumstances:

- (1) You pay up to 102% of the full contribution, **except** if you are on active duty for 30 days or less, in which case you would pay only your normal employee's share.

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- (2) An exclusion or waiting period **cannot** be imposed with reinstatement of coverage when you are re-employed if one would not have been imposed had coverage had not been terminated because of military service. However, an exclusion or waiting period **can** be imposed for coverage of any illness or injury determined by the Secretary of Veterans Affairs to have been incurred in, or aggravated during, the performance of uniformed service.
- (3) Your maximum period of coverage under such an election will be lesser of:
 - (a) The 18-month period beginning on the date on which the employee's absence begins, or
 - (b) The day after the date you were required to apply for or return to a position of employment but failed to do so.

If you want to continue health insurance coverage on dependents while you are on military leave, you must pay the premiums for dependents.

- c. *Military Orders.* You are responsible for providing copies of all military orders that will result in a leave of absence for active military duty to your Department Director/Manager in a timely manner. The orders must specify the duties of absence, promulgation authority, letter order number, and signature of the issuing authority.

To help avoid a conflict between your work schedule and inactive duty training, you should provide your inactive duty training dates (weekend drills) to your Department Director/Manager at the earliest possible date before your inactive duty training.

- d. *Documentation of Military Leave.* All military leave will be documented via Personnel Action Forms. Copies of the form are available from the Human Resources Office. Military leave will be accounted for in increments of 24-hour periods (from 0001 to 2400 hours). A firefighter's 24 hour on duty shift counts as 3 days of military leave.

- e. *Responsibility for Timekeeping.* You are required to submit time or timesheets for all military, holiday comp time, comp time or annual leave. The official who verifies timesheets in each Department is responsible for annotating the use of military leave on your bi-weekly timesheet. The timesheet will be annotated with "ML" to indicate you are on military leave.

- f. *Returning to Work.* When your military service has ended, you must return to work or inform the City that you want to be re-employed as follows:

For leave of 30 or fewer days, you must report to work on the first regularly scheduled workday after completing your military service, allowing time for travel.

For leave of 31 to 180 days, you must request reinstatement within 14 days after your military service ends.

For leave of 181 days or more, you must request reinstatement within 90 days after military service ends.

- g. *Failure to Return to Work.* If you fail to return to work on the specified date without receiving an extension in advance, you are subject to disciplinary action including termination of employment.

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Section 10.07 Jury Duty and Court Leave

- a. Jury Duty.** Any probationary, regular full-time, or part-time employee who is required to serve on a jury or, because of official City duties, is required to appear before a court, legislative committee, or quasi-judicial body as a witness in response to a subpoena or other directive, shall be allowed authorized leave with pay.

You should immediately notify your supervisor if you receive a notice for jury duty or witness service.

A probationary employee called to serve will have the probationary period extended by the amount of time served on jury duty **if** the period of jury service exceeds 5 days.

Leave accruals are not affected, and the City will continue to provide health insurance benefits for the full term of the absence due to jury duty. You can keep jury and mileage fees received.

If you are excused as a juror on any day, or part of a day, you are expected to contact your supervisor immediately and report to work as instructed. You normally will return to work after jury duty although no more than your regularly scheduled number of hours for both jury duty and work will be required in any one day.

You must attach your jury duty documentation to your timesheet showing jury duty.

- b. Court Leave.** If you are required to appear in court as a plaintiff, defendant, complainant, respondent, or witness in any action **not** related to your official City duties, you are not eligible for court leave. You may use comp time or annual leave, upon approval by your supervisor, in such instances. If you are required to appear in court in your capacity as a city employee, you will be compensated for time worked.

Section 10.08 School Leave

Each regular full-time employee will be granted up to 4 hours of “school leave” per calendar year to attend school functions with dependent children or grandchildren. Part-time plus employees will be granted 2 hours of “school leave” per calendar year. The hours may not be carried over from one calendar year to another and are not compensable upon termination or voluntary separation from City employment.

All “school leave” must be requested and approved in advance by your immediate supervisor. You must attach documentation from the school or school program to your timesheet showing school leave.

Section 10.09 Leave Without Pay

When you must be absent from work and have no accrued leave, your Department Director/Manager may grant leave without pay for a period not to exceed 40 hours. The Chief Administrative Officer must approve any leave of absence without pay for a period exceeding 40 hours. Ninety days is the maximum period of leave absence without pay that can be granted. During the period of approved and unpaid leave, you must pay for any optional insurance coverage on a pro-rata basis.

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Section 10.10 Bereavement Leave

Probationary, regular full-time and part-time employees who have a member of the immediate family taken by death can receive bereavement leave to arrange or attend funeral activities. Probationary, regular full-time employees are eligible to receive up to 24 hours of bereavement leave, and part-time plus employees are eligible to receive up to 12 hours bereavement leave.

Comp time or annual leave may be taken if additional time is necessary, but your Department Director/Manager must authorize the leave in advance of your bereavement leave ending. If comp time or annual leave is not available, unpaid leave can be taken also with advance authorization by your Department Director/Manager.

In order to obtain bereavement leave, you should immediately notify your supervisor and/or Department Director/Manager of the death of a member of your immediate family.

- a. Definition of Immediate Family. Immediate family is your spouse, mother, father, mother-in-law, father-in-law, children, sister, brother, daughter-in-law, son-in-law, brother-in-law, sister in law, grandparents, and grandchildren.

Current step-grandparents, stepchildren, stepfather, stepmother, stepfather-in-law, or step-mother-in-law may also fall under this definition. A dependent aunt, uncle, niece, nephew, or cousin, who resides in your household or over whom you are a court appointed guardian or conservator might also be treated as “immediate family.”

Section 10.11 Administrative Leave

During times of closure of the administrative functions of the City (i.e., closure of City offices when the same would normally be open with the exception of official holidays as declared by the governing authority), certain employees may be called to duty during a period of Administrative Closure (essential employees) and others will be placed on administrative leave during the period Administrative Closure (non-essential employees.) Depending on circumstances, this policy may be implemented on a department or building basis in which case only the employees in that department or building would be subject to the provisions of this Section. Impacted employees will be compensated, during a period of Administrative Closure, as follows:

Non-essential employees (i.e., those employees placed on administrative leave):

- FLSA non-exempt: Shall be compensated at the regular hourly rate for hours scheduled to work that were not worked due to Administrative Closure
- FLSA exempt: Shall be compensated at their regular salary for days of work (or parts thereof) not worked due to Administrative Closure

Essential employees (Compensation for essential employees during period of administrative closure is an extraordinary cost):

- FLSA non-exempt: shall be compensated 1.5 times their regular hourly rate for the hours permitted under the FLSA workweek for each employee.
- FLSA exempt: shall be compensated for each hour worked over the usual work schedule in a given 24 hour period, at an hourly rate determined by dividing the employee’s annual base salary by 2080 hours.

Overtime: In all instances, overtime shall be paid as set forth in Section 7.02

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Holidays: Where a period of Administrative Closure falls on a holiday, Holiday Pay, as set forth herein, shall be paid to all essential and non-essential employees.

Employees may only be required to work during a period of Administrative Closure by the Department Director or the Mayor and/or Chief Administrative Officer, who may communicate that requirement to the employees directly or through the employee's supervisor (s). All hours required to be worked by any employee and actually worked during a period of Administrative Closure shall be documented on the employee's time sheet and, when applicable, on the City's Universal Daily Activity Log or other similar form as may be required by the nature of the closure. The compensation provided in this section shall be paid without regard for the cause of the Administrative Closure and without regard for whether federal or state reimbursement is available.

Article 11. Performance

Every employee contributes to the success or failure of the City. If one employee allows his or her performance to slip, then all of us suffer. We expect every employee to perform to the highest level possible. Any employee who receives a below standard rating in one or more performance areas will be placed on a performance improvement plan. Failure to make the necessary improvement within the time provided may lead to termination.

Section 11.01 Performance Reviews

At least once every fiscal year, your supervisor or representative will complete, sign, and date your Performance Evaluation form. The supervisor will then review the performance evaluation with you. You are required to sign the rating form to acknowledge that the form was completed and that you are aware of its contents. Signing the form does not mean that you agree with the rating. You may add comments to the rating if you want. Failure to cooperate in the performance review process could lead to discipline, up to and including termination.

After your supervisor has reviewed the form with you, the form will be forwarded to the Human Resources Office for inclusion in your employee personnel file.

Poor job performance can lead to corrective measures up to and including termination.

Article 12. Travel and Training

Please refer to the City's purchasing manual for specific travel policy. Information can be accessed via the City's website.

Article 13. Workplace Behavior

As an employee of the City of Gulfport you serve as the face of our City to everyone who comes in contact with you. We expect all employees to demonstrate appropriate workplace behavior at all times. If you engage in inappropriate behavior, you will face disciplinary action, up to and including termination.

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Section 13.01 Professionalism

People who work together have an impact on each other's performance, productivity, and personal job satisfaction. Your conduct toward customers and vendors influences whether those relationships are successful for you, and in turn, for the City. We expect you to act in a professional manner whenever you are on City property, conducting City business, or representing the City at business or social functions.

Although it is impossible to give an exhaustive list of everything that professional conduct means, it does, at a minimum, include:

- following all of the rules in this Handbook that apply to you,
- refraining from rude, offensive, or outrageous behavior,
- refraining from ridiculing, bullying and hostile jokes,
- treating coworkers, supervisors and managers with patience, respect, and consideration,
- treating customers and vendors with patience, respect, and consideration,
- being courteous and helpful to others,
- providing timely resolution to problems, and
- communicating openly with supervisors, managers, and co-workers.

Section 13.02 Non-Fraternization

Misunderstandings, actual or potential conflicts of interest, complaints of favoritism, possible claims of sexual harassment, and employee morale and dissension problems can result from romantic relationships involving managerial and supervisory employees or certain other City employees. As a result:

- Employees are prohibited from becoming romantically involved with one another when to do so would create the appearance of a conflict of interest, cause disruptions, create a negative or unprofessional work environment, or present concerns regarding supervision, safety, security, or morale.

If you are involved with a supervisor, or fellow employee, you should immediately notify your immediate supervisor and the Human Resource Manager and fully disclose the relevant circumstances surrounding the relationship so that a determination can be made as to whether the relationship violates policy.

Section 13.03 Absenteeism and Tardiness

The successful and efficient functioning of City Government is dependent upon the regular attendance of all employees. It is the policy of the City to require regular attendance, punctuality and promote communication and interaction between management and employees to ensure that resources are available for meeting daily obligations.

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Each supervisor and managerial employee has operational day-to-day responsibility for administering this policy. Employees are expected to report for work and be at their work station/place prepared to work at the start of the shift. Any employee who is absent from work and fails to call in may be subject to corrective action, up to and including termination.

Absence – An employee’s failure to be at work during the hours the employee is normally scheduled to work. Employees are considered absent from work when not available for the assigned work schedule regardless of the reason.

Employees are to notify their supervisor (or designee) as early as possible about scheduling time off from work (e.g. annual leave, doctor’s appointments, personal days, etc.), whether paid or unpaid.

Scheduled absences are arranged at the mutual convenience of the department and the employee based on the operational needs of the department.

Absences can be considered scheduled if advance notice is given, or notice in accordance with the guidelines established in the Annual Leave policy, and the absence is approved by the supervisor or designee. Exceptions may be considered on a case-by-case basis as determined by the Department Director/Manager.

Employees must follow department procedure for call in; failure to follow established departmental procedures may result in corrective action up to and including termination.

Excessive Unscheduled Absences – Multiple unscheduled absences.

Excessive unscheduled absences may result in disciplinary action being taken. Supervisors will notify employees when patterns or concerns develop that may place them at risk for disciplinary action or discharge.

The following factors should be considered in determining if unscheduled absences are excessive:

Patterns of Absence: A pattern of absence demonstrates a predictable routine. For example, the employee is consistently absent the day after payday, or a particular day (e.g. Monday or Friday) or always on the day before or after a holiday, etc.

Frequency of Absence: How often does the staff member have an unscheduled absence? Repeated instances of unscheduled absences, such as call-ins, early departures, not reporting for on-call, etc. should be considered. Even though the absences may not constitute a predictable pattern, is the staff member often absent?

Occurrence – The time from the first day of absence to the day returned to work for the same illness or injury.

For example, one day of personal sick leave equals one occurrence. Two consecutive days of personal or family sick for the same illness equals one occurrence. However, one day of personal sick followed by one day of family sick will equal two occurrences

Tardy – Employees are considered tardy if they are not at their work station/place ready to work at his/her scheduled work time such as the beginning of the shift, returning late from breaks/meals, or early departure from work.

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Job Abandonment – Employees shall have abandoned their job when they have failed to call in and directly notify the supervisor of the reason for absence from work for two consecutive work days; also occurs when an employee fails to return to work or directly notify the supervisor of the reason for absence within two consecutive working days after any approved leave of absence, disciplinary suspension, or recall from layoff status.

Excused Absences

Absenteeism will be considered as any instance of missed work time, full or partial days, excused or unexcused, including tardiness and early departures. The following are not considered to be absenteeism:

Paid holidays

Preapproved paid annual leave

Preapproved paid sick leave

Exceptions may be considered on a case by case basis following 12 weeks of FMLA as determined by Human Resources

Donated leave

Preapproved paid compensatory leave

Approved military service

Approved Family Care and Medical Leave

Paid bereavement time

Jury or subpoenaed witness duty

Employee's Responsibility

If any employee cannot work as scheduled, he or she is required to notify their immediate supervisor/coordinator as soon as possible, at least 1 hour before the start of work on the first day of absence.

Please note that departmental policies may be more stringent as far as reporting requirements. Please check with your department for specific reporting requirements.

Voice messages and/or messages left with co-workers are prohibited. Calls from relatives on the employee's behalf are unacceptable unless the employee is physically unable to call.

Staff members are expected to complete their scheduled work shift. Failure to complete a scheduled work shift without permission may result in disciplinary action.

Staff members are expected to leave for and return from breaks and lunch within a specified time schedule. Exceeding the time schedule set for lunch and breaks may result in disciplinary action.

Discipline/Corrective Action for Attendance/Tardiness

Progressive discipline may be used in relation to absentee problems as outline in Section 17.02. It may be necessary to terminate the employment of employees who have been absent because of continuing instances of illness or injury; such terminations are made necessary because of the need to plan and complete the work of the department or section.

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Unexcused Absences

If an employee has more than one unexcused absences in a thirty day period, or two or more unexcused absences in a sixty day period, the supervisor shall issue a written warning to the employee, unless there are extenuating circumstances pertaining to the absences.

Tardiness or Early Departure

If an employee has three or more unexcused tardies/early departures in a thirty day period, or four or more unexcused tardies/early departures in a sixty day period, the supervisor shall issue a written warning to the employee.

Recurrent Attendance Problem

In addition to other attendance problems mentioned, employees may be disciplined for any other recurrent attendance problems, including patterns of absences, frequency of absences, and excessive use of sick leave. They should be reviewed and evaluated regardless of the amount of total time missed. Human Resources and the supervisor will decide the most appropriate response.

No Call/No Show Occurrence

An employee who has not reported to work as scheduled and has not informed the department of his/her absence within fifteen (15) minutes of shift time is in serious violation of this policy and will receive a written warning for the first occurrence. The second occurrence of no call/no show without a valid excuse will result in further disciplinary action up to an including termination of employment.

Job Abandonment

Employees who do not come to work, have not or do not obtain approval to be absent for two consecutive work days are considered to have abandoned their jobs and considered self-terminating. When employees abandon their jobs, they will be terminated immediately and will not be considered as "resigning in good standing" and not eligible for re-employment.

Section 13.04 Employee Appearance and Dress

It is the policy of the City of Gulfport to promote and project a professional image to ourselves and the community. The purpose of this policy is to establish guidelines for appropriate dress and grooming to preserve the City's public image and maintain good job safety and health conditions. It is not the intention of this policy to infringe upon the personal rights of employees, but merely to put forth legitimate business needs for requiring appropriate dress and grooming.

The City's community image is heavily affected by the impressions people obtain from their contacts with our employees. It is essential, therefore, that all employees not only be efficient in their work and courteous in their manner but also neat and businesslike in their mode of dress and personal grooming. Employees are expected to demonstrate good judgment in grooming and dress so that personal appearance reflects well on both the employee and the City.

The following are general guidelines that will apply to all male and female employees:

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Clothing must be clean and in good repair,

Clothing must be modest, fit properly, and may not reveal undergarments,

Clothing must be free from offensive writing, decals, and pictures,

Clothing and accessories must not interfere with work duties,

Clothing and accessories must comply with safety standards,

Clothing, makeup, hairstyles, and accessories must be conservative,

- Perfume/cologne, may be used in moderation,
- Hair must be clean, groomed, and of a color that could be natural,
- Facial hair must be clean and neatly trimmed, and
- Daily showers or baths, regular brushing of teeth, shaving, use of deodorants, and other sensible hygienic practices should be a part of each employee's health routine.

Footwear should be comfortable, appropriate for the job, clean, polished, and in good condition, and

Medical alert bracelets and necklaces are acceptable if they are displayed in accordance with departmental policy.

Standard of Dress

The City recognizes that personal taste and style trends may vary and that this dress standard is not meant to infringe on personal expression. Different work activities dictate different types of dress requirements; including departments requiring employees to wear standardized uniforms/apparel. Therefore, a minimum standard of dress was developed based on the type of work an employee performs. The standard of dress is broken down into three categories: business, business casual, and casual. This section is not all-inclusive; it is meant as a guideline only.

The first chart lists some work activities and examples with the minimum dress standards for each activity. The second chart lists examples for each of the three types of dress standards we have identified (Business, Business Casual, and Casual), including a list of unacceptable clothing at any time.

Employee's Responsibility

When in doubt about the appropriateness of attire for a work situation, employees are to ask their immediate supervisor prior to wearing it. If the immediate supervisor has doubt, she/he may refer the matter to the Department Director/Manager or Elected Official, who may refer the matter to Human Resources. The intent is consistent City-wide enforcement of this policy.

Employees who fail to abide by this policy may be sent home to change clothes and/or disciplined according to the City's progressive discipline policy. Exceptions may be made for religious or medical reasons with sufficient documentation.

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When you are:	For example:	The minimum dress standard is:
Attending Professional Meetings and Functions	Media contact, external meeting and other professional or community meeting participation	Business
Performing General Office duties in an Office setting	Routine indoor office duties, internal business meetings, greeting the public, typing, reception, interviewing, filing, data entry, phone calls, etc.	Business Casual
Performing Field/Maintenance Functions	Routine outdoor duties, field inspections, building maintenance, courier, moving furniture, repairing equipment, files, cleaning out storage areas, etc.	Casual

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Examples of Dress Standards

Acceptable

Unacceptable

<p>Business</p> <ul style="list-style-type: none"> • Suits, Sport Coast, Blazers with Coordinating Bottoms (in this list) • Tailored Dress Slacks • Dress Shirts (such as button-down shirts, turtlenecks, mock turtlenecks) • Ties • Blouses, Tailored Sweaters, and Shells (for women) • Skirts (for women) • Dress shoes, boots • Public Safety Class A Uniforms 	<p>Business</p> <ul style="list-style-type: none"> • Anything listed under Business Casual • Anything listed under Casual • Anything listed under Unacceptable at anytime • Sleeveless tops without a jacket • Visible tattoos or facial piercing (excluding ears)
<p>Business Casual</p> <ul style="list-style-type: none"> • Chinos, Dockers, Cotton Slacks • Capri Pants (for women) • Split Skirts, Tailored Skorts, Culottes, Walking short sets (no more than 2" above the knee (for women) • Casual button-down shirts, polo shirts with collars, sweaters, cardigans • Non-tailored dresses and jumpers • Sandals and clogs • No hosiery • Department uniform 	<p>Business Casual</p> <ul style="list-style-type: none"> • Anything listed under Casual • Anything listed under Unacceptable at anytime • Decorated/Lighted Sneakers Facial piercing (excluding ears) Baseball caps, hats (except while performing functions in a community setting and/or outdoor field or maintenance functions during inclement weather, extreme heat or cold temperatures • Visible tattoos or facial piercing
<p>Casual</p> <ul style="list-style-type: none"> • Department Uniforms • Jeans • Sleeveless tops • Shorts (no more than 2" above the knee) • Sweatshirts • Plain T-shirts (small logos) • Athletic Shoes/Sneakers 	<p>Casual</p> <ul style="list-style-type: none"> • Anything listed under Unacceptable at anytime
	<p>Unacceptable Clothing at Anytime</p> <ul style="list-style-type: none"> • Torn clothing of any type • Spandex, leggings, stirrup pants • Sweatpants/Exercise Clothing • Tank/Halter Tops, Muscle Shirts • Spaghetti Straps, Strapless Tops, Sun or backless dresses (without jackets) • Revealing Slits, low necklines, sheer clothing • Miniskirts or skirts 2" above the knee

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	Shorts more than 2" above the knee Bare midriiffs or cropped shirts T-Shirts with decals or writing containing vulgar or abusive language, epithet or slurs, graphic material that is offensive, sexually oriented or gender abusive
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Existing tattoos that are not extremist, indecent, sexist, or racist are exempt from this policy.

We will try to reasonably accommodate special dress or grooming needs that are the result of religion, ethnicity, race, or disability. You may request accommodation through the Human Resources Manager.

Department policy may supersede this specific policy, with prior approval of the Chief Administrative Officer.

Section 13.05 Solicitation Policy

The City limits solicitation and distribution on its premises because, when left unrestricted, such activities can interfere with the normal operations of the City, can be detrimental to efficiency, and can be annoying.

Both employees and non-employees are prohibited from soliciting funds or signatures, conducting membership drives, posting, distributing literature or gifts, offering to sell or to purchase merchandise or services or engaging in any other solicitation, distribution, or similar activity on City premises.

The City may permit employees to engage in solicitation if City endorsed or approved by the Chief Administrative Officer, for any group or organization, including charitable organizations, with the following guidelines:

Solicitation and distribution of literature with appropriate approval will not interfere with working time of either the employee making the solicitation or distribution, or the targeted employee. The term "working time" does not include an employee's authorized lunch or rest periods or other time when the employee is not required to be working.

The City maintains bulletin boards to communicate City information to employees and to post notices required by law. An unauthorized posting of notices, photographs, or other printed or written materials on bulletin boards or any other City property is prohibited.

All managers are responsible for administering this policy and enforcing its provision.

Section 13.06 Pranks, Practical Jokes and Horseplay

Although we want our employees to enjoy their jobs and have fun working together, we cannot allow you to play practical jokes or pranks on each other. We also do not allow horseplay, which is fun that becomes loud, boisterous, and out of control. At best, these actions disrupt the workplace and dampen the morale of some; at worst, they lead to complaints of discrimination, harassment, or assault.

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Section 13.07 Threatening, Abusive or Vulgar Language

We expect our employees to treat everyone they meet through their jobs with courtesy and respect. Threatening, abusive, or vulgar language has no place in our workplace. It destroys morale and relationships, and it hinders effective and efficient operation.

We will not tolerate threatening, abusive, or vulgar language from employees while they are on the worksite, conducting City business, or attending City-related business or social functions.

Section 13.08 Fighting

Verbal or physical fighting among employees is absolutely prohibited. Employees shall not engage in, provoke, or encourage a fight. In addition to being subject to disciplinary action up to and including termination, those who engage in fighting may be subject to arrest.

Section 13.09 Sleeping on the Job

When you arrive at work, we expect you to be physically prepared to work through the day. We do not allow any employees to sleep while at work. If you are unable to remain awake and alert due to an illness, talk to your immediate supervisor about taking off the rest of the day using sick or annual leave, as appropriate. Sleeping on the job may result in disciplinary action being taken.

Section 13.10 Insubordination

We operate on a system of mutual respect between supervisors and employees. Supervisors are expected to treat their employees with dignity and understanding, and employees are expected to show due regard for their supervisors' authority.

Insubordination occurs when an employee refuses to obey the orders or follow the instructions of the supervisor or others in the supervisory chain of command. It also occurs when employees, through their actions or words, show disrespect toward their supervisors.

If you believe you have valid reasons for refusing to do as your supervisor says, such as fear for your safety or the safety of others, potential law violation, or some other problem for the City, we do not ask that you blindly follow orders. We ask that you explain the situation to your supervisor. If, after hearing your concerns, the supervisor continues to give the same order or rule, you must obey unless there is reason to believe to do so would be to violate law or result in injury to yourself or others.

After you comply with your supervisor's order or instructions, you may protest the order by following the grievance procedures outlined in this Handbook.

Section 13.11 Violence in the Workplace

The City will not tolerate any acts of violence to persons or City property. All acts of violence are serious. Each act of violence will be dealt with promptly and appropriately utilizing administrative, managerial, legal, and disciplinary actions.

Workplace violence refers to any verbal or physical action that is communicated or perceived as a threat, harassment, abuse, intimidation or personal contact, that produces fear, causes bodily harm

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or damage to property. Workplace violence may involve family, friends, strangers, co-workers, or customers. Workplace violence includes harassment based on an individual's sex, race, age, or any characteristic protected by federal, state, or local law.

Nothing in this article should be construed in any way as changing the "at-will" employment status, which means the "at-will" employee can be terminated at any time for any reason or no reason, with or without notice.

Article 14. Fitness for Duty

If there are documented reasons to question an employee's fitness for duty, i.e., ability to perform job duties or meet the expectations of conduct, the City has the right to require the employee to provide information about that ability. This includes situations where the employee is exhibiting bizarre, inexplicable, or unacceptable behavior. A supervisor may require information about the employee's ability to function on the job by requiring an evaluation from an appropriate professional. When the City requires such an evaluation, any costs not covered by the employee's health insurance are the City's responsibility.

All fitness for duty exams should be coordinated through the Human Resources Office.

Article 15. Whistle Blowing

The City strives to conduct its business with the utmost integrity and in strict accordance with all applicable federal, state, and local law. Employees are encouraged to bring to the attention of the City any improper actions of City employees. We will not retaliate against any employee who makes such a disclosure in good faith.

Section 15.01 Improper Actions

Improper actions are actions undertaken by an employee in the performance of that employee's official duties which:

1. violate any federal, state, or local law,
2. constitute an abuse of authority,
3. create a substantial and specific danger to public health or safety,
4. violate any policies, procedures, or provision of this Handbook or other City policies, procedures, or regulations, and
5. grossly waste public funds.

Improper actions do not include common personnel actions such as the processing of grievances, decisions regarding hiring, promotion, terminations of employment, other discipline, or alleged violations of employment contracts.

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Article 16. Employee Ethics and Political Activity

You are required to adhere to and abide by all applicable and governing laws, ordinances, and regulations pertaining to ethics, conflicts of interest, and political activity.

Section 16.01 Ethics and Conflicts of Interest.

You must avoid behavior which is or give the appearance of being unethical or creating a conflict of interest. Thus, you should:

1. always conscientiously perform all assigned job duties,
2. be tactful, patient, and courteous when conducting City business,
3. not grant special consideration to any citizen or group of citizens,
4. not request or permit the use of City vehicles, equipment, materials, or property for personal convenience or profit,
5. not accept or ask for any gift or consideration from any person or firm doing, or seeking to do, business with the City or intending to influence you to provide preferential treatment. You may accept unsolicited gift of little or no nominal value, if acceptance does not create the appearance of a conflict of interest.
6. not report to work in a condition that is unsafe for you, others or physical property, or in a condition that renders you incapable of performing job responsibilities, or a condition which creates an unfavorable public image. Such conditions include, but are not limited to physical illness, or being under the influence of alcohol, narcotics or other mood or mind-altering substances or medications.
7. not abuse, misuse, neglect or waste government property, materials, or equipment, including City-owned or leased vehicles and communication systems,
8. not use the City's name or tax-exempt status for personal advantage on any purchases, and
9. not discuss or reveal confidential City information to anyone, under any circumstances, except within the scope of your duties.

Section 16.02 Political Activity

You have a civic duty to cast your vote for candidates and issues as you choose and to support candidates and issues with your personal efforts. However, you may not conduct such activity during working hours, at the expense of the City, or utilizing City property. Employees should not be subject to coercion, intimidation, or threat of reprisal because of their political views or activities.

Section 16.03 Outside Employment or "Moon Lighting"

If an employee is sick or otherwise physically unable to work and out on sick leave, Family Medical Leave, or some other, similar leave, they should not be performing work for another employer, including, self-employment, while they are sick or physically unable to work as this could prolong or increase the duration or degree of their sickness or physical inability(ies) and, consequently, adversely affect their ability to work for the City and the overall efficiency and productivity of the employee and the City. In view of this, and with the concern also being the safety and well-being of

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employees as well as the curtailment of abuse of leave privileges, an employee who is sick or otherwise physically unable to work and out on sick leave, Family Medical Leave, or some other, similar leave, must receive prior approval of the Human Resources Manager and the applicable Department Director before engaging in employment outside of the City during any period when the employee is sick or otherwise physically unable to work and out on sick leave, Family Medical Leave, or some other, similar leave. Such outside employment includes self-employment. This also includes any work for a secondary employer that falls between the scheduled shifts at the City. Failure to timely seek advance approval from your Department Director and the Human Resources Manager is grounds for disciplinary action.

Article 17 Conduct and Discipline

All City employees have a responsibility to maintain high standards of cooperation, competency, efficiency, and integrity in their work with the City. Any employee whose conduct falls below standard may be subject to disciplinary action, up to and including termination of employment. Nothing in this section should be construed as in any way changing or altering the “at-will” employment status of any “non-Civil Service” employee, as set forth and described elsewhere herein, (i.e., the status of all non-regular full-time employees), who all serve at the pleasure of the City and are “at-will” employees, meaning that they can be terminated or even disciplined at any time for any reason or for no reason at all, with or without notice and without resort to any pre-disciplinary process, procedures, and/or administrative hearings. They are not “Civil Service” employees as such terms or phrase are/is referred to and further described herein (e.g., Section 104).

Section 17.01 List of Offenses

Some general areas for which an employee may be disciplined include, but are not limited to:

1. Reporting to work or otherwise on duty while under the influence of alcohol, intoxicants, or non-prescribed or illegal drugs, narcotics, or “controlled substances,” as such terms or phrase are/is understood and referred to in the statutes of the State of Mississippi (e.g., Miss. Code Ann. § 41-29-113 through § 41-29-121 (Rev. 2001), the use of alcohol and/or other intoxicants while at work and/or on duty, and/or a positive drug test result as obtained or received pursuant to the City’s policy on drug testing.
2. Refusing to adhere to or failing to comply with the City’s policy on drug testing.
3. Failing to follow the lawful order, regulation, instruction, or directive of the immediate supervisor (s), including, without limitation, his or her Department Director/Manager, the Chief Administrative Officer, and/or Mayor.
4. Being absent without leave including failing to report for work, being absent from work without permission, or failing to report absence to the immediate supervisor or Department Director/Manager.
5. Abusing sick leave by reporting in sick when not sick or obtaining sick leave pay falsely or under false pretenses.

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6. Being habitually or excessively absent or tardy for any reason whether or not such absences have been individually approved.
7. Failing to perform assigned work or required duties in an efficient, effective, competent, or satisfactory manner according to reasonable City standards.
8. Being unable or unwilling to perform assigned job duties.
9. Being incompetent or inefficient in the performance of duties of the assigned position.
10. Engaging in a job in addition to employment with the City, which tends to detract or cause inattention from the assigned City duties or causes physical or mental inability to accomplish work for the City.
10. Wasting or misusing City material, property, equipment or resources, or time.
11. Being careless or negligent in using City property.
12. Being unable to get along with fellow employees to the extent that work is hindered or less than satisfactory.
13. Making or spreading slanderous remarks or representations about fellow employees or supervisors.
14. Using profanity, abusive language, lewd or offensive conduct or language toward a fellow employee or member of the public while in the course of City employment.
15. Engaging in inter-office and intra-office personal relationship(s) that interfere with productivity.
16. Making threats of violence, fighting, or stalking; acting in a threatening manner; or engaging in violence toward a fellow employee, supervisor, elected official, or member of the public while in the course of City employment.
17. Attempting to persuade an employee of the City to commit an illegal act(s) or act(s) in violation of departmental regulation, policy, or procedure.
18. Failing to observe proper security procedures.
19. Violating safety rules and regulations within a City department and/or the City.
20. Revealing or misusing confidential information, including removal from City premises, without proper authorization or permission, any employee lists records, designs, drawing, or any other confidential information of any kind.
21. Possessing unauthorized firearms or using firearms, dangerous weapons, or explosives at the worksite or in the course of City employment.

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22. Removing or converting City money, merchandise, or property, including property in custody of the City, without authorization or permission.
23. Making excessive or unauthorized charges to the City by credit card, purchase order, or other means of obligating the City to debt.
24. Operating a City-owned or leased vehicle without a current and valid driver's license.
25. Engaging in conduct on the job that violates the common decency or morality of the community.
26. Being convicted of or pleading *nolo contendere* to a felony or misdemeanor. Minor traffic offenses are excluded unless such an offense is connected with or arises out of City employment.
27. Failing to pay or make reasonable provision for the payment of just debts.
28. Engaging in conduct unbecoming an employee of the City either on or off duty.
29. Acting dishonestly, including, without limitation, intentionally giving false information, submitting false work records, making false statements on employment application(s), or during the application or pre-employment process.
30. Falsifying time and attendance records, clocking someone in, or submitting a timesheet for someone else.
31. Engaging in political activities prohibited by this Handbook or in violation of any Federal, state, and/or local law, ordinance, or regulation.
32. Violating the provisions of statutes, ordinances, and regulations pertaining to Civil Service or the rules and regulations of the City of Gulfport Civil Service Commission when applicable.
33. Violating the policies, procedures, provisions, or regulations contained in this Handbook and any later amendments or otherwise promulgated or contained in any policy, regulation, or order of the City for which the employee has notice.
34. Violating internal rules, regulations, policies, or procedures established by the City departments, Department Directors/Managers, or the employees' supervisors, provided they are not in conflict with the policies, provisions, procedures, and regulations of this Handbook or any later amendments.

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The examples listed above show general areas for which an employee could be disciplined. Such offenses may amount to one or more of the following:

- Incompetency
- Inefficiency
- Inattention to duty
- Dishonesty
- Intemperance
- Immoral conduct
- Insubordination
- Discourteous treatment of the public or fellow employees, and/or
- Acts of omission or commission likely to harm public service.

The failure to discipline you for a specific incident does not preclude or limit the City from disciplining you for the same reason on other occasions or from disciplining other employees for the same reason.

Section 17.02 Progressive Discipline

Any employee conduct that, in our opinion, interferes with or adversely affects the work of the City is sufficient grounds for disciplinary action.

Disciplinary action can range from oral warnings to immediate termination of employment. Our general policy is to take disciplinary steps in the following order:

- oral warning(s)
- written reprimand(s)
- suspension, and
- termination

However, we reserve the right to alter the order described above, to skip disciplinary steps, to eliminate disciplinary steps or to create new and/or additional disciplinary steps.

In choosing the appropriate disciplinary action, we may consider any number of the following things:

- the seriousness of your conduct
- your history of misconduct
- your employment record
- your length of employment with the City
- the strength of the evidence against you
- your ability to correct the conduct
- your attitude about the conduct
- actions we have taken for similar conduct by other employees
- how your conduct affects the City, its customers and your co-workers, and

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any other circumstances related to the nature of the misconduct, to your employment with the City and to the effect of the misconduct on the perception of the City.

We will give those considerations whatever weight we deem appropriate. Depending on the circumstances, we may give some considerations more weight than other considerations—or no weight at all.

Some conduct may result in immediate termination. Here are some examples:

- theft of City property
- excessive tardiness or absenteeism
- arguing or fighting with customers, coworkers, managers or supervisors
- brandishing a weapon at work
- threatening the physical safety of customers, coworkers, managers or supervisors
- physically or verbally assaulting someone at work
- any illegal conduct at work
- using or possessing alcohol or illegal drugs at work
- working under the influence of alcohol or illegal drugs
- failing to carry out reasonable job assignments
- insubordination
- making false statements on a job application
- violating City rules and regulations, and
- unlawful discrimination and harassment

Of course, it is impossible to compile an exhaustive list of the types of conduct that will result in immediate termination. The ones listed above are merely illustrations.

Unless otherwise noted, your employment is “at-will”, i.e. at the mutual consent of you and the City. This policy does not change this fact. The City reserves its right to terminate your employment at any time, for any lawful reason, including reasons not listed above. You also have the right to end your employment at any time.

Nothing in this Article should be construed to change or alter the “at-will” employment status of any “non-Civil Service employee”.

Section 17.03 “At-Will” (Non-Civil Service) Employees

“At-Will” (non-Civil Service) employees can be disciplined up to and including termination without any pre-disciplinary process, procedure, notice or entitlement to an administrative hearing. Nothing in this article should be interpreted in any way as changing or altering the “At-Will” status of the non-Civil Service employee, or providing the “at-will” employee with any procedural rights in case of disciplinary action, including termination from employment.

We may, at our discretion, elect to use a pre-disciplinary process, procedure, or administrative hearing in disciplining any “at-will” employee. If we do so, it does not change or alter the “At-Will” status of the employee nor does it confer Civil Service status.

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Section 17.04 Civil Service Employees

Civil Service employees may be disciplined for any of the reasons provided in the policies, procedures, provisions, and/or regulations in this Handbook or for any other reason or basis. To the extent applicable, discipline shall be in accordance with any applicable Civil Service Commission rules and regulations, and City policies, procedures and regulations as well as local, state, and federal laws and regulations.

- a. Administrative Process. Prior to a Civil Service employee being disciplined by a suspension without pay, demotion or reduction in rank, or termination of employment, the employee must be afforded an informal administrative hearing before the official making a decision about what disciplinary action, if any, may result from the charge(s) against the employee.
 - (1) Notice of Hearing. The charged employee must receive a written "Notice of Hearing" prior to the hearing. The "Notice of Hearing" must contain:
 - (a) the charge(s) against the employee,
 - (b) a brief narration of the nature of events or incidents for the charge(s),
 - (c) the date, place, and time for the hearing, and
 - (d) notification that the employee will be given an opportunity to respond verbally and/or in writing to the charge(s) during the hearing.
 - (2) Administrative Hearing. The administrative hearing cannot occur earlier than three business days following the employee's receipt of the "Notice of Hearing."
 - (3) Failure to Appear. If the employee fails to appear at the informal administrative hearing, the employee foregoes the opportunity for an informal administrative hearing, and the deciding official may make a determination regarding the appropriate disciplinary action, if any, based upon review of the charge(s). Written notice of final disciplinary action must be provided to the employee, and if applicable, the City of Gulfport Civil Service Commission will be provided a copy.
 - (4) Appeal Rights. Civil Service status employees may appeal disciplinary actions involving suspension without pay, removal, demotion or reduction in rank, and/or termination of employment to the City of Gulfport's Civil Service Commission by timely and properly complying with the requirements set forth in Mississippi Code Ann. §21-31-21 (Rev. 2001) and, to the extent they do not conflict with or exceed the authority of such state laws, the Civil Service Commission's rules and regulations.
- b. Required Administrative Notifications. All disciplinary actions involving demotions, suspensions without pay or termination require prior notification to the Human Resources Manager and Chief Administrative Officer and approval of the employee's supervisor and Department Director/Manager as well as ratification by the Mayor.

The City's Civil Service Commission must be notified of such actions being taken if the action involves a Civil Service employee.

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Article 18. Health and Safety

Section 18.01 Safety Policy

The City takes employee safety very seriously. In order to provide a safe workplace for everyone, every employee must follow our safety rules:

- a. Horseplay, rough housing, and other physical acts that may endanger employees or cause accidents are prohibited.
- b. Employees must follow their supervisors' safety instructions.
- c. Employees in certain positions may be required to wear protective equipment, such as hard hats, safety glasses, work boots, earplugs, or masks. Your supervisor will let you know if your position requires protective gear.
- d. Employees in certain positions may be prohibited from wearing dangling jewelry or apparel, or may be required to pull back or cover their hair, for safety purposes. Your supervisor will tell you if you fall into one of these categories.
- e. All equipment and machinery must be used properly. This means all guards, restraints, and other safety devices must be used at all times. Do not use equipment for other than its intended purpose.
- f. All employees must immediately report any workplace condition that they believe to be unsafe to their supervisor.
- g. All employees must immediately report any workplace accident or injury to their supervisor or Department Director/Manager.

Section 18.02 What to Do in an Emergency

In case of an emergency, such as a fire, tornado, or accident, your first priority should be your own safety. In the event of emergency causing serious injuries, **IMMEDIATELY DIAL 9-1-1** to alert police and rescue workers of the situation.

If you hear a fire alarm or in case of an emergency that requires evacuation, please proceed quickly and calmly to the emergency exits. Remember that every second may count. Do not return to the workplace to retrieve personal belongings or work-related items. The person in charge of the building or worksite will identify and communicate the designated place for you to report outside the building or away from the worksite.

Section 18.03 Smoking Policy

The City of Gulfport is a smoke free city. For the health, comfort, and safety reasons, you are allowed to smoke only in designated areas. You may smoke during meal breaks or if you are allowed rest breaks, during those break periods, provided you go to and return from a designated smoking area within the break time allotted. You may **not** take additional "smoking breaks".

If you wish to quit smoking, we encourage you to contact the Wellness Clinic or the Human Resources website under Benefits Information for assistance.

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Section 18.04 Weapons in the Workplace

With the exception of Police Officers, who are required to carry weapons in order to perform their jobs, employees generally are not allowed to bring in or possess weapons in the workplace. Weapons may include firearms, knives, brass knuckles, martial arts equipment, clubs or bats, and explosives.

If your job requires you to carry a weapon, you must receive authorization from your supervisor to do so, and must comply with all governing regulations and laws. You may be required to complete training courses, pass a safety test, and get a license in order to be authorized to carry a weapon.

Section 18.05 What to Do in Case of Violence

If you observe an incident or threat of violence that is immediate and serious, **IMMEDIATELY DIAL 9-1-1** and report the incident to the police.

If the incident or threat does not appear to require immediate police intervention, contact your supervisor or the Department Director/Manager and report it as soon as possible. Complaints will be investigated and appropriate action will be taken. You will not face retaliation for making a complaint.

Section 18.06 Do not Use a Cell Phone While Driving

We know that our employees may use cell phones or personal digital assistants (PDAs), whether these devices belong to the employee or are issued by the City, for work-related matters.

The use of cellular communications devices or equipment while operating a vehicle is prohibited if such use will jeopardize the safe operations of the vehicle. We are concerned for your safety and for the safety of other drivers and pedestrians, and using a cell phone or PDA while driving can lead to accidents.

You may use hands-free equipment to make or answer calls while driving without violating this policy. However, safety must always be your first priority. We expect you to keep these calls brief. If, because of weather or traffic conditions or for any other reason, you are unable to concentrate fully on the road, you must either end the conversation or pull over and safely park your vehicle before resuming your call.

Public Safety departmental policy may supersede this specific policy.

Article 19 Employee Privacy

Section 19.01 Workplace Search Policy

Employees do not have a right to privacy in their workspaces, any other City property, or any personal property they bring to the workplace if there is a valid concern for employee's safety, workplace violence, harassment, theft, drug and alcohol use, and possession of prohibited items. The City may search City property, including but not limited to lockers, desks, file cabinets, storage areas, and workspaces. If you use a lock on any item of City property, for example, a locker or file cabinet, you must give a copy of the key or combination to the Department Director/Manager. The City may also search personal property brought onto City premises, including but not limited to toolboxes, briefcases, backpacks, purses, and bags for work-related purposes, including without limitation, health and safety in the workplace; compliance with all federal, state and local laws, and for the purpose of investigating work-related misconduct.

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Section 19.02 Telephone Monitoring

The City reserves the right to monitor calls made from or received on City telephones. Therefore, no employee should expect that conversations made on City telephones would be private.

Section 19.03 Cameras, Phones, and Other Recording Devices

Many cell phones today come with built-in recording capabilities, including cameras and video and audio recording devices. Although these features are fun for personal use, using them in the workplace can lead to violations of privacy and breaches of confidentiality. Therefore, you should ensure that these devices are not used for audio or video recording outside the scope of your job duties.

Article 20. Employee Records

Section 20.01 Your Personnel File

The Human Resources Office is responsible for establishing and maintaining an official personnel file for each City employee. Medical information and similar documents are filed separately from the official personnel file. Official personnel files are the property of the City. Documents that you provide for these files become property of the City and will not be returned to you.

Section 20.02 Confidentiality of Personnel Files

Because the information in your personnel file is by its nature personal, we keep the file as confidential as possible. Access to information contained in the official personnel file will be limited to the Chief Administrative Officer, the Human Resources Office and applicable Department Directors/Managers, the Legal Department, and your immediate supervisor. If you are a bonafide candidate for interdepartmental transfer, the prospective gaining Department Director/Manager will have access to your record.

The dates of employment and job title will be released on former employees without written authorization or court-ordered releases.

Except as provided above or in any other applicable City policies or regulations or federal, state, or local law or regulations, no information will be released without an employee's consent with the exception of court-ordered releases and written authorizations.

Certain information from personnel files may be obtainable under the open/public records laws. No such information will be released until an attorney in the Legal Department gives a documented opinion verifying that the information is not exempt from public records laws. Only that portion not exempt will be released.

Section 20.03 Notification If Personal Information Changes

It is important that your personnel records be accurate and current, you should provide changes of address, telephone number, or other changes in personal information to the Human Resources Office as soon as the change is known or effective. Forms for this purpose can be found on the HR Website under the Forms Directory.

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Section 20.04 Inspecting Your Records

You may review your official personnel file by making an appointment with the Human Resources Manager. If you want copies of any information in the file, a standard copying cost will be charged. You may not add to or remove anything from the file without the approval of your Department Director/Manager or the Chief Administrative Officer. Official personnel files and their contents are the property of the City.

Article 21. Drugs and Alcohol

Section 21.01 Policy Against Alcohol and Illegal Drug Use

This City is committed to providing a safe, comfortable, and productive work environment for its employees. We recognize that employees who abuse drugs or alcohol at work or, who appear at work under the influence of illegal drugs or alcohol, harm both themselves and the work environment.

Therefore, and without limitation, we prohibit employees from doing the following:

- a. appearing at work under the influence of alcohol or illegal drugs,
- b. conducting City business while under the influence of alcohol or illegal drugs (whether or not the employee is actually on work premises at the time),
- c. using alcohol or illegal drugs on the worksite,
- d. using alcohol or illegal drugs while conducting City business (whether or not the employee is actually on work premises at the time),
- e. possessing, buying, selling, or distributing alcohol or illegal drugs on the worksite, or drug paraphernalia , and
- f. possessing, buying, selling, or distributing alcohol, illegal drugs or drug paraphernalia while conducting City business (whether or not the employee is actually on work premises at the time).

Illegal drug use includes more than just illegal drugs such as marijuana, cocaine, or heroin. It also includes the misuse of otherwise legal prescription and over-the-counter drugs.

This policy covers times when employees are on call but not working and times when employees are driving City vehicles or using City equipment.

Employees who violate this policy may face disciplinary action, up to and including termination.

Section 21.02 Inspections to Enforce Drug and Alcohol Policy

This City reserves the right to inspect employees, their possessions, and their workspaces to enforce our policy against illegal drug and alcohol use.

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Section 21.03 Drug Testing

The City is committed to providing a safe workplace in which its employees work effectively with one another and with the public. Alcohol and/or drug use can result in impaired work performance and may pose significant risk to impaired employees, co-workers, and the public.

The City has implemented a drug and alcohol policy and conducts a testing program. A copy of the Drug and Alcohol Testing Policy may be obtained from the Human Resources office. You are required to adhere to and abide by this policy.

Section 21.04 Rehabilitation and Employees Assistance Program

Your benefits package includes an Employee Assistance Program (EAP) that provides assistance to City employees and their families. It is a free and confidential counseling service that offers caring, professional help for a broad range of concerns from routine problems to serious life issues.

If you would like to take advantage of the EAP, see the Human Resources' website. The contact numbers are located under Benefits. Your request for assistance will be kept as confidential as possible.

Please note that even as you might be seeking assistance for your substance abuse problem, we still expect you to meet the same standards of performance, productivity, and conduct that we expect of all employees, including our prohibition on alcohol or illegal drug use at work. We can discipline or terminate you for failing to meet those standards.

Article 22. Discrimination and Harassment

Section 22.01 Our Commitment to Equal Employment Opportunity

The City is strongly committed to providing equal employment opportunity for all employees and all applicants for employment. For us, this is the only acceptable way to do business.

All employment decisions at the City, including those relating to hiring, promotion, transfers, benefits, compensation, placement, and termination, will be made without regard to race, religion, color, creed, national origin, sex, marital status, age or the presence of any sensory mental, citizenship or physical disability, unless otherwise excepted or limited by law. Any employee or applicant who believes that he or she has been discriminated against in violation of this policy should immediately contact the Human Resources Office.

We encourage you to come forward if you have suffered or witnessed what you believe to be discrimination; we cannot solve the problem until you let us know about it. The City will not retaliate, or allow retaliation, against any employee or applicant who complains of discrimination, assists in an investigation of possible discrimination, or files an administrative charge or lawsuit alleging discrimination.

Managers are required to report any discriminatory conduct or incidents.

The City will not tolerate discrimination against any employee or applicant. We will take immediate and appropriate disciplinary action against any employee who violates this policy.

Section 22.02 Americans with Disabilities Act (ADA)

The City is committed to the Americans with Disabilities Act and other federal and state legislation designed to insure equal employment opportunities to persons with disabilities. The City prohibits

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discrimination because of disability regarding all employment practices or terms, conditions and privileges of employment. An employee is expected to notify his or her supervisor or Department Director/Manager if a disability causes the need for reasonable accommodation to perform the essential functions of the assigned job. The City will make reasonable accommodation to the known physical or mental limitations of qualified applicants or employees within the parameters of the ADA unless doing so would cause an undue hardship on the operation of its business, services, or affairs.

The City has a separate policy that sets out an internal grievance procedure providing for resolution of complaints alleging any action prohibited by regulations of the Equal Employment Opportunity Commission pertaining to the ADA.

Employees and prospective employees should contact the Human Resources Office to obtain a copy of the policy regarding ADA.

Section 22.03 Harassment Will Not Be Tolerated

It is our policy and our responsibility to provide our employees with a workplace free from conduct that may be construed as harassment; thus, our policy prohibits unwanted verbal or nonverbal conduct that threatens, intimidates, pesters, annoys, or insults another person, where such conduct has the purpose or effect of creating an offensive, intimidating, degrading, or hostile environment, or interferes with or adversely affects a person's work performance, or when the conduct is directed at someone due to his/her gender, age, race, color, ethnicity, religion, citizenship, or disability.

Conduct that may violate this policy undermines our workplace morale and our commitment to treat each other with dignity and respect. Accordingly, harassment will not be tolerated at our City.

Harassment can take many forms, including but not limited to touching or other unwanted physical contact, posting offensive cartoons or pictures, using slurs or other derogatory terms, telling offensive or lewd jokes and stories, and sending email messages with offensive content. Unwanted sexual advances, requests for sexual favors and sexually suggestive gestures, jokes, propositions, email messages, or other communications all amount to harassment.

Harassment does not include the conduct or actions of supervisors intended to provide employee discipline, such as deficiency notices, performance evaluations, oral warnings, reprimands, or other supervisory actions intended to promote positive performance.

If you experience or witness any act that may violate this policy, please immediately notify the City by reporting concerns to your supervisor, the Human Resources Manager, Chief Administrative Officer, or anyone else in a position of authority within the City, such as a Director/Manager of a Department. We encourage you to come forward with complaints; the sooner we learn about the problem, the sooner we can take steps to resolve it. The City will not retaliate, or allow retaliation, against anyone who complains of improper conduct, assists in an investigation, or files an administrative charge or lawsuit alleging harassment. However, if the investigation establishes that the employee knowingly made false accusations regarding harassment, the employee is subject to disciplinary action.

The City does not tolerate any form of harassment against any of its employees and fully supports enforcement of state and federal anti-discrimination laws pertaining to harassment.

The City has a separate policy that establishes a procedure for filing complaints of this nature and which otherwise pertains to any type of harassment. All complaints are assured a prompt response and confidentiality.

Contact the Human Resources Office to obtain a copy of this policy. The Human Resources Manager is the official to receive and cause investigation of harassment complaints. It is the right of all employees to seek, at any time, redress in the appropriate form; however, employees are encouraged to exhaust

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the City's administrative remedies before consulting outside agencies.

Complaints will be investigated thoroughly. Those found to have violated this policy will be subject to appropriate disciplinary action, up to and including termination.

Article 23. Grievances

An employee may request for resolution of any dissatisfaction arising from interpretation and the application of work rules, policies, procedures, or practices by filing a grievance.

Dissatisfactions involving job classifications, grade, salary, and other wage issues, benefit determinations, payroll procedures, or any matter outside the control of the immediate supervisor are not included for resolution under this grievance procedure.

Grievances or disputes pertaining to disciplinary actions involving suspensions without pay, demotions or reductions in rank, terminations of employment, and all other actions taken by the City that are under the jurisdiction of the City of Gulfport Civil Service Commission are excepted from this grievance procedure.

Nothing in this Section shall affect, otherwise change, or alter the "at-will" employment status of all non-Civil Service or "at-will" employees. "At-will" employees can be terminated at any time for any reason or no reason, with or without notice.

If an employee has any question about who his or her supervisor is, he or she should inquire with the Department Director/Manager and/or Human Resources Manager.

An eligible employee presenting a grievance for resolution may have another eligible employee attend any or all of the meetings as a support person, but this support person will not be an active participant in the resolution procedure.

Section 23.01 Compliance with Timeframes

Compliance with the timeframes outlined in each step of the procedure must be followed in order for the request for resolution to be considered timely. If you do not follow the prescribed timeframe, the request becomes outdated and the last response made will become final. If the responding party to the employee's request does not follow the timeframe, the response becomes outdated and the employee may proceed to the next step of the procedure. Such timeframes may be extended by written mutual agreement that must be entered into before expiration of the applicable timeframe as outlined in each step.

Section 23.02 Delivery/Copies of Correspondence

All responses will be hand delivered to the recipient or sent by certified mail to the most recent address in the grieving employees personnel file.

To insure compliance with timeframes involving written requests and written responses, all correspondence should be copied to the Human Resources Manager.

Section 23.03 Required Information from Employee

You must provide a clear statement of the circumstances which affected you and caused your dissatisfaction and a clear statement of the requested remedy to resolve the dissatisfaction to the appropriate person at each step of the procedure outlined below.

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

No new requested remedies may be introduced after the completion of Step 2 of the grievance procedure unless mutually agreed upon by the involved parties.

Section 23.04 Procedures

Step 1 – Verbal Discussion with Supervisor/Manager

Within 14 calendar days after you knew, or reasonably should have known, of the matter(s) causing the dissatisfaction, you must have a **verbal** discussion with the respective supervisor or manager in which you advise of your intention to submit a grievance and ask for a resolution. If the matter is not satisfactorily resolved, you may proceed to Step 2.

Step 2 – Written Request to Supervisor/Manager

Within 7 calendar days of the verbal discussion held in Step 1, you may submit a written request for resolution to the supervisor/manager. A written response from the supervisor/manager must be provided to you within 7 calendar days of the receipt of the request. If the matter is not satisfactorily resolved, you may proceed to Step 3.

Step 3 – Written Request to the Department Director/Manager

Within 7 calendar days of the receipt of the Step 2 response, you may submit a written request for resolution to the Department Director/Manager. The written request should contain all documents related to the issues surrounding your grievance. The Department Director/Manager will investigate all aspects of the grievance presented for resolution, and provide a written response to you within 7 calendar days of the receipt of the request.

If the matter is not satisfactorily resolved, you may proceed to Step 4. If the Department Director/Manager is involved in or is the subject of the employee's grievance, then the employee may skip Step 3 and proceed directly to Step 4.

Step 4 – Written Request for Review

You may submit your grievance for review within 7 calendar days of the receipt of the Step 3 response. Or, if Step 3 is being skipped as provided above, within 14 calendar days after you knew or reasonably should have known of the occurrence or matter causing the dissatisfaction, you must submit a written request for resolution of the grievance to the Chief Administrative Officer (CAO). Within 7 calendar days of receiving such grievance, the CAO will review the case file and issue a written determination regarding whether any procedural rules or policies were violated.

If the CAO determines that a substantive procedural error was made, the case will be returned to the Department Director/Manager for procedural compliance utilizing the date of the CAO's decision letter as the new date of presentation of the grievance. In the event Step 3 was bypassed because of involvement of the Department Director/Manager, the CAO will investigate all aspects of the grievance presented for resolution in Step 2 and provide a written response to you within 7 calendar days of receipt of the grievance.

If the CAO is the subject of a grievance or otherwise has a conflict of interest, you may request the Human Resources Manager refer the matter to the Legal Department for

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investigation and recommendation in place of the CAO.

The grievance case file will be forwarded to the Human Resources Office and filed separately from the official personnel files. The Human Resources Office will keep the grievances on file for the duration of the employee's employment with the City.

Article 24. Conflicts of Interest

The City's success depends on the hard work, dedication, and integrity of everyone who works here. Because we depend so much on our employees, and because they depend on us, we expect all employees to devote their energies and loyalties to the City. We do not allow employees to engage in any activities or relationships that create an actual conflict of interest, the potential for a conflict of interest or the appearance of a conflict of interest.

Although we cannot list every activity or relationship that would create either an actual or a potential conflict of interest, examples of activities that violate this policy include:

- a. working for a customer or vendor as a part-time employee, full-time employee, consultant, or independent contractor, or in any other capacity,
- b. owning an interest in a customer, vendor, or anyone else who seeks to do business with the City,
- c. using the resources of the City for personal gain, and
- d. using your position in the City for personal gain.

If you are unsure about whether an activity might violate this policy, or if you have any questions at all about this policy, please talk with the Human Resources Manager.

Section 24.01 Employment of Relatives

It is the City's policy that immediate family members will not be employed in any positions where:

- a. one relative would have the authority to supervise, appoint, remove, discipline, or evaluate the performance of the other. A subordinate immediate family member would be within a superior immediate family member's chain of command.
- b. one relative would be responsible for auditing the work of the other.
- c. other circumstances exist which would place the relatives in a situation of actual or reasonably foreseeable conflict between the City's interest and their own.
- d. other circumstances exist in violation law and regulation.
- e. Two family members are working in the same department (Subsection e applies only to employees hired on or after January 8, 2013.).

"Immediate family" includes your spouse, child, parent, brother, sister, grandparents, great-grandparents, parent-in-law, daughter-in-law, son-in-law, grandchildren, great-grandchildren, nephew, niece, uncle, aunt, and current stepparents or stepchildren. This policy also applies to persons related by blood or marriage who reside in the same home.

This policy will not apply in instances where you enter into a supervisory relationship with a relative through competitive testing under the rules and regulations of the Civil Service Commission or through political office.

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Section 24.02 Chain of Command

All employees within their positions of employment should observe the “chain of command.” Such lines of authority should only be crossed in emergencies or if otherwise in accord with other policies, procedures, or provisions in this Handbook or elsewhere in the City.

Article 25. LAYOFF AND RECALL

Section 25.01 Reduction-in-Force (RIF)

Reduction in forces will be accomplished in an orderly, systematic, and fair manner. With the approval of the Appointing Authority and the Mayor, the Department Director/Manager or designee may layoff employee (s) when deemed necessary. Layoffs may be required for any number of reasons. Examples include:

- elimination of a position,
- lack of work,
- budget constraints, and
- material changes in a job description.

Prior to implementing the RIF, the Department Director/Manager must provide a written explanation to the Mayor and Appointing Authority, citing the reason for the RIF. Additionally, a proposed organizational chart and proposed staffing plan must be provided to the Mayor and City Council for approval at least fourteen (14 days) before the RIF can be effected.

Section 25.02 Method and Order of Reduction in Force

a. RIF may be administered using the following methods:

- (1) by function area, i.e., department, section, unit,
- (2) by job class, or
- (3) by a combination of function area and job class.

Once the method of RIF is determined, and prior to implementation, the respective Department Director/Manager(s) will submit a written statement that explains the method used and the proposed effective date for the planned RIF to the Mayor and City Council. This statement will establish the reason for, method, and retention points used in the RIF.

A department may exempt a certain job class or a certain number of positions in a respective department from a RIF when state law or federal grant requirements require such an exemption.

b. Order of the Reduction-in-Force

In the event of a RIF, employees in the same classification and department(s) affected will be laid off in the following order:

1. Temporary employees,
2. Probationary employees (in the case of Firefighters and Police Officers); and

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3. Regular employees (Civil Service and “At-Will”).

Regular employees will not be laid off while there are temporary or probationary employees working in the same classification in the same department.

Employees working in the same classification and/or department with the highest seniority, as determined by the Department Director/Manager and Human Resources, will be retained.

Employees who are to be terminated by a RIF will be notified of the effective date of termination in writing at least ten (10) working days prior to the effective date of the RIF. The written notification will provide the reason(s) for the layoff. All attempts will be made to place the employee (s) in other positions for which the employee is qualified. The duties performed by a reduction in force employee may be reassigned to other employees who hold positions in appropriate classes.

Section 25.03 Recall Procedures:

Reduction in force employees will be given priority consideration for recall into other City of Gulfport jobs for an indefinite period of time, provided they are qualified for the available job.

Recalled employees will have their date of service bridged from their last day of employment to their recall date.

When an employee is laid off they will be placed on a recall list and given priority for rehire. If the position the employee was laid off from is re-opened, the person laid off will be recalled to return to that position. At the date of the notification, the recalled individual has a period of five (5) working days to return to work. If the laid off employee declines the recall or does not respond within the five (5) day period, he/she will be removed from the recall list.

If two or more persons in the same position are laid off, and only one position is reopened in the same job classification/department, the priority goes to the laid-off person with the most seniority.

Article 26. Ending Employment

Section 26.01 Job Abandonment/Voluntary Termination

If you are absent from work for two consecutive workdays without proper notification and authorization, you may be considered to have voluntarily terminated their position.

Section 26.02 Termination of Employment

While we would hope for long committed employment with the City of Gulfport, termination, both voluntary or involuntary, are inevitable. The City of Gulfport is an “at-will” employer and recognizes that employment is terminable at the discretion of either the employee or the City. The purpose of this policy is to outline the procedures that apply to the two types of employment separations: voluntary and involuntary. This policy ensures the employee will be dealt with fairly and sets forth the process for a well-managed termination of employment.

Section 26.03 Notice of Resignation

If you decide to resign, we ask that you give us at least two weeks’ notice in writing. The notice should be provided to your immediate supervisor and Department Director/Manager and to the Human Resources Office. The notice should state the effective date and the reason for resigning.

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Section 26.04 Termination Pay Allowance

You will receive pay for work performed through the last hour worked and for unused benefits as stipulated by policy and laws governing such payments. Termination pay will be reduced by any authorized legal deductions, authorized retirement plans, credit union, and any other amounts specifically agreed upon orally or in writing by you and the City. City benefits continue through the time actually worked, including any days “worked” as accumulated annual and compensatory time.

Section 26.05 Voluntary Resignation with Notice

A voluntary termination of an employee generally occurs because of resignation. Since employment with the City of Gulfport is, in most cases, “at-will,” an employee has the right to resign from the City at any time.

Employees are expected to give at least two weeks notice of resignation. When an employee gives notice of his/her intent to resign:

An employee shall submit a signed letter of resignation to their supervisor and Department Director/Manager explaining the reason for termination.

All terminations should be reported to Human Resources by the end of the next business day to ensure prompt handling of paychecks, benefits, exit interviews, etc.

Annual leave may be used to extend the period of employment beyond the last day of work if approved by the Department Director/Manager.

Employees must turn in any City property; keys, cell phones, etc., to Department Director/Manager prior to the last day of employment.

During the last week of employment, the employee is required to report to the Human Resources Office to be counseled on employee benefits (medical and life insurance, insurance conversion rights; mailing address for checks and W2 forms; and other matters of importance).

Terminated employees are expected to inform Human Resources of address changes until they have received the W-2 form for the year of termination.

Employees will accrue benefits up to and including the date of termination, but not to extend beyond the last day on payroll.

The affected supervisor should complete a Personnel Action notice form and notify Human Resources within 24 hours.

Section 26.06 Revocation of Voluntary Resignation

On occasion, an employee may wish to revoke the notice of resignation. Revocation of the resignation notice is treated on a case by case basis; strictly at the discretion of the Department Director/ Manager. There is no guarantee that the employee may return to the same position. Such revocation is not valid unless approved by the Chief Administrative Officer.

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Section 26.07 Exit Interview

The City of Gulfport is dedicated to the development and retention of employees and as such, the exit interview plays an integral part in understanding why employees choose to leave. It's important to capture information about our work environment and the factors that may lead to an employee's choice to leave the City. Comments and feedback from exit interviews can be used to improve employee retention and reduce turnover.

Exit interviews are confidential and will be used by Human Resources to improve the City's work environment.

In a situation where an employee is being involuntarily terminated, the employee is not required to complete an exit survey.

Section 26.08 Involuntary Terminations

The appropriate Department Director/Manager should review all involuntary terminations with Human Resources before any final action is taken. No advance notice will be given to the employee nor can the City pay in lieu of notice pay in the event of involuntary termination.

Article 27. Miscellaneous

The captions, titles, article and section numbers, and indices appearing in this Handbook in no way define, limit, construe or describe the scope or intent of such article or section of this document.

If any article, section or part thereof, policy, procedure, or provision, or the application thereof to any person or circumstance, shall to any extent be invalid, illegal, or unenforceable, the same shall be severed from this Handbook. The remainder of this Handbook or the application of such article, section or part thereof, policy, procedure, and/or provision to persons or circumstances other than those as to which it is held invalid, illegal, or unenforceable shall not be affected thereby and each article, section or part thereof and policy, procedure, and provision shall be valid and enforceable to the fullest extent permitted by law or otherwise.

This handbook shall be distributed as follows:

- A. Electronically, in a PDF format to all employees with City e-mail addresses, provided that a paper copy shall be provide to any such employee that requests it.
- B. Paper copy to all employees that do not have City e-mail addresses.
- C. Placed on the City's website on a page available to employees.

**CITY OF GULFPORT
EMPLOYEE HANDBOOK**

Appendix A. Handbook Acknowledgment Form

By signing this form, I acknowledge that I have received a copy of the City's Employee Handbook. I understand that it contains important information about the City's policies, procedures, practices, and benefits, that I am responsible for reading the Handbook and familiarizing myself with its contents, and that the information in the Handbook applies to me. I understand that nothing in the Handbook constitutes a contract or promise of continued employment and that the City may change the information in the Handbook at any time, with or without notice.

I acknowledge that neither the City nor I have entered into an employment agreement for a specified period.

By signing this receipt and acknowledgement, I express no personal opinion as to any policy or procedure stated in the manual, nor do I waive any rights and privileges I may have according to Federal, State or local law and regulation.

Employee's Printed Name

Employee's Signature

Date

City Representative

Date