

DRAFT
RESOLUTION NO. 2023-591

**A RESOLUTION TO ESTABLISH A PERSONNEL POLICY FOR THE TOWN OF WALDEN,
TENNESSEE AND REPEALING ALL PRIOR PERSONNEL POLICIES AND RESOLUTIONS.**

BE IT RESOLVED BY THE GOVERNING BODY OF THE TOWN OF WALDEN, TENNESSEE:

SECTION 1 - PERSONNEL POLICY

A. PURPOSE

The primary purpose of these policies is to establish an understanding, cooperation and efficiency in Town operations by establishing a system of human resources administration which provides consistent and impartial policies and procedures for employees of the Town of Walden, Tennessee.

Discrimination against any person in recruitment, examination, appointment, training, promotion, retention, or discipline because of political or religious opinions or affiliations or because of race, religion, national origin, sex, age, sexual orientation, gender identity, disability, genetic information or veteran status is prohibited.

The policy is not a part of a contract, and no employee has any contractual or property rights to the matters set forth herein other than what is specified in the charter.

These personnel policies shall be made available to all employees. Employees will receive a copy of the policies upon employment. Any employee who desires to review the departmental copy or request an electronic copy may contact the Mayor or the **Town** Administrator.

Title VI Non-Discrimination

The Town complies with Title VI of the Civil Rights Act of 1964. Title VI requires that no person shall, on the grounds of race, color or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.

Title VII Non-Discrimination

It is the Town's policy not to discriminate against any employee or applicant for employment or during the course of employment due to race, color, religion or creed, gender or gender identity, age, national origin, disability, military status, genetic information, communication with an elected public official, free speech, refusing to participate in or remain silent about illegal activities, exercising a statutory constitutional right or any right under clear public policy, political affiliation, or any other basis protected by law. If an employee believes that he or she has been involved in any incident that was discriminatory, he or she should report the incident immediately to management. The Town further complies with all federal and state laws protecting employees from discrimination and/or retaliation.

Retaliation

It is unlawful to fire, demote, harass, or otherwise 'retaliate' against any individual because they file a charge of discrimination, or because they participated in an investigation related to a complaint. The law forbids retaliation when it comes to any aspect of employment, including hiring, firing, pay, job

assignments, promotions, layoff, training, fringe benefits, and any other term or condition of employment.

Whistle Blower's Law

Under the Tennessee Whistleblower's Law, the Town will not make any reprisal against an employee who advises the employer that the business is in violation of a law and the employee either discloses, threatens to disclose, or testifies about the violation of the law, or the employee objects to, or refuses to participate in an employment act in violation of the law. (TCA 50-1-304)

B. AT-WILL EMPLOYER

The Town of Walden, Tennessee is an at-will employer. Nothing in this resolution may be construed as creating a property right or contractual right to any job for any employee.

C. COVERAGE

The following personnel are not covered by all sections of this policy, unless otherwise provided:

1. All elected officials
2. Members of appointed boards and commissions
3. Consultants, advisers, legal counsel rendering temporary professional service
4. The Town attorney
5. Independent contractors and/or contract employees
6. Volunteer personnel
7. The Town Judge

All other employees of the municipal government are covered by this personnel policy.

D. SEVERABILITY

If any chapter or section of these regulations is found to be in conflict with Federal, State or Town laws and regulations, or court decision, that chapter or section will continue in effect only to the extent permitted by such law, regulation or court decision. If any chapter or section of these regulations is or becomes invalid or unenforceable, such invalidity or unenforceable nature will not affect or impair any other chapter or section of these regulations.

SECTION 2 - EMPLOYEES

A. FULL-TIME

Regular, full-time employees are individuals employed by the Town who are normally scheduled to work more than 32 hours per week, may be paid a salary, and are subject to all conditions of employment, and receive all benefits offered by the Town unless specifically excluded by the Town charter, code, or ordinance.

B. PART-TIME

Regular, part-time employees are individuals who may not work on a daily basis, or who work on a daily basis fewer than 8 hours a day and who are normally scheduled to work 31 hours or fewer in a work week. Regular, part-time employees are not eligible for Town benefits unless specified.

C. TEMPORARY OR SEASONAL EMPLOYEES

Temporary or seasonal employees are employees who work either full-time or part-time, typically not to exceed nine (9) months of employment per twelve (12) month period and who are paid on a per day or per hour basis. A temporary or seasonal employee may not be subject to all conditions of employment but shall be fully capable of performing the assigned duties and will receive no benefits except those required by law.

SECTION 3 - EMPLOYMENT

A. POLICY STATEMENT

The primary objective of this hiring policy is to ensure compliance with the law and to obtain qualified personnel to serve the citizens of the Town. The Town shall make reasonable accommodations in all hiring procedures for all persons with disabilities. If an accommodation is needed, please contact the Town Administrator.

B. EQUAL EMPLOYMENT OPPORTUNITY

The Town of Walden is an equal opportunity employer. Except as otherwise permitted by law, the Town will not discharge or fail or refuse to hire any individual, or otherwise discriminate against any individual with respect to compensation, terms, conditions, or privileges of employment because of the individual's race, color, religion, gender, national origin, veteran status, pregnancy status, genetic information, sexual orientation, or age. The Town shall not discriminate against a qualified individual with a disability because of the disability in regard to job application procedures, hiring or discharge, employee compensation, job training, or other terms, conditions, and privileges of employment. This includes the right of applicants/employees to communicate with elected officials, free speech, refuse to participate in or remain silent about illegal activities, and exercise a statutory constitutional right or any right under clear public policy, or any other basis protected by law. The Town of Walden may provide reasonable accommodation to individuals unless the accommodation would pose an undue hardship on the Town or present a cause an unsafe work environment for the applicant/employee, or others.

C. MINIMUM AGE

The Fair Labor Standards Act (FLSA) requires that employees of state and local governments be at least 16 years of age for most non-farm jobs, and at least 18 years of age for non-farm jobs declared hazardous by the Secretary of Labor. Minors 14 and 15 years of age may work outside school hours under certain conditions.

D. CITIZENSHIP AND IMMIGRATION STATUS VERIFICATION

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

E. APPLICATION

All persons seeking appointment or employment with the municipality must complete a standard application form provided by the municipal government. Applications for employment shall be accepted in the **Town** Administrator's office during regular office hours only. **Applications will remain on active status for six (6) months after accepted or until the job for which the application is submitted is filled, whichever period of time is less.**

F. APPOINTMENTS, ETC.

Unless otherwise provided by the charter or ordinance, the Mayor makes the appointment, promotion, transfer, demotion, suspension, and removal of the **Town Administrator**, but such action requires a ratification vote of a majority of all members of the Board of Aldermen. **The Town Administrator makes the appointment, promotion, transfer, demotion, suspension, and removal of the subordinate Town full-time, part-time, temporary, and seasonal employees.**

SECTION 4 - BENEFITS

A. HOLIDAYS

All functions of the Town, except emergency and necessary operations, will be closed and **regular** employees (full and part-time) will be paid for the following holidays:

Paid Holiday Schedule	
New Year’s Day	January 1
Martin Luther King Day	Third Monday in January
President’s Day	Third Monday in February
Memorial Day	Last Monday in May
Independence Day	July 4
Labor Day	First Monday in September
Veteran’s Day	November 11
Thanksgiving Day	Fourth Thursday in November
Day after Thanksgiving	Friday after Thanksgiving
Christmas Eve	December 24
Christmas Day	December 25
New Year’s Eve	December 31

Weekend Holidays

When a paid holiday falls on Saturday, the holiday will be observed on the preceding Friday. When a holiday falls on Sunday, it will be observed the following Monday. The Town may change this schedule at any time, with or without notice.

B. HOLIDAY PAY

All full-time and regular part-time employees will be paid for their regularly scheduled hours for each holiday observed by the Town. Holiday pay will be compensated at the employee's straight time rate of pay. Employees will receive their holiday pay within the pay period that the holiday occurs. Holiday pay is not considered hours worked for the purposes of calculating overtime. All hours worked on an observed holiday will be considered hours worked for the purposes of calculating overtime. An employee must work any scheduled day before, and day after the holiday unless otherwise excused by the supervisor in order to qualify for holiday pay.

C. VACATION LEAVE

All full-time employees of the town shall be granted vacation leave as follows:

- After 90 days of employment 120 hours per year
- 5th year anniversary date 160 hours per year
- 10th year anniversary date plus 200 hours per year

Vacation leave shall be taken at a time approved by the employee's supervisor. Upon separation, employees are entitled to be reimbursed for any unused vacation leave in that fiscal year, not to exceed the maximum accrual allowed for the years of service completed.

D. SICK LEAVE

All full-time employees shall accumulate 8 hours of sick leave with pay for each month of work completed. Sick leave may be granted for any of the following reasons:

1. Personal illness or physical incapacity
2. Exposure to contagious disease
3. Medical, dental, optical or other professional treatments or examinations
4. Illness or death of a member of the employee's family

For any absence, the employee is required to notify his/her supervisor as soon as practical but no later than the start of the workday. The employee should make every effort to reach the supervisor directly to explain the reason for the leave. Sick leave shall be taken in hourly increments.

Every 20 days of unused sick leave will equal 1 month of service credit in the TCRS plan. Credit for the unused sick leave will be granted under the TCRS plan upon retirement. **No payment will be made for accrued sick leave upon separation from the Town. Sick leave is not considered as a right that the employee may use at his/her discretion, but rather as a privilege.**

E. LEAVE OF ABSENCE

After an employee has exhausted his/her accrued paid leave, leave without pay may be granted at the discretion of the Mayor. Employees may also be placed on leave without pay if unable to perform his/her job or another job with or without a reasonable accommodation. Should employees later be able to return to work, upon presentation of certification by a healthcare provider they shall be given preference for employment in a position for which they are qualified, with the approval of the Mayor.

F. MATERNITY/PATERNITY LEAVE

Regular, full-time employees of the Town are limited to a combined total of twelve (12) workweeks of leave without pay in a single twelve (12) month period if the leave is taken for the birth and care of a newborn child or for the adoption of a child.

An employee who goes on maternity/paternity leave shall be allowed to use all or a portion of the employee's accumulated sick or annual leave for maternity leave purposes or for the adoption of a child for the purpose of receiving pay during the twelve (12) week period, the paid period to run concurrently with the period of leave.

The employee's seniority, employee status, and pay will remain unchanged during his/her time of maternity/paternity leave. Continued health insurance coverage will be offered up to 6 months, with the employee paying premiums due for such policy. An employee wishing to continue health insurance coverage during his/her maternity/paternity leave shall provide a mailing address where notices of premium payments due may be sent.

G. FUNERAL/BEREAVEMENT LEAVE

Regular, full-time employees shall be allowed three days of leave with pay for the death in an employee's immediate family. Immediate family shall include spouse, parents, grandparents, children, brothers, sisters, parents-in-law. Employees wishing to attend services of non-relatives must use sick leave or annual leave for this purpose.

H. CIVIL LEAVE

Civil leave with pay shall be granted to employees for the following reasons:

1. Jury duty (T.C.A. 22-4-16)
2. To answer a subpoena to testify for the Town
3. Perform emergency duty for national defense

I. VOTING

It is the policy of the Town to provide employees time off to vote in state, national, and local elections and to establish a procedure for reporting the time missed from work.

Employees who are registered voters may receive reasonable time off to vote if they request such time off before 12 noon the day before the election. The supervisor may specify the hours during which the employee may be absent to vote, and the time off may not exceed three (3) hours. No time off will be granted if the polls in the county where the employee is a resident are open three (3) or more hours before the employee is scheduled to begin work or if the polls close three (3) or more hours after the employee's work schedule ends.

Time off to vote shall be recorded as non-duty pay hours. Time off to vote is recorded for non-exempt employees as non-worked time when calculating overtime.

In accordance with Public Chapter 741, which amended TCA Section 2-9-103 effective April 15, 1998, any full-time employee appointed by a county election commission to work part-time as a voting machine technician, shall be granted unpaid leave for the day(s) required for the technician's duties. Supporting documentation may be required by the appropriate approving authority for the period of duty.

An employer may not require the employee to use accrued annual leave and/or compensatory time for this period. However, either may be used at the employee's option.

J. DEATH OF AN EMPLOYEE

Upon the death of a full-time regular employee, his/her beneficiary will receive his/her next due payroll check and pay for accrued vacation and sick time.

K. MILITARY LEAVE

Any employee who is or becomes a member of the armed forces of the United States (including the Army, Army Reserves, Army National Guard, Navy, Naval Reserve, Marine Corps, Marine Corps Reserve, Air Force, Air Force Reserve, Air National Guard, Coast Guard, Coast Guard Reserve, Commissioned Corps of the Public Health) and leaves work for initial training for the Guard or Reserves, leaves work to join active-duty military, or is called to active duty, will be placed on military leave. Such employee must present his/her supervisor or department head with advance notice of the active-duty orders. The employee's seniority, status and pay will remain unchanged during his/her time of military leave. Continued health insurance coverage will be offered up to 24 months, with the employee paying premiums due for such policy. An employee wishing to continue health insurance coverage during his/her military leave shall provide a mailing address where notices of premium payments due may be sent.

The process for reinstatement of employees returning from military leave begins when employee returns to work.

L. INSURANCE BENEFITS

The Town recognizes that employee benefits are a critical component in career decisions. The Town intends to provide a comprehensive benefits package that remains affordable and value-based. Town benefits provided include medical, dental, vision, short-term disability, and life insurance. The details of the plans will be reviewed upon employment.

SECTION 5 - GRIEVANCE PROCEDURES

A. GRIEVANCE POLICY

The Town does not provide a formal grievance process. It is the Town's desire to address grievances informally. Both supervisors and employees are expected to make every effort to resolve problems as they arise. Employees who have a grievance may discuss it with their immediate supervisor, a higher-level supervisor, and/or the Mayor.

SECTION 6 - STATE AND FEDERAL PERSONNEL MANDATES

A. DISCRIMINATION PROHIBITED

The Town of Walden is an equal opportunity employer. Except as otherwise permitted by law, the municipality will not discharge or fail or refuse to hire any individual, or otherwise discriminate against any individual with respect to compensation, terms, conditions, or privileges of employment because of the individual's race, color, religion, gender, or national origin, veteran status, or age. The municipality will not discriminate against a qualified individual with a disability because of the disability in regard to job application procedures, hiring or discharge, employee compensation, job training, or other terms, conditions, and privileges of employment. (Title VII of Civil Rights Act of 1964 - 42 U.S.C. §§2000e - 2000e-15; Equal Pay Act 1963 - 29 U.S.C.§206(d); Age Discrimination in Employment Act - 29 U.S.C.§§621 et seq.; Americans with Disabilities Act - 42 U.S.C.§§506 et seq.)

B. GENERAL HARASSMENT POLICY

The Town of Walden strictly prohibits harassment on the basis of race, color, religion, gender, national origin, age, or disability as such actions constitute discrimination. No Town employee shall engage in harassment of any form.

Harassment is defined as unwelcomed or unsolicited speech or conduct based upon race, sex, creed, religion, national origin, age, color, handicapping condition as defined by the Americans with Disabilities Act that creates a hostile work environment or circumstances involving quid pro quo.

Sexual Harassment as defined by the Equal Employment Opportunity Commission as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitutes sexual harassment when submission to or rejection of this conduct explicitly affects an individual's employment, or unreasonably interferes with an individual's work environment.

Any Town employee who feels he/she is subjected to sexual harassment should immediately contact a person with whom the employee feels the most comfortable. The City Administrator, Mayor or a member of council. Employees witnessing harassment shall also report such conduct to the appropriate Town official. Retaliation toward any employee exercising his or her right and duty to address perceived harassment will not be tolerated.

The Town will conduct an immediate investigation to determine all the facts concerning the alleged harassment. If the Town determines that sexual harassment has occurred, corrective action will be taken. The Town will make the corrective action proportional to the severity of the conduct. If it is determined that no harassment has occurred, this will be communicated to the employee in writing who made the complaint, along with the reasons for the determination.

Within the limits of the Tennessee Open Records Law, the municipality will handle the matter with as much confidentiality as possible. There will be no retaliation against an employee who makes a claim of sexual harassment or who is a witness to the harassment. (Reference Resolution # 95-237)

C. OCCUPATIONAL SAFETY AND HEALTH

The municipality shall provide job safety and health protection and training for all employees in accordance with the Occupation Safety and Health Administration (OSHA) Legislation (29 U.S.C. §§656 et seq.) and the Tennessee OSHA Law (T.C.A. 50-3-101 et seq.).

D. OVERTIME COMPENSATION

The Fair Labor Standards Act (FLSA) shall govern the overtime compensation of municipal employees (29 C.F.R. §§ 553.1 et seq.). Mistakes or errors in compensation shall be brought to the attention of the supervisor and will be corrected in a timely manner.

E. COMMERCIAL DRIVER'S LICENSE

All employees that drive (1) a vehicle with a gross weight of more than 26,000 pounds; (2) a trailer with a gross weight of more than 10,000 pounds; (3) a vehicle designed to transport more than 15 passengers, including the driver; and (4) any size vehicle hauling hazardous waste requiring placards are required to have a Tennessee Commercial Driver's License in accordance with T.C.A. 55-50-101 et seq. Fire truck, police vehicle, and emergency medical vehicle operators are exempt from the CDL requirements.

F. EMPLOYEE DRUG TESTING

Employees may be required to submit to drug testing. The procedures can be found in Resolution No. 99-337.

G. EMPLOYEE RIGHT TO CONTACT ELECTED OFFICIALS

No employee shall be disciplined or discriminated against for communicating with an elected official. However, an employee may be reprimanded for making untrue allegations concerning any job-related matter (T.C.A. 8-50-601--604).

H. POLITICAL ACTIVITY

Employees have the same rights as other citizens to be a candidate for state or local political office and to participate in political activities by supporting or opposing political parties, political candidates, and petitions to governmental entities. Unless the municipal governing body passes a proper municipal ordinance, employees are not allowed to serve on the municipal governing body in the Town where they are employed. No employee may campaign on municipal time or in municipal uniform nor use municipal equipment or supplies in any campaign or election (T.C.A. 7-51-1501).

I. TRAVEL POLICY

All employees, including elected and appointed officials, are required to comply with the municipality's travel policy as required by T.C.A. 6-54-901. A copy of the most recent Travel Policy is available for review in the City Administrator's office. Mileage will be reimbursed at the IRS allowable/State of TN rate. (Reference Ordinance #155)

J. COMPUTER USE & EMAIL MONITORING POLICY

It is every employee's duty to use the Town's computer resources and communication devices responsibly, professionally, ethically, and lawfully. These policies are not intended to, and do not grant

users any contractual rights. The term “computer resources” refers to the town’s computers, electronic equipment, and its entire computer network.

The Town has the right, but not the duty, to monitor any and all aspects of the computer resources, including monitoring sites visited by employees on the internet, monitoring chat groups and news groups, reviewing material downloaded or uploaded by users to the internet, and reviewing email sent and received by others.

All employee correspondence in the form of electronic mail may be considered a public record and may be subject to public inspection under the Tennessee Public Records Law.

SECTION 7 - MISCELLANEOUS PERSONNEL POLICIES (SEE ETHICS POLICY)

Please note some of the policies in this section may be outlined in more detail in the Town’s ethics policy. Please refer to the Town’s ethics policies (Ordinance #2007-260) for more information.

A. OUTSIDE EMPLOYMENT

No full-time employee of the town may accept any outside employment without written authorization from the Mayor. The Mayor shall not grant such authorization if the work is likely to interfere with the satisfactory performance of the employee’s duties, or is incompatible with the employee’s municipal employment, or is likely to discredit or embarrass the municipal government. Approval to work a second job may be withdrawn for any reasons above.

B. USE OF TOWN TIME, VEHICLES, FACILITIES, ETC

No employee may use or authorize the use of Town time, facilities, equipment, or supplies for private gain or advantage to oneself or any other person, group, or organization other than the Town. Decisions to permit use by charitable, civic or other organizations will be made exclusively by the governing body or their designee.

C. ACCEPTING OF GRATUITIES

No employee shall accept any money, other considerations, or favors from anyone other than the Town for performing an act that he/she would be required or expected to perform in the regular course of his/her duties. No employee shall accept, directly or indirectly, any gift, gratuity, or favor of any kind that might reasonably be interpreted as an attempt to influence his/her actions with respect to the Town's business.

D. WORKERS’ COMPENSATION

Employees shall report any injury or illness incurred in, or arising out of, the course of their employment, however minor, to the **Town** Administrator. Failure to make such a report may disqualify the employee from receiving Workers’ Compensation benefits. An employee of the town who suffers injury or illness as a result of a work-related accident or condition shall receive compensation during the period of illness or injury by the State Compensation Insurance Fund in accordance with the Tennessee Worker’s Compensation Act.

If the injury is life threatening, and immediate emergency medical treatment is necessary, the employee will be transported to the closest hospital but in general, the injured employee will be provided a copy of the C-42 form which contains the identified panel of physicians from which the employee must select a treating physician.

E. TEMPORARY DISABILITY NOT COVERED BY WORKERS' COMP

An employee who becomes temporarily disabled shall be allowed to exhaust his/her sick leave and vacation leave. After all leave has been used, further extension of leave (with or without pay) **using the Town's short-term disability insurance** must be specifically authorized by the **Mayor and Board of Alderman after recommendation by the Town Administrator.**

SECTION 8 - SEPARATIONS AND DISCIPLINARY ACTIONS

A. TYPES OF SEPARATIONS

All separations of employees from positions with the Town will be designated as one of the following types and will be accomplished in the manner indicated: resignation, layoff, disability, death, retirement, or dismissal. At the time of separation and prior to final payment, all records, assets, and other Town property in the employee's custody must be transferred to the appropriate Supervisor. Any amount due because of shortages will be withheld from the employee's final compensation on a depreciated/prorated basis. Deductions from pay cannot result in the employee being paid less than the federal minimum wage.

B. RESIGNATION

In the event an employee decides to leave the Town's employ, appropriate notice should be given to his/her supervisor so that arrangements for a replacement can be made. In such a case, employees will be expected to return any/or all Town-assigned equipment. An unauthorized absence from work, including absence without proper notification, for a period of three (3) consecutive working days may be considered by the Mayor as a resignation.

C. LAYOFF

The Mayor, upon approval from the Board of Aldermen, may lay off an employee in Town service when it is deemed necessary by reason of a shortage of funds, abolishing a position, other material changes in the duties or organization of the employee's position, or related reasons that are outside the employer's control and that do not reflect discredit upon the employee's service. Determination of layoff order will be based on Town needs, individual employee performance, and time in position (in that order).

The duties performed by a laid-off employee may be assigned to other Town employees who hold positions in the appropriate class. Temporary employees will be laid off before regular employees.

A laid-off employee who is reinstated as a Town employee within ninety (90) days from the date he/she was laid off will be reinstated with full benefits as if he/she had not been laid off.

D. DISABILITY

An employee may be separated for disability when he/she cannot perform the essential functions of the job because of a physical or mental impairment that cannot be accommodated without undue hardship on the Town, or that poses a direct threat to the health and safety of others. Reasonable accommodations will include transfer to a comparable position for which the individual is qualified. Action may be initiated by the employee or the Town, but in all cases, it must be supported by medical evidence acceptable to the **Mayor and** Board of Alderman, and the disability must prevent the employee from performing the essential functions of the job. The Town may require an examination, at its expense, to be performed by a licensed physician of its choice.

E. RETIREMENT

Retirement is defined as voluntary withdrawal from Town employment by an employee eligible to receive retirement benefits under Social Security, the Tennessee Consolidated Retirement System (TCRS), or other adopted retirement system. Retirement benefits are based upon the regulations of the retirement system in which the employee is enrolled and any other applicable provisions that may be in effect at the time of that employee's retirement. Whenever an employee meets the conditions set forth in the retirement system's regulations, he/she may elect to retire and receive all benefits earned under the appropriate schedule.

F. DISMISSAL

All Town employees are employees at-will of the Town. The Town reserves the right to discharge at-will employees for cause or for no reason, except that no employee will be discharged for reasons that are prohibited by state and federal law.

G. DISCIPLINARY ACTION

Whenever an employee's performance, attitude, work habits, or personal conduct fall below a desirable level, supervisors may inform employees promptly and specifically of such lapses and shall give them counsel and assistance. If appropriate and justified, a reasonable period of time for improvement may be allowed before initiating disciplinary action. In some instances, a specific incident may justify severe initial disciplinary action. Progressive disciplinary actions include:

1. Warning;
2. Oral reprimand;
3. Written reprimand;
4. Suspension; and
5. Dismissal.

H. DUE PROCESS HEARING

A hearing will be granted to any demoted, suspended, or terminated employee that requests one. The purpose of the hearing is to give the employee an additional opportunity for due process, and to share any other information they feel may be useful to the Town. However, this hearing will not be conducted to provide an employee any property rights.

SECTION 9 - PERSONNEL POLICY CHANGES

Nothing in this **resolution** may be construed as creating a property right or contract right to the job for any employee. The provisions of this personnel policy may be unilaterally changed by ordinance of the governing body from time to time as the need arises.

A. CONFLICTING POLICIES REPEALED

All Town policies or resolutions or Department Standard Operating Procedures or subordinate policies that conflict with the provisions of these policies are hereby repealed. If you notice an error in this policy please contact the Town **Administrator**.

B. SPECIAL NOTE

These personnel policies are believed to be written within the framework of the Charter of the Town of Walden but in case of conflict, the Charter takes precedence. These personnel regulations are for information only. This is not an employment contract. This document is a statement of current policies, practices, and procedures. Nothing in this document is to be interpreted as giving employees property rights in their jobs. These personnel policies, rules, and regulations may be reviewed periodically. The Town reserves the right to change any or all policies, practices, and procedures in whole or in part at any time, with or without notice to employees.

SECTION 10 - EFFECTIVE DATE

This resolution takes effect upon its passage and supersedes any personnel policy previously adopted.

Passed: 05/09/23

YEA:

NAY:

Approved as to form:

Mayor

Town Attorney

Attest:

Town Administrator or Recorder

ACKNOWLEDGEMENT OF RECEIPT

Town of Walden, TN Human Resources Regulations, Revision

This is to acknowledge that I have received a copy of the Town of Walden, Tennessee Personnel Policy, and understand that it outlines certain Town policies, procedures and benefits that may exist at the time of publication. I understand that it is my responsibility to familiarize myself with all information contained in this policy. I understand that the Personnel Policy does not constitute a contract of employment; rather it is merely a statement of policies and procedures. I understand that the content of the Personnel Policy does not confer any rights on, or promises to me, or guarantee my employment for any period of time.

I understand that the Town can alter, eliminate, or otherwise change any policy, information, or benefit described in these regulations by action of the governing body. I understand that it is my responsibility to review the regulations periodically to observe any recent changes.

I understand that nothing in the Personnel Policy, or any summary brochure, or employee handbook, or operating guideline should be deemed to be a promise by the Town to provide any benefit or property rights to employment. Rather, the Town reserves the right to alter or eliminate any benefit, without notice, at any time.

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

I understand that my employment with the Town is at-will and can be terminated by me or by the Town at any time for any reason or no reason. Employees have no property rights to employment. I understand that, although other terms and conditions of my employment may change, this at-will employment relationship will remain in effect throughout my employment with the City. I understand that this at-will relationship may not be modified by any oral or implied promises or agreements. I understand that no employee has a right to continued employment by virtue of anything stated or inferred in the Personnel Policy.

I understand and agree that all Town property must be returned upon separation from employment.

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

Employee Name

Employee Signature

Date