

# SUMNER COUNTY CIRCUIT COURT CLERK



## Personnel Policies & Procedures

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## **INTRODUCTION**

Circuit Court Clerk Personnel Policies and Procedures ("**CCCPPP**") have been developed to provide the employees of the Circuit Court Clerk's office with a copy of the personnel policies, practices and procedures, general conditions of employment and employee benefits as adopted by the Circuit Court Clerk.

**CCCPPP** is not an exclusive statement of all the terms and conditions of employment. **CCCPPP** are subject to change without advance notice, and the Circuit Court Clerk or designee reserves the right to make final decisions as to the interpretation of **CCCPPP**.

No policy, benefit, practice or procedure contained herein creates an employment contract for any period of time, unless otherwise approved by the Circuit Court Clerk.

**CCCPPP** are applicable to all Circuit Court Clerk employees unless resolution or statute excludes an office, department, division, position or situation. Some offices, departments or divisions, may adopt policies and procedures in addition to these policies. Each employee is responsible for determining any and all policies that apply to their position, employment or job.

**CCCPPP** are established to guide all administrative personnel actions. Any oral or written statements contrary to this manual are disavowed by the Circuit Court Clerk and should not be relied upon by the employee.

**CCCPPP** may be revised or amended at any time by the Circuit Court Clerk. By accepting employment, employees agree to conform to any changes, deletions, or additions to these policies and procedures during the course of their employment.

**Regardless of the area of employment, all employees of Sumner County, Tennessee are employees-at-will, unless the Circuit Court Clerk approves differently.**

## **SECTION I - EMPLOYMENT CATEGORY**

### **A. EMPLOYMENT**

All employees working for the Circuit Court Clerk are employed **at-will**, unless otherwise approved by the Circuit Court Clerk or statutory directive. Nothing in **CCCPPP** shall be taken to imply, promise or guarantee any type of employment contract. No time period is guaranteed for a job or position. Any positions are subject to ending due to shortage of funds or work; abolition of a position or other organizational changes; or for related reasons which are outside the employee's control and which do not reflect upon the service of the employee.

The determination of whether or not an employment position is full or part-time is the responsibility of the Circuit Court Clerk.

To be considered **FULLTIME** an employee must consistently work at least 30 hours a week on a regular basis, no less than 1,560 hours annually. In addition, the designation of **FULLTIME** is not guaranteed on the basis of the minimum number of hours alone. Positions designated as **FULLTIME** will be entitled to receive benefits offered by Sumner County. Benefits offered to fulltime employees can be amended, increased or decreased at anytime by action of the County Commission or designated committee.

Positions designated as **PART-TIME** are not entitled to benefits.

### **B. INITIAL PERIOD OF EMPLOYMENT**

Full-time employees must wait until the first day of the month following a thirty (30) day period from date of hire before being eligible for benefits. Vacation and sick leave will begin accruing during the employee's second month of employment.

## **SECTION II - COMPENSATION**

### **A. OVERTIME**

The Federal Fair Labor Standards Act (FLSA) establishes minimum wage, overtime pay, child labor, and equal-pay requirements. The statutory overtime rate of one and one-half times the employee's regular rate is paid or compensated for all hours worked in excess of forty hours during any workweek. Sick leave, vacation and holidays are not counted as hours worked.

Employees Exempt from Overtime-pay Provisions - Any employee employed in a bona fide executive, administrative, or professional capacity is exempt from overtime requirements. The term "exempt" means exempt from the requirement to pay overtime. "Non-exempt" employees must be paid or compensated for overtime. Only employees in non-exempt classifications are

eligible for overtime pay.

Authorized Overtime - Non-exempt employees shall not work more than scheduled working hours during any workweek unless the overtime work is authorized by a supervisor and approved by the Circuit Court Clerk. Overtime pay is authorized for non-exempt employees for time worked in excess of 40 hours during the seven (7) day workweek at a rate not less than one and one-half times their regular rates of pay.

Any employee who works overtime without obtaining advance approval of the Circuit Court Clerk as required may be subject to disciplinary action, up to and including termination of employment. All authorized overtime must be within budgetary limitations.

Compensatory Time - Compensatory time may be given to those employees who work overtime and with whom the county has a prior agreement or understanding that the employee will accept compensatory time in lieu of cash payment for overtime. Compensatory time (as with paid overtime) is earned at a rate of one and one-half hour per hour worked. No compensatory time is earned until an employee surpasses 40 hours in a "workweek."

Employees are encouraged to use their accrued compensatory time, and the county will make every effort to grant reasonable requests for the use of compensatory time when sufficient advance notice is given and the workplace is not unduly disrupted. The maximum number of compensatory time hours that an employee may accrue is one hundred and eighty (180) overtime hours which equals two hundred and forty (240) hours (for non-exempt employees).

Any non-exempt employee who has reached this maximum shall not work any additional overtime until the employee's accrued compensatory time has fallen below the maximum allowed.

In addition, the maximum number of hours that an employee may have accrued at the end of each fiscal year is one hundred and eighty (180) overtime hours which equals two hundred and forty (240) hours (for non-exempt employees.)

An employee may not carry a negative hourly balance at any time.

## **B. WORKWEEK**

The workweek begins at 12:01 a.m. on Saturday and ends at 12:00 midnight on Friday of each week. An employee is paid a weekly salary, which covers all hours worked up to 40 hours during each workweek. Hours in excess of 40 in a "workweek", for non-exempt employees, are to be covered as described in "overtime" or "compensatory" time.

Employees shall be paid biweekly (Payroll Period) in the most appropriate method determined by the county.

Due to biweekly accounting, the fiscal year will normally have 26 pay periods. During this fiscal year, there are 24 regular pay periods in which benefits, insurances and other elected deductions are taken from a paycheck. Any remaining pay periods are considered extra pay periods and no elected deductions are taken.

The salary paid to exempt salaried employees is compensation for all hours worked in a payroll period.

The actual work schedule for each employee will be arranged by the Clerk.

### **C. TIME RECORDS**

Employees are required to record their hours on the forms (or other alternative method approved by the Sumner County) provided for this purpose. Both exempt and nonexempt employees are required to fill in this form daily and, at the end of the payroll period, sign and forward them to your supervisor for review, processing, and their signature and approval. All time sheets must contain signature or electronic equivalent, of employee and supervisor.

Office hours are Monday through Friday from 8:00 a.m. until 4:30 p.m. with the office closing at 4:30 p.m. Employees work schedule and work hours will be determined by the Clerk. It is the duty of each employee to ensure that actual hours worked, leave time taken and leave balances is recorded accurately. All time sheets must record beginning balances, amount earned, and amount used, and ending balances for all pay as well as leave.

Any discrepancies between check stub and timesheet balances for any type of leave must be reported to the payroll office within twenty days or balances are considered correct and corrections will not be made.

Falsifying payroll records is a crime. Copies of time records or electronic equivalent shall be maintained at the finance department.

### **D. EMPLOYMENT ELIGIBILITY VERIFICATION**

Sumner County does not discriminate on the basis of citizenship or national origin. In compliance with the Immigration Reform and Control Act of 1986, each new employee, as a condition of employment, must complete all Employment Eligibility Verification Forms and present documentation establishing identity and employment eligibility. Former employees who are rehired must also complete the form if they have not completed with Sumner County within the past three years or if their previous forms were no longer retained or valid.

Employees with questions or seeking more information on immigration law issues are encouraged to contact the Finance Office. Employees may raise questions or complaints about immigration law compliance without fear or reprisal.

### **SECTION III - GENERAL CONDITIONS OF EMPLOYMENT**

#### **A. OCCUPATIONAL COMPENSATION PLAN**

In May of 1999, Sumner County opted out of the state worker's compensation statutes and adopted in its place the Sumner County Occupational Compensation Plan (the Plan). The Office of Risk Management (ORM) oversees all employment related injuries. ORM must be contacted to report any work related injury or to answer any questions arising about the Plan.

#### **B. NON-DISCRIMINATION POLICIES**

It is the policy of Sumner County to provide equal employment opportunities to all individuals regardless of race, color, religion, sex, national origin, age, disability, veteran status, or any other group protected by law. This policy extends to all terms and conditions of employment, including but not limited to hiring, placement, promotion, termination, layoff, recall, transfer, leaves of absence, compensation and training.

It is the policy of Sumner County to make reasonable accommodations for qualified individuals with known disabilities unless doing so would result in undue hardship.

Employees or applicants with questions or concerns about any type of discrimination in the workplace are encouraged to bring these issues to the attention of the immediate supervisor, Elected Official or Department Head. Employees can raise concerns and make complaints without fear of reprisal and with assurance of protection from harassment or retaliation.

Anyone found to be engaging in any type of unlawful discrimination will be subject to disciplinary action, up to and including termination of employment.

Sumner County does not discriminate in its hiring practice on the basis of race, color, religion, sex, national origin, age, disability, veteran status or other any group protected by law.

#### **C. AMERICANS WITH DISABILITIES ACT**

Sumner County will reasonably accommodate qualified applicants and employees with known disabilities pursuant to state and federal laws, rules and regulations unless the accommodation imposes an undue hardship on the county.

## **SECTION IV- EMPLOYEE BENEFITS**

Leave time as well as other benefits offered to employees are a privilege and not a right. Changes in these policies may need to be made due to budgetary issues, office needs, or any other non-discriminatory reason set forth.

### **A. VACATION LEAVE**

**As of June 30, 2010, vacation time earned and balances available will be reported to the finance department for each full-time employee. These times will be confirmed and certified with the department head, office holder and individual employee.**

**As of January 1, 2018 for all current employees and as of the date of hire for newly hired employees, all vacation for full-time employees will accrue forward in the following format:**

Employees having been employed less than 5 years:

Each employee shall accrue 8 hours of vacation leave per month. New employees shall not be allowed to take any vacation leave within the first six (6) months of employment; however, they will accrue vacation days during the first six (6) months beginning with their second month of employment.

Employees having been employed 5 – 20 years:

The employee shall accrue 15 hours of vacation leave in January of each year and 11 hours of vacation leave per month in February through December.

Employees having been employed 20 + years:

The employee shall accrue 17 hours of vacation leave in January of each year and 13 hours of vacation leave per month in February through December.

Employees shall accrue 15 hours of vacation leave in the month of their 5 year anniversary and 17 hours of vacation leave in the month of their 20 year anniversary, and then 11 hours and 13 hours, respectively, for each following month of the calendar year.

Part-time and temporary employees do not qualify or accrue vacation leave.

In addition to accumulated vacation days, each employee shall receive their birthday as a paid holiday each year. If the employee's birthday falls on a Saturday or Sunday, or if the workload in the office prevents the employee from being able to be absent on their actual birthday, the Clerk will notify the employee which day shall be the birthday holiday for that employee.

Accumulation of Vacation Time – Beginning at the end of the 2017 calendar year, accumulated vacation time may be carried forward for up to five (5) days at the end of any calendar year. Any amounts in excess of five (5) days at the end of any calendar year will automatically be rolled over to a sick day. An employee may not carry a negative balance at any point.

Use of Vacation Time – Vacation time may be used only at times approved in advance by the Circuit Court Clerk. No more than one employee may be on vacation from each department without express permission from the Clerk. If two or more employees request vacation for the same period of time, it will be the Circuit Court Clerk's decision if this will create a hardship upon the department. No employee may take more than ten (10) days of vacation at one time. Vacation time must be used in 1/2 day increments. No employee may give or loan vacation time to another employee. Any employee shall not have a negative vacation balance at any time. Vacation days must be requested by January 31 each year in order to receive priority. The Circuit Court Clerk will make all approvals regarding vacation requests.

At the complete discretion of the Circuit Court Clerk, employees may be paid for up to five (5) unused vacation at the end of each calendar year.

Termination of Employment – Upon the termination of employment of an employee, he or she shall be entitled to payment for any unused vacation time which has accrued (up to applicable limits), unless terminated for gross misconduct or unless employee terminates employment without two weeks' notice. For termination due to gross misconduct, as determined by the department head or elected official, all accrued leave is forfeited. If the employee terminates their employment without giving the Circuit Court Clerk two weeks' notice of their termination date, then all accrued leave is forfeited.

Payment made, is only in a lump sum, based upon the daily rate of compensation the employee receives as of the time of termination, in ¼ hour increments

No accumulated vacation pay will be paid out at time and one half. Payment will be made at the next regularly scheduled payroll.

## **B. SICK LEAVE**

Once an employee has been employed for 30 days the employee begins to earn sick leave. Sick leave is earned at the rate of one sick day per month, up to 96 hours of paid sick leave per fiscal year.

There is no maximum accumulation of sick leave credits. Accumulated sick leave has no value except for the purpose granted, and in the event of separation, all unused sick leave shall be forfeited, but may be eligible for retirement credit.

At the time of retirement, unused sick leave may be eligible for retirement credit. (All unused sick leave shall be administered in accordance with state statute and the Tennessee Consolidated Retirement System). Sick leave is not recognized for retirement purposes until the employee has retired and the sick leave has been certified by the employer.

Use of Sick Leave – An employee may use accumulated sick leave allowance for absence due to his or her own illness or injury or for the illness or injury of their spouse, children or parents.

Sick leave must be used in accordance with the office's sick leave interoffice policies. An employee may not have a negative balance at any time.

Employees who become ill during the period of their vacation may request that their vacation be temporarily terminated and the time changed to sick leave.

No employee may give or loan sick leave time to another employee.

Notice of Sick Leave – An employee is required to notify the Circuit Court Clerk no later than the beginning of the employee's work shift or, in the case of emergency, as early as possible on the first day of their sick leave absence. Abuse of sick leave is grounds for dismissal. A doctor's excuse is mandatory after the third consecutive sick day used; however, the Circuit Court Clerk reserves the right to require a doctor's excuse for the first day of sick leave used.

Exhaustion of Sick Leave – Employees who have used all of their accumulated sick leave will not receive financial compensation for additional sick days needed due to illness or injury. For any additional time needed, the employee will be considered on leave without pay status unless the employee has accumulated vacation or compensatory time remaining. However, the department head is under no obligation to allow an employee to use vacation time for the illness or the department head may require an employee the use accumulated vacation or compensatory time for time off if he or she so desires.

## **C. BEREAVEMENT LEAVE**

After six months of full-time employment, an employee will be eligible for bereavement leave. In case of death in the employee's immediate family, the employee will be given up to 16 hours of paid leave which will not be charged to vacation or sick leave. Paid bereavement leave is for scheduled workdays, which normally fall between the day of the death and the day following the funeral. An additional 24 hours of bereavement leave may be granted from sick leave at the Circuit Court Clerk's discretion.

Immediate family shall be defined as spouse, parent, children, brothers or sisters, mother-in-law, father-in-law, brother-in-law, sister-in-law, grandparents,

grandchildren, step-parents, step-siblings and other legal dependants of the employee.

An employee who claims bereavement leave may, at the discretion of the Circuit Court Clerk, be required to furnish confirmation of the death which may include an obituary notice or funeral home announcement.

#### **D. VOTING LEAVE**

Any person entitled to vote in an election in this state may be absent from work to vote while the election polls are open for a period of time not to exceed three (3) hours. The Elected Official or Department Head may specify the time the employee may be absent. The employee will receive regular compensation during this period and leave time will not be affected.

Voting time shall not be counted as working time for overtime computation. If the employee's work period begins three (3) or more hours after the opening of the polls or ends three (3) or more hours before the closing of the polls, then the Elected Official or Department Head may choose to not allow additional time off from work.

#### **E. MILITARY LEAVE**

Full-time employees who are members of any federal or state military reserve component will be granted military training leave for such time as they are in the military service, on field training or active duty for periods not to exceed fifteen (15) working days per calendar year. This time may not be used for weekend drills. Such requested leave shall be supported with copies of the armed service orders.

Full time employees who are members of a federal or state military reserve unit who have completed their military training duty for the calendar year, and are reactivated for additional training, will be allowed an additional fifteen (15) days military leave if the additional military training occurs during the same calendar year and fulfills the employee's military training obligation for the subsequent calendar year.

During such time that the employee is on the above described military training leave, the employee will receive full pay and benefits to which he or she would otherwise be entitled.

Should the full time employee enter the military on an active basis, the employee must present their orders to their supervisor as soon as practicable after they receive them. The full time employee will be granted an unpaid leave of absence to serve said tour of duty. The employee will continue to accrue benefits from Sumner County, if required by state and federal statute. Reinstatement of employment and of health insurance is determined by the approved plan document, which shall comply with state and federal law.

## **F. JURY DUTY LEAVE**

The County encourages all employees to fulfill their duty to serve as members of juries or to testify when called in both Federal and State courts. Therefore, the following procedures shall apply when an employee is called for jury duty or subpoenaed to court:

- 1) Upon receiving a summons to report for jury duty, the employee shall, on the next day she/he is working, show the summons to his or her supervisor.
- 2) The employee will be granted a leave of absence when she/he is subpoenaed or directed by proper authority to appear in Federal or State court as a witness or juror.
- 3) If the employee is relieved from jury duty during working hours after serving less than three hours, the employee must report back to the Elected Official or Department Head.
- 4) If the employee is relieved from being a witness during working hours, the employee must report back to the Elected Official or Department Head.
- 5) If an employee summoned for jury duty is working a night shift or is working during hours preceding those in which court is normally held, such employee shall also be excused from his/her employment for the shift immediately preceding the first day of service on any lawsuit.
- 6) Full-time employees shall receive regular compensation during time served on jury duty or when subpoenaed as a witness.
- 7) The employee may retain all compensation received for serving as a juror.
- 8) The above provisions concerning compensation for time in court do not apply if the employee is involved as a plaintiff or defendant in private litigation or a defendant in criminal action. On these occasions the employee must take vacation leave, comp-time, or leave without pay.

## **G. LEAVE WITHOUT PAY**

Any employee, at the discretion of the Circuit Court Clerk, may be granted leave without pay for sufficient reason as determined by the Circuit Court Clerk, for a period of up to six months. During the period of absence, the employee will not accrue vacation, sick leave or any other benefits. During the period of absence the county will not pay any costs of any benefits during the leave period.

## **H. FAMILY AND MEDICAL LEAVE ACT LEAVE**

In general, a Family and Medical Leave of Absence (FMLA) is an official authorization to be absent from work without pay for a specified period of time. Eligible employees may be entitled to job-protected family or medical leaves of

absence if they are unable to come to work due to qualifying family or medical reasons as described under the following FMLA Policy, which shall be administered in accordance with all applicable state and federal laws:

- 1) Employees are eligible if they have been actively employed for at least 12 months, and have worked for at least 1250 hours of service during the 12-month period immediately preceding the commencement of leave. FMLA leave provided for under this policy shall run concurrently with any Tennessee maternity leave entitlements and paid leave (sick, vacation, comp. etc) for this illness.
- 2) Under circumstances set forth below, each eligible employee shall have up to a total of 12 weeks during any one-year period. Pursuant to this policy, the 12 - month period utilized is a "rolling" 12 - month period measured backward from the date an employee uses any FMLA leave.

FMLA leave starts with the first time off for the major illness not from the request date.
- 3) Family and Medical Leave will be granted to eligible employees for one or more of the following reasons:
  - a) For birth of a son or daughter, and to care for the newborn child;
  - b) For placement with the employee of a son or daughter for adoption or foster care;
  - c) To care for the employee's spouse, son, daughter, or parent with a serious health condition; and
  - d) Because of a serious health condition that makes the employee unable to perform the functions of the employee's job.
- 4) For the purposes of this policy the following definitions apply for the purposes of an employee qualifying to take FMLA leave:
  - a) Spouse means a husband or wife as defined or recognized under State law for purposes of marriage in the state where the employee resides, including common law marriage in states where it is recognized;
  - b) Parent means biological parent or an individual who stands or stood *in loco parentis* to an employee when the employee was a son or daughter as defined in (c) below. This term does not include parents "in law";
  - c) Son or daughter means a biological, adopted, or foster child, stepchild, a legal ward, or a child of a person standing *in loco parentis*, who is either under age 18, or age 18 or older and "incapable of self-care because of a mental or physical disability.
  - d) Persons who are "*in loco parentis*" include those with day-to-day responsibilities to care for and financially support a child or, in the case of employee, who had such responsibility for the employee

when the employee was a child. A biological or legal relationship is not necessary.

- e) The County reserves the right to require for the purposes of confirmation of a family relationship that the employee giving notice of the need for leave provide reasonable documentation or a statement of family relationship.
- 5) Whenever possible, and subject to your health care provider's approval and certification, when planning medical treatment, eligible employees must consult with the Circuit Court Clerk and make a reasonable effort to schedule the leave so as not to unduly disrupt the Department's operations.
- a) Employees are expected to consult with the Circuit Court Clerk prior to scheduling treatment in order to work out a treatment schedule which best suits the needs of both the employee and the County;
  - b) If an employee who provides notice of the need to take FMLA leave on an intermittent leave basis for planned medical treatment fails to consult with the Circuit Court Clerk to make a reasonable attempt to arrange the schedule of treatment so as not to unduly disrupt the County's operations, the Circuit Court Clerk will initiate discussions with the employee and require the employee to attempt to make such arrangements, subject to the approval of the employee's health care provider.
- 6) If an employee submits a certification signed by a health care provider, the County may, with the employee's permission, have a health care provider representing the County contact the employee's health care provider for purposes of clarification and authenticity of the medical certification. Under appropriate circumstances the County may require the employee to obtain a second opinion at the County's expense. The health care provider utilized in these circumstances will be designated by the County to furnish a second and/or third opinion, but the selected health care provider will not be one that is employed by the County on a regular basis.
- 7) In those circumstances when the approximate timing of the need for leave is not foreseeable, the employee should provide the County notice of the need for FMLA leave as soon as practicable under the facts and circumstances of the situation. It is expected by the County that an employee will give notice to the Circuit Court Clerk within no more than one or two working days of learning of the need for leave, except in extraordinary circumstances where such notice is not feasible. In all instances of FMLA leave the County reserves the right to request medical certification outlining the expected duration and nature of the illness, as it relates to the employee's ability to come to work, or the need for that

employee's need to care for family members with serious health conditions or for other FMLA qualifying reasons.

- 8) When the need for leave is foreseeable based on an expected birth, placement for adoption or foster care, or planned medical treatment for a serious health condition of the employee or a family member, 30 days advance notice is required. In the event 30 days notice is not practicable due to a lack of knowledge of approximately when the leave will be required to begin or due to a change in circumstances or medical emergency, notice must be given by an employee as soon as practicable.
- a) To assist the County in arranging work assignments during an employee's absence, the County requests that employee's give the County prior notice, to the extent possible, of an expected birth or adoption, as well as an indication, to the extent known, of the employee's expected return to work date;
  - b) To facilitate an employee's return to work, the County requests that the employee provide the employee's Circuit Court Clerk with two weeks advance notification of the employee's intended return to work date;
  - c) If an employee fails to give timely notice when the need for FMLA leave is foreseeable, the employee may be required to delay the taking of FMLA leave until 30 days after the date the employee provides appropriate notice to the County of the need for FMLA leave;
  - d) The County understands that under certain circumstances it may be necessary for an employee to take more leave than originally anticipated or an employee may discover after the beginning of FMLA leave that circumstances have changed and the amount of leave originally anticipated is no longer necessary. In these situations the employee is required to provide the County reasonable notice, within two business days, of the changed circumstances where foreseeable;
  - e) If an employee advises the Employer either before or during the taking of FMLA leave that the employee does not intend to return to work, our employment relationship will end and the employee's entitlement to continued leave, maintenance of health benefits, and restoration to the job shall cease; and
  - f) If an employee is able to return to work earlier than anticipated, the employee shall provide his/her Circuit Court Clerk two weeks advanced notice when feasible prior to returning to work.

- 9) For purposes of FMLA leave, “serious health condition” entitling an employee to FMLA leave means an illness, injury, impairment, or physical or mental condition that involves:
- a) In-patient care (an overnight stay) in a hospital, hospice or residential medical care facility including any period of incapacity such as an inability to work, attend school or perform other regular daily activities due to the serious health condition, treatment therefore, or recovery there from, or any subsequent treatment in connection with such in-patient care; or
  - b) Continuing treatment by a health care provider which includes one or more of the following: a period of incapacity (inability to work, attend school or perform other regularly daily activities due to the serious health condition, treatment therefore, or recovery there from, of more that 3 consecutive calendar days, and any subsequent treatment or period of incapacity relating to the same condition that also involves additional treatment by a health care provider, nurse or physician’s assistant under direct supervision of a health care provider, or by a provider of health care services such as a physical therapist, under orders of, or on referral by a health care provider or treatment by a health care provider on at least one occasion which results in a regimen of continuing treatment under the supervision of a health care provider.
- 10) Leave of absence rights, sick leave and vacation leave available to employees under other sections of our policies shall be counted towards the total time off available under our FMLA policy, if the leave is FMLA qualifying.
- 11) On return from FMLA leave employees will be returned to the same position the employee held when leave commenced, or to an equivalent position.
- a) If an employee is unable to perform an essential function of his/her position because of a physical or mental condition, including the continuation of a serious health condition, the employee will have no right to restoration to another position under the Family and Medical Leave Act;
  - b) However, this does not mean an employee will not be returned to work even if they are unable to do so at the conclusion of their FMLA leave entitlement as the County will seek to return employees to a suitable position, although the County cannot guarantee that one will be available.
  - c) If an employee is unable to return to work after the expiration of their FMLA leave entitlement (12 weeks or less depending on the

individual employee's use of leave during the rolling 12 – month period), the employee shall forfeit his/her reinstatement rights under the FMLA, but may be returned to work to an alternate position for which the employee is qualified if such a position is available; and

- d) If, due to an employee's own medical circumstances, he/she is no longer able to perform his/her original job, the County will attempt to transfer such an employee to alternate suitable work, if available.
- 12) While on an FMLA leave of absence provided for under this policy, the County will continue employee group health insurance benefits under the same terms as provided to other employees, for up to a maximum of 12 weeks during the applicable 12 – month period. If an employee's leave extends beyond 12 weeks, the employee shall be offered the opportunity to purchase continuing coverage under state and federal COBRA continuation rules.
- 13) Other accumulated fringe benefits such as seniority, retirement, service credits, sick pay, vacation pay, etc., shall be preserved at the level earned as of the commencement of FMLA leave, but shall not accrue during any unpaid FMLA leave.
- 14) In addition to the FMLA, Tennessee maternity leave law allows employees who have been employed for twelve (12) consecutive months to take up to four (4) months of unpaid leave for pregnancy, childbirth and nursing an infant. To be eligible for this leave, the employee must give at least three (3) months advance notice, except in cases of medical emergency. This leave will run concurrently with the FMLA with any leave to which the employee may be entitled under the FMLA or otherwise.

15) Military Family Leave Provisions

There are two types of Military Family Leave available:

a. Qualifying exigency leave. Employees meeting the eligibility requirements described above may be entitled to use up to 12 weeks of their Basic FMLA Leave entitlement to address certain qualifying exigencies.

This leave may be used if the employee's spouse, son, or daughter, is on active duty or called to active duty status in the National Guard or Reserves in support of a contingency operation. Qualifying exigencies may include:

- Short-notice deployment (up to 7 days of leave)
- Attending certain military events
- Arranging for alternative childcare

- Addressing certain financial and legal arrangements
- Periods of rest and recuperation for the service member (up to 5 days of leave)
- Attending certain counseling sessions
- Attending post-deployment activities (available for up to 90 days after the termination of the covered service member's active duty status)
- Other activities arising out of the service member's active duty or call to active duty and agreed upon by the company and the employee

**b.** Leave to care for a covered service member.

There is also a special leave entitlement that permits employees who meet the eligibility requirements for FMLA leave to take up to 26 weeks of leave to care for a covered service member during a single 12-month period.

A covered service member is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has been rendered medically unfit to perform his or her duties due to a serious injury or illness incurred in the line of duty while on active duty that may render the service member medically unfit to perform his or her duties for which the service member is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list.

**I. HOLIDAYS**

Because of the variety of Sumner County services, all employees may not be able to observe holidays on the same day. If your work schedule requires a deviation from the holiday schedule, your Circuit Court Clerk will tell you in advance. Sumner County will grant holiday time off (or pay in lieu of time off) to all regular full-time employees on the holidays listed below:

New Year's Day	January 1 <sup>st</sup>
Martin Luther King, Jr. Day	third Monday in January
Presidents' Day	third Monday in February
Good Friday	Friday prior to Easter
Memorial Day	last Monday in May
Independence Day	July 4 <sup>th</sup>
Labor Day	first Monday in September
Columbus Day	second Monday in October
Veteran's Day	November 11 <sup>th</sup>
Thanksgiving	4 <sup>th</sup> Thursday in November
Day after Thanksgiving	4 <sup>th</sup> Friday in November
Christmas Eve	

Christmas

County general elections are observed as holidays.

## **J. LEAVE RECORDS**

Employees shall record all leave taken on their time sheets or approved computerized equivalent.

## **SECTION V- INSURANCE BENEFITS**

### **A. Presently Serving Employees**

Benefits eligibility is dependent upon a variety of factors, including employee classification. Most benefits require contributions from the employee; however, several are not funded by Sumner County.

Individual benefits are determined by plan documents and/or the Sumner County Commission through resolutions or the SIB board.

### **B. Retired and Disabled Employees' Insurance Plan**

To be eligible for coverage as an Early Retiree or Disabled Employee, an Employee must meet the eligibility criteria that became effective January 1, 2006. This plan is not retroactive. Sumner County will pay 75% of the cost of medical insurance premiums for an eligible employee at retirement if the employee meets the following qualifications:

- the eligible Employee must be at least 60 years of age and have 20 years or more of service with Sumner County; or
- the eligible employee, of any age, obtains 30 years of service with Sumner County; and
- the employee must be eligible for medical insurance coverage for the last 5 years of their employment with Sumner County; however,
- at the time of retirement, if the employee has 5 years continuous employment and the dependent has been eligible to participate in the plan for that five-year period, then the dependent can retain coverage as part of the retiree's plan but the dependent must pay 100% of the additional premium cost. *(This does not mean the employee has participated in the insurance plan, but would have been eligible for coverage.)*
- due to the restrictions placed by reinsurance: if the employee and/or dependent has not had coverage but has been eligible for the last 5 years and elects to take County Insurance at Retirement, that retiree and/or dependent will be required to answer a questionnaire in order to qualify for health care coverage and if deemed eligible for coverage will be subject to pre-existing conditions.

- a Disabled Employee must be certified as disabled by the Social Security Administration, must have been enrolled in the County Insurance program at the time of disability, and must have 10 or more years of County service at the time of disability.

The retired Employee is responsible for payment of 25% of the cost of this coverage. Programs to share in the cost for the retired Employee's coverage are the responsibility of the County Group offering the program and not the Insurance Trust.

Coverage under the Sumner County Employees Early Retirement Group ends when the retired Employee attains age 65 or becomes eligible for Medicare.

If, at the time of retirement, the retired Employee has 5 years of continuous employment with Sumner County, and a dependent has been eligible to participate in the Plan for that 5-year period, the dependent can continue coverage as part of the retired Employee's Plan. However, the dependent must pay the entire contribution for this coverage.

## **SECTION VI -EMPLOYEE CONDUCT**

### **A. PURPOSE**

The maintenance of high standards of honesty, integrity, impartiality, and conduct by Sumner County employees is essential to assure the proper performance of Sumner County business and the maintenance of confidence by the public in Sumner County government.

Employees must avoid any action that might result in or create the appearance of using public office for private gain, giving preferential treatment to anyone, impeding Sumner County government efficiency or economy, or eroding the public's confidence in Sumner County government's integrity.

### **B. USE OF TECHNOLOGY RESOURCES**

Sumner County's technology resources include but are not limited to computers, software, telephones, facsimile (FAX) and photocopy machines. Sumner County owns and maintains technology resources for the purpose of carrying out Sumner County's business. While Sumner County recognizes that employees may occasionally need to use technology resources for personal reasons, all such personal use should be incidental and kept to a minimum. This standard of usage applies to all Sumner County equipment at all times. Repeated or intentional misuse of or damage to Sumner County's technology resources is prohibited. Employees will be required to reimburse the County for any damage caused by intentional misuse or negligence. Information created or stored on Sumner County's technology resources is the property of Sumner County and should not be considered private.

## **Computer & Internet Usage**

Use of a duplicate copy of licensed software is a violation of federal copyright laws and is prohibited by Sumner County. Employees are prohibited from copying county-owned software for their personal use.

Employees shall not change, tamper with, or add to pre-defined network setups and software configurations without the express consent of the responsible department head or elected official.

Employees who are provided portable equipment, whether temporary or permanent, are considered the custodian of that asset and are liable for loss and/or damage caused by negligence.

Employees shall observe established network log-on and log-off guidelines. Each employee is responsible for the documents, messages, and data created or deleted under his/her log-on identification and password.

Electronic mail generated in the course of Sumner County business may be considered a public record under Tennessee law. Therefore, employees should not have the expectation that their e-mail correspondence or files are confidential. Employees shall avoid the use of harassing, offensive, and discriminatory language in electronic mail. Messages addressed to "Everyone" must pertain to Sumner County business and be urgent in nature or of informational use to all employees.

Employee access to and communication on the Internet is intended for business purposes only. Any personnel use shall be de minimis and infrequent. All information sent or received via the Internet shall be considered a matter of public record. Therefore, employees should not have the expectation that their Internet activities and messages are confidential.

Employees shall not copy, download, upload, or print illegal material using any Sumner County technology resource.

### **Passwords**

Where necessary, logon passwords will be assigned by the Systems Administrator and/or the Administrative Office of the Courts. Employees are not to share their passwords with anyone, including other employees. Divulging your password will be considered a willful breach of security.

### **Telephone Calls**

Personal calls from office phones should be brief in nature and limited to those which are necessary but cannot be made outside of work hours. Employees shall charge personal long-distance calls to their own credit card or

personal telephone accounts.

### **Fax Machines**

Sumner County facsimile machines are intended for Sumner County business communications. Employee use of these resources for personal business shall be incidental and infrequent in nature.

### **Photocopy Machines**

Sumner County photocopy machines are intended for Sumner County business communications. When outside agencies or individuals request copies of Sumner County documents, these agencies will be charged at the per page rate and standard labor fee as set annually by the Circuit Court Clerk's fee statute.

## **C. OUTSIDE EMPLOYMENT**

If authorized by the Circuit Court Clerk, Sumner County employees may be allowed to engage in employment outside their county employment duties as long as the outside work does not interfere with or otherwise cause harm to the performance of their official Sumner County obligations. If outside employment is found to be incompatible with Sumner County employment, a Sumner County employee must stop the outside work or he/she will be terminated from employment with Sumner County.

Each employee should confirm the ability to accept outside employment with the Circuit Court Clerk.

## **D. VIOLATIONS OF POLICIES AND PROCEDURES**

Employees will be subject to disciplinary action if they violate any Sumner County policy. All applicable laws, regulations, and procedures will be followed when disciplinary action is taken. In addition, violations of criminal statutes may subject the violator to criminal prosecution.

An employee is responsible for reporting to his supervisor any violation of law and Sumner County policies and procedures committed by another employee when he/she has knowledge of such activities. If the violation is committed by the employee's supervisor, the report should be filed with the next official in the chain of command.

## **E. POLITICAL ACTIVITY**

The Hatch Act places certain restrictions on employees of entities who receive federal funds and/or grants. An employee is prohibited from using one's official authority or influence for the purpose of interfering with or affecting the results of an election or nomination for office including activities such as

threatening to deny promotion to any employee who does not vote for certain candidates; coercing directly, coercing indirectly, attempting to coerce, commanding or advising another employee to pay, lend or contribute anything of value to a party, committee, organization, or person for political purposes including requiring employees to contribute money to a political fund, influencing employees to buy tickets to political fund-raising dinners, and matters of similar nature.

Employees may be candidates in non-partisan or partisan elections. However, before deciding to run for public office, employees should be aware of possible conflicts of interest.

#### **F. SAFETY**

All employees shall conform to established safety rules and regulations that may be issued from time to time and shall be responsible for the appropriate use of protective clothing, equipment, and vehicles. Employees who violate safety rules and regulations shall be subject to disciplinary action up to and including termination.

#### **G. HARASSMENT POLICY**

Circuit Court Clerk is committed to providing a safe and secure work environment in which all individuals are treated equally with respect and dignity. The Circuit Court Clerk strives to create an atmosphere that promotes equal opportunities and prohibits discriminatory practices. In keeping with this commitment, the Circuit Court Clerk will not tolerate harassment in the workplace. This policy covers all employees and officers. The Circuit Court Clerk will not tolerate, condone, or allow harassment whether engaged in by co-workers, supervisors, associates, outside clients, or other non-employees who conduct business with the Circuit Court Clerk's office.

The Circuit Court Clerk specifically prohibits sexual harassment in the workplace. For the purposes of this policy, sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when submission to or rejection of this conduct by an individual is used as a factor in decisions affecting hiring, evaluation, promotion or other aspects of employment (called *Quid Pro Quo*); or this conduct substantially interferes with an individual's employment or creates an intimidating, hostile, or offensive work environment (called hostile work environment).

**Reporting a Complaint of Harassment** – The Circuit Court Clerk encourages employees to report all incidents of harassment regardless of the status or job title of the perpetrator. Other persons who observe an offensive behavior committed on Sumner County property or by a Sumner County representative should report the event even if he/she is not the target of the

behavior.

Discrimination, including harassment, in the workplace is illegal. If an employee believes that he or she has been subjected to illegal discrimination or harassment related to employment with the Circuit Court Clerk's office, the employee should report the incident promptly to the Circuit Court Clerk under whose direction the employee works. If the problem is not resolved within a reasonable time, or if for any reason the employee feels uncomfortable reporting the problem to the Circuit Court Clerk, then the problem should be reported to any Department Head, the County Executive or his or her designee. No adverse personnel action will be taken against an employee for reporting a bona fide incident of discrimination or harassment or for assisting in the investigation of a complaint; however, disciplinary action may be taken against any individual providing false information in connection with a complaint.

Retaliation against any individual who has articulated any concern of harassment is prohibited. Retaliation is a serious violation of this harassment policy and should be reported immediately. Any person found to have retaliated against another individual for reporting harassment will be subject to the same type of disciplinary action as perpetrators of harassment.

All allegations of harassment shall be investigated promptly. Confidentiality will be maintained throughout the investigative process to the extent practical and appropriate under the circumstances and law. All officers and employees are required to cooperate in the investigation of any complaints made pursuant to this policy.

Upon completing the investigation of a harassment complaint, appropriate action shall be taken under the law.

#### **H. SMOKE-FREE WORKPLACE POLICY**

Due to the adverse health effects of second-hand smoke, all facilities owned and operated by Sumner County are designated as smoke-free environments. Employees are prohibited from smoking in offices, lobbies, restrooms, maintenance shops and all common areas of Sumner County facilities.

### **SECTION VII -DISCIPLINARY ACTION**

#### **A. POLICY**

Regulations for the acceptable conduct of employees are necessary for the orderly operation of the county's business and for the benefit and protection of the rights and safety of all employees. Certain regulations, and others that may be established from time to time, and the procedures for disciplinary action

are published to promote understanding of what is considered unacceptable conduct and to provide for consistent action in the event of violations.

## **B. REASONS FOR DISCIPLINE**

An employee may be disciplined for violation of any county policy, existing law, rule or regulation, or failing to meet the standards set by the supervisor. Discipline can include an oral reprimand, written reprimand, suspension (with or without pay), demotion or dismissal.

Employment actions may be based upon the culmination of a series of events for which disciplinary actions have been taken or may also be the result of a single event that is serious enough to warrant immediate action or termination.

A copy of all disciplinary documentation should be maintained in an employee's personnel file.

## **SECTION VIII - ALCOHOL AND DRUG POLICY**

Sumner County is committed to maintaining a safe and productive work environment for its employees and to providing high quality service to its citizens. Employee safety and rehabilitation serve as the foundations of this policy.

Sumner County employees may not use or be under the influence of drugs, narcotics, and/or any other controlled substance while at work. Alcohol is a drug and as such has no place in a drug-free workplace. Therefore, the use of alcohol while at work is prohibited by this policy. In addition, no employee may report to work under the influence of alcohol and/or drugs.

This policy does not prohibit the use of medicine prescribed by an employee's licensed physician. An employee who is required to take prescription medicine which may impair or impede his/her ability to perform his/her job should notify his/her supervisor of the medication prescribed. Use of prescribed medication may not exceed the prescribed dosage. Use of a prescription drug for which the employee has no prescription will be viewed as a violation of this policy.

Sumner County prohibits employees from the possession, distribution, sale, and/or manufacture of alcohol, narcotics, drug paraphernalia, or any other controlled substance on Sumner County property, in company vehicles, or when on-call.

All property belonging to Sumner County is subject to inspection at any time without notice.

Certain departments and offices have adopted a more detailed and

specialized drug testing policy which is followed due to the nature of the office or position. When a more restrictive policy is adopted, those guidelines are the required policy for that position. Each employee should determine individual drug test requirements for his/her position.

## **Section IX - MISCELLANEOUS PROVISIONS**

### **A. PERSONNEL FILES**

An individualized personnel file will be maintained on each employee in the finance office. It is the responsibility of each employee to provide accurate information to the Employer. Employees are also responsible for reporting any change in the information which they have previously provided.

### **B. PAYDAY**

Employees shall be paid on a bi-weekly or monthly basis. Bi-weekly pay checks will be distributed on the Friday following the end of each pay period, unless altered due to an official holiday or incremental weather. Any altered pay schedule will be determined by the finance director. Under no circumstances will any paycheck be distributed before the payday or scheduled time.

### **C. MEAL PERIODS**

Employees shall be given a meal break each work day of at least thirty (30) minutes duration, but no longer than one hour (at the option of the Elected Official or Department Head). The employee will not be required to perform any work during the meal break. An employee will not be paid for this meal break. Any breaks less than thirty (30) minutes in length will be considered time worked.

### **D. ABSENCE DUE TO INCLEMENT WEATHER**

Vacation will be charged to any employee who is absent due to weather conditions unless a "no work period" has been officially declared. A "no work period" and/or snow schedule may be declared by the Circuit Court Clerk depending upon the severity of weather conditions. If you are absent on sick leave when a "no work period" is officially declared, you will be charged with sick leave.

### **E. TERMINATION PAY**

An employee, whose services are being terminated, either voluntarily or involuntarily, shall be paid for all earnings which are due and accrued, plus all accrued vacation time, overtime and compensatory time as set forth in this

policy. However, vacation time will not be paid and shall be forfeited if the employee is terminated due to gross misconduct.

The employee will not be compensated for any unused sick leave days, but unused sick leave days may be transferred to the Tennessee Consolidated Retirement System according to the plan's rules and regulations.

In the event of death, the amount owing to the employee shall be paid to his or her estate or the surviving spouse as may be required by law.

Termination pay will be paid at the next scheduled payday.

#### **F. DISCIPLINARY ACTION**

The Circuit Court Clerk absolutely reserves the right to terminate an employee at any time for any reason or no reason at all. Every county employee, unless approved differently by the Circuit Court Clerk, is an employee-at-will.

#### **G. ATTENDANCE POLICY**

The Circuit Court Clerk expects employees come to work each scheduled workday, on time. Failure to observe this policy can subject an employee to discipline up to and including discharge from employment.

When you are absent for any reason that has not been previously approved by your Circuit Court Clerk, you must call in and speak with the Circuit Court Clerk prior to the time for your shift to start. If the Circuit Court Clerk is not available, call your supervisor in your office and/or department. A doctor's excuse and/or emergency room discharge can and will be asked for if the situation warrants.

Employees with excessive unscheduled absences will be subject to disciplinary action.

#### **H. SOLICITATION – DISTRIBUTION**

Solicitation and/or distribution of literature by employees on County property during working time or at a time which interferes with the work of others are prohibited. "Working time" is defined as all time when an employee is supposed to be engaged in performing work tasks, but shall not include meal times, breaks, or other specified periods during the workday when the employee is properly not engaged in performing work tasks. Loitering on Sumner County property is not permitted at any time.

#### **I. VEHICLE USE POLICY AND GUIDELINES**

Certain Departments and Offices may provide county vehicles for use in the performance of work-related duties. Vehicle usage polices and procedures,

accounting requirements as well as incident and accident reporting should be obtained prior to use of vehicle or other county equipment. Failure to follow such procedures can result in employment discipline including termination.

ALL accidents or incidents involving a Sumner county vehicle or employee while on duty MUST be reported immediately to the office of Risk Management.

#### **J. DRESS CODE**

Each employee shall dress professionally each day. Unless otherwise approved by the Circuit Court Clerk, each employee shall dress in professional business attire. Low cut blouses, short skirts more than two inches above the knee, shorts above the knee, sweat pants and low cut pants are strictly prohibited even on "casual" days. Failure to adhere to the dress code is grounds for disciplinary action up to and including termination.

#### **K. NEPOTISM POLICY**

It is generally accepted that employment of relatives in the same area or department can cause, or create the perception of causing, serious conflicts and problems with favoritism and negative employee morale. Therefore, to prevent favoritism to relatives, conflicts of interest, violations of security, and unlawful discrimination, Sumner County prohibits the employment of immediate relatives in a direct supervisory line with respect to each other.

Relatives of persons currently employed by Sumner County shall not be hired into a position that results in them working directly for or supervising an immediate relative.

For the purposes of this policy, "immediate relatives" shall include a spouse, parent, child, sibling, step-child, step-parent, grandparent, grandchild, mother-in-law, father-in-law, sister-in-law, brother-in-law, grandparent-in-law, and/or a significant other.

This policy prohibits employees who are relatives from being placed within the same line of supervision where one relative is responsible for supervising the job performance of work activities of another relative or in positions where one might have influence over the other's status or job security.

If the relative relationship is established after employment, the individuals concerned will be given the opportunity to decide who is transferred. If the affected individuals do not make a decision, the Circuit Court Clerk will decide. The time limit for this decision, and subsequent action, will be established by the Circuit Court Clerk however, it is recommended that the transfer generally take place no later than 30 days following the establishment of the relationship, no longer than 60 days.

In other cases, where a conflict or the potential for conflict arises resulting from the employment of relatives, even though a supervisory relationship does not exist, the Circuit Court Clerk reserves the right at its sole discretion to separate, reassign or terminate employment of either individual. In like fashion, the Circuit Court Clerk reserves the right to address any personal relationship that

interferes with or otherwise damages the maintenance of smooth operations. In the course of normal operations, there may occasionally occur a circumstance that, while not of a supervisory nature, places one relative in the position of approving the work, activity or recommendations of another or authorizing expenses incurred by or due to another. In those circumstances, it is required in all cases that an appropriate countersignature, or otherwise objective review, be obtained in order to avoid the potential for, or accusations of, any impropriety.

Sumner County has the right to determine, on an individual basis, whether any other relationship between employees warrants applying this policy. Although this policy by law does not pertain to elected officials and constitutional office holders, it is encouraged and recommended by this body that all county employees be covered by this policy.

This policy is not retroactive, but the County reserves the right to address any personal relationship that may interfere with or damage the maintenance of smooth operations.

#### **L. FIREARMS & DANGEROUS INSTRUMENTALITIES**

Subject to Tennessee and Federal law, Sumner County will have a zero tolerance for weapons, firearms & dangerous instrumentalities (weapon) in the workplace.

Any employee who brings a weapon to the workplace or who is found in possession on County property which forbids weapons shall be immediately discharged from employment with the County. This policy excludes sheriff's deputies or persons authorized to carry weapons pursuant to their employment. A person, who is legally licensed to carry a weapon personally, should not bring such weapon to county facilities.

Persons also using any item in a violent manner or to inflict bodily injury to another shall be subjected to the same terms of dismissal.

#### **M. GOVERNMENT RECORDS**

It is unlawful for any person to make a false entry or alteration of a governmental record, to represent a false record as valid, or attempt to use, alter or impair a government document. Such action can result in disciplinary action up to and including termination.

#### **N. CONFIDENTIALITY OF OFFICE RECORDS**

Any record filed in the Clerk's office or matter pertaining to this office shall not be discussed outside the office. All records are open to the public except those exempted by statute. Any person desiring to review any record not exempted by statute will be allowed to do so inside the office. No employee will

take any record outside the office or discuss any record outside the office with any person. Improper disclosure of office records may be grounds for termination.

**EMPLOYEE ACKNOWLEDGEMENT**

By signing this form, I acknowledge that I have received a copy of the personnel policies currently in effect for my office or department as of this date, and that it is my responsibility to read and comply with the policies. These policies cannot and are not intended to answer every question about my employment with Sumner County. I understand that I should consult the Circuit Court Clerk, the Director of Finance and/or Law Director regarding any part of the policies that I do not understand or any questions I may have about my employment with Sumner County which is not answered in the policies. The current policies will be on file in the office of the Sumner County Clerk and I may examine them there during normal business hours.

The policies are subject to change, and I acknowledge that revisions may occur from time to time. I understand that all changes to the policies will be filed in the office of the Sumner County Clerk. Although I will be provided notice of changes, I understand that changes will apply to me regardless of whether I receive actual notice. I understand that revised information may supersede, modify or eliminate any or all of the policies at any time. All policies are subject to applicable state and federal laws, rules and regulations, and I understand that to the extent that any such laws may conflict with any provision of the policies, such laws, rules and regulations will control.

I have entered into my employment relationship with Sumner County voluntarily, and acknowledge that there is no specific length of employment, unless approved differently by the Circuit Court Clerk, and that my employment may be terminated by me or by the Circuit Court Clerk at will, without cause or prior notice, at any time.

I acknowledge that none of the Circuit Court Clerk’s policies may be construed to create a contract of employment or any other legal obligation, express or implied, and that any policy may be amended, revised, supplemented, rescinded or otherwise altered, in whole or in part, at any time, in the sole and absolute discretion of Sumner County.

In addition, I hereby give Sumner County government permission to obtain a motor vehicle report and authorize educational institutions, associations, registrations, and licensing boards to furnish information in order to determine my qualifications for employment at any time.

\_\_\_\_\_  
Employee Name (type or print)

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

**COMPENSATORY TIME AGREEMENT**

In accordance with the Fair Labor Standards Act, Sumner County has a policy of granting employees compensatory time off in lieu of compensation for time worked in excess of forty (40) hours in a workweek (or other permissible schedules for law enforcement, firefighters, and certain other employees). A copy of this policy is on file in the office of the Sumner County Clerk. I understand that compensatory time will be granted at time and one half for all time worked in excess of forty (40) hours worked (or other permissible work schedules). I further understand that accrued compensatory time may be used in accordance with county policy and applicable laws, rules and regulations of the U.S. Department of Labor.

I voluntarily and knowingly agree to accept compensatory time off in lieu of cash compensation for the overtime work and to the use of accrued compensatory time off in accordance with the county's policy and the laws, rules and regulations of the U.S. Department of Labor.

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Employee Signature

Date