

FEBRUARY 27, 2023

Date

STATE OF TENNESSEE  
Sumner County



Board of County Commissioners  
**RESOLUTION**

No. 2302-18

**TITLE**

**A RESOLUTION ADOPTING CHANGES TO THE SICK LEAVE POLICY FOR THE SUMNER COUNTY EMERGENCY COMMUNICATIONS CENTER**

**BE IT FUTHER RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 27<sup>th</sup> day of February 2023, that this body does hereby adopt changes to the sick leave policy for the Sumner County Emergency Communications Center, as shown on the attachment herewith.

CERTIFICATION OF ACTION

  
\_\_\_\_\_  
COUNTY CLERK

  
\_\_\_\_\_  
COUNTY MAYOR

3/2/2023  
\_\_\_\_\_  
DATE

**UNANIMOUS VOICE VOTE**

Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Abs \_\_\_\_\_

APPROVED:

REJECTED:



**SUMNER COUNTY**  
**Emergency Communications Center**

253 Airport Rd.  
 Gallatin, TN 37066

<b>Standard Operating Procedure 3.11.ECC</b>	<b>Effective Date: 3/1/2023</b>
<b>COMPENSATION &amp; BENEFITS</b>	<b>Rescinds/Amends: Revision</b>
<b>Attachments: none</b>	<b>Revision Number: 2.1</b>

**Authorized:** *Christy Rain*, Executive Director

## PURPOSE

The purpose of this Standard Operating Procedure (SOP) is to enumerate the Sumner County Emergency Communications Center (SCECC) plans for compensation and benefits for all SCECC employees.

### 1.0 DEFINITIONS

- 1.1 Full-Time - Full-time positions are entitled to any and all benefits provide by the County. The determination of whether or not a position is full time or part time is the responsibility of the Department head.
- 1.2 Part Time - Positions designed as Part-time are not entitled to benefits.
- 1.3 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.
  - 1.3.1 Regardless of the area of employment, all employees of Sumner County, Tennessee are employees-at-will, unless the Sumner County Commission approves differently.

### 2.0 COMPENSATION

#### 2.1 Overtime

- 2.1.1 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.
- 2.1.2 Employees Exempt from Overtime-pay Provisions - any employee employed in a bona fide executive, administrative, or professional capacity (including any

employee employed in the capacity of academic administrative personnel, unless otherwise approved by the Executive Director) 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 nonexempt classifications are eligible for overtime pay.

- 2.2 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 Executive Director. 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.
- 2.3 Any employee who works overtime without obtaining advance approval of their supervisor as required may be subject to disciplinary action, up to and including termination of employment. All authorized overtime must be within budgetary limitations.
- 2.4 Compensatory Time -Compensatory time may be given to those employees who work 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."
- 2.5 Employees are encouraged to use their accrued compensatory time, and the SCECC 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 sixty (160) overtime hours which equals two hundred and forty (240) hours (for non-exempt employees).
- 2.6 Any non-exempt employee who has reached this maximum shall not be allowed to comp any additional hours and must take pay for all overtime hours worked until the employee's accrued compensatory time has fallen below the maximum allowed.
- 2.7 In addition, the maximum number of hours that an employee may have accrued at the end of each fiscal year is one hundred and sixty (160) overtime hours which equals two hundred and forty (240) hours (for non-exempt employees.)
- 2.8 An employee may not carry a negative hourly balance at any time.

### **3.0 WORKWEEK**

- 3.1 The workweek begins at 12:01 a.m. on Saturday and ends at 12:00 noon Saturday of each week. An employee is paid a weekly salary, which covers all hours worked up to forty (40) hours during each workweek. Hours more than forty (40) in a "workweek", for non-exempt employees, are to be covered as described in "overtime" or "compensatory" time.
- 3.2 Employees shall be paid biweekly (Payroll Period) in the most appropriate method determined by the County.

- 3.3 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 and sick and vacation time are accrued for eligible fulltime employees. Any remaining pay periods are considered extra pay periods and no elected deductions are taken and no sick or vacation time is accrued, as determined by Sumner County Finance Department.
- 3.4 The salary paid to exempt salaried employees is compensation for all hours worked in a payroll period.
- 3.5 The actual work schedule for each employee will be arranged by that employee's supervisor and/or the Scheduling Supervisor.

#### **4.0 TIME RECORDS**

- 4.1 Employees are required to record their hours on the forms (or other alternative method approved by the SCECC) 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.
- 4.2 It is the duty of each employee to ensure that actual hours worked, leave time taken and leave balances is recorded accurately.
- 4.3 Any discrepancies between check stub and timesheet balances for any type of leave must be reported to the Office Manager in writing within ten (10) days or balances are considered correct and corrections will not be made. Once the Office Manager has been notified, he/she will have ten (10) days to report that to the payroll office.
- 4.4 Falsifying payroll records is a crime. Copies of time records or electronic equivalent shall be maintained at the ECC for three (3) years.

#### **5.0 EMPLOYEE BENEFITS**

- 5.1 Vacation - 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.
  - 5.1.1 Employees will earn vacation leave upon the completion of their first year of service and every year thereafter on their anniversary date.
  - 5.1.2 Accumulation – Refer to Sumner County Policy. Accumulated vacation time may be carried forward up to twenty (20) days at the end of any fiscal year. Any amounts more than twenty (20) days at the end of the fiscal year will

automatically be rolled over to a sick day. An employee may not carry a negative balance.

- 5.1.3 An employee working full time will be allowed to accumulate vacation leave according to the following:

Anniversary	Vacation Accumulation
1 <sup>st</sup> Anniversary	5 days (40 hours)
2 <sup>nd</sup> – 4 <sup>th</sup> Anniversary	10 days (80 hours)
5 Anniversary +	15 days (120 hours)

- 5.1.4 Vacation shall be granted only after satisfactory completion of the probationary period. Part-time and temporary employees do not qualify for nor accrue vacation time.

- 5.1.5 Use of Vacation Time - Vacation time may be used only at times approved in advance by the employee's immediate supervisor or Quality Assurance and Training Coordinator. If two or more employees request vacation for the same period, it will be the supervisor or Quality Assurance and Training Coordinator's decision if this will create a hardship upon the department. Vacation time must be used in ¼ hourly increments. No employee may give or loan vacation time to another employee. Any employee shall not have a negative vacation balance at any time.

- 5.1.6 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. For termination due to gross misconduct, as determined by the Executive Director, all accrued leave is forfeited.

- 5.1.7 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

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

## 6.0 SICK LEAVE

- 6.1 Full-time employees will accumulate sick leave at the rate of their regularly worked hours (11.5-hour shift = 11.5 hours of sick leave per month, 10-hour shift = 10 hours of sick leave per month, 8-hour shift = 8 hours of sick leave per month).

- 6.2 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.
- 6.3 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 Sumner County.
- 6.4 Use of Sick Leave – An employee may use accumulated sick leave allowance for absences due to his/her own illness or injury or for the illness or injury of their spouse, children, or parents.
- 6.5 Notice of Sick Leave – An employee is required to notify the on-duty Shift Supervisor no later than two (2) hours prior to 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.
- 6.6 When appropriate, a partial sick day may be used rather than a full day. Sick leave must be used in ¼ hourly increments. An employee may not have a negative balance at any time.
- 6.7 Employees who have used all 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, compensatory time, or personal time remaining.
- 6.8 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.
- 6.9 No employee may give or loan sick time to another employee.
- 6.10 Abuse of sick leave is grounds for dismissal. A doctor's excuse is mandatory after the third (3<sup>rd</sup>) consecutive sick day used; however, each supervisor reserves the right to require a doctor's excuse for the first day of sick leave used.
- 6.11 If an employee's absence is due to personal injury, contagious disease, cardiovascular problems, or other conditions which might make their return to work hazardous to themselves or others, they must provide a doctor's statement and have a completed fit-for-duty form upon returning to work to indicate that they are again physically able to perform the duties of their position.

## **7.0 BEREAVEMENT LEAVE**

- 7.1 After six (6) 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 twenty-four (24) 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 Executive Director's discretion.

7.2 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, and other legal dependent(s) of the employee.

7.3 An employee who claims bereavement leave may be required to furnish confirmation of the death which may include an obituary notice or funeral home announcement.

## **8.0 VOTING LEAVE**

8.1 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 employee's immediate supervisor 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.

8.2 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.

## **9.0 MILITARY LEAVE**

9.1 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.

9.2 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.

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

9.4 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.

## 10.0 JURY DUTY LEAVE

10.1 The SCECC encourages all employees to fulfill their duty to serve as members of juries or to testify when called in both Federal and State courts. See SOP 3.04.ECC for specifics.

## 11.0 LEAVE OF ABSENCE

17.1 Any full-time employee, who is in good standing, may be granted a leave of absence without pay for a period not to exceed six (6) months for good and sufficient reasons and which are in the best interests of the ECC. Such leave request must be in writing and shall require the prior approval of the Executive Director.

17.2 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 cost of any benefits during the leave period.

17.3 If for any reason leave of absence without pay is granted, such leave of absence may subsequently be withdrawn by the Executive Director and the employee recalled to service.

17.4 Any Employee who is on a leave without pay status on the day immediately preceding or following a holiday as specified in Section 13.0 of this SOP shall lose pay for that holiday.

## 12.0 FAMILY AND MEDICAL LEAVE ACT (FMLA)

12.1 Information regarding FMLA Leave is provided in a separate SOP. See FMLA SOP 3.02.ECC for details.

## 13.0 HOLIDAYS

13.1 Employees may not be able to observe holidays on the same day. SCECC reserves the right to grant holiday time off when available to all regular full-time employees on the holidays listed below:

NEW YEAR'S DAY	January 1st
MARTIN LUTHER KING, JR. DAY	3rd Monday in January
PRESIDENT'S DAY	3rd Monday in February
GOOD FRIDAY	Friday before Easter
MEMORIAL DAY	Last Monday in May
JUNETEENTH	June 19th
INDEPENDENCE DAY	July 4th
LABOR DAY	1st Monday in September
COLUMBUS DAY	2nd Monday in October



VETERAN'S DAY	November 11th
THANKSGIVING DAY	4th Thursday in November
FRIDAY AFTER THANKSGIVING	4th Friday in November
CHRISTMAS EVE	December 24th
CHRISTMAS DAY	December 25th

13.2 State, Federal, and County General Elections are observed as holidays.

#### **14.0 PERSONAL DAYS**

14.1 All full-time employees will receive twenty-four (24) hours of personal leave each fiscal year. An employee may not carry over to next fiscal year. Unused time will be lost.

#### **15.0 RETIREMENT**

15.1 All full-time Sumner County employees under the personnel policy are covered by the Tennessee Consolidated Retirement System (TCRS) established by the general assembly of the State of Tennessee, and funded by the noncontributory provision as assumed by the employer (13.96%)

#### **16.0 LONGEVITY PAY**

16.1 In order to recognize those employees of the SCECC who have provided continuous service to the government, Sumner County has created an incentive for employees to remain in the service of the County government, the County has adopted a Longevity Pay Plan as a supplement to the existing pay plan. The Longevity Pay Plan is adopted as additional compensation to be paid to the employees based on length of continuous employment.

16.2 The SCECC will utilize the scale as outlined by the Sumner County Policy and Procedure Manual.

16.3 Longevity payments will be made in a lump sum based upon the completed years of service upon the employee's anniversary date and shall be subject to applicable taxes.

16.4 Full-time employees will be compensated in the amount of \$300 on their first anniversary date, and it shall increase by \$75 on each subsequent anniversary date. (Ex. Upon their third anniversary, an employee shall receive \$450, which is \$300 plus \$75 for each additional year.)

## 17.0 REVISION HISTORY & REVIEW SCHEDULE

17.1 The Executive Director or his/her designee shall conduct an annual review of this SOP and make the necessary changes and/or revisions. This SOP shall remain in force until revised or revoked by the Executive Director.

Date	Change(s)	Reference Section(s)	Review Date/Period
12/2/2021	Changed from General Order 300.11 to SOP Director Anderson's signature added Changes made throughout the SOP		1 Year
1/30/2023	Modified Sick Leave Accumulation, Director Davis's signature added	6.1	1 Year