

# BLOUNT COUNTY HIGHWAY DEPARTMENT

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## Employee Handbook Supplement

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## Blount County Highway Department

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**REVISED JULY 12, 2023**

#### Classification and Compensation

##### Overtime Compensation/Compensatory Time pg. 10

Overtime situations will be evaluated by the Highway Superintendent to determine emergency or non-emergency status.

- A. **Overtime/Compensatory Time:** All eligible employees of the Blount County Highway Department shall be paid overtime at time and one-half their regular wage for all hours over forty (40). An employee electing compensatory time will earn 1.5 hours for each hour over forty (40).
  
- B. **Call-In:** Hourly employees will receive one four-hour call-in premium and be paid regular wages for the hours worked, up to 40 hours, if called by a supervisor to respond to an emergency after normal business hours.
  - a. Example 1: An employee is called in on a Saturday three times within an eight-hour period, the employee is paid one (1) four-hour premium. If the employee is called in a fourth time eight hours after the original call, the employee is paid an additional for (4) hour premium.
  - b. Example 2: An employee is called in on a Saturday and works 9 hours continually as a result of the initial call-in, the employee is paid one (1) four-hour premium.

The above policies apply to all call-in situations including: storm damage, downed trees, snow, or any other reason the employee is called in by a supervisor.

- C. An employee must select to receive overtime pay or accrue compensatory time. An employee cannot accrue more than 80 hours of compensatory time. Once an employee's accrued compensatory time falls below 80 hours, the employee will begin accruing compensatory time until the maximum of 80 hours is accrued. Any hours above 80 hours of compensatory time will be paid at the overtime rate.

## **General Personnel Policies**

### **Alcohol and Drugs Policy pg. 19**

In compliance with the Drug-Free Workplace Act of 1988, and the Code of Federal Regulations, Title 49, Part 382, the Blount County Highway Department has a longstanding commitment to providing a safe, quality-oriented work environment consistent with the standards of the County in which we serve. This policy outlines the practice and procedure designed to correct instances of identified alcohol and/or drug use in the workplace. This policy continues to apply to all employees of the Blount County Highway Department.

#### **Employee Assistance and Drug-Free Awareness**

The Blount County Highway Department will assist and support employees who voluntarily seek help for problems with drug and/or alcohol misuse. Employees experiencing substance misuse issues will be allowed to use accrued paid time off, use unpaid FMLA (if all FMLA requirements are met), be referred to the County's employee assistance program and otherwise accommodated as required by law. Employees may be required to document successful adherence to a prescribed treatment plan as well as take and pass follow-up tests. After a random drug test has been scheduled and the employee refuses to take the test, or fails the test, employment is immediately terminated.

#### **Fitness for Duty**

Employees should report to work fit for duty and free of any adverse effects of illegal drugs or alcohol. This policy does not prohibit employees from the lawful use and possession of prescribed medications. Employees must, however, consult with their doctors about the medications' effect on their fitness for duty and ability to work safely and promptly disclose any work restrictions to their supervisor. To protect the employee, other employees and our citizens, engaging in daily work routine and failing to inform your supervisor of side effects from prescribed medication could result in termination.

#### **Functional Capacity Screenings/Fit for Duty Exams**

Employees of the Blount County Highway Department may, during their period of employment, be required by the Superintendent or designee to undergo periodic physical agility testing or medical examinations to determine their physical and mental ability to perform essential functions of the position in which they are employed. Such medical examinations will be at no expense to the employee. Any determination of physical or mental fitness will be made by a physician or physicians designated by the Blount County Highway Department according to the procedure below.

An employee determined to be physically or mentally unfit to perform the essential functions of their position may be reassigned in accordance with these rules, or be separated from the Blount County Highway Department after it has been determined that:

- 1) The employee cannot perform the essential functions due to a covered disability that cannot reasonably be accommodated.
- 2) The employee poses a direct threat to themselves or others.
- 3) The employee is unable to perform essential functions due to a temporary medical condition or disability not protected by the Americans with Disabilities Act.

#### Fitness for Duty/Functional Capacity Procedure

- Department emails Human Resources with notification of a Fit for Duty exam requirement at least one week in advance of the return-to-work date. Human Resources ensures the employee has a full duty work release from their personal physician.
- Department emails a job description including physical demands to Lynn Sherles at [lynn.sherles@bmnet.com](mailto:lynn.sherles@bmnet.com)
- The employee must request records from their treating physician using the Medical Authorization form. The exams cannot be scheduled until ETMG has obtained records.
- The Department contacts Lynn Sherles (865-977-5795) to schedule the screening and exam through Blount Memorial Business Health. (Therapist works on Tuesdays and Wednesdays.)
- Two appointments could be made at the discretion of Dr Thompson:
  - 1. Functional Capacity Screen performed at Blount Memorial Business Health by the therapist
  - 2. Fit for Duty Exam, performed at ETMG Care Today Clinic by Dr Thompson. This appointment is the same day as screening.
- The Department and employee will be notified when appointments are scheduled.
- Results of the exam will be sent to Human Resources and forwarded to the Department.

#### Addresses:

Blount Memorial Business Health: 1102 Sevierville Rd, Maryville 865-977-5795

ETMG Care Today Clinic: 266 Joule St, Alcoa

#### Cost:

Invoice(s) are sent to the requesting Department

Functional Capacity Screening - \$55

Fit for Duty Exam - \$80

#### Work Rules

1. Whenever employees are working, are operating any Blount County Highway Department vehicle, are present on Blount County Highway Department premises or work sites, they are prohibited from:
  - Using, possessing, buying, selling, manufacturing, or dispensing an illegal drug or illegal drug paraphernalia
  - Being under the influence of alcohol or an illegal drug as defined by this policy

- o Possessing or consuming alcohol
- 2. The presence of any detectable amount of any illegal drug or controlled substance in an employee's body system, while performing Highway Department business or while in a Highway Department facility is prohibited.
- 3. The Blount County Highway Department will not allow any employee to perform their duties while taking prescribed drugs that are adversely affecting the employee's ability to safely and effectively perform their job duties. Employees taking a prescribed medication must carry it in the container labeled by a licensed pharmacist and present it to their immediate supervisor prior to working. Failure to do so could result in termination.
- 4. Any illegal drugs or drug paraphernalia will be turned over to an appropriate law enforcement agency and may result in criminal prosecution.

### **Random Testing**

All Department employees who are operators performing safety-sensitive functions shall be subject to a drug and alcohol testing program that fulfills the requirements of the Code of Federal Regulations, Title 49, Part 382. The Blount County Highway Department will randomly test employees for compliance with its drug and alcohol policy. "Random testing" means a method of selection of employees for testing, performed by an outside third party. The selection will result in an equal probability that any employee from a group of employees will be tested. Furthermore, Blount County Highway Department has no discretion to waive the selection of an employee selected by this random selection method.

### **Reasonable Suspicion Testing**

All Employees are subject to testing based upon (but not limited to) observations by the supervision of apparent workplace use, possession or impairment. Tests shall be conducted when the Superintendent, a supervisor or a department official has reasonable suspicion that a covered employee is impaired. This reasonable suspicion should be based upon specific observations concerning the employee's appearance, behavior, speech or other related actions. Decisions of reasonable suspicion should be made by first hand observation.

The employee will be advised that there is reasonable suspicion to believe that they are affected by illegal drugs or alcohol and the employee is being asked to take this test to confirm or deny this suspicion. Under no circumstances should the employee be allowed to drive themselves to the testing facility. A supervisor should escort the employee to the testing facility. The supervisor will also make arrangements for the employee to be transported home after the test.

### **Post-Accident Testing**

Employees are subject to testing when they cause or contribute to accidents that seriously damage a Blount County Highway Department vehicle, machinery, equipment, or property and/or result in an injury to themselves or another employee or citizen. Testing should take place

within 2 hours of the accident and the employees are not allowed to drive themselves to the testing facility.

### **Pre-employment Testing**

All applicants are required to pass a drug test before receiving an offer of employment or beginning work. Refusal to submit to testing will result in disqualification from employment consideration.

### **Substances Covered by Drug/Alcohol Testing**

Amphetamines, Barbiturates, Benzodiazepines, Opiates, Cannabinoids, Cocaine, Methadone, Methaqualone, Phencyclidine (PCP), Propoxyphene and chemical derivatives of these substances. This type of testing is commonly referred to as a 10-panel test. Employees must advise the testing lab employees of all prescription drugs taken in the past month before the test, and be prepared to show proof of such prescription to testing personnel.

### **Testing Methods and Procedures**

All testing will be conducted by a licensed independent medical laboratory, which will follow testing standards established by the State of Tennessee and the Federal Government. Testing will be conducted on a 2 urine samples provided by the employee to the testing laboratory under procedures established by the laboratory to insure privacy of the employee, while protecting against tampering/alteration of the results. Employees will be considered to be engaged at work for the time spent in taking tests and will be compensated for such time at their regular rate. Blount County Government will pay for the cost of the testing, including the confirmation of any positive test result.

### **Refusal to Undergo Testing**

Employees who refuse to submit to a test are subject to immediate discharge.

### **Positive Test**

If an employee tests positive on an initial screening test, the employee will be suspended while the conformation test is being conducted. On receipt of the confirmation of a positive test, the employee will be terminated.

### **Tobacco Use**

Pursuant to the Non-Smoker Protection Act, Tennessee Code, smoking is prohibited on County property, including but not limited to, cafeteria, employee lounges, hallways, meeting rooms, offices, restrooms, and county vehicles. Any violation of this provision may result in disciplinary action, up to and including termination. There is to be no smoking anywhere inside the Highway Department facility or Highway Department vehicles.

## Personal Appearance p. 23

Highway employees will be required to wear OSHA certified Class 2 reflectives while working on the county roads during day and night work times. These will be provided by the department as well as shirts. It is department policy that the shirts, being used as a standard uniform, will not be altered in any way. Jeans, overalls or khakis and boots will be provided by the employee.

## Inclement Weather Policy p. 12

Due to the nature of our work here at the Highway Department, all employees will report for duty during inclement weather as directed by the Highway Superintendent.

## Leave Policies

### Annual Leave / Vacation

If you are a Full-Time Employee, you are eligible for annual leave. The following guidelines currently apply:

- During the first year of employment up to 40 hours of vacation leave may be used **after successfully completing the six (6) month probationary period**, with supervisor approval. Essentially, you can borrow one week of your two-week vacation leave you earn after you have completed one full year of full-time service.
- The following July, the remaining 40 hours of vacation leave can be taken with supervisor approval.

Vacation accrual is as follows:

<u>1 – 10 years of Service</u>	<u>11 – 15 years of Service</u>	<u>16 plus years of Service</u>
2 weeks	3 weeks	4 weeks

Vacation leave is not accumulative and is not carried over into the following calendar year unless approved in writing by your supervisor due to operational demands. Upon termination of employment, employees will not be paid for any unused vacation leave.

## Holidays

Any hours worked on a holiday by a BCHD employee will have the hours worked banked for use on a later date.

**Promotions:** When an employee is promoted as a result of a job change or job progression to a higher pay grade position within the same or to a different salary schedule, the salary placement within the new pay grade shall be determined as follows:

•apply 5% on the salary of the previous grade/schedule and salary for promotions of one paygrade, and an additional 2.5% for each additional pay grade up to a maximum of 15%.

The resulting pay will be no less than the minimum of the new pay grade and no less than a 5% salary increase, but not more than the maximum salary of the assigned pay grade. The effective date will be the day of approval.

After promotion, employees must complete the standard six (6) month introductory period. A performance evaluation must be completed after the introductory period is complete and submitted to Human Resources. Employees earning a promotion will not be eligible for a step increase within the six (6) month introductory period. Step-increases will be applied after the completion of the six (6) month probationary period.

### **Performance Evaluations p. 13**

Supervisors will conduct formal performance evaluations **annually**. Performance evaluations occur mid-year **prior to** July 1 and will include:

Job knowledge  
Interpersonal Skills  
Customer Service Performance  
Teamwork/Collaboration  
Outcome orientation  
Communication Reliability

For supervisors:

Leads/Develops/Recognizes Staff  
Job Knowledge/Accountability

Salary increases are available with approved funding by County Commission to those employees who receive an acceptable performance score of 3.0 or higher.

### **Department Wide Closure p. 28**

The Highway Department will be closed the week of July 4<sup>th</sup> and the week of Christmas each year. Highway employees will be required to schedule vacation days or personal days for the days off in addition to the county wide observed holiday during these two weeks. These days off may also be taken without pay.

### **Employee Benefits**

#### **Blount County Highway Department CDL Training Academy p. 37**

The Blount County Highway Department offers employees access to the Blount County Highway Department CDL Training Academy which has been valued at \$5300 per employee. The CDL Academy is available to all newly hired employees as well as current employees, at the discretion of the Highway Superintendent, who are obtaining a CDL license for the first time or upgrading a current CDL license.

**Any candidate for the Blount County Highway Department's Commercial Driver's License (CDL) Academy, shall be subject to 10-panel drug test two weeks prior to the commencement of the Theory portion of the CDL course.**



The employee will be required to sign a contract that states:

*In the event of a voluntary resignation by an employee who received CDL training, reimbursement of expenses associated with the training will be paid by the employee based upon the following schedule:*

<i>Resignation during the first year after receiving CDL training</i>	<i>100%</i>
<i>Resignation during the second year after receiving CDL training</i>	<i>50%</i>
<i>Resignation during the third year after receiving CDL training</i>	<i>25%</i>

If an employee becomes ill or is unable to perform their duties, the Highway Superintendent has the discretion to provide relief from the training reimbursement policy.

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