



621 Gracey Avenue  
Clarksville, Tennessee 37040

## **Employee Handbook**

APPROVED BY:

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*(APPROVAL SIGNATURES ON FILE)*

PURPOSE OF THIS HANDBOOK .....	5
Effective Date .....	5
Employee Responsibilities.....	5
Contents and Revisions.....	5
EQUAL EMPLOYMENT OPPORTUNITY .....	5
Non-Discrimination Statement .....	5
Equal Opportunity Employer.....	6
EMPLOYMENT CLASSIFICATIONS .....	6
Non-Exempt (hourly).....	6
Exempt (salaried).....	6
Full-time Employees.....	6
Part-time Employees.....	6
Temporary Employees.....	7
Variable Hours Employees .....	7
Substitute Teachers .....	7
NEW EMPLOYEE INFORMATION .....	7
Review Period for Classified Personnel .....	7
Performance Evaluation during Review Period.....	7
Status after Completion of the Review Period.....	7
New Employee Pay Period .....	8
Eligibility for Benefits .....	8
Background Investigations .....	8
Health Certification .....	8
ID Badge.....	8
GENERAL EMPLOYMENT .....	9
Recruitment for Vacant Classified Positions .....	9
TRANSFERS WITHIN THE SCHOOL SYSTEM.....	9
Classified Transfer.....	9
Certified Transfer .....	9
Voluntary Resignation .....	10
Certified Voluntary Resignation.....	10
EMPLOYEE RECORDS .....	10
Personnel File .....	10
Changes in Personal Information.....	11
EMPLOYEE CONDUCT.....	11
Ethics at CMCSS .....	11
Reporting Arrests.....	12
Job Duties and Work Assignments .....	12
Work Hours .....	12
Disability Accommodation .....	12
Confidentiality .....	12
Employment Verifications and References .....	13
Outside Employment .....	13
Media Relations.....	13
Solicitation.....	13
COMPENSATION .....	14
Pay Periods .....	14
Direct Deposit.....	14
Correction of Payroll Errors .....	14
Payroll Deductions and W-2s .....	15
Garnishment of Wages .....	15
Timesheets and Absence Reporting.....	15
Reporting Absences for Certified Employees.....	15
Pay Increases .....	16
Compensation for Unscheduled Hours .....	16
Overtime Pay .....	16
Compensatory Time .....	16

**The on-line version of this policy is official. Therefore, all printed versions of this document are unofficial copies.**

Call Back Time .....	16
Performance Appraisals for Classified Employees .....	16
Purpose .....	16
Certified Evaluation Process.....	17
Step Increase Policy.....	17
Determination of Prior Service Credit .....	17
Standard Promotional Increases.....	18
DISCLOSURE OF MEDICAL INFORMATION.....	18
Legal Obligations .....	18
Use and Disclosure of Medical Information .....	18
To Request Information or File a Complaint .....	19
EMPLOYEE BENEFITS .....	19
Clarksville-Montgomery County Employees Insurance Trust Fund .....	19
Social Security (FICA) .....	19
Insurance Benefits .....	19
Health Insurance .....	20
Prescription Drugs .....	20
Dental Insurance .....	21
COBRA .....	21
COBRA Qualifying Events .....	21
Employee Responsibilities under COBRA.....	22
Continuation of Benefits under COBRA .....	22
Payment of Premiums under COBRA .....	22
125-K Pre-Tax Plan .....	22
Vision Service Plan .....	22
Long-Term Disability Insurance (LTD) .....	22
Life Insurance .....	23
Supplemental Life Insurance .....	23
Sick Leave .....	23
Restitution of Sick Leave Upon Reinstatement of Employment .....	24
Sick Leave Bank.....	24
Vacation.....	25
Vacation Accumulation for Classified Personnel .....	25
Days earned .....	25
Holidays.....	26
Personal Leave.....	26
Retirement .....	27
403B (Tax Sheltered Annuities) .....	27
LEAVES OF ABSENCE.....	28
Family and Medical Leave Act (FMLA).....	28
Types of Absences Covered Under FMLA - .....	28
Eligibility for FMLA .....	29
Length of FMLA Leave.....	29
Calculating FMLA.....	29
Intermittent FMLA Leave.....	29
12-Week FMLA Period Defined .....	29
Sick Leave and Vacation While on FMLA Leave.....	29
Benefits Continuation while on FMLA Leave.....	30
FMLA Leave Request.....	30
Return to Work .....	30
Leave for Advanced Educational Study .....	31
Maternity Leave Of Absence .....	31
Military Training or Service Leave .....	32
Other Leaves of Absence (Ref. HUM-A033).....	32
Legally Required Leave Of Absence.....	33
Absences Due To Inclement Weather And Other Emergencies .....	33
WORKPLACE ENVIRONMENT .....	34

**The on-line version of this policy is official. Therefore, all printed versions of this document are unofficial copies.**

Discrimination .....	34
Harassment of, or by Employees, Students, Contractors, and Vendors .....	34
Alcohol and Illegal Drugs .....	35
Smoking, Tobacco Products, and/or Electronic Cigarettes .....	35
Use of Prescription Medications while Working .....	35
Compliance with the Drug-Free Workplace Act .....	36
Alcohol or Drug Testing .....	36
Violence or Other Inappropriate Behavior .....	36
Driving in the Course of Work .....	36
Emergency Evacuation .....	36
Personal On-site Visits .....	37
District Tools and Equipment .....	37
Personal Use of District Supplies and Equipment .....	37
Housekeeping .....	37
Parking .....	37
DEPARTMENT OF CHILDREN'S SERVICES RESPONSIBILITIES .....	38
Reporting Suspected Child Abuse .....	38
Accommodating DCS Investigations .....	38
GRIEVANCE PROCEDURES .....	38
Employee Grievance .....	38
TECHNOLOGY ACCEPTABLE USE .....	39
Expressly Prohibited Uses .....	40
Internet Connectivity .....	40
Network Security .....	40
Viruses and Virus Protection .....	40
Server Software .....	40
Prohibited Equipment and Network Activities and Uses .....	41
Cell Phones .....	41
Workstation/Computer Use .....	42
Management Access to Employee Files, Computers, and Work Areas .....	42
Other Communication Vehicles .....	42
Personal Telephone Calls .....	42
Voicemail .....	42
Mail .....	43
Personal Use of Petty Cash .....	43
ON-THE-JOB INJURY (OJI) PROGRAM .....	43
EXPENSE REPORTS .....	43
Travel and Business Expenses .....	43
Out of County Travel .....	43
Inside Montgomery County Travel .....	44
EMPLOYEE HANDBOOK RECEIPT AND ACKNOWLEDGMENT .....	44

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## PURPOSE OF THIS HANDBOOK

### **Purpose**

This handbook is designed to acquaint employees with the Clarksville Montgomery County School System (CMCSS) and provide information about working conditions, employee benefits, policies and procedures, and practices affecting employment with the district. It describes many employee responsibilities and district practices and outlines programs developed for the benefit of employees.

This handbook is not intended as an employment contract (express or implied) and accordingly should not be considered as such. Nothing in this handbook should be relied upon as a guarantee for certain privileges, working conditions, or continued employment.

Employees should address questions pertaining to personnel policies and procedures to their immediate supervisor. Additional information on referenced procedures and forms can be obtained from the CMCSS website (<http://www.cmcoss.net/>) or the Human Resources Office.

### **Effective Date**

This handbook supersedes all prior Employee Handbooks (which should be discarded), verbal communications, and staff meeting minutes and/or management memos, which may have been previously issued on subjects addressed in this handbook.

### **Employee Responsibilities**

Employees are expected to read, understand, and comply with the guidelines set forth in this handbook.

### **Contents and Revisions**

No employee handbook can anticipate every circumstance or question. Accordingly, CMCSS may need to change the practices and guidelines described in this handbook. Revisions may include changing, rescinding, or adding to any procedures, benefits, or practices described in this handbook. The on-line version of the CMCSS Employee Handbook is the official version; therefore, all printed versions of this document are unofficial copies.

## EQUAL EMPLOYMENT OPPORTUNITY

### **Non-Discrimination Statement**

*It is the policy of the Clarksville-Montgomery County School System not to discriminate against any student, employee, or applicant on the basis of sex, marital status, race, color, creed, national origin, religion, age, genetic information, sexual orientation, disability condition, or veteran status. The district will ensure that no student be excluded from participating in or having access to any course offerings, student athletics, counseling services, employment assistance, extracurricular activities, or other school resources which is based on unlawful discrimination. CMCSS will take all necessary steps to ensure that each employee's work environment is free of unlawful discrimination. No office, administrator or employee of CMCSS, including any persons representing CMCSS, shall intimidate, threaten, harass, coerce, discriminate against, or commit*

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*or seek reprisal against anyone who participates in any aspect of the discrimination complaint process associated with this policy (Ref. [HUM-P010](#)).*

## **Equal Opportunity Employer**

The Clarksville-Montgomery County School System is an Equal Opportunity Employer (EOE). Accordingly, CMCSS promotes equal opportunity in the areas of employment, training, development, transfer, and promotion. Employment practices are without regard to race, color, religion, creed, sex, age, disability or medical condition, national origin, and veteran status, and all other categories protected by federal, state, and local anti-discrimination laws.

Additionally, in keeping with the spirit of the Americans with Disabilities Act, the district will make appropriate accommodations for employees with qualified disabilities or religious needs whenever possible as long as the accommodation does not cause CMCSS or other employees undue hardship.

## **EMPLOYMENT CLASSIFICATIONS**

Positions are classified as either exempt or non-exempt according to criteria set forth in the Federal Fair Labor Standards Act and applicable state laws. A position's status is determined in conformance with these laws based on job duties and responsibilities.

### **Non-Exempt (hourly)**

Generally, non-exempt employees are employees whose work is routine with set standards and rules. Examples may include, but are not limited to, administrative assistants, custodians, bus drivers, and educational assistants. Non-exempt employees are paid on an hourly basis, including overtime/compensation over forty hours a week at time and one-half. Although "non-exempt" is the legal classification, these employees are also referred to as "hourly" or "classified" (Ref. [PAY-P001](#)).

### **Exempt (salaried)**

These are positions with primary duties of an executive, professional or technical nature, which have been specifically identified and placed on an annual salary according to the contractual pay schedule as opposed to an hourly basis (Ref. [PAY-P003](#)).

The district further classifies employees as:

### **Full-time Employees**

Full-time employees are those employees who work a regular schedule of at least 30 hours. These employees are eligible for all benefits offered by the district.

### **Part-time Employees**

Part-time employees are those employees who work a regular schedule of at least 15 hours but less than 30 hours per week. These employees are eligible for the following benefits:

- All insurance benefits offered by the school district under a cost-share plan based on number of hours worked.
- Vacation and sick leave accrual earned on a *pro rata* basis. Part-time holiday pay will be equal to the number of hours the employee would normally work on the day of the holiday.

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For example, if an employee works six hours on a Friday, the employee would then be paid six hours holiday pay.

### **Temporary Employees**

Temporary employees are those employees hired to perform a specific job for a limited period of time. These employees are not eligible for benefits (insurance, paid vacation, sick leave, or holidays). Temporary employees hired from an employment agency or leasing firm are employees of the agency/leasing firm. They are not employees of the school system.

### **Variable Hours Employees**

Variable hour employees are those employees whose work schedules and total hours will change from week to week (ex: Substitute teachers\*). These employees are not eligible for benefits and do not accrue paid time off.

### **Substitute Teachers**

Please refer to the Substitute Program Team and the Substitute Teacher Handbook for further position specific information and guidance.

## **NEW EMPLOYEE INFORMATION**

### **Review Period for Classified Personnel**

The first six (6) months of employment are considered to be an employee's review period. The review period will be used to allow the immediate supervisor time to closely observe and evaluate an employee's performance and to encourage effective adjustment to the job. Only employees who meet acceptable standards of work during the review period will be retained. Review employees must work all days of their calendar during the review period. Time spent on a leave of absence during the review period will not count toward the review period. Employment restrictions during the review period (effective with employee's most recent date of regular hire) are: 1) employees may not transfer to a new position, 2) employees may not take personal leave, vacation or sick leave without special request and approval from their immediate Supervisor, however, personal, vacation, and sick leave will accrue (HUM-A060). New employees and employees who have been rehired following a break in service greater than one year are required to complete this review period (Ref. [HUM-A060](#)).

### **Performance Evaluation during Review Period**

The review period is designed to allow employees an opportunity to evaluate the district as an employer and gives the district the opportunity to evaluate the employee's fitness for the district. Supervisors will periodically provide feedback to employees on their performance. Supervisor feedback can range from casual, informal verbal conversations to a formal written performance evaluation. Such feedback is given at the supervisor's discretion. Employees will receive a written performance evaluation at or near the end of the review period (Ref. [HUM-A044](#)).

### **Status after Completion of the Review Period**

Upon successful completion of the review period, employees will be referred to as a "regular" employee. Successful completion generally means that the employee has performed satisfactorily during the review period and received an evaluation with all items marked satisfactory or above.

## New Employee Pay Period

All new classified employees reported to the Payroll Office seven (7) working days prior to the end of the current pay period will be included in that pay period. Otherwise, the employee's pay will be included for that period on the next payday.

## Eligibility for Benefits

Employees are eligible for benefits according to the following schedule:

BENEFIT	ELIGIBILITY DATE
Group Health Insurance	1 <sup>st</sup> day of the month following first month of employment*
Life Insurance	1 <sup>st</sup> Day of the month following 60 days of continuous employment.

Classified employees will accrue personal leave, vacation and sick leave from their first day of employment. These benefits may not be used during the review period. For further information about benefits eligibility, employees are encouraged to visit the [EMPLOYEE BENEFITS](#) Section of this handbook.

## Background Investigations

All new CMCSS employees hired after August 1999 and returning employees must have a background investigation conducted, which includes being fingerprinted. The cost of the investigation will be borne by the applicant and deducted in equal amounts from the employee's first two paychecks (Ref. [HUM-A004](#)). Failure to complete within HR designated timeframe could result in disciplinary actions.

## Health Certification

Each employee of the CMCSS, prior to entering service, must verify with the completion of the Employee Health Certification (Ref. [HUM-F060](#)), that they do not have a contagious or communicable disease in such form as might endanger the health of school children. Employees are required to submit to a physical examination by a physician, if required by CMCSS.

CMCSS commercial drivers who hold a valid Commercial Driver's License (CDL) are required to complete an annual re-certification of the required DOT physical and all commercial drivers who are age 55 years or older are required to complete a re-certification of the required DOT physical every six (6) months using Results of Physical Examination Form (Ref. [TRN-A017](#) and [HUM-F043](#)).

Employees working as Pre-K teachers and aides must follow the State Board of Education (Chapter 0520-12-1) physical examination requirements.

## ID Badge

Employees are issued an ID Badge which must be worn at all times while on the job or on any school grounds. Employees must return the badge upon resigning their position or upon



termination of employment with the school system. Lost badges are replaced at the expense of the employee.

## **GENERAL EMPLOYMENT**

### **Recruitment for Vacant Classified Positions**

It is district practice to first recruit from within the system to fill vacant classified positions; however, the district reserves the right to recruit from outside the system. Employees desiring new opportunities within the school system or who wish to be considered for transfer to a new position should complete or Request for Transfer Classified Personnel (Ref. [HUM-F005](#)).

### **TRANSFERS WITHIN THE SCHOOL SYSTEM**

(Ref. [HUM-A058](#))

#### **Classified Transfer**

The Director of Schools, when necessary to the efficient operation of the school system, may transfer an employee from one location to another within the school system, or from one type of work to another for which he/she is qualified.

Employees interested in transferring voluntarily to an open and posted position must submit a transfer form to their supervisor. Classified employees must have completed the six (6) month review period. Employee requests for transfer must be justified and serve the mutual best interests of the employee and the school system. Floating custodians may be reassigned to a permanent site if requested by the building principal. Some transfers may require testing, with the employee scoring a passing score.

Classified employee transfer requests will be accepted for any open classified position. Current classified employees who qualify for the open position, to include any applicable OPAC testing requirements, and submit requests to Human Resources prior to posted closing date, will be interviewed before outside applicants. Principals and supervisors have the option to interview internal candidates received after the closing date. Date of closing will be determined by Human Resources in conjunction with the principal or supervisor of the open position but will not exceed ten (10) business days. Principals and supervisors are to attempt to complete internal interviews within five (5) days of the closing date.

Employees who are to be transferred are notified in writing. If a transfer request is approved, transfer arrangements will be coordinated by the appropriate school/department and made at a time and in a manner that will minimize work interruptions in the affected schools/departments.

Employee demotions occur when an employee is reassigned or voluntarily requests a transfer to a position in a lower Pay Grade. If an employee was promoted and subsequently returned to the original (lower) job, his/her pay rate is adjusted to the pay rate that would apply if the promotion had not occurred. The employee's pay rate normally would be reduced to be consistent with the rates of pay of other incumbents in the new job who possess similar skills and tenure.

#### **Certified Transfer**

Certified employee requests for voluntary transfers are considered only for positions to be filled effective the opening day of the upcoming school year. Administrative Transfers made at the

discretion of the Director of Schools will occur if the transfer is in the best interest of the school system.

Certified Employees interested in transferring the following school year to a new school or position for which they qualify shall submit an electronic transfer request. The deadline for submission is May 1<sup>st</sup>. Exceptions to the deadline will be noted on the CMCSS website.

Principals will receive submitted transfer requests electronically. A request for transfer does not guarantee that a transfer will be honored. Principals will select which employees to interview and will notify the employees directly.

Principals will notify Human Resources of accepted transfer requests by June 15<sup>th</sup>. The effective date of accepted transfers will be the first day of the new school year.

### **Voluntary Resignation**

Classified personnel will submit voluntary resignation form to their immediate supervisor in advance of the effective date of the resignation (Ref. [HUM-F030](#)). The immediate supervisor will forward a copy of the resignation to the Human Resources Department the day the form is received. In the event that an employee voluntarily leaves CMCSS employment and fails to submit this form upon departure, the immediate supervisor may terminate the employee on the basis of failure to report to the workstation.

Terminated Employees must return all system property including, but not limited to: keys, uniforms, equipment, software, ID badge, etc., to the appropriate department prior to the last day of employment under the Employee Out-processing Procedure (Ref. PA-009). Failure to return or properly account for unreturned items may result in a deduction from employee's final paycheck for the value of unreturned items. Status of items for out-processing employees will be tracked using the CMCSS Employee Out-processing online application.

### **Certified Voluntary Resignation**

Certified teachers working for CMCSS are subject to the resignation requirements dictated by the State of Tennessee in T.C.A. 49-5-411b. "A teacher shall give the Director of Schools written notice of resignation at least thirty (30) days in advance of the effective date of the resignation." A teacher who breaks a contract with a local board of education without justifiable reason can be subject to the penalties listed within the state statute. Completion and submission of [HUM-F030](#) serves as notice to the Director of Schools. A separate written notice is not required.

### **Termination**

If the immediate supervisor is of the opinion that an employee should be suspended or dismissed, a recommendation will be made to the Human Resources Department. Classified employees: please refer to [HUM-A049](#).

## **EMPLOYEE RECORDS**

### **Personnel File**

The district maintains a personnel file for each employee. Personnel files contain basic personal information (*e.g.*, name, address, phone number) and employment-related information such as

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copies of performance appraisals, etc. The employee's personnel file is the official record of employment with CMCSS.

An employee who wishes to review his or her personnel file must contact a Human Resources Associate to arrange a time to review the file during normal work hours. Employees may request a single copy of any document from the personnel file at no cost. Employees will be charged for additional copies of personnel file documents. Personnel files are the property of the district and, therefore, cannot be removed from the office of the Human Resources Department.

Personnel files for school system employees are public records under the law, and as such, may be reviewed by anyone. By law, the employee's social security number, cell phone number, home phone number, home address, and birth date will be redacted prior to viewing by someone outside the district. In the event access to an active employee's file is requested, the Human Resources Department will attempt to contact the employee prior to access being granted. If this is not possible, the employee will be notified after the file has been accessed.

### **Changes in Personal Information**

To ensure records are accurate and up-to-date, employees should notify both their Supervisor and the Human Resources Department in writing or through the MUNIS Self Service portal on the CMCSS website (<http://mss.cmcoss.net/MSS/default.aspx>) when changes in personal information occur (Ref. [HUM-P004](#)). Employees should make appropriate notification as indicated below:

- Name [Supervisor & Human Resources (Note: New Social Security Card Required Before Name Change Will Take Effect)]
- Address (Supervisor, Human Resources, & MUNIS)
- Telephone number (Supervisor, Human Resources, & MUNIS)
- Marital status or number of dependents (for tax withholding and insurance coverage) or beneficiary for life insurance [Human Resources]
- Changes in Emergency Contact (name, relationship, and daytime phone) [Supervisor]
- Completion of Education/Training (Supervisor & Human Resources)
- When a dependent child reaches age 26 if enrolled in medical, dental or vision plans.

\*Please note a copy of the new Social Security Card must be on file in Human Resources before name change will take effect.

## **EMPLOYEE CONDUCT**

### **Ethics at CMCSS**

Engaging in unethical conduct may result in disciplinary action (Ref. [HUM-A052](#)). "Unethical conduct" includes but is not limited to:

- Immorality.
- Conviction of a felony or a crime involving moral turpitude.
- Dishonesty, unreliability, continued willful failure or refusal to pay one's just and honest debts (three garnishments against an employee's wages relating to more than a single indebtedness shall result in consideration for dismissal).

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- Disregard of the Tennessee Teacher Code of Ethics by certified employees.
- Theft.
- Falsification of time records.
- Possession and/or consumption of alcohol or drugs or being under the influence thereof while on school system premises. Detection of any amount is in violation and may be subject to termination.
- Possession of dangerous weapons on school premises.
- Unauthorized possession, willful destruction or defacement of school system property or property of any individual in schools, offices, or premises of the school system.
- Use of abusive, threatening, or obscene language.
- Disorderly conduct of any kind in schools, offices, or school system premises.
- Violation of safety, security and/or fire prevention rules.
- Gambling or promoting lotteries, etc., on school system premises.
- Performing personal business during work hours.
- Habitual tardiness, chronic absenteeism, or time away from workstation.
- Insubordination or refusal to follow instructions, policies or to perform designated work.
- Neglecting one's own job, duties, and responsibilities.
- Falsely stating or making claims of injury.

## **Reporting Arrests**

It is the policy of Clarksville Montgomery County School System (CMCSS) that all employees must report any arrest or criminal citation to their principal, building administrator, or department head. Failure to report any arrest, criminal citation, or change in the status of the case may result in disciplinary action up to and including termination ([HUM-P032](#)).

## **Job Duties and Work Assignments**

To ensure that schools within the district are provided the best possible service, work assignments are based on matching employee qualifications with school and district needs. From time to time it may be necessary to reassign an employee to a different department, work team, or job responsibility. In addition to routine job duties, employees may also be assigned special projects, which may include working at a different location. Teaching assignments are made in accordance with [HUM-A015](#).

## **Work Hours**

Work hours may differ from school to school, work center locations, and jobs performed.

## **Disability Accommodation**

Employees who require accommodation for a medical condition or disability should contact their supervisor and the Human Resource Office so that the district can determine whether a reasonable accommodation can be made. Requests for such accommodation will be handled in as timely and confidential manner as possible.

## **Confidentiality**

An employee's work assignments may involve work of a confidential nature and/or involve contact with confidential student or employee information. Employees may not disclose to outsiders any information that is not in the public domain as referred to in FERPA and HIPPA.

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## **Employment Verifications and References**

From time-to-time, employees may need the district to verify employment for loans or to prospective employers. All employment verification/reference requests must be directed to the Human Resources Department. For employment verifications/loans, the district will only release dates of employment, job title, and compensation data unless the employee provides written authorization for the release of additional information. For employment references, the district complies with the provisions of TCA 50-1-105 – Providing Employee Information to Prospective Employers – Good Faith when releasing such information.

## **Outside Employment**

Employees must notify their supervisor when engaged in employment outside of the district. Failure to report outside employment may result in disciplinary action. The district reserves the right to prohibit outside employment that creates real or potential conflict of interest to the district or its students. If outside employment prohibits effective performance of an employee's district duties or creates an actual or potential conflict of interest, the district may ask the employee to either resign their outside employment or their position with the district. CMCSS assumes no responsibility for any outside employment. On-the-job Injury and other benefits for injuries arising from outside employment will not be provided by CMCSS.

## **Media Relations**

Because an employee's work may involve confidential/sensitive information, contacts by media representatives will be referred to the Chief Communications Officer. If contacted by the press about work-related matters, employees must refer the media representative to the Chief Communications Officer (Ref. [COM-P003](#)).

## **Solicitation**

CMCSS does not allow the solicitation of employees or students for any purpose during working time. Distribution of literature and notices during work time or on district premises is not allowed (Ref. [COM-A001](#)). Any exception to this policy must be approved as specified in COM-A001, Distribution of Information and Material.

Working time includes all time during which an employee is paid to perform duties for the district excluding breaks and meal periods.

Persons who are not employees of the district are not permitted to come upon or remain on the premises for the purpose of selling products or services, making solicitations, posting or distributing cards, literature, notices or other paper.

If an employee must meet with a vendor for personal business, this should be done outside of the district and on the employee's own time (e.g., before or after work or during lunch break). (Ref. [HUM-A013](#))

For privacy, legal and/or security reasons, employees are not allowed to give out other employees' addresses, phone numbers and/or other information about employees or former employees. Requests for such information should be directed to the Human Resources Department.

# COMPENSATION

## Pay Periods

Classified employees will be paid on a bi-weekly basis. When a holiday or scheduled vacation day coincides with payday, the payday will be the last working day prior to the payday. All employees within this group will follow the same reporting schedule (Ref. [PAY-P001](#)).

Certified employees will be paid on the fifth of each month (exceptions noted on the employee pay schedule) (Ref. [PAY-P003](#)). When a holiday, weekend, or scheduled vacation day coincides with the fifth day of the month, the payday will be the last working day prior to the fifth.

Administrative employees will be paid on the last day of each month. When a holiday, weekend, or scheduled vacation day coincides with the last day of the month, the payday will be the last working day prior to the last day of the month.

CMCSS employees with an e-mail address will receive their Direct Deposit Advice as an e-mail attachment. This e-mail will be generated a minimum of two days prior to the payroll check date. The e-mail is password protected and only the employee will have access to their payroll information. This information is also available to employees by using MUNIS self-service.

Employees who do not have a CMCSS e-mail address will need to provide Payroll with an alternate e-mail address in order to receive a printed Direct Deposit Advice as an e-mail attachment.

Effective October 1, 2015 - All paper checks will be delivered to the location where the employee works except Bus Drivers, Bus Aides and Substitutes, which will be mailed to the employee's home address.

A list of paydays will be posted on the CMCSS Homepage at the beginning of each school calendar year. Click the link to [CMCSS calendars](#) to access a printable version of the employee's applicable school calendar and pay schedule.

## Direct Deposit

Direct deposit is mandatory for all employees. Employees must provide a form/card from the bank with the necessary banking information or voided check along with the district's required form for direct deposit (Ref. [PAY-P005](#)). The form is also available from the web (Ref. [PAY-F006](#)). The employee's first check will be a paper check. Employees will receive a Direct Deposit Advice for all subsequent payroll deposits. Employees should contact the Human Resources Department or the Payroll Department for further information.

## Correction of Payroll Errors

Employees are expected to carefully review their payroll information on an on-going basis and to immediately report suspected errors to the Payroll Department. The Payroll Department will pay underpayments resulting from an administrative error either by manual check or adding the difference to the employee's next paycheck. The district reserves the right to make appropriate payroll deductions for repayment of overages in the event it is discovered that an employee has been overpaid. If an employee leaves the district's employ before such overpayment is recouped, the balance due will be deducted from the employee's final paycheck.

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## **Payroll Deductions and W-2s**

The district is required by law to make certain deductions from employee paychecks each pay period. These deductions include: Federal Income Tax (FIT), Federal Social Security (FICA) and Medicare Tax. The amount of these deductions is summarized on a W-2 Form and provided to all employees no later than January 31st of each year. Employees should report changes of name or address to the Human Resource Department to ensure/maintain accuracy of their W-2 Form. (See [EMPLOYEE RECORDS, Changes in Personal Information.](#))

## **Garnishment of Wages**

The district complies with court orders received to garnish an employee's wages. Garnishment refers to court ordered wage assignments or slow pays, State or County taxes, educational loans, bankruptcy notices, child support orders and IRS Tax Levies. The employee is sent a garnishment memorandum and a copy of the garnishment along with the start date, if garnishment is a court ordered wage assignment. For an educational loan garnishment, the employee is sent a copy of the order and the start date. Employees receive bankruptcy notices, child support orders and slow pay orders with start dates prior to payroll receiving them (Ref. [PAY-P006](#)). If an IRS Tax Levy is received, the employee is contacted to come to the Payroll Office to complete paperwork. If paperwork is not completed, the highest amount allowed by the IRS will be deducted from the employee's wages (Ref. IRS Table Publication 1494). Employees should address questions about such paycheck deductions with the Payroll Department.

## **Timesheets and Absence Reporting**

All non-exempt classified employees are required to enter hours through the School Employee Information Terminals (SEIT). The time is recorded on an electronic timecard that can be viewed on the SEIT. Completion of time is the responsibility of the employee. The immediate supervisor is responsible for making corrections to the employee's record prior to the end of the pay period. The supervisor's approval of the timecard indicates that the information as submitted is correct.

Non-exempt classified employee timesheets are important. Accurate, timely completion of timesheets is critical to correct payroll processing. In the event an employee cannot complete the timesheet as required, the employee should immediately contact their supervisor. Classified employees are paid the payday after timesheets are due. Employees who fail to have any time on their timecard by the due date will not be paid (Ref. [PAY-P001](#)).

Certificated employee absences are noted on a timecard similar to the time log due monthly and maintained by school office personnel (Ref. [PAY-P003](#)).

Absences must be approved by the Supervisor and recorded on the timecards.

## **Reporting Absences for Certified Employees**

Certified employees who require or who do not require a Substitute will record absences in the AESOP system. Please contact the Substitute Program Team for directions or information about reporting through AESOP.

## **Pay Increases**

Wage and salary increases are based on an employee's performance evaluations, how well the employee meets job specific performance standards, the employee's overall contribution to district success, and longevity. Increases are **not guaranteed**. Increase must **be earned** and are granted at the sole discretion of management. Wage and salary increases do not create an implied contract for future employment.

Classified employees please refer to [HUM-A046](#), Employee Compensation Plan.

## **Compensation for Unscheduled Hours**

At certain times, employees may be required to work more than the scheduled hours for their workweek. When this occurs, hourly employees will be compensated for the unscheduled hours worked. Salaried workers are not compensated for overtime. (Ref. [HUM-A057](#)).

## **Overtime Pay**

- The immediate supervisor must approve hours worked over the scheduled hours and move that time to either overtime or compensatory time on the timecard.
- Whenever possible, compensatory time off should be used in preference to overtime pay.
- Payment for overtime is processed through the payroll office and will be included in the following pay period's check.
- Hours worked over 40 hours in a one-week period will be paid at the overtime rate of time and one-half to include the benefits of Social Security tax, Medicare tax, and matching retirement (if applicable) (Ref. [PAY-P007](#)).
- Overtime pay will be calculated at one and one half times an employee's regular hourly rate. An employee's regular hourly rate, if not based on a rate per hour, will be determined by dividing the annual salary by the days employed that school year and then by the regular scheduled hours per day.

## **Compensatory Time**

- Compensatory time off will be granted for hours worked which are over an employee's normally scheduled hours at a rate of one and one-half times for actual hours worked in excess of 40 hours per week (Ref. [PAY-P007](#)).

## **Call Back Time**

- Call back time is time worked not as an extension of the normal workday but as a return to work at an unscheduled hour or on an unscheduled day. For hours worked as call back time, compensatory time off will be granted at a rate of one and one-half times the additional hours worked in excess of 40 hours per week.

## **Performance Appraisals for Classified Employees**

### **Purpose**

To provide employees feedback about their performance, and to facilitate two-way communication, supervisors will provide classified employees with an annual evaluation of their performance. This is done through a formal written performance appraisal (Ref. [HUM-A044](#)).

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During the first year of employment, each employee will be evaluated not sooner than 30 days prior to the end of their review period (6 months). If the employee is deemed to “need improvement”, the supervisor may recommend continued employment but withhold the step increase pending re-evaluation in six months. If rated as “unsatisfactory”, the employee is recommended for dismissal to the Chief Human Resources Officer. A “satisfactory” evaluation is the basis for continuing employment with an increase to Step 1b.

Regular employees are evaluated at least one time a year (birth month) or more often at the supervisor’s discretion. A “satisfactory” evaluation is the basis for continuing employment with a step increase on July 1 after 12 months of employment.

Evaluations will be used to inform employees of their performance as an aid in improving performance and as a basis for continuing employment. To accomplish these objectives, evaluation reports will be discussed with the evaluated employee. Each employee will be given a copy of the evaluation and will sign the supervisor’s copy as evidence it has been discussed. Each employee is permitted to write comments on the evaluation prior to its being filed in the employee’s personnel folder.

### **Certified Evaluation Process**

For more information on the Certified Evaluations, please visit <http://www.tn.gov/firsttothetop/>.

- See also [HUM-A036](#) and [HUM-P023](#).

### **Step Increase Policy**

The Classified-Compensation Plan provides 19 steps for advancement within each skill level. Employees are advanced with the appropriate skill level based upon years of experience and satisfactory evaluation by the immediate supervisor performance appraisal (Ref. [HUM-A046](#)).

Employee advancement is based upon the following:

1. Regular Employees who receive a satisfactory performance evaluation during the year are eligible for a step increase each July 1.
2. Employees are not eligible for a salary increase until the completion of the first six months of employment. Employees who receive a satisfactory performance review at the end of their probationary period are eligible for a salary increase effective on the date six months following the date of employment. The amount of this increase equals one-half step (1%). Subsequently, these employees would be eligible for salary increases July 1 of each year, after completion of at least 9 months of employment. Employees hired at a step beyond step 1 will not receive a step increase at the end of their probationary period.

### **Determination of Prior Service Credit**

For the purpose of computing salaries of persons employed, transferred or promoted after the adoption of policy [HUM-A046](#), CMCSS recognizes the following experience:

1. Prior experience in the same class title, not to exceed nine (9) years with CMCSS provided the employee left the service of the school system in good standing. Upon hire, the employee will be placed at Step 1, and after the successful completion of the 6 month review period, the employee will be placed at the appropriate step not to exceed Step 9.

2. Persons who become employed by CMCSS who have previously been assigned to the school system while working under a federal project grant are given prior experience credit not to exceed four (4) years.
3. New hires possessing the minimum knowledge, skills and abilities required by a job are normally hired at Step 1 for the job. If a Supervisor has selected a candidate for a position who has more relevant employment experience, more education, or higher skill level than normally required for the job they may request to the Chief Human Resources Officer (CHRO) (ref. [CLS-F019a](#)) that the experience/education be granted as prior experience. Approval from the CHRO must be received before the employee is hired. If this option has been approved, the employee will be placed at requested step not to exceed step 9 at initial hire. The current pay rates, qualifications and skill levels of existing job incumbents are carefully considered before a new employee is given credit for prior experience or education.
4. The Chief Human Resources Officer is the final authority for approving prior service credit verification.

### **Standard Promotional Increases**

At the time of the promotion, the individual's salary is adjusted to reflect the increased demands and responsibility of the new position. If the employee is promoted to a position that is within the same career track (Ref. [HUM-A046](#)), the employee's pay rate will normally be increased to the lowest Step for the new job that is at least 5% greater than the employee's current Pay Step.

## **DISCLOSURE OF MEDICAL INFORMATION**

Notice of Privacy Practices – This notice describes how employee medical information may be used and disclosed and how employees can access this information.

### **Legal Obligations**

The Clarksville Montgomery County Employee Insurance Trust (CMCEIT) and the CMCSS is required by law to maintain the privacy of all medical information within its organization, provide this notice of privacy to all members, inform members of the district's legal obligations, and advise members of additional rights concerning employee medical information. CMCEIT and CMCSS must follow the privacy practices contained in this notice from its effective date of April 14, 2003, and continue to do so until this notice is changed or replaced.

CMCEIT & CMCSS reserve the right to change privacy practices and the terms of this notice at any time, provided applicable laws permits the changes. Any changes made in these privacy practices will be effective for all medical information that is maintained including medical information created or received before the changes were made. All members will be notified of any changes by receiving a new notice of privacy practices.

### **Use and Disclosure of Medical Information**

At the employee's request, the Employee Benefits Office may assist with a claim issue. Through this process, the employee may be required to provide medical information that is located on the explanation of benefits (EOB). An employee's medical information will only be shared with a Blue Cross-Blue Shield (BCBS) of Tennessee Representative so that a claim may be processed in the correct manner.

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The Employee Benefits Office will maintain copies of EOBs submitted by employees for one year; at this point, all EOBs will be destroyed in a manner that will ensure privacy for the individual listed on the EOB.

### **To Request Information or File a Complaint**

Employees who have questions regarding disclosure of medical information, who would like additional information, or who want to report a problem regarding the handling of their health information should contact the CMCSS Privacy Officer, Jeanine Johnson, at (931) 920-7919.

## **EMPLOYEE BENEFITS**

### **Clarksville-Montgomery County Employees Insurance Trust Fund**

The purpose of the Employee Insurance Trust is to establish and maintain quality employee benefits at an affordable price for the employees of CMCSS. The Insurance Trust was founded in August of 1982. It is currently comprised of 16 Members – The trusteeship shall be composed of sixteen (16) members, whose terms of office shall be (two) years and shall be so staggered that the term of with (8) members expires every year. Members may succeed themselves for two consecutive terms and may be reappointed after being off a term. The Director of Schools shall appoint three (3) administrative members to serve as representatives of the Board of Education. These administrative Board representatives shall serve until replaced by the Director. Eight (8) members shall be representatives of the Professional Employees of the Board and shall be selected as outlined in Appendix A of the Trust Agreement. Two (2) members shall represent the Support Staff under a plan adopted by the Support Staff. Two (2) members shall be representatives of the Montgomery County Employees appointed by the County Executive, with the approval of the County Commission. One (1) member as On-Site Medical Administrator.

The district provides a competitive benefits package designed to supplement an employee's salary. From time to time, the district may add or delete benefits from its benefits package. The district reserves the right to make such changes, as well as to change insurance carriers or coverage, and payment of premiums on behalf of employees at its sole discretion. The following is a general overview of benefits currently provided for CMCSS employees. Employees may obtain information about specific benefits from the Benefits Office.

### **Social Security (FICA)**

Employees are eligible for benefits under Social Security (FICA). To provide these benefits, the district matches employee contributions dollar-for-dollar. Some benefits under Social Security include retirement income, Medicare benefits at age sixty-five, benefits for permanent disability, and dependent survivor benefits.

### **Insurance Benefits**

The district offers a benefits package designed to protect an employee's (and their families, if dependent coverage is elected) health and welfare. These benefits are intended to assist with the financial impact of health care, catastrophic health conditions, and other catastrophic events that may impact an employee or the employee's family members.

#### Available Insurance Coverage:

- Health insurance
- Prescription drug
- Dental insurance
- Vision Service Plan
- Life insurance
- Supplemental Life Insurance
- Short-term Disability (STD)
- Long-term Disability Insurance (LTD)
- Cancer and Intensive Care
- Medical Flexible Spending Account
- Dependent Care Assistant Plan
- Travelers, Auto/Home Insurance

Although the district provides insurance coverage for employees and their dependents, conditions covered, claims processing, and actual benefit payments are between the employee and the insurance carrier. Employees are responsible for submitting claims and directly resolving with the insurance company any problems that may occur with claims processing.

### **Health Insurance**

CMCSS offers health insurance coverage through Blue Cross-Blue Shield of Tennessee. This coverage is optional. If elected by the employee, the school system will pay a portion of the premium based on number of hours worked per day. Temporary and Variable Hour employees are not eligible for coverage. The Open Enrollment period is August 1<sup>st</sup> through October 1<sup>st</sup>.

In the event that a covered individual terminates employment, coverage will terminate at the end of the period for which the employee has already paid.

Major medical forms can be obtained in the CMCSS Benefits Office, by contacting BCBS directly at 1-800-565-9140, or by visiting their website at [www.bcbst.com](http://www.bcbst.com). Most questions can be answered by reviewing the evidence of coverage booklet on the Benefits section of the CMCSS website. (Ref. [Blue Cross-Blue Shield \(BCBS\) Medical](#))

### **Prescription Drugs**

Drugs must be prescribed in writing by a licensed healthcare provider, dispensed by a licensed pharmacist and not be available for purchase without a prescription. Selection of generic drugs is always recommended. Pharmacists automatically file prescription drug claims.

## **Dental Insurance**

CMCSS Offers dental insurance coverage through Blue Cross-Blue Shield of TN. This coverage is optional and may be elected without the medical coverage. In the event that a person terminates employment, the coverage will terminate at the end of the period for which he/she has already paid. The Open Enrollment period is August 1<sup>st</sup> through October 1<sup>st</sup>.

## **On-Site Employee Health and Wellness**

The district provides On-Site Healthcare clinics through a partnership with Clarksville-Montgomery County Employee Insurance Trust. On-Site Healthcare's Nurse Practitioners and Physician Assistants provide primary and acute healthcare for district employees, offering high quality medical care and cost-efficient service. CMCSS employees and family members who are part of the Insurance Trust can receive services at no cost. CMCSS employees who are not members of the Insurance Trust can receive services while utilizing payroll deduction for a fee of \$40 per visit plus the cost of any necessary lab test, vaccines, and related supplies. Patients who are a no-show for their respective On-Site Healthcare appointment will be assessed a \$20 no show fee utilizing payroll deduction. An employee will also be subject to this payroll deduction if any of their listed dependents on our healthcare plan no show for their On-Site Healthcare appointment.

## **COBRA**

Employees or enrolled dependents no longer eligible for regular coverage under the district's health and dental insurance plans may be eligible for continued coverage by paying the full monthly premium for the coverage plus a 2% administration fee. This is guaranteed under the Consolidated Omnibus Budget Reconciliation Act (COBRA) if:

- The employee was covered under the group plan at the time of a qualifying event (see below for a list of qualifying events);
- The employee is not eligible for Medicare;
- The employee is not eligible for coverage under another employer's group plan; and,
- The employee has not applied to convert their group coverage to an individual health insurance policy.

## **COBRA Qualifying Events**

Employees have the right to choose continuation coverage (COBRA) if they lose group health insurance because of a reduction of hours in employment or termination of employment. A covered spouse or dependent child has the right to choose continuation coverage (COBRA) if coverage is lost for any of the following reasons:

- Employee's death;
- Termination of employee's employment or reduction in hours of employment;
- Divorce or legal separation;
- Employee becomes eligible for Medicare; or
- Employee's child is no longer considered a "dependent child" under the terms of the districts insurance policy.

## **Employee Responsibilities under COBRA**

Under the law, an employee or the employee's family member has the responsibility of informing the district's Benefits Office within 60 days of a divorce, legal separation, or Social Security disability determination that a qualified beneficiary was disabled at the time of the employee's termination from employment, reduction in hours, or the employee's child(ren) loses eligibility for dependent status.

## **Continuation of Benefits under COBRA**

Upon electing COBRA, the employee will receive identical coverage provided under the plan to similarly situated employees or family members. The employee's right to continue coverage under COBRA will continue for at least 18 months, and in some situations up to 36 months. The employee will be advised as to the maximum length of time of continued COBRA coverage at the time of COBRA election.

Once COBRA rights have expired, employees are entitled to convert coverage to an individual plan as provided under the insurance policy in effect at the time.

Under COBRA, an employee's continuation of coverage may be cut short for any of the following reasons:

- The district no longer provides group health insurance coverage to its employees;
- The employee does not pay the monthly premium on time;
- The employee or the employee's dependent(s) become covered under another group health plan that does not include a pre-existing conditions clause that applies to the employee or to a covered dependent; or,
- The employee becomes covered under Medicare.

## **Payment of Premiums under COBRA**

Employees electing to participate in COBRA will make all payments directly to BCBS.

## **125-K Pre-Tax Plan**

CMCSS administers this plan, which allows an employee to realize tax savings and an increased take home pay. Premiums for any of the plans are deducted from the employee's pay before income tax is calculated.

## **Vision Service Plan**

A vision service plan is available to all employees. The plan allows an eye exam and new lenses annually and new frames every two years. The employee pays a co-payment for exam, the lenses and the frames. Single, two party, and family plans are available. The Open Enrollment period is August 1<sup>st</sup> through October 1<sup>st</sup>.

## **Long-Term Disability Insurance (LTD)**

All regular employees are enrolled in Group Long Term Disability coverage. The Board of Education pays for this benefit on behalf of the employee. This plan pays 60% of an employee's monthly earnings, to a maximum benefit of \$8,000 monthly. This benefit is payable after 90 days of disability and can pay until age 65.

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## **Life Insurance**

CMCSS pays the cost of a \$20,000/\$40,000 AD&D life insurance policy for full-time employees and a \$10,000/\$20,000 AD&D for part-time employees, after they have been employed three months. Employees may opt to purchase dependent coverage of \$7,500 for a spouse and \$3,750 for a dependent child(ren).

## **Supplemental Life Insurance**

A voluntary term life-style life insurance plan is available with premiums based on the age of participant.

## **Sick Leave**

The sick leave policy is designed to provide "paid time off" for personal illness or injury, or the illness/injury of an immediate family member, or the death of a member of the immediate family of an employee. This benefit is intended to help employees maintain a stable base pay during short periods of non-occupational illness or injury. It is not an entitlement for extra days off, but rather a benefit to be used only in time of need. Classified employees will accrue sick leave from their first day of employment, but sick leave may not be used during the review period (Ref. [HUM-A029](#)). For further information about benefits eligibility, employees are encouraged to contact the Benefit's Office.

Under the sick leave policy, "immediate family" means the employee's:

- Spouse
- Children
- Parents
- Brothers
- Sisters
- Grandparents
- Grandchildren
- In-laws (Father, Mother, Brother, Sister, Son, Daughter)

If an employee is frequently absent, or out for more than three consecutive days, the employee may be required to provide a physician's statement confirming the illness or injury and releasing the employee to return to work. Additionally, these employees may be required to apply for FMLA. You are advised to contact HR.

Sick leave may only be used for the employee's own or an immediate family member's illness or medical/dental/vision appointments. Previously accrued sick leave must be used during the period of physical disability.

For maternity leave, an employee must use any or all of her accumulated sick leave only during the period of physical disability, as determined by a physician's statement confirming the employee's inability to work (Ref. [HUM-A031](#)). The employee must provide doctor's verification of physical disability if sick leave is requested beyond six-weeks for regular delivery or eight-weeks for a Cesarean Section.

**FULL-TIME EMPLOYEES** earn sick leave at the rate of one (1) day's regular pay for each month employed. A regular day's pay is defined as the pay an individual earns for his normal day's work. **Temporary employees are not eligible for paid sick leave.**

If an employee has no accrued sick leave, personal leave, or comp time, accrued vacation will be used for absences due to illness or injury. In the event the employee has none of the above, the absence will be without pay.

Under no circumstances can sick leave be exchanged for cash or cashed out at the termination of employment. Any employee of the district who has unused accumulated sick leave on their date of retirement may receive one month of retirement credit for each 20 days of unused leave. Sick leave is not recognized for retirement purposes until the member has retired and the CMCSS has certified the sick leave.

Sick leave does not accrue while an employee is on unpaid FMLA or other unpaid leave of absence. Sick leave accrual resumes the first full pay period following return to active employment following such leave.

Using sick leave for reasons other than those outlined under these guidelines can result in disciplinary action. If after receiving sick leave pay, it is found that the absence did not qualify for coverage by sick leave, the district will deduct the erroneously paid sick leave from the next paycheck.

### **Restitution of Sick Leave Upon Reinstatement of Employment**

Employees who are rehired by the school system may be granted restitution of any sick leave that was terminated at the termination of employment, provided official records reflect such sick leave was terminated.

### **Sick Leave Bank**

The purpose of the Sick Leave Bank is to provide sick leave to contributors who have suffered from a personal illness, injury, disability or quarantine and whose personal sick leave is exhausted.

Any employee who elects to participate in the Sick Leave Bank will initially have two (2) days of sick leave deducted from his/her personal accumulation and deposited in the Sick Leave Bank by completing and signing the Sick Leave Bank Enrollment Form. The signing of the Enrollment Form by the participant relieves the CMCSS and Trustees from any liability as a result of action taken by the Trustees. There may be future assessments of one or more days if deemed necessary by the Sick Leave Bank Committee of Trustees (Ref. [HUM-P011](#)).

Enrollment will be open during the months of August, September and October of any year. Deadline date for enrollment is October 31<sup>st</sup>.

Donations of sick leave to the Bank are non-refundable and non-transferable except in the event of termination of the Bank. In the event the Bank is terminated, the total days on deposit will be returned proportionately to the then participating members and credited to the employee's personal sick leave accumulation.



Application forms for the Bank may be obtained at each work location, from the web (Ref. [HUM-F020](#)), and from Employee Benefits Office. Employees participating in the Sick Leave Bank agree to abide by the Rules and Regulations established by the Trustees. Classified employees must complete the six-month review period before being eligible for enrollment.

## Vacation

Vacations are intended to provide employees with a reasonable period of time each year to be free of job responsibilities. Requests for vacation are made to the immediate supervisor or building principal.

### Vacation Accumulation for Classified Personnel

Regular full-time personnel who are employed for 12 months (260 days) on a regular basis for more than 30 hours per week and regular part-time personnel who are employed for 12 months on a regular basis for at least 15 hours but not more than 30 hours per week can accumulate vacation days according to the following schedule:

<u>Years of Employment</u>	<u>Days earned</u>	<u>Maximum Accumulated Days** with CMCS</u>
<b>less than 5 years</b>	1 day per month or a maximum of 10 days per year	20
<b>5-10 years</b>	1 day per month	24
<b>10-15 years</b>	1.25 days per month	30
<b>15 or more years***</b>	1.50 days per month	36

\*Once an employee has completed their 5<sup>th</sup>, 10<sup>th</sup> or 15<sup>th</sup> year based on the anniversary of their hire date, the following month the employee will start accumulating at the new amount.

\*\*Days accumulated represents the maximum accumulation that may be carried forward to a new fiscal year beginning on July 1, 1986. Should the accrual go above the limit during a school year and not be taken prior to the last payroll cycle of June, the days will roll over to sick leave.

\*\*\*The Director of Schools may award up to 1.5 days per month based on employment experience outside the system to new employees as a recruiting incentive.

Classified personnel who are employed for less than 12 months on a regular basis for at least 15 hours per week will have their earned vacation days scheduled according to the school calendar.

### **Temporary employees are not eligible for paid vacation.**

Generally, an employee may not take vacation unless it is accrued. On occasion, a special circumstance (*e.g.*, marriage, spouse's vacation time, etc.) may warrant a request to take vacation prior to the accrual of vacation time. Such requests require supervisor's approval. Time off awarded under these circumstances will be without pay.

All changes in vacation eligibility, accrual, etc., take place the first full pay period following a change in employment status (*e.g.*, from part-time to full-time status, increased accrual due to achieving certain years of service, etc.).

An employee may elect to use accrued vacation for illnesses and for approved leaves of absence. The employee must submit such request to their supervisor in writing. Vacation is not accrued during disability and other unpaid leaves of absence.

Vacation requests should be submitted as far in advance as possible, preferably not less than 5 days prior to the beginning of the requested vacation period. Because of work requirements (*e.g.*, school commitments), from time to time, it may be necessary to withhold approval of a requested vacation. The district retains the right to decline vacation requests at its sole discretion. However, whenever possible, the district will try to accommodate vacation requests.

When more than one person within a department wants to take vacation at the same time, the employee with the longest continuous employment with the school district will have first choice in scheduling vacation. However, after vacation is scheduled, if the senior employee changes vacation plans, such changes cannot disrupt the already approved plans of another employee (*i.e.*, he or she does not take precedence over another employee who has already scheduled vacation for that period).

The Principal or immediate supervisor will approve or disapprove the request. In the event the request is disapproved, the supervisor will schedule a conference immediately with the employee to advise the employee of the disapproval of requested vacation.

## **Holidays**

Holidays are indicated on the employee work calendars posted on the CMCSS Homepage at the beginning of each school calendar year. Click the link to [CMCSS calendars](#) to access the appropriate version of the employee calendar with holidays annotated.

Employees who are employed less than 15 hours per week and temporary employees are not eligible for paid holidays.

To receive holiday pay, the employee must be at work or on a paid absence the scheduled workday immediately before **and** after the holiday. Employees on unpaid FMLA or other unpaid leave of absence are not eligible for holiday pay.

Time for holidays should be charged to "Holiday" on the timesheet.

Part-time employees will only be paid for holidays that fall on days that they are normally scheduled to work.

## **Personal Leave**

All regular full-time and part-time employees are granted three personal leave days per fiscal year (Ref. [HUM-A037](#)). Classified employees accrue personal leave from the first day of employment; however personal leave may not be used during the review period. For further information about

benefits eligibility, employees are encouraged to visit the [Employee Benefits](#) Section of this handbook.

Personal leave does not accumulate from year to year. Unused days will convert to sick leave. In any fiscal year an employee does not use any personal leave, the employee may opt to convert all three days to sick leave or be paid for one day and convert the remaining two days to sick leave. If an employee uses one or two personal leave days, the remaining day(s) will be rolled into sick leave at the end of the fiscal year. Personal leave may not be used on staff development days.

Ordinarily, personal leave can be taken at the discretion of the employee with there being no requirement for employees to give reasons for their use of personal leave. However, principals and supervisors may recommend disapproval to the Chief Human Resources Officer of requests for personal leave in which more than ten percent (10%) of their staff requests personal leave for the same day or if the request is during a previously established student examination period.

Ordinarily, except in cases of emergency, all employees should give their immediate supervisor or building principal at least one (1) day's advance notice of intent to take personal leave by submitting the appropriate request. In cases where a classified employee requests personal leave that is not of an emergency nature and a replacement or substitute cannot be provided, principals and supervisors may recommend disapproval of the request to the Chief Human Resources Officer. Personal leave taken without prior approval could result in loss of pay, or other employment actions, for time missed.

## **Retirement**

All regular full-time and part-time employees of the Clarksville-Montgomery County School System must be enrolled in the Tennessee Consolidated Retirement System (TCRS).

Classified employee contributions are paid by the Board of Education as part of the employee's salary and are credited to the member's TCRS account. Employees who made personal contributions to this account prior to July 1992 may withdraw these contributions upon termination of employment. Forms for filing for withdrawal of such funds are available at the Employee Benefits Office. Membership and contributions are not effective until the classified employee has been employed for six (6) months. Employees are eligible to receive credit for review time. Forms are available from the Employee Benefits Office. Most questions can be answered by contacting the Employee Benefits Office or by visiting the TCRS website at <http://treasury.tn.gov/tcrs/>.

Certified personnel are required by Tennessee State law to participate in TCRS with a 5% pre-taxed contribution deducted each paycheck.

## **403B (Tax Sheltered Annuities)**

CMCSS has adopted a 403(b) Retirement Savings Plan to provide employees the opportunity to save for retirement on a tax-advantage basis. The district provides a list of approved financial representatives that participate with this 403b plan. This program allows an employee to have his/her pay reduced by a specified amount before income taxes are calculated. The money is deposited into an annuity or mutual fund that draws interest and is classified as a retirement type fund. Therefore, there is a penalty for withdrawal if done before age 59 1/2. Questions regarding

403(b) should be addressed to the Employee Benefits Office. (Ref. [CMCSS 403\(B\) RETIREMENT SAVINGS PLAN SUMMARY OF 403\(B\) PLAN PROVISIONS](#))

## LEAVES OF ABSENCE

Leaves of absence allow an employee to take time off from work, with or without pay, and are intended to help employees balance work and family responsibilities by allowing time off for reasonable unpaid leave for certain family, education, and medical reasons. A leave of absence must be pre-approved by the employee's Supervisor and the Chief Human Resources Officer.

Positions vacated for up to twelve (12) months by employees on leave are filled with an interim employee for such time as the employee is on leave. Employees returning within the twelve (12) months will retain their original position which will be relinquished by the interim employee. If the leave exceeds twelve (12) months, the employee is placed in the same or a comparable position upon return from leave. Twelve (12) month extensions may be granted for one (1) time only.

A leave of absence does not affect the employee's hire/seniority date but will affect their retirement credit if leave is without pay.

Available Leaves of Absence:

- [Family and Medical Leave \(FMLA\)](#)
- [Maternity](#)
- [Advanced Educational Study](#)
- [Military Training or Service Leave](#)
- [Other Leaves of Absence](#)
- [Legally Required Leave of Absence](#)
- [Absences Due to Inclement Weather and Other Emergencies](#)

### Family and Medical Leave Act (FMLA)

The district complies with the provisions of the federal Family and Medical Leave Act (FMLA) and where applicable, state family and medical leave laws. The following summarizes eligible employee's rights under the FMLA (Ref. [HUM-A016](#)). Under the FMLA, employees may take up to 12 weeks within a 12-month period of unpaid leave of absence for qualified reasons.

#### Types of Absences Covered Under FMLA -

- The birth of an employee's child,
- Care for an employee's newborn child (birth - 12 months of age),
- Placement of a child with the employee for adoption or foster care,
- Serious health condition of employee's parent, child, or spouse which requires care provided by the employee,
- Employee's serious health condition causing employee to be unable to perform their job,
- Military Qualifying Exigencies, or
- Medical care for service member.

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## **Eligibility for FMLA**

To be eligible for FMLA leave, an employee must have worked for CMCSS for at least one year and must have worked at least 1,250 hours in the year preceding the request for FMLA leave.

## **Length of FMLA Leave**

Under the FMLA, employees are entitled to leave as long as a physician (or other legally qualified health care provider) certifies that the employee's condition (or the condition of the employee's family member) necessitates the employee's absence up to a maximum total of 12 weeks within a 12-month period. These 12 weeks run concurrently with sick leave, vacation and other paid time off (*e.g.*, short-term disability or OJI) taken while on FMLA. For example, if an employee has 10 days accrued sick leave and 10 days accrued vacation at the time the FMLA leave begins, the first four (4) weeks of the FMLA will be with pay and eight (8) weeks will be without pay for a total FMLA leave of 12 weeks.

FMLA includes a special leave entitlement that permits eligible employees to take up to six months of leave to care for a covered service member or veteran during a single 12-month period on a per-covered service member, per-injury basis, to provide medical care due to a serious injury or illness incurred in the line of duty within five years of serving in the military 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 that may render the service member medically unfit to perform his/her duties.

## **Calculating FMLA**

FMLA Leave is calculated using the 12-month forward measurement.

## **Intermittent FMLA Leave**

If an employee or an employee's family member's condition requires only periodic treatment (*e.g.*, chemotherapy or dialysis), FMLA leave may be requested on an intermittent basis. Intermittent leave can be taken in hourly increments and counts toward the 12-week allotment in the increments taken (12 weeks = 480 hours, or a prorated portion for part-time employees).

## **12-Week FMLA Period Defined**

The 12-week FMLA leave may be taken during a twelve-month period. It may be taken on an intermittent or reduced leave (part-time) basis. If FMLA leave is taken on an intermittent or reduced leave basis, the district may temporarily transfer the employee to an available alternative position that better accommodates recurring periods of leave. If FMLA leave is taken for the birth of a child or placement of a child for adoption or foster care, it must be taken at one time, and it must be concluded within one year of the birth or placement.

Spouses employed by CMCSS are jointly entitled to a combined 12 weeks of family leave for the birth and care of the newborn child, for placement of a child for adoption or foster care, and to care for a parent who has a serious health condition.

## **Sick Leave and Vacation While on FMLA Leave**

Time off under FMLA is unpaid. If at the time an FMLA leave begins, the employee has accrued vacation, personal leave, sick leave or work compensation time, the employee will be required to use that time while on FMLA leave until earned time/accrued leave is fully exhausted.

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Accordingly, the paid leave and the FMLA leave will run concurrently. Any remaining FMLA leave after the applicable concurrent leaves have been exhausted will be unpaid. Employees using FMLA for maternity leave purposes may substitute accumulated sick leave during the period of the mother's physical disability during the FMLA absence only as determined by a physician. Sick leave and vacation do not accrue while on FMLA leave. Sick leave and vacation accrual will resume the first full pay period after the employee returns from FMLA Leave.

### **Benefits Continuation while on FMLA Leave**

While on FMLA leave, an employee's health care benefits continue as if the employee is actively employed. The Board of Education will continue to pay the matched premium of the employee's benefits coverage up to a maximum of 12 weeks.

Payment of insurance premiums must be made by the 10<sup>th</sup> of each calendar month. Payments not received by the 30<sup>th</sup> of the month will be considered delinquent. An employee's failure to pay insurance premiums or if the employee's check for payment of insurance premiums is returned for insufficient funds could result in loss of coverage. If an employee does not return to work at the end of the 12-week FMLA period, the employee may continue health care coverage and will be required to cover the full cost of premiums. If an employee fails to return to work for at least 30 days after an FMLA leave, the employee will be billed for health care premiums paid by the system while he or she was on leave.

### **FMLA Leave Request**

When circumstances warranting FMLA leave are foreseeable, (*e.g.*, for childbirth or elective surgery), employees are required to give at least 30 days written advance notice prior to taking a leave. Unforeseeable circumstances do not require 30 days advance notice. In such cases, the employee must give notice as soon as practicable. Failure to give timely notice may affect the employee being able to take FMLA leave as requested.

Employees must submit completed leave request forms (Ref. [HUM-F015](#) and [HUM-F016](#)) as well as the Physician's Certification form to the immediate supervisor for approval. FMLA leave (and 12-week allotment) commences from the first date of absence for the covered situation, regardless of when the employee formally requests FMLA leave.

### **Return to Work**

Employees are expected to return to work when they or their family member are released by the health care provider. If the FMLA is for the employee's own serious health condition, the employee must provide health care provider certification of his/her fitness to return to work.

If an employee fails to return to work when they or their family member is released by the health care provider, the employee will be considered to have voluntarily resigned from employment.

If an employee returns to work within 12 weeks, the employee will be returned to the same or a substantially similar position. Substantially similar position is defined as a job of similar job duties, job classification, work hours, location or comparable commute, and salary as that which the employee held at the time they went on leave. If the employee is not released to work within 12 weeks, CMCSS has the option to grant an extension upon request based on the needs of the district.

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## **Leave for Advanced Educational Study**

CMCSS provides eligible employees the opportunity for a leave of absence for advanced educational study for professional improvement when the employee is 1) Gaining an endorsement in the subject area desired by the district, 2) Renewing certification when other options for doing so have been exhausted, OR 3) Earning a degree which will allow for a qualification in a needed district position (Ref. [HUM-A017](#)).

Educational leave requires the approval of the requesting employee's supervisor and the Chief Human Resources Officer. Ordinarily, the leave will be for one school year but may be for a longer period of time upon recommendation of the Chief Human Resources Officer.

Positions vacated for less than twelve (12) months by employees on leave will be filled with an interim employee for such time as the employee is on leave. Employees returning within twelve (12) months will retain their original position which will be relinquished by the interim employee. If the leave exceeds twelve (12) months, the employee will be placed in the same or a comparable position upon return from leave. Twelve (12) month extensions are granted for one (1) time only.

The district is not obligated to grant the return to the system to persons on leave for advanced educational study if they have failed to:

- Fill the apparent intent for which leave was granted;
- Earn less than nine (9) semester hours for each semester during which leave was granted.

## **Maternity Leave Of Absence**

Maternity leave for employees is granted upon request to eligible personnel (Ref. [HUM-A031](#)). The following conditions must be met for this leave to be approved.

1. The employee must file a written request with the Chief Human Resources Officer at least thirty (30) days prior to the beginning date of the leave. The thirty (30) day notice may be waived or reduced by the Director of Schools or designee upon the employee presenting a certified statement of a physician.
2. The written request will include the type of leave requested, the dates for beginning and ending the leave and a statement of intent to return to the employment of the CMCSS.
3. Positions vacated for up to twelve (12) months by employees on leave will be filled with an interim employee for such time as the employee is on leave. Employees returning within twelve (12) months will retain their original position which will be relinquished by the interim employee. If the leave exceeds twelve (12) months, the employee will be placed in the same or a comparable position upon return from leave. Twelve (12) month extensions are granted for one (1) time only.
4. The employee is required to use any or all of her accumulated sick leave only during the period of her physical disability, as determined by a physician's statement confirming the employee's inability to work. The beginning and ending dates of the leave and the period of the employee's physical disability may or may not coincide.
5. The Chief Human Resources Officer acts upon each request for leave. An applicant is notified in writing of the action and the beginning and ending dates of the leave that is granted.
6. Using the same procedure, the Chief Human Resources Officer considers requests for leave extensions on a case-by-case basis in light of district educational program needs.

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7. Time spent on leave is not counted for retirement purposes or as years of service in placing the employee on the salary schedule.
8. At any time during the pregnancy, an employee may be required by the Chief Human Resources Officer to submit a statement from a physician certifying to her physical ability to work.
9. Adoption of a child constitutes a valid reason for requesting a leave under the procedures of the Maternity Leave Policy. If FMLA leave is taken for the birth of a child or placement of a child for adoption or foster care, it must be taken at one time and it must be concluded within one year of the birth or placement.
10. The Tennessee Maternity Leave Act also entitles employees who have been employed by the same employer for at least twelve (12) consecutive months as full-time employees, as determined by the employer at the job site or location, may be absent from such employment for a period not to exceed four (4) months for adoption, pregnancy, childbirth and nursing the infant where applicable (such to be hereinafter referred to as "leave"). Regarding adoption, the four-month period begins at the time an employee receives custody of the child. To be eligible for this leave, an employee must have given her/his immediate supervisor and the Chief Human Resources Officer at least three months advance notice of his/her anticipated date of departure, the length of the maternity leave, and his/her intention to return to full-time employment after the maternity leave has ended. Employees who are prevented from giving three months advanced notice because of a medical emergency, or notice of adoption was received less than three months in advance, do not forfeit their rights under the Tennessee Maternity Leave Act.

### **Military Training or Service Leave**

Employees who are called for duty in the uniformed services (state or federal branch of service) are entitled to twenty (20) days paid leave of absence per calendar year, with copy of official orders, if active duty occurs during the employee's normally scheduled work period. Employees voluntarily joining the uniformed services also may be entitled to leave under applicable federal or state laws. Upon return to school system employment, they are assigned to positions with full privileges and without loss of professional or financial status (Ref. [HUM-A024](#)).

### **Other Leaves of Absence (Ref. [HUM-A033](#))**

If an employee encounters circumstances that are not covered by leaves of absences within the district or if the employee has exhausted all other leaves of absence and needs more time (Ref. [HUM-P006](#)), the employee should contact their immediate supervisor to explore the possibility of a leave of absence. Leaves of Absence are only available to employees who have worked the school system for at least one year and are in good standing at the time the leave is requested. For the purposes of leave administration, "good standing" means that the employee has not been formally counseled about performance problems or placed on a performance improvement program for the 12 months prior to the requested leave.

The terms and conditions of Leave of Absence will be determined on a case-by-case basis, and established at the time that the leave is granted. The terms and conditions of a leave of absence will be documented prior to the beginning of the leave. The employee may continue health care coverage but must cover the full cost of premiums while on leave of absence. The school district reserves the right to grant or deny a leave of absence at its sole discretion.



Positions vacated for less than twelve (12) months by employees on leave will be filled with an interim employee for such time as the employee is on leave. Upon return of said employee within the twelve (12) months, the interim employee will relinquish the position and the employee can return thereto. If the leave exceeds twelve (12) months, the employee is placed in the same or a comparable position upon return from leave.

Under district policy, the following would be considered *invalid* reasons for a leave of absence:

- Leave used for monetary gain or working for an outside source for a fee;
- Recreational, social, and shopping activities;
- Religious activities, other than religious holidays\*;
- Inspections, purchase, or sale of personal property;
- Interviewing or applying for other employment.

\*CMCSS allows time off to observe religious holidays that are not otherwise noted paid holidays. Employees must notify their supervisors of the intent to take time off to observe a religious holiday. If vacation time or personal leave is available, it will be used for the observance of such holidays; otherwise, time off without pay.

Under district policy, the following would be considered *valid* reasons for a leave of absence:

- Transaction of legal business when it cannot be done at another time outside of the school day;
- Funerals, other than those provided for under sick leave provisions;
- Absence due to damage or serious and immediate threat of damage to the employee's residence resulting from fire, flood, storm or other uncontrollable conditions;
- Unforeseen or inadvertent circumstances beyond the control of the employee, such as weather, traffic delays, or accident, which cause the loss of a workday – provided the employee has taken reasonable action to get to work and to notify the immediate supervisor of emergency conditions; or
- Other reasons considered on a case by case basis and approved by the Director of Schools.

### **Legally Required Leave Of Absence**

Employees will be granted a leave of absence as required by law for the purpose of fulfilling any legal (*e.g.*, jury duty, appearance as a witness in a legal proceeding, etc.) (Ref. [HUM-A006](#)). Employees shall, on the next day they work after receiving a summons to report for jury duty, provide the summons to their immediate supervisor. CMCSS will excuse from work each day any employee whose juror service exceeds three (3) hours. Employees serving jury duty three (3) hours or less a day are expected to return to work. Employees performing district work while serving as a witness will receive regular pay. If court witness is not work-related, the employee must use either personal or annual leave or the leave will be without pay.

### **Absences Due To Inclement Weather And Other Emergencies**

Unless the Director of Schools announces the Central Office and other departments of the school system are closed, individuals employed on a twelve (12) month basis traveling to and from work in snow, other inclement weather, or other emergencies must make a personal decision as to the safety and feasibility in regard to travel ([Ref. HUM-A021](#)).

Employee's absence resulting from the above will be handled in the following manner:

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- Absence is charged against the employee's annual vacation time or personal leave, accrued comp time or as leave without pay.

In the event the Director of Schools announces that the Central Office and other departments will close because of inclement weather or other emergencies, personnel who are required to work are given time off in the future equal to the time worked.

## WORKPLACE ENVIRONMENT

### Discrimination

The district does not discriminate against any student, employee, or applicant on the basis of sex, marital status, race, color, creed, national origin, religion, age, genetic information, sexual orientation, disability condition, or veteran status. CMCSS will ensure that no student will be excluded from participating in or having access to any course offerings, student athletics, counseling services, employment assistance, extracurricular activities, or other school resources based on unlawful discrimination. CMCSS will take all necessary steps to ensure that each employee's work environment is free of unlawful discrimination. No office, administrator, or employee of CMCSS including all persons representing CMCSS, shall intimidate, threaten, harass, coerce, discriminate against, or commit or seek reprisal against anyone who participates in any aspect of the discrimination complaint process associated with this policy (Ref. [SLT-A001](#)).

The district has an established process for filing allegations of discrimination on the basis of sex, marital status, race, color, creed, national origin, religion, age, genetic information, sexual orientation, disability condition, or veteran status against the Clarksville-Montgomery County School System or any person or program under its jurisdiction. This procedure provides a systematic, local protocol for the resolution of complaints and does not supersede the complainant's right to file charges directly with the United States Office of Civil Rights (Ref. [HUM-P010](#)).

Employees who believe they are a victim of discrimination must **immediately** report their concern to the Chief Human Resource Officer or to their immediate supervisor, even if they have discussed the issue directly with the individual(s) involved. Employees should provide the following information when reporting discrimination.

- 1) Date(s), time(s), and location(s) of the incident(s) that took place;
- 2) Description of each incident: *e.g.*, was any physical contact made? what was said and/or done?, etc.;
- 3) Name(s) of anyone present during each incident; and,
- 4) Anyone with whom the employee has discussed the incident(s).

All complaints of discrimination will be investigated, and the results of the investigation will be reported to the complaining party. Retaliation and/or discrimination against an employee who complains of or alleges discrimination is strictly prohibited and will not be tolerated.

### Harassment of, or by Employees, Students, Contractors, and Vendors

The law does not permit, nor does the district tolerate harassment of employees by other employees, or by district students, contractors or vendors. Likewise, the district will not tolerate

harassment of a student, contractor or vendor by any CMCSS employee. Such conduct by an employee may result in corrective action. Harassment includes unwelcome or offensive behavior that may or may not be of a sexual nature. The district's sexual harassment policy specifically addresses forms of sexual discrimination (Ref. [HUM-A047](#)).

Employees should be aware that they might be held **personally liable** for monetary damages if they are found guilty of harassment.

The district encourages employees to address harassment directly when they see it occur. Employees who feel they are a victim of harassment or who observe the harassment of another employee, student, contractor or vendor, should immediately tell the person displaying the offensive behavior to stop the behavior. He or she may not be aware that the conduct is unwelcome or offensive. In addition, employees should **immediately** report any incident of harassment they witness to any supervisor, AND to the Title VI Coordinator in the Human Resources Department, even if the employee has already discussed the incident directly with the individual(s) involved.

All complaints of harassment will be investigated, and the results of the investigation will be reported to the complaining party. Retaliation and/or discrimination against an employee who complains of or alleges harassment are strictly prohibited and will not be tolerated.

### **Alcohol and Illegal Drugs**

State law prohibits the sale, purchase, transfer, or possession of any illegal or non-prescribed controlled drug during work hours or on district property at any time. In addition, the district strictly prohibits any employee from being under the influence of alcohol and/or any illegal drug while on duty or performing work activities. Taking legally prescribed medications or over-the-counter medications is permitted to the extent that use of such medications does not adversely affect job performance or safety.

### **Smoking, Tobacco Products, and/or Electronic Cigarettes**

By law, all district buildings are smoke-free. Effective August 6, 2007, the district became a "smoke free" organization with smoking prohibited in or on any district-owned properties to include all school campuses, administrative offices, athletic facilities, operations/service complexes, as well as all school district vehicles. Further, in the interest of staff and student health and wellbeing, the district does not permit the use of tobacco products (including smokeless) and/or electronic cigarettes (vapor or e-cigarettes) in or on any district owned properties as listed above (Ref. [HUM-A028](#)).

### **Use of Prescription Medications while Working**

Taking legally prescribed medications or over-the-counter medications is permitted to the extent that use of such medications does not adversely affect job performance or safety. However, employees using prescription or over-the-counter medications who discover that such medication impairs or adversely impacts their ability to work must immediately stop working and report the condition to their immediate supervisor. Working while affected by prescription or over-the-counter medications is dangerous. Employees should consult their personal physician in the event they find themselves impaired or affected by prescription or over-the-counter medications.

## **Compliance with the Drug-Free Workplace Act**

Any employee convicted of violating a criminal drug statute must notify the Chief Human Resources Officer of the conviction within five days of the conviction. Failure to report the conviction may result in disciplinary action.

## **Alcohol or Drug Testing**

The district conducts the following drug and alcohol tests (Ref. [SAF-A001](#)):

- Pre-employment – conducted before CDL applicants are hired or after an employment offer has been tendered and before actually performing any safety sensitive functions.
- Post-accident – conducted after all commercial vehicle accidents in which the occurrence may be definable as a preventable accident. In non-vehicular employee injury cases (all employee groups); post injury drug and/or alcohol screens may be conducted per the treating physician's determination of reasonable suspicion.
- Reasonable suspicion – conducted on any employee reported to have shown any behavior or appearance that is characteristic of alcohol or drug misuse while on the job and/or on the premises.
- Random – conducted on an unannounced basis on all CDL holders and individuals who drive school system owned vehicles.

Any detectable level of illegal drugs, illegally-used legal drugs, and/or alcohol is considered a positive test. Any refusal to submit to testing is considered a positive test. Any school system employee who tests positive while on the job and/or on the premises, will be subject to appropriate disciplinary action up to and including termination from employment with CMCSS.

## **Violence or Other Inappropriate Behavior**

Threatening employees, students, visitors, contractors, or vendors, or engaging in threatening or violent behavior in our workplace is a serious matter. Employees engaging in such activities will be subject to appropriate disciplinary action up to and including termination of employment with CMCSS and perhaps legal action from the victim(s) of their conduct.

## **Driving in the Course of Work**

Where a position requires the driving of a district-owned motor vehicle, employees must possess the appropriate valid driver's license, a good driving record, and be eligible for coverage by the district's insurance company. Employees are expected to drive safely, courteously and wear their seatbelt. Employees who drive their own vehicle as part of their jobs are reimbursed on a mileage basis ([ACC-F004](#)). These requirements apply to employees who routinely drive as part of their job. These requirements do not apply to normal commuting to and from work.

Employees who drive their personal vehicle on district business do so at their own risk. The district does not assume liability for injury or theft or damage to an employee's vehicle or personal belongings associated with driving in the course of work.

## **Emergency Evacuation**

The Worksite Classroom Emergency Procedures Guide is posted in each classroom. Employees must take time to become familiar with this guide.

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## **Personal On-site Visits**

Employees' family members and/or friends are not allowed to regularly visit the employee while he or she is on the job. Subject to the approval of an employee's direct supervisor, family members and/or visiting friends may volunteer to assist CMCSS employees with work-related activities with the same rights and responsibilities as other district volunteers (Ref. [HUM-A042](#)).

## **District Tools and Equipment**

When using district tools and equipment, employees are expected to use these items with caution so as not to injure themselves or others. Employees are also expected to operate such items in accordance with the manufacturer's specifications so that the tools and equipment will not be damaged. Employees in doubt as to how properly operate a particular tool or piece of equipment should refer to the manufacturer's User's Manual or ask their supervisor for assistance. Employees should immediately inform their supervisor of any tool or equipment malfunctions.

In some cases, employees may be assigned certain tools or equipment necessary for proper job performance. In such cases, the employee may be asked to sign for receipt of these items. Employees may be held financially responsible for the loss of any tools or equipment they have been issued. Upon termination of employment, employees must return all issued tools and equipment to the district. Failure to do so could result in legal action being taken against the employee or the withholding of the employee's final paycheck.

Employees need to keep up with tools and equipment, especially when taking these from one worksite to another. Employees should return with the same item(s). Tools and equipment may become lost because the employee leaves them behind when moving to another worksite. Employees who damage or lose any tools or equipment should immediately inform their supervisor so appropriate repairs can be made or a replacement can be arranged.

## **Personal Use of District Supplies and Equipment**

Employees are prohibited from personal use of district supplies and equipment without the express approval of the immediate supervisor. This includes using computer equipment, software, and the district postage meter for personal use. District stationery must not be used for personal correspondence, since any type of communication sent out on CMCSS stationery might be considered an official communication. Violation of these rules may result in disciplinary action.

## **Housekeeping**

To maintain a safe and healthy work environment, all employees must practice good housekeeping. This means better and more pleasant working conditions, helps reduce accidents, adds to the efficiency of our operations, and contributes to the quality of the district's work and services provided. The appearance of our workplace and our employees is very important to the district's operational effectiveness and efficiency and to conveying the right message to prospective employees and district stakeholders.

## **Parking**

Employees who park at district facilities do so at their own risk. The district does not assume liability for theft or damage to an employee's vehicle or personal belongings.

## **DEPARTMENT OF CHILDREN'S SERVICES RESPONSIBILITIES**

### **Reporting Suspected Child Abuse**

State law specifies that every citizen has a duty to report suspected child brutality, abuse, neglect, or sexual abuse. In accordance with Tennessee Code TCA 37-1-403(b), the district has developed its own policy and procedures for reporting suspected cases of abuse or neglect (Ref. [HUM-A009](#)).

The district requires any employee who suspects abuse that is not severe physical or sexual abuse to report that suspicion directly to the Department of Children's Service (DCS) **AND** to the district's Chief Human Resources Officer/designee. Any employee who suspects severe physical or sexual abuse is required to report such suspicions directly to the district's Chief Human Resources Officer/designee who will notify the appropriate law enforcement agency.

In all cases where the suspected abuser is a CMCSS employee, volunteer, or contracted services provider, or if it is suspected that the abuse occurred on school grounds while the child was under the supervision or care of the school, district employees will report their suspicions directly to the Chief Human Resources Officer/designee who will notify the appropriate law enforcement agency.

### **Accommodating DCS Investigations**

The Department of Children's Services is charged with investigating cases of suspected child abuse and conducting all related investigations to include child interviews. Except in cases where school employees are suspected of being the perpetrator, the school is regarded as an appropriate neutral setting for conducting such interviews. The school system cooperates fully with DCS in their investigations of alleged child abuse. Principals and Department Heads will accommodate DCS and law enforcement personnel regarding student access, records review and interviewing both students and school personnel (Ref. [HUM-A010](#)).

School employees will not notify parent(s) or guardian(s) of visits to the school from DCS personnel or law enforcement personnel related to a DCS action nor will any information regarding DCS inquiries, interviews, or investigations be released to parents or guardians. DCS personnel and/or the Chief Human Resources Officer will make such notifications at the appropriate time and in the detail as determined by appropriate protocols.

## **GRIEVANCE PROCEDURES**

### **Employee Grievance**

The district advocates resolving workplace disputes in an informal and efficient manner to assist employees and supervisors/department heads in resolving concerns, complaints, and disputes. Such disputes may be related but not limited to, the following: general work conditions, work schedules, assignments, job duties, relationships with coworkers or supervisors and subordinates, and instances of conduct, actions, or language that is viewed by the employee as harassing, intimidating, discriminatory, or otherwise unwelcome. This grievance policy does not address a certified employee's grievance related to his/her evaluation (HUM-A036). Prior to filing a grievance the employee must have attempted to resolve the matter with the assistance of supervisor and/or department head. Further, any claim by a CMCSS employee that there has been a violation, misinterpretation or misapplication of the terms of employment, or right to fair treatment, or any established policy or practice, or pertinent state and federal law could be eligible for filing a

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grievance. Employees who believe to have a legitimate cause to do so are encouraged to file a grievance. If Human Resources determines the matter should be handled pursuant to another policy or procedure, such will occur. Employees may do so without being denied rights to file concerns with the appropriate state or federal agency (Ref. [HUM-P022](#), and [HUM-A051](#)).

## **TECHNOLOGY ACCEPTABLE USE**

The district has an extensive technology infrastructure, including hardware, software and connectivity equipment for the purpose of improving its educational, administrative and clerical functions (Ref. [TCH-A002](#)). The significant ongoing investment in technology is, in part, justified by two promises:

- a. To better prepare students for life and work in a future filled with technology laden changes, and use.
- b. To increase the productivity of current and future staff.

This investment must be protected from potential misuse and deliberate abuse. This section clarifies roles and responsibilities in the use of CMCSS technology, both hardware and software, to preserve the integrity and usability of these resources to benefit and serve all clients. Noncompliance may result in the suspension of privileges, internal investigation, and/or criminal prosecution. CMCSS must be strict in these matters, not only because of the real value of the facilities, but also because CMCSS research, instructional, and operational activities are dependent upon the reliability of the technology systems. These rules apply to all CMCSS computing facilities and equipment with the intent being to raise awareness about what is appropriate, ethical, legal and professional use of a valuable shared resource, not to enumerate all uses that are or are not appropriate.

Acceptable use of CMCSS information technology resources is based on common sense, common decency, and civility applied to the networked computing environment. There is no expectation of privacy by users when using the internet or electronic communications. The district reserves the right to monitor, inspect, copy, review and store (at any time and without any prior notice) all usage of district computers and computer systems. The district may access district-owned or networked computers for maintenance, upgrades, and at any time of suspected abuse of district policy. Appropriate use of these facilities must be consistent with the purpose for which the computer/security accounts (logins) were originally requested and provided.

All employees will comply with all applicable copyright laws in the use of all media and materials and model legal and ethical practices related to technology.

### **Personal Use of CMCSS Property**

To protect data and software on district computers, employees are prohibited from loading personal software onto district computers without the express permission of the Information Technology Department. District computers and related equipment are for district business only and must not be used for personal business. Employees may not copy district software for personal use.

## **Expressly Prohibited Uses**

Use of CMCSS information technology resources is expressly prohibited for activities which benefit any political, religious, or commercial organization; are illegal, offensive, unethical or are for profit; are authorized attempts to log in as a system administrator; or activities that involve vandalism or that adversely affect the reputation or image of the school system prohibited.

## **Internet Connectivity**

Internet connectivity is provided to improve educational, administrative and clerical functions and requires responsible and ethical use and is intended for valid and legitimate district-related purposes. Classroom use of the internet is intended for instructional related purposes only.

## **Network Security**

Network passwords and account information are only given to authorized personnel. Only users with valid CMCSS network accounts are authorized to use the CMCSS network and computer equipment. Employees must only use their assigned network account and should not allow anyone to use their computer while they are logged in. Employees should always log off the network before leaving their work area. The individual assigned the computer/ security account is accountable for any and all transactions entered under that computer/security account login.

For the protection and security of the CMCSS data, all equipment attached to the CMCSS physical network (equipment located at a CMCSS facility either wired or wireless) must be CMCSS property or have received approval from the IT Department management.

Use of software designed to gain passwords or access beyond the rights assigned to a user or computer is strictly prohibited. Use of such programs risk security of the network and is considered “hacking”. The intent to control unauthorized access is a violation of State and Federal law. Violators will be prosecuted. Employees who inadvertently discover passwords or any other method used to control unauthorized access must report this to the Chief Technology Officer.

## **Viruses and Virus Protection**

The IT Department provides virus protection and related software for all workstations and servers. Virus protection and related software will be installed by authorized IT personnel unless otherwise approved by the IT Department.

Employees should not open any e-mail attachments from unknown senders nor should they send anyone an e-mail that may contain a virus. The intentional spreading of messages or files containing damaging or destructive programs or data is against federal law. Violators will be prosecuted. Employees who suspect their computer may contain a virus should contact the IT Department immediately.

There are many virus hoaxes. Never delete system files from a computer to remove a potential virus without first checking with the IT Department to ensure the virus is valid and not a hoax.

## **Server Software**

Only authorized IT Department personnel may install software to servers. Violations or suspected violations should be reported to the appropriate supervisor and the Chief Technology Officer. If

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incident is in violation of Board or Administrative Policies, the supervisor will take appropriate action. To prevent further inappropriate activity, the user's computer/security account access may be temporarily blocked. Every effort will be made to inform the user prior to this action and to re-establish the connection as soon as deemed appropriate. Any determination of inappropriate use, serious enough to require disconnection, should also be promptly communicated to the user's supervisor.

## **Prohibited Equipment and Network Activities and Uses**

- Downloading, installation or use of programs that infiltrate computing systems and/or damage software components, including "viruses" and "worms".
- Downloading, installation or use of any program or software without prior written authorization of IT Department management. Automatic updates of existing IT installed software are permitted.
- Intentionally disrupting network traffic, crashing the network, or gaining unauthorized access to the files of another user.
- Use of the network to personally attack, harass, or threaten another person intentionally or recklessly publish false information about another person.
- Use of inappropriate language in any type of communication, including, but not limited to, language that is illegal, vulgar, profane, abusive or threatening.
- Access to the network through false identity including anonymous communication, falsifying, concealing, or misrepresenting user's identity or sharing/loaning network accounts.
- Mass e-mailing of unsolicited and unwanted messages ("spamming"), including text, software, video images, graphics and chain letters.
- Downloading music and sound recording for non-instructional purposes without the permission of supervisory personnel.

## **E-mail**

The CMCSS e-mail system has been provided for the internal and external communication of employees and board members. Responsible and ethical use of the e-mail system is required. The e-mail system may not be used for personal gain or political or religious views or in any illegal, offensive or unethical manner. Personal e-mails should be limited. All e-mail is the property of CMCSS and, as such, is subject to review at any time by authorized CMCSS personnel. Employees are reminded that e-mail messages do not always remain private. Accordingly, use discretion when using e-mail to communicate sensitive matters.

## **Cell Phones**

CMCSS employees are not permitted to use cell phones for voice communications, e-mail communications, or text communications while operating a CMCSS motor vehicle. CMCSS employees required to respond to emergencies in various locations, may be authorized usage of a district purchased hands-free device that would allow for essential communication en route to emergency response. This authorization will be approved by the employee's Department Chief and purchased by the CMCSS Technology Department. Usage of personally purchased hands-free devices is unauthorized (Ref. [OPS-A006](#)).

In addition, employees must adhere to all local, state or federal rules, regulations, laws or other ordinances regarding the use of cell phones while driving personal vehicles. Employees should

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check with local authorities if they are unsure whether the use of a cell phone while driving is prohibited in a particular area. It is recommended that employees not use hand held cell phones for business purposes while driving personal vehicles. Employees may use hands-free cell phones to make business calls in accordance with the law.

Additionally, personal telephone calls should be limited both in time and nature so as not to interfere with work responsibilities. If an employee abuses this privilege while using a CMCSS-issued cell phone, the employee will be responsible for reimbursement to the school system.

### **Workstation/Computer Use**

Employees are prohibited from installing any software on any computer unless authorized in writing by the IT Department management. Illegal download or use of copyrighted software, music, videos, pictures or other files is strictly prohibited.

Employees are prohibited from using any computer for illegal or commercial activity. Any desktop application designed to limit access to students or staff, other than those used by the IT Department for network security purposes, is prohibited.

Changing or tampering with any computer's system configuration is strictly prohibited. Any action which violates Board or Administrative policies, local, state or federal law is prohibited.

Computers found to be tampered with or computers with unapproved software or files will be re-formatted and restored to compliance. All computer equipment loans must comply with the district equipment loan agreement.

### **Management Access to Employee Files, Computers, and Work Areas**

During the course of conducting normal business, management may from time to time review manual work files or access computers, desks or other storage areas used by employees, with or without the employee's knowledge. Employees are reminded that facsimile transmissions coming into district offices are often accessible to other employees.

### **Other Communication Vehicles**

The district telephone notification system may be used to contact employees with emergency or outreach notifications. Any employee who desires to opt out of the outreach program may do so by contacting his or her immediate supervisor.

### **Personal Telephone Calls**

Personal telephone calls should be limited both in time and nature so as not to interfere with employee job performance and responsibilities.

### **Voicemail**

The district has installed a voicemail system for efficiency and to provide better service. From time to time, especially when an employee is on vacation, business trips, or a leave of absence, a supervisor, manager, or another employee may listen to voicemail messages. Employees should not expect messages left on the voicemail system to be totally private.

## **Mail**

Employees should not have personal mail sent to their work location.

## **Personal Use of Petty Cash**

At no time is cash to be "borrowed" from the cash drawer or petty cash fund. To use school system funds for personal use is considered theft. Any employee using district funds for personal use is subject to disciplinary action.

## **ON-THE-JOB INJURY (OJI) PROGRAM**

The official OJI Program is available at <http://www.cmcss.net/iso/masterdocs/OJI-PRO1.pdf>. The online version of this document is official. Therefore, all printed copies are unofficial.

## **EXPENSE REPORTS**

### **Travel and Business Expenses**

CMCSS Employees who provide their own transportation for traveling in the performance of their duties are reimbursed at the prevailing rate approved by the Chief Financial Officer or designee.

Because the Internal Revenue Service places stringent requirements to substantiate Travel and Business Expenses, all expense reports must thoroughly detail the purpose of the reimbursed expense and the benefit derived from the expense. Reimbursement for travel will be based on the most direct route and economical method possible.

In all cases, there must be advanced approval of the expenditure by the appropriate authority for expenses to be reimbursed.

Employees should direct questions about Travel expenses and expense reporting procedures to their supervisor or the Business Affairs Department located in the Central Office.

### **Out of County Travel**

When duties require travel out of Montgomery County, employees need to complete an Advance Request for Professional Leave/Out-Of-County Travel, which can be obtained from the Business Office. The employee should submit this form to their supervisor for approval as early as possible but at least seven (7) days in advance of the travel. If registration fees are required, a requisition for payment should be forwarded with the advance request. Employees are not to pay these fees themselves. If air travel is necessary and the employee chooses to have the school system purchase the airline tickets, reservations must be coordinated through the Business Office.

Claims for reimbursement of travel expenses must be submitted on Out-Of-County Travel Claim Form (ACC-F003) which can be obtained from the Business Office. This form must be accompanied by the original white copy of the advance request and any required receipts (see back of advance request). Overnight lodging is not reimbursed for one-day trips. Lodging for trips to Nashville, or other destinations of comparable distance, will be reimbursed beginning with the first day of business activity. In this instance, a copy of the conference agenda is required. Employees should submit the claim for reimbursement to the immediate supervisor no later than five days after return from travel.

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## **Inside Montgomery County Travel**

Employees are entitled for reimbursement at the established rate per mile when providing one's own transportation to perform duties within Montgomery County. Employees should submit claims for in-county reimbursement through the immediate supervisor on a monthly basis (Ref. [ACC-P006](#)), using In-County Mileage Reimbursement for Official Travel Form (travel on or after January 1, 2010) Form (Ref. [ACC-F004](#)).

In all cases, for expenses to be reimbursed there must be advanced approval of the expenditure by the appropriate authority.

## **EMPLOYEE HANDBOOK RECEIPT AND ACKNOWLEDGMENT**

*Upon in-processing through Human Resources, all employees will sign an In-processing Acknowledgement Statement acknowledging information on how to access the CMCSS Employee Handbook and agreeing to familiarize him or herself with the contents of the handbook and to observe the guidelines set forth therein. (Ref. [CER-F010](#) and [CLS-F025](#))*