

HARTSVILLE/TROUSDALE COUNTY METROPOLITAN GOVERNMENT

**RESOLUTION # 2021-27-731**

**RESOLUTION AMENDING THE HARTSVILLE/TROUSDALE COUNTY GOVERNMENT  
PERSONNEL POLICY TO INCLUDE A WHISTLEBLOWER POLICY**

**WHEREAS**, the Hartsville/Trousdale County Metropolitan Government is required to develop its own personnel and office policies; and

**WHEREAS**, it is the desire of the County Commission to present an updated version of Personnel Policies for all employees of Hartsville/Trousdale County Government excluding those employees working in the School System which has their own personnel policies; and

**WHEREAS**, a policy in accordance with State law, found at T.C.A. § 50-1-304, needs to be stated within the Hartsville/Trousdale County Metropolitan Government Personnel policy.

**NOW, THEREFORE, BE IT RESOLVED** by the Hartsville/Trousdale County Commission that an amendment be made to the Hartsville/Trousdale County Metropolitan Government Personnel Policy to include a stated Whistleblower Policy by adding Item Y to Section VII Miscellaneous Policies.

*See attached documents*

1. *Personnel Policy Table of Contents*
2. *Whistleblower Policy*

Motion to approve: Mary Ann Baker

*Electronic Vote*

Second motion: Ken Buckmaster

Yes 18 No 0 ABSENT 2

**RESOLVED AND APPROVED ON SEPTEMBER 27, 2021 IN REGULAR SESSION**

**APPROVED:**

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**ATTEST:**



**Branden Bellar**  
County Attorney



**Dwight Jewell**  
Commission Chair



**Rita Crowder**  
County Clerk

*Policy will be inserted into the current policy under Section VII, Article Y*

## **Y. WHISTLEBLOWER POLICY**

This policy is intended to encourage employees and others to report suspected or actual occurrences of illegal, unethical, or inappropriate events (behaviors or practices) without retribution.

State law, found at **T.C.A. § 50-1-304**, prohibits an employer from terminating an employee solely for refusing to participate in an illegal activity or for refusing to remain silent about an illegal activity. Illegal activities are defined as those that are in violation of a state law (either criminal or civil) or any regulation intended to protect the public health, safety, or welfare. Employees who are terminated in violation of this statute may sue the employer for retaliatory discharge. However, if an employee files a frivolous lawsuit for retaliatory discharge the employee may be required to pay the other party's attorney's fees and expenses.

1. The Whistleblower (who reported an event in good faith) should promptly report the suspected or actual events to their supervisor.
2. If The Whistleblower would be uncomfortable or otherwise reluctant to report to their supervisor, then the Whistleblower should report the event to the County Mayor's Office,
3. The Whistleblower can report the event and reveal their identity or report it anonymously.
4. The Whistleblower shall receive no retaliation or retribution for a report that was provided in good faith – that was not done primarily with malice to damage another or the organization.
5. A Whistleblower who makes a report that is not done in good faith is subject to discipline, including termination of the employee relationship.
6. Anyone who retaliates against the Whistleblower will be subject to discipline, including termination.
7. Crimes against person or property, such as assault, rape, burglary, etc., should immediately be reported to local law enforcement personnel.
8. Supervisors who receive the reports must promptly act to investigate and/or resolve the issue.
9. The Whistleblower shall receive a report within five business days if the initial report, regarding the investigation, disposition or resolution of the issue.
10. If the investigation of a report that was done in good faith and investigated by internal personnel is not to the Whistleblower's satisfaction, then they have the right to report the event to the appropriate legal or investigative agency.
11. The identity of the Whistleblower, if known, shall remain confidential to those persons directly involved in applying the policy, unless the issue requires investigation by law enforcement.

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- A. USE OF GOVERNMENT TIME, FACILITIES, ETC
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- D. FIGHTING, HORSEPLAY, DAMAGING LOCAL GOVERNMENT PROPERTY
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- N. DRUG FREE WORKPLACE
- O. WORKPLACE VIOLENCE AND HARASSMENT
- P. SEXUAL HARASSMENT
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  - DEFINITIONS
  - MAKING SEXUAL HARASSMENT COMPLAINTS
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- Y. WHISTLEBLOWER POLICY**