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OFFICIAL DUTY STATION

Each employee will be assigned at their employment date an official duty station. An official duty station is defined as a location an employee reports to work at least 80% of the time. For most Department of Education employees, the official duty station will be Jackson; however, in the case of school attendance officers the official duty station is the town/city in which his/her office is located. Prior written approval by the Deputy State Superintendent or Educational Accountability Director will be necessary for an employee to be assigned an official duty station other than the town/city the employee's office is located. Once an employee has been assigned to an official duty station, travel for reimbursement purposes will be calculated from that point (see Section 13.0 of this handbook). An employee's official duty station is subject to change based on the requirements of the job.

EMPLOYEE WORK SCHEDULES

State law requires that all state offices be available to the public for services from 8:00 a.m. to 5:00 p.m., Monday through Friday.

All full-time employees are expected to work eight (8) hours per day, forty hours per week.

All part-time/hourly employees shall be provided with a schedule of working hours.

FLEXIBLE WORKING SCHEDULE

The Department has implemented flexible working schedules between the hours of 7:00 a.m. and 5:30 p.m. each day. All employees are expected to work the core hours of 8:30 a.m. to 4:00 p.m. To obtain a flex-time schedule, the employee must submit a written request to his/her immediate supervisor. The supervisor must submit the flex-time request to all approving levels and the appropriate MDE Management Team member (office director) must concur with the schedule. Supervisors will be responsible for ensuring that all branch and/or division functions will be carried out when they recommend authorizing flex-time for an employee. If an employee is absent, others in the office may be required to temporarily change their work schedules to assure proper staffing is sustained.

Flexible work schedules must be approved in advance and must be in effect for a six (6) month period. Any alterations to a previously approved flex-time schedule must be requested in advance. These requests should follow the procedures established above.

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LUNCH PERIOD

Employees are allowed either 30 minutes or an hour for a lunch period depending on their daily scheduled time or flex-time schedule. The supervisor has the responsibility of scheduling the lunch period for employees so that work flow is not interrupted. Employees taking lunch breaks in excess of the allotted time will be charged with personal leave or leave without pay if the employee does not have accrued personal leave. Employees are not permitted to work during the lunch period in order to make up time for being late or to accumulate leave time.

BREAKS

Employees are permitted to have one break in the morning and one break in the afternoon neither of which is to exceed 15 minutes. Breaks are a privilege rather than a right and should never interfere with deadlines or work schedules. The supervisor has the responsibility of scheduling these breaks for employees so that the work flow is not interrupted and each office is attended at all times.

Employees cannot forego breaks for the purpose of accumulating this time for use at a later date, nor can employees arrive late for work and depart early and substitute this time for a break. If not taken at the authorized time, breaks are forfeited.

ATTENDANCE AND TARDINESS

Employees are expected to report to work on time and to maintain regular attendance. Planned absences should be scheduled as outlined in the Leave Policies (Section 8.0 of this handbook). All unexpected absences should be reported to the employee's immediate supervisor by the time the employee was to report to work. Such notification should be made directly to the employee's supervisor or to other supervisory personnel and not to fellow employees. It is the employee's responsibility to secure approval from his or her supervisor before leaving the work site for any reason during the assigned work hours. If such absences become necessary, the employee shall give the reason and indicate an estimated time of return.

Any employee who has been instructed to report for orientation, training sessions, staff meetings, or other functions deemed beneficial by his or her supervisor, must report as instructed and remain at such meetings until officially released. Prior approval must be secured from the supervisor if the employee plans on leaving the meeting before its completion. In addition, those conducting these meetings must also be properly informed of any early departures. This policy is also in effect for any conferences attended by the employee.

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TIME REPORTING

All Fair Labor Standards Act (FLSA) non-exempt employees (secretarial and support personnel) of the Department of Education shall be required to complete a [monthly time sheet](#). The time sheets shall detail the number of hours worked each day. All time should be reported in increments of one hour. Each week, the employee is required to submit the time sheet to his or her supervisor for verification and review. After review and verification, these time sheets are to be sent by each Office Director to the Office of Accounting for filing. (Each Superintendent’s Management Team member and the State Superintendent will also send their employee time sheets to this office.)

The work week shall begin Monday at 12:01 a.m. and end the following Sunday at 12:00 midnight. This weekly review is made to ensure employees receive compensation as required by the FLSA.

Based on OMB Circular A-87, all employees who are paid 100% from Federal funds must complete a Program Certification for Duty Assignment periodically as requested by the Budget Office. It is the duty of the supervisor to ensure that this form is completed in its entirety, complete with approval signatures of the Office Director and the appropriate member of the Superintendent’s Executive Cabinet and Cabinet Members, and a file of these certifications is to be maintained in the program office. If the employee for whom the certification is to be completed is the Office Director, the approval signature will be the appropriate member of the Superintendent’s Executive Cabinet and Cabinet Members.

ALCOHOL AND CONTROLLED SUBSTANCE USE (Drug-Free Workplace)

It is the policy of the Mississippi Department of Education to maintain a drug and alcohol abuse-free workplace. As a condition of employment, all employees will be required to certify, in writing, that they will abide by the terms of this policy as set out below. All employees will be required to sign, at the time of employee orientation an acknowledgment of the “Drug-Free Workplace Act of 1988” memorandum. The signed certification will be a part of the employee's permanent personnel file.

In accordance with Public Law 100-690, the Drug Free Workplace Act of 1988 and Public Law 101647, the Drug Free Schools and Community Act of 1986, the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance is prohibited in the workplace of the Department of Education. Pursuant to this law, all Department of Education employees will notify the State Superintendent of Education if convicted for violation of any criminal drug statutes, should said violation occur in the workplace, no later than five (5) days after such conviction.

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ALCOHOL AND CONTROLLED SUBSTANCE USE (Drug-Free Workplace) (continued)

As used in this policy, the term "drugs" includes alcohol, inhalants (chemical vapors), cannabis (marijuana), controlled substances, and similar substances which impair a person's ability to work productively and safely.

The proper use of drugs as prescribed by a licensed physician is not subject to disciplinary action. If an employee's ability to work safely may be affected by the use of a prescribed drug, the employee must inform his/her supervisor so that precautions can be taken.

The Mississippi Department of Education's policy is that employees shall not be allowed to work or participate in any Department of Education activities while using alcohol or under the influence of alcohol or any controlled substance which alters their ability to work safely and productively.

Reporting to work under the influence of, or when ability is impaired by, alcohol or the unlawful use of a controlled substance is cause for dismissal. The use of alcohol or the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance while on the job, on the office premise or participating in any Department of Education activity is cause for dismissal.

Employees who suffer from the problems of drug abuse or alcoholism must recognize that it is their responsibility to address these problems. Upon request by the employee for assistance with a substance abuse problem, the Department of Education Human Resources Office will advise the employee of leave, insurance benefits and available treatment resources.

It is the employee's obligation to seek diagnosis and/or treatment and to abide by any program of care prescribed by medical personnel. A request for assistance may not be entertained if it is made after the employee engages in misconduct which the State Superintendent considers to be cause for dismissal, and no request for assistance will prevent the State Superintendent from taking disciplinary action based on the misconduct which may have been related to the employee's use of alcohol or drugs.

The Department of Education, however, is under no obligation to maintain the employment of anyone who constitutes a threat to the workplace or whose current use of alcohol or drugs prevents him/her from working safely or productively, or otherwise performing his/her duties.

The Department has adopted the policy that all areas it occupies will be tobacco-free.

The Mississippi Board of Education has the right to revise this policy. Nothing in this policy grants any property right to an employee who serves at the will and pleasure of the State Superintendent of Education.

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ALCOHOL AND CONTROLLED SUBSTANCE USE (Drug-Free Workplace) (continued)

The Department requires that all employees report to work without any alcohol or illegal or mind altering substances in their systems. No employee shall report for work or remain on duty when using any controlled substance, except when the use is pursuant to the instructions of a physician who has advised the employee that the substance does not adversely affect the employee's ability to perform in a safe manner. Employees must inform their supervisor when they are legitimately taking medication which may affect their ability to work, in order to avoid creating safety problems and violating the Drug and Alcohol Policy.

No employee shall use alcohol while on duty. The Department also prohibits employees using, possessing, manufacturing, distributing or making arrangements to distribute illegal drugs while at work or on department property. Further, outside conduct of a substance abuse-related nature which affects an employee's work, the Department's relationship with the government or reflects badly on the Department is prohibited.

ENFORCEMENT OF OMNIBUS TRANSPORTATION ACT

The following policies are related only to those employees, applicants, and contractual workers subject to 49 C.F.R. Part 40 and the Omnibus Transportation Employee Testing Act of 1991. In order to enforce these rules, the Department reserves the right to require the above employees to submit, at any time an employee is on duty or at any time an employee may normally be called to be on duty, to drug tests to determine the presence of prohibited substances.

All current employees may be required to undergo testing where the Board has reasonable suspicion to believe an employee has violated its Alcohol and Drug Policy, and/or on a random basis without advance notice. No employee shall perform any job-related duties within four hours after using alcohol.

Employees are also required to report all injury or damage related accidents involving Department property or personnel or during Department-related activities and may be required to submit to alcohol screening within two (2) hours and to drug screening within thirty-two (32) hours of a reportable accident. Employees who return to work following rehabilitation will be required to undergo return to duty/follow up testing in addition to the general Department testing requirements.

The Department also reserves the right to search desks, cabinets, tool boxes, vehicles, including personal vehicles brought on the Department's property, bags or any other property at the work site or in vehicles when the Department has reasonable cause to believe an employee has violated its Alcohol and Drug Policy. Violation of these rules, including testing positive, will subject the employee to discipline, up to and including dismissal. Refusal to cooperate with the Board in any

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ENFORCEMENT OF OMNIBUS TRANSPORTATION ACT (continued)

test investigation will result in discipline, up to and including dismissal as appropriate under the applicable state and federal laws.

All information, interviews, reports, statements, memoranda and test results, written or otherwise, received by the employer through its drug and alcohol testing program are confidential communications and may not be disclosed except in accordance with the Policy/Consent/Release form and Federal Regulations 49C.F.R. 40 et seq and 49 C.F.R. 382 et seq.

Any questions should be directed to the Human Resources Director, who has been assigned by the State Superintendent of Education and/or the Mississippi Board of Education as the Drug Program Coordinator.

SAFETY PROGRAM

It is the objective of the Mississippi Department of Education to conduct all operations as safely and efficiently as possible. All levels of management will be held accountable for maintaining a safe and healthy workplace for all employees, and ensure all safety precautions are adhered to fully. Every employee shall follow all rules and safety regulations for his/her own safety and that of his/her fellow employee. The purpose of the safety program will be to provide a safe environment for employees, the public and/or the preservation of property. The objectives of the safety program are to reduce the risk of injury to employees and visitors as follows:

- Conduct regular safety inspections of facilities and take action when opportunities to improve safety are found;
- Provide general safety training to all personnel on a regular basis on issues consistent with industry standards and the ongoing review of information collected regarding specific issues;
- Facilitate efforts to correct safety problems as they occur.

Training

Training activities coordinated by the safety officer will effect improvements in the safety of employees and visitors. Office directors are responsible for ensuring that employees under their direction participate in relevant educational programs.

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Rules of Safety

It is the policy of the Mississippi Department of Education that all employees will observe the rules of safety in the performance of their job tasks.

Procedures:

- A. Employees will familiarize themselves with the relevant work procedures and safe work practices.
- B. Employees will ask their supervisor when in doubt about how they should perform any task safely and properly.
- C. Employees will report any unsafe condition or act observed to their immediate supervisor.
- D. Employees will remove or report any foreign materials on floors.
- E. Employees will report defective or damaged equipment and/or tools immediately.
- F. Employees will report all injuries, however slight, to the supervisor, and get immediate first aid.
- G. Employees are responsible for keeping their individual work areas clean and orderly. Pick up items such as pencils or paper clips and immediately wipe up any spilled liquids.
- H. Employees will never, under any circumstances, leave articles in a passageway.
- I. Employees will keep electrical cords, computer cables, and other tripping hazards out of aisles and open floor areas.

Inspection Program

The purpose of an inspection program is to reduce the overall accident rate. The inspection program plays a vital role in the department's safety program which aims to improve environmental safety for employees and visitors.

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Inspection Program (continued)

Procedures:

- A. Inspections will be conducted by the department's Safety Coordinator.
- B. The Safety Coordinator will make periodic inspections, announced or unannounced, of the facilities and work sites of the organization, concentrating on certain areas, types of hazards, or inspection of facilities and equipment in accordance with applicable codes, laws, and safety inspections.

Reporting Accidents/Incidents and Health Hazards

All employees will report all accidents/incidents and health hazards.

- Employees will report all accidents regardless of whether an injury occurs or not. Unless accidents are reported, the cause of the accident will not be corrected and the accident probably will recur.
- Employees will also report near accidents. A near accident is an indication that something is wrong, and if not reported and corrected, an accident will likely occur.

Procedures:

- A. It is the responsibility of the employee to immediately report to his/her immediate supervisor and the safety coordinator any accident and/or injury that occurs to an employee or visitor, or any possible health safety hazard.
- B. Accidents and injuries are to be reported regardless of the nature or the extent of injury and regardless of whether medical attention is needed or not needed.
- C. The Director of Human Resources will work with the employee and his/her supervisor in completing the necessary forms (i.e., Workers' Compensation and/or Tort claims) in filing a claim when necessary. The Human Resources Director will contact the Safety Coordinator, when applicable.

NOTE: Should there be any questions and/or concerns regarding this safety program, please refer them to the Office of Safe and Orderly Schools which has been designated as the Safety Office for the Department.

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WORKPLACE VIOLENCE POLICY

The Mississippi Department of Education is committed to the prevention of workplace violence and the promotion of a safe environment for its employees and the public it serves. The MDE is further committed to working with its employees to maintain a work environment free from violence against persons and/or property, threats of violence, harassment, intimidation, stalking and other disruptive behavior.

Harassment is engaging in actions that include but are not limited to, abusive conduct, verbal abuse and/or behavior intended to frighten, coerce, or induce duress. Intimidation is behavior or communication designed or intended to intimidate, menace, or frighten another person. A threat is the expression of an intent to cause physical or mental harm. An expression constitutes a threat without regard to whether the party communicating the threat has the present ability to carry it out and without regard to whether the expression is contingent, conditional, future or verbal. A physical attack is hostile physical contact or attempted physical contact such as hitting, fighting, pushing, shoving or throwing objects. Domestic related violence is the use of abusive or violent behavior, including threats and intimidation, between people who have an ongoing or prior intimate relationship. This could include people who are married, live together or date or who have been married, lived together or dated. Stalking is conduct that places a person in fear for his/her safety and includes unwanted contact or actions which directly or indirectly communicates a threat or places the individual in fear for his/her safety. Property damage is intentional damage to property and includes property owned by the State, employees, visitors or vendors. The workplace environment consists of the building(s), grounds, lighting, and other considerations. It also includes the attitude the employees have about their belief that they will be safe at work.

Harassment, intimidation, threats, physical attacks, domestic related violence, stalking or property damage and other disruptive behavior while off-site conducting official MDE business or in our workplace by or against MDE employees will not be tolerated; that is, all reports of incidents will be taken seriously and will be dealt with appropriately. Such behavior can include physical harm, as well as oral or written statements, gestures or expressions that communicate well as oral or written statements, gestures or expressions that communicate a direct or indirect threat of physical harm. Individuals who commit such acts may be removed from the premises and may be subject to disciplinary action up to and including dismissal, criminal penalties, or both.

Harassment, intimidation, threats, physical attacks, domestic related violence, stalking or property damage and other disruptive behavior committed on or in state offices, facilities, work sites, and vehicles is a violation of this policy. Violence against persons and/or property, threats, harassment, intimidation, stalking and other disruptive behavior directed at a MDE employee while conducting official MDE business or members of the public while participating in official business is also a violation of this policy. Off-site threats prohibited by this policy include but are not limited to threats made via telephone, fax, electronic or conventional mail or any other communication medium.

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WORKPLACE VIOLENCE POLICY (continued)

The unauthorized possession of a deadly weapon while on or in MDE offices, facilities, work sites, and/or vehicles is prohibited by the policy. Any individual possessing a deadly weapon without appropriate authorization may be removed from or denied access to MDE offices, facilities, work sites or vehicles and may be subject to disciplinary action up to and including dismissal, criminal penalties or both. As used in the policy, deadly weapons are defined by § 97-37-1 of the Mississippi Code Annotated.

It is the policy of the MDE, when deemed necessary by management, for authorized persons to search and inspect both state property and personal items, including, but not limited to vehicles brought onto state property under the MDE's control. Employees are placed on notice that state property issued for employee use, including but not limited to desks, lockers, storage areas, computers, telephones, etc., does not create privacy rights for the employee. The MDE specifically reserves the right to inspect or search state property and reserves the right to access state property for business purposes. Refusal by an employee to cooperate in a search, seizure, or investigation may result in disciplinary action up to and including dismissal. Refusal to cooperate by any non-employee may result in referral of the matter to appropriate authorities and/or removal of the person from the MDE offices, facilities, work sites, or vehicles.

The cooperation of every employee is necessary and expected to implement this policy effectively and maintain a safe working environment. Employees are responsible for reporting any threats which they have witnessed, received, or have been told that another person has witnessed or received. Even without an actual threat, employees should also report any behavior they have witnessed which they regard as threatening or violent when that behavior might be carried out on or in MDE offices, facilities, work sites, vehicles or while conducting official MDE business. Do not ignore violent, threatening, harassing, intimidating, stalking or other disruptive behavior. If you observe or experience such behavior by anyone on or in MDE offices, facilities, work sites or vehicles whether he or she is an employee of the MDE or not, report it immediately to a supervisor, a manager, or to the Human Resources Director. Supervisors or managers who receive such reports should report them immediately to the Human Resources Director at (601) 359-3511. **Please note:** Threats or assaults that require immediate attention by security or police should be reported first to DFA Law Enforcement at (601) 359-3125 and/or to police at 911.

The MDE understands the personal nature associated with some problems which may occur. Reports or incidents warranting confidentiality will be handled appropriately and information will be disclosed to others only on a need-to-know basis.

Employees who, in good faith, report what they believe to be workplace violence or who cooperate in any investigation will not be subjected to retaliation. Any employee who believes that he or she has been the victim of retaliation for reporting workplace violence or cooperating in an investigation should immediately contact the Human Resources Director.

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WORKPLACE VIOLENCE POLICY (continued)

To make a deliberate false report of workplace violence violates this policy. In such instances, the complainant may be subject to disciplinary action up to and including dismissal. However, failure to prove a claim of workplace violence does not constitute proof of a false and/or malicious accusation.

Each MDE employee who applies for or obtains a protective or restraining order which lists MDE offices, facilities or work sites as a protected area is strongly encouraged to provide the Human Resources Office with a copy of any such order, whether temporary or permanent. Confidentiality will be maintained to the extent possible. The MDE provides an Employee Assistance Program (EAP) for its employees and their eligible dependents. The EAP is offered at no cost to employees and provides confidential 24-hour assistance for issues related to stress, relationship or family conflicts including domestic violence, alcoholism, drug addiction, anxiety, depression, child or adolescent problems, and grief. An employee is encouraged to use the EAP whenever he/she needs guidance in coping with life's difficulties and challenges. In addition, any MDE employee who displays a tendency to engage in violent, abusive or threatening behavior may be referred to the EAP for counseling or other appropriate treatment.

The MDE will support all appropriate efforts by supervisors and agency specialists in dealing with violent, threatening, harassing, intimidating, stalking, or other disruptive behavior in our workplace and will monitor whether this policy is being implemented effectively. If you have questions concerning the policy, please contact your supervisor or the Human Resources Director at (601) 359-3511.

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NO WEAPONS POLICY

The Mississippi Department of Education is dedicated to providing a safe and secure environment.

Employees are NOT permitted to carry weapons of any kind on MDE property.

Security Officers are stationed at the main entrance of the building and all persons coming onto or entering the property of the Mississippi Department are subject to search and questioning.

The Mississippi Department of Education believes it is important to establish a clear policy that specifically addresses weapons in the workplace.

The Mississippi Department of Education prohibits all persons who enter MDE property from carrying a handgun, firearm, or prohibited weapon of any kind onto the property regardless of whether the person is licensed to carry a handgun or not. Such weapons include, but are not limited to: knives (including pocket knives), pepper spray, stun-guns, slingshots, concealed weapons, firearms etc.).

This policy applies to all employees, contract and temporary employees, visitors on the property and clients and contractors on MDE property, whether or not they are licensed to carry a concealed handgun. The only exceptions to this policy are police officers, security guards or other persons who have been given **written consent** by The Mississippi Department of Education to carry a weapon on the property.

All MDE employees are also prohibited from carrying a weapon while in the course and scope of performing their job for the MDE, whether or not they are on MDE property at the time and whether or not they are licensed to carry a handgun. This policy also prohibits weapons at any MDE sponsored function such as conferences or training events.

Prohibited weapons include any form of weapon or explosive **restricted or not restricted** under local, state or federal regulation including all firearms, illegal knives or other weapons covered by the law. Legal chemical dispensing devices such as pepper sprays that are sold commercially for personal protection are not covered by this policy. All employees will be held responsible for making sure that any potentially covered item you possess is not prohibited by this policy.

"MDE property" covered by this policy includes, without limitation, all The Mississippi Department of Education owned or leased buildings and access ramps under the MDE's ownership or control.