

TITLE 4

MUNICIPAL PERSONNEL

CHAPTER

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CHAPTER 1

SOCIAL SECURITY FOR OFFICERS AND EMPLOYEES

SECTION

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4-101. Policy and purpose as to coverage. It is hereby declared to be the policy and purpose of the City of Dyersburg to provide for all eligible employees and officials of the municipality, whether employed in connection with a governmental or proprietary function, the benefits of the system of federal old age and survivors insurance. In pursuance of said policy, and for that purpose, the municipality shall take such action as may be required by applicable state and federal laws or regulations.

There is hereby excluded from this chapter any authority to make any agreement with respect to any position, or any employee, or official now covered or authorized to be covered by any other ordinance creating any retirement system for any employee or official of the city.

There is also excluded from this chapter any authority to make any agreement with respect to any position, or any employee, or official, compensation for which is on a fee basis, or any position, or any employee, or official not authorized to be covered by applicable state or federal laws or regulations. (1978 Code, § 1-1301)

4-102. Necessary agreements to be executed. The mayor is hereby authorized and directed to execute all the necessary agreements and amendments thereto with the state executive director of old age insurance, as agent or agency, to secure coverage of employees and officials as provided in the preceding section. (1978 Code, § 1-1302)

4-103. Withholdings from salaries or wages. Withholdings from the salaries or wages of employees and officials for the purpose provided in the first section of this chapter are hereby authorized to be made in the amounts and at such times as may be required by applicable state or federal laws or regulations, and shall be paid over to the state or federal agency designated by said laws or regulations. (1978 Code, § 1-1303)

4-104. Appropriations for employer's contributions. There shall be appropriated from available funds such amounts at such times as may be required by applicable state or federal laws or regulations for employer's contributions, and the same shall be paid over to the state or federal agency designated by said laws or regulations. (1978 Code, § 1-1304)

4-105. Records and reports to be made. The city shall keep such records and make such reports as may be required by applicable state and federal laws or regulations. (1978 Code, § 1-1305)

CHAPTER 2

VACATIONS AND SICK LEAVE

SECTION

- 4-201. Applicability of chapter.
- 4-202. Vacation leave.
- 4-203. Sick leave.
- 4-204. Leave records.

4-201. Applicability of chapter. This chapter shall apply to all full-time city officers and employees except those operating under the jurisdiction of a school, utility, or other separate board or commission. (1978 Code, § 1-1401)

4-202. Vacation leave.¹ All full time, eligible employees will be entitled to vacation according to the following schedule:

<u>Completed Service</u>	<u>Vacation Credit Per Year</u>
After 1 year Active Service	5 days
After 2 years Active Service	10 days
After 10 years Active Service	15 days
After 20 years Active Service	20 days

The above schedule and credits are for uninterrupted service computed from the most recent date of continuous employment with the city. Vacation leave shall begin to accrue at the end of the first full month of employment but may be taken only after successful completion of the first year of employment. The taking of accrued vacation is subject to the approval of the department head, who shall schedule vacations so as to meet the operational requirements of the department. Vacations must be taken within a year after they are accrued, however a maximum of thirty (30) days may be carried forward to the following anniversary year, subject to the approval of the department head. Upon separation from employment, you will be paid for any unused accrued vacation. (1978 Code, § 1-1402, modified)

¹See the City of Dyersburg Employee Handbook for references to sick leave and vacations.

4-203. Sick leave.¹ Sick leave with pay shall be granted all full-time, eligible employees at the rate of one regular working day for each completed month of service, and may be accrued to a maximum of ninety (90) days. Employees hired on or prior to the 15th of the month shall accrue sick leave for that month; however, employees hired after the 15th of the month shall not accrue sick leave for that month, but shall begin to accrue sick leave beginning the following month. Employees shall accrue sick leave from their employment date (subject to the limitation of the preceding sentence), but shall not be entitled to take sick leave until they have been employed continuously for thirty (30) consecutive calendar days. No payment will be made for accrued sick leave upon separation, except employees hired before March 18, 1991, shall be eligible to be paid for unused sick leave upon separation after twenty years of continuous service.

In order to be granted sick leave with pay, an employee must notify his or her immediate supervisor of the absence and reason for the absence no later than 30 minutes prior to the beginning of the scheduled work day. If requested, the employee must submit a medical certificate signed by a licensed physician certifying that the employee has been incapacitated from work for the period of absence, the nature of the employee's sickness or injury, and that the employee is again physically able to perform his or her duties. An absence of three or more consecutive days, or a third absence without a doctor's certificate within a calendar year, will require a doctor's certificate before an employee is eligible to return to work. (1978 Code, § 1-1403, modified)

4-204. Leave records. The mayor shall cause to be kept, for each officer and employee, a record currently up to date at all time showing credits earned and leave taken under this chapter. (1978 Code, § 1-1404)

¹See the City of Dyersburg Employee Handbook for references to sick leave and vacations.

CHAPTER 3**MISCELLANEOUS PERSONNEL REGULATIONS****SECTION**

4-301. Miscellaneous personnel regulations.

4-301. Miscellaneous personnel regulations. The personnel regulations application to city employees are set forth in the City of Dyersburg, Employee Handbook on file with the city recorder. The rules and regulations set forth therein shall be promulgated, revised and amended from time to time by the board of mayor and aldermen in accordance with the laws of the State of Tennessee.

CHAPTER 4

OCCUPATIONAL SAFETY AND HEALTH PROGRAM

SECTION

- 4-401. Title.
- 4-402. Purpose.
- 4-403. Coverage.
- 4-404. Standards authorized.
- 4-405. Variances from standards authorized.
- 4-406. Administration.
- 4-407. Funding the program.

4-401. Title. This chapter shall provide authority for establishing and administering the Occupational Safety and Health Program for the employees of the City of Dyersburg. (1978 Code, § 1-1201, as replaced by Ord. #BB-545, Aug. 2003)

4-402. Purpose. The Dyersburg City Board, in electing to update their established program plan will maintain an effective occupational safety and health program for its employees and shall:

- (1) Provide a safe and healthful place and condition of employment that includes:
 - (a) Top management commitment and employee involvement;
 - (b) Continually analyze the worksite to identify all hazards and potential hazards;
 - (c) Develop and maintain methods for preventing or controlling existing or potential hazards; and
 - (d) Train managers, supervisors, and employees to understand and deal with worksite hazards.
- (2) Acquire, maintain and require the use of safety equipment, personal protective equipment and devices reasonably necessary to protect employees.
- (3) Make, keep, preserve, and make available to the Commissioner of Labor and Workforce Development of the State of Tennessee, his designated representatives, or persons within the Tennessee Department of Labor and Workforce Development to whom such responsibilities have been delegated, adequate records of all occupational accidents and illnesses and personal injuries for proper evaluation and necessary corrective action as required.
- (4) Consult with the State Commissioner of Labor and Workforce Development with regard to the adequacy of the form and content of records.
- (5) Consult with the State Commissioner of Labor and Workforce Development, as appropriate, regarding safety and health problems which are

considered to be unusual or peculiar and are such that they cannot be achieved under a standard promulgated by the state.

(6) Provide reasonable opportunity for the participation of employees in the effectuation of the objectives of this program, including the opportunity to make anonymous complaints concerning conditions or practices injurious to employee safety and health.

(7) Provide for education and training of personnel for the fair and efficient administration of occupational safety and health standards, and provide for education and notification of all employees of the existence of this program. (1978 Code, § 1-1202, as replaced by Ord. #BB-545, Aug. 2003)

4-403. Coverage. The provisions of the Occupational Safety and Health Program Plan for the employees of the City of Dyersburg shall apply to all employees of each administrative department, commission, board, division, or other agency of the City of Dyersburg whether part-time or full-time, seasonal or permanent. (1978 Code, § 1-1203, modified, as replaced by Ord. #BB-545, Aug. 2003)

4-404. Standards authorized. The occupational safety and health standards adopted by the City of Dyersburg are the same as, but not limited to, the State of Tennessee Occupational Safety and Health Standards promulgated, or which may be promulgated, in accordance with section 6 of the Tennessee Occupational Safety and Health Act of 1972.¹ (1978 Code, § 1-1203, modified, as replaced by Ord. #BB-545, Aug. 2003)

4-405. Variances from standards authorized. The City of Dyersburg may, upon written application to the Commissioner of Labor and Workforce Development of the State of Tennessee, request an order granting a temporary variance from any approved standards. Applications for variances shall be in accordance with Rules of Tennessee Department of Labor and Workforce Development, Occupational Safety, Chapter 0800-1-2, as authorized by Tennessee Code Annotated, title 50. Prior to requesting such temporary variance, the City of Dyersburg shall notify or serve notice to employees, their designated representatives, or interested parties and present them with an opportunity for a hearing. The posting of notice on the main bulletin board as designated by the City of Dyersburg shall be deemed sufficient notice to employees. (1978 Code, § 1-1204, as replaced by Ord. #BB-545, Aug. 2003)

4-406. Administration. For the purposes of this chapter, the safety director is designated as the director of occupational safety and health to

¹State law reference

Tennessee Code Annotated, title 50, chapter 3.

perform duties and to exercise powers assigned so as to plan, develop, and administer the City of Dyersburg Occupational Safety and Health Program. The director shall develop a plan of operation for the program and said plan shall become a part of this chapter when it satisfies all applicable sections of the Tennessee Occupational Safety and Health Act of 1972 and part IV of the Tennessee Occupational Safety and Health Plan. (as added by Ord. #BB-545, Aug. 2003)

4-407. Funding the program. Sufficient funds for administering and staffing the program pursuant to this chapter shall be made available as authorized by the Dyersburg City Board. (as added by Ord. #BB-545, Aug. 2003)

CHAPTER 5

TRAVEL REIMBURSEMENT REGULATIONS

SECTION

- 4-501. Purpose.
- 4-502. Enforcement.
- 4-503. Travel policy.
- 4-504. Travel reimbursement rate schedules.
- 4-505. Administrative procedure guidelines.

4-501. Purpose. The purpose of this chapter and referenced regulations is to bring the city into compliance with Public Acts 1993, Chapter 433. This act requires Tennessee municipalities to adopt travel and expense regulations covering expenses incurred by "any mayor and any member of the local governing body and any board or committee member elected or appointed by the mayor or local governing body, and any official or employee of the municipality whose salary is set by charter or general law."

In order to provide consistence in travel regulations and reimbursement, this chapter is expanded to cover regular city employees. It is the intent of this policy to assure fair and equitable treatment to all individuals traveling on city business at city expense. (1978 Code, § 1-1701)

4-502. Enforcement. The mayor and treasurer shall be responsible for the enforcement of these travel regulations. (1978 Code, § 1-1702)

4-503. Travel policy. (1) In the interpretation and application of this chapter, the term "traveler" or "authorized travel" means any elected or appointed municipal officer or employee, including members of municipal boards and committees appointed by the mayor or the municipal governing body, and the employees of such boards and committees who are traveling on official municipal business and whose travel was authorized in accordance with this chapter. "Authorized traveler" shall not include the spouse, children, other relatives, friends, or companions accompanying the authorized traveler on city business, unless the person(s) otherwise qualifies as an authorized traveler under this chapter.

(2) Authorized travelers are entitled to reimbursement of certain expenditures incurred while traveling on official business for the city. Reimbursable expenses shall include expenses for transportation; lodging; meals; registration fees for conferences, conventions, and seminars; and other actual and necessary expenses related to official business as determined by the mayor.

Under certain conditions, entertainment expenses may be eligible for reimbursement.

(3) Authorized travelers can request either a travel advance for the projected cost of authorized travel, or advance billing directly to the city for registration fees, air fares, meals, lodging, conferences, and similar expenses.

Travel advance requests aren't considered documentation of travel expenses. If travel advances exceed documented expenses claims, immediate reimbursement on the part of the authorized traveler is required. It will be the responsibility of the treasurer to initiate action to recover any undocumented travel advances.

(4) Travel advances are available only for special travel and only after completion and approval of the AUTHORIZATION FOR TRAVEL, FORM T-1.

(5) The TRAVEL EXPENSE REIMBURSEMENT (FORM T-2) will be used to document all expense claims.

(6) To qualify for reimbursement, travel expenses must be:

(a) directly related to the conduct of the city business for which travel was authorized, and

(b) actual, reasonable, and necessary under the circumstances.

The mayor may make exceptions for unusual circumstances.

Expenses considered excessive won't be allowed.

(7) Claims of \$5 or more for travel expense reimbursement must be supported by the original paid receipt for lodging, vehicle rental, phone call, public carrier travel, conference fee, and other reimbursable costs.

(8) Any person attempting to defraud the city or misuse city travel funds is subject to legal action for recovery of fraudulent travel claims and/or advances.

(9) Mileage and motel expenses incurred within the city aren't ordinarily considered eligible expenses for reimbursement. (1978 Code, § 1-1703)

4-504. Travel reimbursement rate schedules. Authorized travelers shall be reimbursed according to the federal travel regulation rates. The city's travel reimbursement rates will automatically change when the federal travel regulation rates are adjusted.

The municipality may pay direct for travel expenses, including meals, registration fees for conferences, conventions, seminars, and other education programs on behalf of covered officials and employees, providing payment is made direct to the provider and not to the official or employee. (1978 Code, § 1-1704)

4-505. Administrative procedure guidelines. The city adopts and incorporates by reference--as if fully set out herein--the administrative procedure guidelines submitted by MTAS to, and approved by letter by, the Comptroller of the Treasury, State of Tennessee, in July, 19, 1993. A copy of the administrative procedures is on file in the office of the city recorder. (1978 Code, § 1-1705)