

TITLE 4**MUNICIPAL PERSONNEL****CHAPTER**

1. SOCIAL SECURITY.
2. PERSONNEL RULES AND REGULATIONS.
3. MISCELLANEOUS PERSONNEL POLICIES.
4. PERSONNEL REGULATIONS.

CHAPTER 1**SOCIAL SECURITY****SECTION**

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- 4-103. Withholdings from salaries or wages.
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- 4-105. Records and reports to be made.
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4-101. Policy and purpose as to coverage. It is hereby declared to be the policy and purpose of this municipality 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. (1983 Code, § 1-701)

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. (1983 Code, § 1-702)

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. (1983 Code, § 1-703)

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. (1983 Code, § 1-704)

4-105. Records and reports to be made. The secretary shall keep such records and make such reports as may be required by applicable state and federal laws or regulations. (1983 Code, § 1-705)

4-106. Coverage exclusion. The mayor is authorized and directed to execute an amendment to exclude from coverage under the Federal System of Old Age Survivors, Disability, Health Insurance, the services of an election worker and an election official if the remuneration paid for such services in a calendar year is less than one thousand dollars (\$1,000.00) on or after January 1, 1995, ending on or before December 31, 1999 and, the adjusted amount determined under section 218(c)(8)(B) of the Social Security Act for any calendar year, commencing on or after January 1, 2000, with respect to services performed during any such calendar year. This exclusion to be effective in and after a calendar year in which a state's modification is mailed or delivered by other means, to the appropriate federal official. (Ord. #94-95-2A, April 1995)

CHAPTER 2

PERSONNEL RULES AND REGULATIONS

SECTION

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4-201. Purpose. The purpose of this chapter is to establish a system of personnel administration in the Town of Hollow Rock that is based on merit and fitness. The system shall provide means to select, develop, and maintain an effective municipal work force through the impartial application of personnel policies and procedures free of personal and political considerations and regardless of race, sex, age, creed, national origin, or handicapping condition. (Ord. #05-24-04, May 2004)

4-202. Coverage. All offices and positions of the municipal government are divided into the classified service and the exempt service. The classified service shall include all regular full-time and regular part-time positions in the town's service unless specifically placed in the exempt service. All offices and

positions of the municipal government placed in the exempt service are as follows:

- (1) All elected officials;
- (2) Members of appointed boards and commissions;
- (3) Consultants, advisers, and legal counsel rendering temporary professional service;
- (4) The town attorney;
- (5) Independent contractors;
- (6) Persons employed by the municipality for not more than three (3) months during a fiscal year;
- (7) Part-time employees paid by the hour of the day, and not considered regular;
- (8) Volunteer personnel appointed without compensation;
- (9) The town judge.

All employment positions of the municipal government not expressly exempted from coverage by this section shall be subject to the provisions of the town charter. (Ord. #05-24-04, May 2004)

4-203. Classes of employees. (1) Regular full time. Full-time employees are individuals employed by the municipal government who work thirty-five (35) hours per week and have completed a three (3) month probationary period.

(2) Regular part time. Temporary part-time employees are individuals who do not work on a daily basis and whose hours cannot exceed twenty (20) hours per week unless approved by the mayor and board of aldermen. (Ord. #05-24-04, May 2004)

4-204. Hiring procedures--policy statement. The primary objective of this hiring policy is to insure compliance with the law and to obtain qualified personnel to serve the citizens of the town. Appointments to positions are based on merit, technical knowledge and work experience and no person shall be employed, promoted, demoted, or discharged, or in any way favored or discriminated against because of race, sex, age, color, religion, creed, ancestry, handicapped status, or national origin. (Ord. #05-24-04, May 2004)

4-205. Recruitment. The town will employ only capable and responsible personnel who are of good character and reputation. When a vacancy occurs, the town will prepare and post the appropriate position description at various locations in town and in the local media, if necessary, in an effort to bring notice of the vacancy to as many qualified persons as possible. (Ord. #05-24-04, May 2004)

4-206. Application process. All persons seeking appointment or employment with the town shall complete an application form as provided by

the municipal government. Applications for employment shall be accepted in the town hall office during regular office hours only. (Ord. #05-24-04, May 2004)

4-207. Interviews. All appointments are subject to an interview with the mayor and board of aldermen. (Ord. #05-24-04, May 2004)

4-208. Appointments. The mayor and board of aldermen shall make all appointments to positions in the Town of Hollow Rock. (Ord. #05-24-04, May 2004)

4-209. Probation. Applicants appointed to positions with the Town of Hollow Rock are required to serve a three (3) months probationary period. An employee may be terminated during this period for any reason without respect or reference to the procedures set forth in this document, the charter or other ordinances. If the probationary period is determined satisfactory, the employee is recommended for a full-time appointment. (Ord. #05-24-04, May 2004)

4-210. Promotions/demotions. The mayor and board of aldermen may make promotions/demotions of employees or delegate this authority if they deem advisable. (Ord. #05-24-04, May 2004)

4-211. Compensation/salaries. The mayor and board of aldermen shall set salaries of employees. Due consideration shall be given to duties performed, responsibilities, technical knowledge and skills required to perform the work satisfactorily, the labor market, and availability of persons having the desired qualifications. (Ord. #05-24-04, May 2004)

4-212. Hours of work. The mayor shall establish the hours of work per week for each position in the service of the town. (Ord. #05-24-04, May 2004)

4-213. Payday. All employees of the Town of Hollow Rock shall be paid on a weekly basis. (Ord. #05-24-04, May 2004)

4-214. Payroll deductions. (1) Federal income tax. Federal taxes are withheld from employee's paychecks based on the number of dependents claimed by the individual. Employees are required to keep on file with the municipal government a copy of the W-4 form. In the event of changes in the employee exemption status, a revised W-4 must be filed before payroll deduction adjustments will be made.

(2) Social security. Social security payments and deductions will be made in accordance with the Social Security Act. The town recorder shall keep such record and make such reports, as many are required by applicable state and federal laws or regulations.

(3) Others. Other deductions may be made from an employee's pay only with signed consent from the employee (hospitalization, life insurance, employee savings plan, etc.). (Ord. #05-24-04, May 2004)

4-215. Comp time. Employees required to work over their normal working hours will be credited with comp time. Comp time shall be compensated in the same manner as overtime in accordance with the Fair Labor Standards Act at a rate of one-and-one-half (1 ½) hour for each hour worked. Comp hours can be accumulated up to fifty (50) hours. When comp time is earned above the fifty (50) hours employees will immediately ask for time off for hours over fifty (50). Department heads, excluding those on salary, are not excluded from the comp time provisions of the town. (Ord. #05-24-04, May 2004)

4-216. Benefits--eligibility. All full-time employees are eligible for all benefits provided by the town. (Ord. #05-24-04, May 2004)

4-217. Holidays. Full-time employees are allowed a day off with pay on the following holidays:

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|------|------------------------|--|
| (1) | New Years Day | January 1 st |
| (2) | Martin Luther King Day | January |
| (3) | Presidents Day | February |
| (4) | Good Friday | Friday before Easter Sunday |
| (5) | Memorial Day | Last Monday in May |
| (6) | Independence Day | July 4 th |
| (7) | Labor Day | First Monday in September |
| (8) | Columbus Day | Second Monday in October |
| (9) | Thanksgiving | Fourth Thursday and Friday in
November |
| (10) | Christmas | December 24 th and 25 th |

Employees must be in a pay status on the workday before and on the workday after the holiday, unless otherwise excused by the supervisor in order to receive compensation for the holiday. (Ord. #05-24-04, May 2004, as amended by Ord. #4-217-A, June 2012)

4-218. Vacation leave. All full-time employees who have been continuously employed for a period of one (1) year or longer shall be credited with earned vacation leave in accordance with the following schedule:

<u>Completed Service</u>	<u>Vacation Credit--Per Year</u>
After 1 year	5 days
After 3 years	10 days
After 10 years	15 days
After 15 years	20 days

The above schedule and credits are for uninterrupted service computed from the most recent date of continuous employment. Employees shall accrue vacation leave from their employment day, but shall not be entitled to take vacation until they have completed one (1) year of service. Vacation leave may be taken as earned subject to the approval by the mayor or such other officer as designated. Employees may take one (1) or more days at a time as long as total for year does not exceed earned days. Employees may not accrue vacation leave. Employees resigning voluntarily receive payment for accrued vacation as of the date of resignation. Vacation leave shall be charged in not less than one (1) day increments. (Ord. #05-24-04, May 2004)

4-219. Sick leave. Sick leave with pay shall be granted all full-time employees at the rate of five (5) days per year. Employees shall accrue sick leave from their employment date, but shall not be entitled to take sick leave until they have completed their probationary period. Employees on the payroll when this policy takes effect shall accrue sick leave from July 1, 1992. A sick leave from a doctor will be required for any sickness or illness requiring more than two (2) days absence from work. No payment will be made for accrued sick leave upon separation. Sick leave can accrue up to fifteen (15) days plus the five (5) days for the year but at no time can it accrue more than twenty (20) days. Sick leave with pay shall be granted for the following reasons:

- (1) Personal illness or physical incapacity resulting from causes beyond the employee's control.
- (2) Exposure to contagious disease so that their presence at work might jeopardize the health of other employees.
- (3) Medical, dental, optical or other professional treatments or examinations.
- (4) Acute illness of a member of the employee's immediate family (i.e., spouse, parents, children). (Ord. #05-24-04, May 2004)

4-220. Funeral leave. Full-time employees shall be allowed three (3) days of leave for the death in an employee's immediate family (i.e., spouse, parents, children, grandchildren) unless otherwise excused by the mayor. Two (2) days of leave will be allowed for the death of sisters, brothers, in-laws, grandparents, step parents. (Ord. #05-24-04, May 2004)

4-221. Civil leave. Civil leave with pay may be granted to employees for the following reasons:

- (1) Serve on jury duty;
- (2) Answer a subpoena to testify for the town;
- (3) Perform emergency duty for national defense. (Ord. #05-24-04, May 2004)

4-222. Voting. When the elections are held in the state, leave for the purpose of voting shall be in accordance with Tennessee Code Annotated, § 2-1-106 herein reprinted:

Employers may designate periods of permissible absenteeism. Any person entitled to vote in an election held in this state may be absent from any service or employment on the day of the election for a reasonable period of time, not to exceed three (3) hours, necessary to vote during the time the polls are open in the county where he/she is a resident. A voter who is absent from work to vote in compliance with this section may not be subjected to any penalty or reduction in pay for his absence. If the tour of duty of an employee begins three (3) more hours after the opening of the polls or ends three (3) or more hours before the closing of the polls of the county where he/she is a resident, he/she may not take time off under this section. The employer may specify the hours during which the employee may be absent. Request for such an absence shall be made to the employer before twelve noon (12:00) of the day before the election. (Ord. #05-24-04, May 2004)

4-223. Insurance coverage. The Town of Hollow Rock provides basic health and life insurance coverage for employees. (Ord. #05-24-04, May 2004, modified)

4-224. Workers' compensation. All full-time employees of the Town of Hollow Rock are covered under workers' compensation insurance. (Ord. #05-24-04, May 2004)

4-225. Other benefits. The Town of Hollow Rock provides a total of three hundred dollars (\$300.00) for uniforms for all police officers with at least one (1) year of service. Officer to choose clothing needed with the town recorder to order it. (Ord. #05-24-04, May 2004)

CHAPTER 3

MISCELLANEOUS PERSONNEL POLICIES

SECTION

- 4-301. General policy statement.
- 4-302. Purpose.
- 4-303. Policy.
- 4-304. Procedure.
- 4-305. Responsibilities.
- 4-306. Policies governing the grievance and appeals procedures.
- 4-307. Records.

4-301. General policy statement. It is the responsibility of each employee of the Town of Hollow Rock to conduct himself/herself in a manner that will reflect credit upon the town. Any misconduct while acting on behalf of the municipal government and in the judgment of the board of mayor and aldermen that brings adverse publicity or discredit upon the municipality may be regarded as grounds for dismissal. It is expected that grievances will arise. If and when they do, they are not to be considered as reflecting unfavorably on the employee or the municipal government. (Ord. #05-24-04, May 2004)

4-302. Purpose. The purpose of this policy is to set forth the principles of the Town of Hollow Rock and to prescribe uniform disposition procedures of grievances presented by individual employees. (Ord. #05-24-04, May 2004)

4-303. Policy. A grievance can be something real, alleged, or a misunderstanding concerning rules and regulations or administrative orders involving the employee's health, safety, physical facilities, equipment or material used, employee evaluation, promotion, transfer, layoff, recall and any other related items. Employees will be treated fairly in all respects. Those who feel they have been subjected to unfair treatment have the right to present their grievance to the proper person for prompt consideration and a fair representative of his/her choosing and expense to present it. (Ord. #05-24-04, May 2004)

4-304. Procedure. Employees must remember that there is no grievance until the department head or other appropriate person has been made aware of the dissatisfaction. Once this is done, the following steps are to be taken:

- (1) Discuss the problem with the immediate supervisor. If satisfaction is not obtained the grievance is advanced to (2).
- (2) Discuss the problem with the mayor. If the grievance is not resolved it is advanced to the (3) step along with all documentation.

(3) Discuss the problem with the mayor and board of aldermen. The decision is the last and final step in the process. The decision of mayor and board of aldermen shall be final and binding to all parties involved unless appealed to chancery court. (Ord. #05-24-04, May 2004)

4-305. Responsibilities. (1) Grievance procedure. It is the responsibility of the department head to hear all grievances in a timely and proper fashion and make fair and reasonable decisions within five (5) days of being made aware of the grievance.

(2) Appeal procedure. It is the responsibility of the mayor to act on appeals promptly and assist employees in expediting them through the process. Only disciplinary actions may be appealed to the board of mayor and alderman for consideration.

(3) Denial of appeals. Only the mayor and board of alderman may take the final decision to deny an appeal. (Ord. #05-24-04, May 2004)

4-306. Policies governing the grievance and appeals procedures. An employee with a grievance shall be notified in writing of these rights:

(1) The right to a grievance or appeals hearing as specified in this policy.

(2) The right to receive written notification of the reason for the action that led to the grievance.

(3) The right to be represented at all stages of the grievance proceedings by legal counsel retained at the employee's expense.

(4) The right to present witnesses in his/her own behalf and the right to cross-examine witnesses in support of the municipal government's action.

(5) The right to be free from threats, coercion, intimidation, or discrimination from other employees because he/she has made complaints, testified, or assisted in any manner in the above stated grievance and appeals procedures. (Ord. #05-24-04, May 2004)

4-307. Records. Records shall be made of all proceedings pertaining to the grievance actions and the town recorder shall maintain these records in the municipal government's permanent file. (Ord. #05-24-04, May 2004)

CHAPTER 4

PERSONNEL REGULATIONS

SECTION

4-401. Outside employment.

4-402. Use of municipal time, facilities, etc.

4-403. Political activity.

4-401. Outside employment. No full-time employee of the town shall accept any outside employment without written authorization from the mayor and board of alderman. Authorization shall not be granted if the work is likely to interfere with the satisfactory performance of the employee's duties, or is incompatible with the employee's municipal employment, or is likely to cause discredit upon or create embarrassment for the municipal government. Approval to work a second job may be withdrawn for any of the reasons above. (Ord. #05-24-04, May 2004)

4-402. Use of municipal time, facilities, etc. No employee of the Town of Hollow Rock shall use or authorize the use of municipal time, facilities, equipment or supplies for private gain or advantage to oneself or any other private person or group. (Ord. #05-24-04, May 2004)

4-403. Political activity. Employees may individually exercise their right to vote and privately express their political views as citizens. (Ord. #05-24-04, May 2004)