

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

1. SOCIAL SECURITY.
2. VACATION AND SICK LEAVE.
3. MISCELLANEOUS REGULATIONS.
4. OCCUPATIONAL SAFETY AND HEALTH PROGRAM.

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

- 4-101. Policy and purpose as to coverage.
- 4-102. Necessary agreements to be executed.
- 4-103. Withholdings from salaries or wages.
- 4-104. Appropriations for employer's contributions.
- 4-105. Records and reports to be made.
- 4-106. Employees, etc. excluded from coverage.

**4-101. Policy and purpose as to coverage.** It is hereby declared to be the policy and purpose of this town to provide for all eligible employees and officials of the town, 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 town shall take such action as may be required by applicable state and federal laws or regulations. (1977 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. (1977 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. (1977 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. (1977 Code, § 1-704)

**4-105. Records and reports to be made.** The recorder shall keep such records and make such reports as may be required by applicable state and federal laws or regulations. (1977 Code, § 1-705)

**4-106. Employees, etc. excluded from coverage.** 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 town. (1977 Code, § 1-706)

## CHAPTER 2

### VACATION 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 town officers and employees except those operating under the jurisdiction of a school, utility, or other separate board or commission. (1977 Code, § 1-801)

**4-202. Vacation leave.** Full time employees will accrue two (2) weeks (ten (10) days) of annual paid vacation leave after being employed one (1) year. Full-time employees will receive three (3) weeks (fifteen (15) days) of annual paid vacation leave after being employed five (5) years. Employees will receive four (4) weeks (twenty (20) days) vacation after being employed ten (10) years. The maximum number of paid vacation leave which may be accrued is three (3) weeks (fifteen (15) days). Vacation leave exceeding the maximum accrual limit shall be forfeited.

Vacation leave shall be taken at a time approved by the employee's supervisor. Upon separation, employees are entitled to be reimbursed for any unused vacation leave, not to exceed the maximum accrual allowed for the years of service completed.

**4-203. Sick leave.** All full-time employees shall accumulate one (1) day of sick leave with pay for each month of work completed for the municipality. Sick leave may be granted for any of the following reasons:

(1) Personal illness or physical incapacity resulting from causes beyond the employee's control.

(2) Exposure to contagious disease so that the employee's presence at work might jeopardize the health of other employees.

(3) Medical, dental, optical or other professional treatments or examinations.

Sick leave can be used for immediate family: spouse, mother, father, child, brother, sister, grandparent, mother-in-law, father-in-law.

In June each year employees who have been employed for more the three (3) years and who have accumulated more than twenty-four (24) days of unused sick leave will be paid for all accumulated sick leave in excess of twenty-four (24) days at a rate of fifty percent (50%) of their regular pay. (For example, an employee who has thirty (30) days of accumulated sick leave as of June 1 would receive an amount equal to three (3) regular days of pay - the remaining

twenty-four (24) accumulated days will remain available for use by the employee for any of the reasons set out above.)

**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. (1977 Code, § 1-804)

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

4-301. Political activity.

4-302. Strikes and unions.

**4-301. Political activity.** Municipal officers and employees shall enjoy the same rights of other citizens of Tennessee to be a candidate for any state or local political office, the right to participate in political activities by supporting or opposing political parties, political candidates, and petitions to governmental entities; provided the city is not required to pay the employee's salary for work not performed for the city. Provided, however, municipal employees shall not be qualified to run for elected office in the town council. The restriction against running for office in the town council shall not apply to elective officials. (1977 Code, § 1-904, modified)

**4-302. Strikes and unions.** No town officer or employee shall participate in any strike against the town, nor shall he/she join, be a member of, or solicit any other town officer or employee to join any labor union which authorizes the use of strikes by government employees. (1977 Code, § 1-907)

## CHAPTER 4

### OCCUPATIONAL SAFETY AND HEALTH PROGRAM<sup>1</sup>

#### 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 Town of Sharon. (Ord. #2003-8-11, Oct. 2003)

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

(4) 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.

(5) Acquire, maintain and require the use of safety equipment, personal protective equipment and devices reasonably necessary to protect employees.

(6) Make, keep, preserve, and make available to the Commissioner of Labor and Workforce Development of the State of Tennessee, his/her 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.

(7) Consult with the State Commissioner of Labor and Workforce Development with regard to the adequacy of the form and content of records.

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<sup>1</sup>The Occupational Safety and Health Program for the Town of Sharon, including all Appendices is included in this municipal code as Appendix A.

(8) 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.

(9) 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.

(10) 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. (Ord. #2003-8-11, Oct. 2003)

**4-403. Coverage.** The provisions of the Occupational Safety and Health Program Plan for the employees of the Town of Sharon shall apply to all employees of each administrative department, commission, board, division, or other agency of the Town of Sharon whether part-time or full-time, seasonal or permanent. (Ord. #2003-8-11, Oct. 2003)

**4-404. Standards authorized.** The occupational safety and health standards adopted by the Town of Sharon 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.<sup>1</sup> (Ord. #2003-8-11, Oct. 2003)

**4-405. Variances from standards authorized.** The Town of Sharon 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 Town of Sharon 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 Town of Sharon shall be deemed sufficient notice to employees. (Ord. #2003-8-11, Oct. 2003)

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

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<sup>1</sup>State law reference

Tennessee Code Annotated, title 50, chapter 3.

and to exercise powers assigned so as to plan, develop, and administer the Town of Sharon 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. (Ord. #2003-8-11, Oct. 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 Town of Sharon. (Ord. #2003-8-11, Oct. 2003)