

TITLE 4

MUNICIPAL PERSONNEL

CHAPTER

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CHAPTER 1

PERSONNEL SYSTEM

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4-101. Purpose. The purpose of this chapter is to establish a system of personnel administration in the City of Springfield 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 disability.

4-102. Coverage. All positions of the city shall be divided into classifications. The classified positions hereinafter referred to as the "classified service" shall include all regular full-time and regular part-time positions in the city. Other positions in the city are labeled as "non-covered" because they are simply not covered by the Fair Labor Standards Act (FLSA). All non-covered offices and positions shall be as follows:

- (1) All officials elected by popular vote and persons appointed to fill vacancies in any such elective offices.
- (2) Members of appointive boards, commissions, or committees.
- (3) Persons employed to render the city expert, professional, technical, or other services of occasional character.
- (4) Volunteer personnel.
- (5) Persons employed by the city for not more than three (3) months during a fiscal year for special purposes and seasonal work.

- (6) Persons serving the city as independent contractors or under specific written agreements.
- (7) Persons retained as consultants.
- (8) City judge.
- (9) City attorney.

4-103. Administration. The city manager shall have the basic responsibility for the personnel program. He/she specifically shall:

- (1) Be responsible for effective personnel administration.
- (2) Delegate to the respective department head the authority to select and recommend for appointment all employees below the level of department head in positions authorized by the city manager.
- (3) Have final action for appointment and/or removal of regular full-time employees subject to the policies as set forth in the city charter, personnel manual and state laws.
- (4) Fix and establish the number of employees in the various city departments and offices; determine their duties, authority, responsibilities in accordance with the policies and procedures as set forth in the city charter; and determine their compensation subject to the budget limitations established by the Board of Mayor and Aldermen.

4-104. Personnel rules and regulations; amendments. The city manager shall implement and propose amendments to personnel rules and regulations adopted by the board. The Board of Mayor and Aldermen may adopt, by motion or resolution, amendments or revisions as recommended by the city manager.

4-105. Personnel policies and procedures manual. Personnel policies and procedures in the City of Springfield shall be as set forth in the "1992 Personnel Policies and Procedures Manual." (Ord. #092-21, Nov. 1992, modified; amended by Ord. #98-13, June 1998)

4-106. Personnel records. The city manager shall maintain adequate records of employment for all city employees.

4-107. Right to contract for special services. The Board of Mayor and Aldermen may direct the city manager to contract with any competent agency for the performance of such technical services in connection with the establishment of the personnel system or with its operation as may be deemed necessary.

4-108. Discrimination. No person in the classified service or seeking admission thereto, shall be employed, promoted, demoted, or discharged, or in any way favored or discriminated against because of political opinions or

affiliations, or because of race, color, creed, national origin, sex, ancestry, age, religious belief or disability.

CHAPTER 2

SOCIAL SECURITY--CITY PERSONNEL¹

SECTION

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4-201. 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. (1981 code, § 1-501)

4-202. 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. (1981 code, § 1-502)

4-203. 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. (1981 code, § 1-503)

4-204. 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. (1981 code, § 1-504)

¹Charter reference

See also Article VIII, Administration, for personnel rules, Nepotism Prohibited, departments, offices, etc...

4-205. Records and reports. The municipality shall keep such records and make such reports as may be required by applicable state and federal laws or regulations. (1981 code, § 1-505)

4-206. Part-time personnel. There is hereby excluded from this chapter any authority to make any agreement with respect to employees engaged in rendering services in part-time positions. The chairman is hereby authorized and directed to execute an amendment to the Social Security Agreement with the Director of Old Age and Survivors Insurance to include employees engaged in rendering services in part-time positions, effective January 1, 1977, and to exclude the services performed by election officials and election workers if the remuneration paid for such services is less than \$100.00 in a calendar year, to be effective not earlier than the last day of the calendar quarter in which a modification to the agreement is mailed to the Federal Social Security Administration, pursuant to Federal Law. (1981 code, § 1-506)

CHAPTER 3

OCCUPATIONAL SAFETY AND HEALTH PROGRAM

SECTION

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4-301. Created. There is hereby created an occupational safety and health program for employees of the City of Springfield, as follows. (1981 Code, § 1-701, as replaced by Ord. #02-23, Jan. 2003)

4-302. Title. This chapter shall provide authority for establishing and administering the occupational safety and health program for the employees of the City of Springfield. (1981 Code, § 1-702, as replaced by Ord. #02-23, Jan. 2003)

4-303. Purpose. The City of Springfield, in electing to establish and maintain an effective occupational safety and health program for its employees, shall:

(1) Provide a safe and healthful place and condition of employment.
(2) Make, keep, preserve and make available to the Commissioner of Labor of the State of Tennessee, designated representatives, or persons within the Tennessee Department of Labor 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.

(3) 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. (1981 Code, § 1-703, as replaced by Ord. #02-23, Jan. 2003)

4-304. Coverage. The provisions of the occupational safety and health program for the employees of the City of Springfield shall apply to all employees of each administrative department, commission, board, division or other agency of the City of Springfield, whether part-time or full-time, seasonal or year round. (1981 Code, § 1-704, as replaced by Ord. #02-23, Jan. 2003)

4-305. Standards authorized. The occupational safety and health standards adopted by the City of Springfield 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 Tennessee Occupational Safety and Health Act of 1972 (Tennessee Code Annotated, title 50, chapter 3). (as added by Ord. #02-23, Jan. 2003)

4-306. Variations from standards authorized. The City of Springfield may, upon written application to the Commissioner of Labor of the State of Tennessee, request an order granting temporary variance from any approved standards. Applications for variances shall be in accordance with Rules of Tennessee Department of Labor, Occupational Safety, chapter 0800-1-2, as authorized by Tennessee Code Annotated, title 50. Prior to requesting such temporary variance, the City of Springfield 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 Springfield shall be deemed sufficient notice to employees. (as added by Ord. #02-23, Jan. 2003)

4-307. Administration. For the purpose of this chapter, the assistant fire chief is designated as the director of occupational safety and health to perform duties and to exercise powers assigned. The director shall develop a plan of operation for the program and said plan shall become part of this chapter when it satisfies all applicable sections of Tennessee Occupational Safety and Health Plan. (as added by Ord. #02-23, Jan. 2003)

4-308. Funding the program. Sufficient funds for administering and staffing the program pursuant to this chapter shall be made available as authorized by the City of Springfield. (as added by Ord. #02-23, Jan. 2003)