

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

1. PERSONNEL SYSTEM.
2. OCCUPATIONAL SAFETY AND HEALTH PROGRAM.
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CHAPTER 1**PERSONNEL SYSTEM****SECTION**

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4-101. Purpose. The purpose of this chapter is to establish a system of personnel administration in the City of Waynesboro 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. (1995 Code, § 4-201)

4-102. 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 city'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) The city manager;
- (3) Members of appointed boards and commissions;
- (4) Consultants, advisers, and legal counsel rendering temporary professional service;
- (5) The city attorney;

- (6) Independent contractors;
- (7) Persons employed by the municipality for not more than three months during a fiscal year;
- (8) Part-time employees paid by the hour of the day, and not considered regular;
- (9) Volunteer personnel appointed without compensation; and
- (10) The city judge;

All employment positions of the municipal government not expressly exempted from coverage by this section shall be subject to the provisions of the city charter. (1995 Code, § 4-202)

4-103. Administration. The personnel system shall be administered by the city manager who shall have the following duties and responsibilities:

- (1) Exercise leadership in developing an effective personnel administration system subject to provisions in this chapter, other ordinances, the city charter, and federal and state laws relating to personnel administration;
- (2) Establish policies and procedures for the recruitment, appointment, and discipline of all employees of the municipality subject to those policies as set forth in this chapter, the city charter and the municipal code;
- (3) Fix and establish the number of employees in the various municipal government departments and offices and determine the duties, authority, responsibility, and compensation in accordance with the policies as set forth in the city charter and code, and subject to the approval of the city council and budget limitations;
- (4) Foster and develop programs for the improvement of employee effectiveness, including training, safety, and health;
- (5) Maintain records of all employees subject to the provisions of this chapter of the city code which shall include each employee's class, title, pay rates, and other relevant data;
- (6) Make periodic reports to the city council regarding the administration of the personnel system;
- (7) Recommend to the city council a position classification plan, and install and maintain such a plan upon approval by the city council;
- (8) Prepare and recommend to the city council a pay plan for all municipal government employees;
- (9) Develop and administer such recruiting programs as may be necessary to obtain an adequate supply of competent applicants to meet the employment needs of the municipal government;
- (10) Be responsible for certification of payrolls; and
- (11) Perform such other duties and exercise such other authority in personnel administration as may be prescribed by law and the board of mayor and aldermen/commission/council. (1995 Code, § 4-203)

4-104. Personnel rules and regulations. The city manager shall develop rules and regulations, in the form of an employee's handbook, necessary for the effective administration of the personnel system. The council shall adopt the rules presented to them by the city manager. If the council has taken no action within ninety (90) days after receipt of the draft personnel rules and regulations, they shall become effective as if they had been adopted, and shall have the full force and effect of law. Amendments to the rules and regulations shall be made in accordance with the procedure below. (1995 Code, § 4-204)

4-105. Records. The city manager shall maintain adequate records of the employment record of every employee as specified herein. (1995 Code, § 4-205)

4-106. Right to contract for special services. The city councilmen 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. (1995 Code, § 4-206)

4-107. 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, or religious belief. (1995 Code, § 4-207)

4-108. Amendments. Amendments or revisions of these rules may be recommended for adoption by the city manager. Such amendments or revisions of these rules shall become effective after public hearing and approval by the governing body. (1995 Code, § 4-208)

CHAPTER 2

OCCUPATIONAL SAFETY AND HEALTH PROGRAM

SECTION

- 4-201. Title.
- 4-202. Purpose.
- 4-203. Coverage.
- 4-204. Standards authorized.
- 4-205. Variances from standards authorized.
- 4-206. Administration.
- 4-207. Funding the program.

4-201. Title. This section shall be known as the occupational safety and health program plan for the employees of the City of Waynesboro. (Ord. #810, Sept. 2016)

4-202. Purpose. The city commission, in electing to update their established program plan will maintain an effective and comprehensive 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 of 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) Record, keep, preserve, and make available to the Commissioner of Labor and Workforce Development of the State of Tennessee, 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 the health standards, and provide for education and notification of all employees of the existence of this program. (Ord. #810, Sept. 2016)

4-203. Coverage. The provisions of the occupational safety and health program plan for the employees of the City of Waynesboro shall apply to all employees of each administrative department, commission, board, division, or other agency of the City of Waynesboro whether part-time for full-time, seasonal or permanent. (Ord. #810, Sept. 2016)

4-204. Standards authorized. The occupational safety and health standards adopted by the city commission 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 (*Tennessee Code Annotated*, title 50, chapter 3). (Ord. #810, Sept. 2016)

4-205. Variances from standards authorized. The City of Waynesboro 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 0800-01-02, as authorized by *Tennessee Code Annotated*, title 50. Prior to requesting such temporary variance, the city manager 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 shall be deemed sufficient notice to employees. (Ord. #810, Sept. 2016)

4-206. Administration. For the purposes of this chapter, the city manager, is designated as the director of occupational safety and health to perform duties and to exercise powers assigned so as to plan, develop, and administer for the City of Waynesboro program. The director shall develop a plan of operation for the program in accordance with the rules of the Tennessee Department of Labor and Workforce Development Occupational Safety and Health, Safety and Health Provisions for the Public Sector, chapter 0800-01-05, as authorized by *Tennessee Code Annotated*, title 50. (Ord. #810, Sept. 2016)

4-207. Funding the program. Sufficient funds for administering and staffing the program pursuant to this chapter shall be made available as authorized by the Waynesboro City Commissioner. (Ord. # 810, Sept. 2016)

CHAPTER 3

TRAVEL AND EXPENSE POLICY

SECTION

4-301. Coverage.

4-302. Travel and expense policy.

4-303. Vehicle use policy.

4-301. Coverage. The mayor, city commissioners, members of boards and committees appointed by the mayor or board of commissioners, including municipal utility boards, and other city employees may be reimbursed for reasonable and necessary expenses incurred in the conduct of official business. (1995 Code, § 4-401)

4-302. Travel and expense policy.¹ The travel and expense policy adopted by the board of commissioners will govern the reimbursement of expenses incurred by these municipal officials and board and committee members. (1995 Code, § 4-402)

4-303. Vehicle use policy.² The vehicle use policy will govern the use of vehicles by these municipal officials and board and committee members. (1995 Code, § 4-403)

¹Travel and expense policy, and any amendments thereto, may be found in the office of the recorder.

²Vehicle use policy, and any amendments thereto, may be found in the office of the recorder.

CHAPTER 4

BENEFITS

SECTION

4-401. Holidays.

4-402. Annual vacation leave.

4-401. Holidays. Full time employees are allowed a day off with pay on the following ten (10) holidays:

New Years Day	January 1st
Good Friday	Friday before Easter
Memorial Day	Last Monday in May
Independence Day	July 4th
Labor Day	First Monday in September
Veterans Day	November 11th
Thanksgiving (2 days)	Fourth Thursday and Friday in November
Christmas Eve	December 24th
Christmas Day	December 25th

Employees must be in pay status (and not on leave without pay, for example) on the work day before and on the work day after the holiday, unless otherwise excused by the supervisor in order to receive compensation for the holiday. No days of holiday leave will be accumulated and carried from one (1) year to another. Holiday leave may be taken anytime during the same calendar year in which it is earned and only after it has been accumulated. Employees who leave the employment of the City of Waynesboro are entitled to be reimbursed for holiday leave that has passed and not been used in the same calendar year. Employees will not be paid for holiday leave that has not yet passed. (Ord. #754, Aug. 2007)

4-402. Annual vacation leave. All full time employees who have worked for the City of Waynesboro for at least twelve (12) months shall be granted annual vacation leave in accordance with the schedule included herein. Such vacation leave shall be taken at a time approved by the city manager or such officer as designated. Upon separation, employees are entitled to be compensated for any unused vacation that he or she is due in the same calendar year.

COMPLETE SERVICE

After one (1) year
 After five (5) years
 After ten (10) years
 After fifteen (15) years

VACATION CREDIT - PER YEAR

Five (5) days
 Ten (10) days
 Fifteen (15) days
 Twenty (20) days

After twenty (20) years

Twenty (20) days plus one (1) day for each year of service after twenty (20) years

Annual leave, so far as practical, will be granted at the time desired by the employees, but annual leave in each department must be scheduled in such a manner as to assure orderly operation as well as adequate and continuous service to the public. Department heads must plan with employees in their department an orderly leave schedule. Vacation leave may be used for sick leave if the employee has deleted all their accumulated sick leave. As soon as practical, the employee must notify the pay clerk/recorder if they have exercised their option to use accrued vacation leave for sick leave or they will be subject to leave without pay. Employees may not carry forward vacation leave balance beyond the current calendar year. (Ord. #754, Aug. 2007)