

**TITLE 4**

**MUNICIPAL PERSONNEL**

**CHAPTER**

1. SOCIAL SECURITY--CITY PERSONNEL.
2. VACATIONS AND SICK LEAVE--CITY PERSONNEL.
3. MISCELLANEOUS REGULATIONS--CITY PERSONNEL.
4. OCCUPATIONAL SAFETY AND HEALTH PROGRAM PLAN.

**CHAPTER 1**

**SOCIAL SECURITY--CITY PERSONNEL**

**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.

**4-101. Policy and purpose as to coverage.** It is hereby declared to be the policy and purpose of this city to provide for all eligible employees and officials of the city, 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 city shall take such action as may be required by applicable state and federal laws or regulations. (1978 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. (1978 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. (1978 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. (1978 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. (1978 Code, § 1-705)

## CHAPTER 2

### VACATIONS AND SICK LEAVE--CITY PERSONNEL

#### SECTION

4-201. Applicability of chapter.

4-202. Vacation leave.

4-203. Sick leave.

4-204. Holidays.

**4-201. Applicability of chapter.** This chapter shall apply to all full-time municipal officers and employees except those operating under the jurisdiction of a school, utility, or other separate board or commission. (1978 Code, § 1-801)

**4-202. Vacation leave.** All employees must be full time employees for one full year before they are entitled to one (1) week paid vacation. Employees with two (2) years to fourteen (14) years service are entitled to two (2) weeks paid vacation and employees with fifteen (15) years or more are entitled to three (3) weeks paid vacation. All employees must advise the city at least one (1) month before taking a vacation so plans can be made to cover for them. (1978 Code, § 1-802, modified)

**4-203. Sick leave.** All city employees are entitled to one (1) sick day a month and may accumulate up to 30 days. (1978 Code, § 1-803, modified)

**4-204. Holidays.** The following are paid holidays for all city employees:

NEW YEARS DAY  
 GOOD FRIDAY  
 MEMORIAL DAY  
 FOURTH OF JULY  
 LABOR DAY  
 THANKSGIVING DAY  
 CHRISTMAS EVE  
 CHRISTMAS DAY  
 EMPLOYEE'S BIRTHDAY  
 PERSONAL DAYS - TWO

### CHAPTER 3

#### MISCELLANEOUS REGULATIONS--CITY PERSONNEL

##### SECTION

4-301. [Repealed.]

4-302. [Repealed.]

4-303. [Repealed.]

4-304. Political activity.

4-305. [Repealed.]

4-306. [Repealed.]

4-307. Strikes and unions.

**4-301. [Repealed.]** (1978 Code, § 1-901, as repealed by Ord. #1-401, May 2007)

**4-302. [Repealed.]** (1978 Code, § 1-902, as repealed by Ord. #1-401, May 2007)

**4-303. [Repealed.]** (1978 Code, § 1-903, as repealed by Ord. #1-401, May 2007)

**4-304. Political activity.** Municipal officers and employees may individually exercise their right to vote and privately express their political views as citizens. However, no municipal officer or employee shall solicit political campaign contributions or engage in or actively participate in any municipal political campaign. These restrictions shall not apply to elective officials or to off-duty law enforcement officers acting as private citizens. (1978 Code, § 1-904, modified)

**4-305. [Repealed.]** (1978 Code, § 1-905, as repealed by Ord. #1-401, May 2007)

**4-306. [Repealed.]** (1978 Code, § 1-906, as repealed by Ord. #1-401, May 2007)

**4-307. Strikes and unions.** No city officer or employee shall participate in any strike against the city, nor shall he join, be a member of, or solicit any other municipal officer or employee to join any labor union which authorizes the use of strikes by government employees. (1978 Code, § 1-907)

## CHAPTER 4

### OCCUPATIONAL SAFETY AND HEALTH PROGRAM PLAN

#### 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 plan.

**4-401. Title.** This chapter shall be known as "The Occupational Safety and Health Program Plan"<sup>1</sup> for the employees of the City of Niota. (as added by Ord. #7-14, Sept. 2014)

**4-402. Purpose.** The City of Niota in electing to update the established program plan will maintain an effective and comprehensive occupational safety and health program plan 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 the 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, or persons within the 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.

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<sup>1</sup>The Plan of Operation for the Occupational Safety and Health Program Plan for the employees of the City of Niota is available for review in the office of the city recorder.

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

(5) Consult with the 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 plan, 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 plan. (as added by Ord. #7-14, Sept. 2014)

**4-403. Coverage.** The provisions of the occupational safety and health program plan for the employees of the City of Niota shall apply to all employees of each administrative department, commission, board, division, or other agency whether part-time or full-time, seasonal or permanent. (as added by Ord. #7-14, Sept. 2014)

**4-404. Standards authorized.** The occupational safety and health standards adopted by the City of Niota 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> (as added by Ord. #7-14, Sept. 2014)

**4-405. Variances from standards authorized.** The City of Niota may, upon written application to the Commissioner of Labor and Workforce Development of the State of Tennessee, we may 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 and Health, Variances from Occupational Safety and Health Standards, chapter 0800-01-02, as authorized by Tennessee Code Annotated, title 50. Prior to requesting such temporary variance, the City of Niota shall notify or serve notice to our 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

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<sup>1</sup>State law reference

Tennessee Code Annotated, title 50, chapter 3.

designated by the City of Niota shall be deemed sufficient notice to employees. (as added by Ord. #7-14, Sept. 2014)

**4-406. Administration.** For the purposes of this chapter, the safety director of occupational safety and health is designated to perform duties and to exercise powers assigned to plan, develop, and administer this program plan. The safety director shall develop a plan of operation for the program plan in accordance with Rules of 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. (as added by Ord. #7-14, Sept. 2014)

**4-407. Funding the program plan.** Sufficient funds for administering and staffing the program plan pursuant to this chapter shall be made available as authorized by the City of Niota Commission. (as added by Ord. #7-14, Sept. 2014)