

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

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3. MISCELLANEOUS REGULATIONS.
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CHAPTER 1**SOCIAL SECURITY****SECTION**

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4-101. Policy and purpose as to coverage. It is hereby declared to be the policy and purpose of the City of Church Hill, Tennessee, to extend, as of the date hereinafter set forth, at the earliest date, to employees and officials thereof, not excluded by law or this chapter, and whether employed in connection with a governmental or proprietary function, the benefits of the System of Federal Old-Age and Survivors Insurance as authorized by the Federal Social Security Act and amendments thereto, including Public Law 734, 81st Congress. 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. (2003 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 Director of Old Age and Survivors Insurance Agency State of Tennessee, as agent or agency, to secure coverage of employees and officials as provided in § 4-101. (2003 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 § 4-101 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. (2003 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. (2003 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. (2003 Code, § 1-705)

4-106. Exclusions. (1) 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 City of Church Hill, Tennessee, or any employee, official, or position not authorized to be covered under applicable state or federal laws or regulations.

(2) There is hereby excluded 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. (2003 Code, § 1-706)

4-107. When effective. It being immediately necessary for the preservation of the public peace, health, and safety, an emergency is hereby declared to exist by reason whereof the provisions in this chapter shall be in full force from and after their passage, approval, and publication as required by law, and shall be effective October 1, 1971. (2003 Code, § 1-707)

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 municipal officers and employees except those operating under the jurisdiction of a school, utility, or other separate board or commission. (2003 Code, § 1-801)

4-202. Vacation leave. All officers and employees shall be allowed one (1) week of vacation leave with pay after one year of employment; two (2) weeks annually after two (2) years; three (3) weeks annually after five (5) years; and four (4) weeks after ten (10) years. Vacation leave shall be taken at a time mutually agreeable with the employee and the mayor or such other officer as he may designate.

Vacation leave must be taken annually and cannot be accumulated from year to year unless an emergency arises and said employee is required to work during scheduled vacation periods in which event said vacation may be carried over to the next year, but no further.

Vacation must be taken according to the guidelines established in the City of Church Hill Personnel Policy. (2003 Code, § 1-802)

4-203. Sick leave. (1) Sick-leave will be allowed and can accumulate for a period of one (1) day for each month the employee is employed by the city with accumulation of sick-leave allowed up to a maximum of sixty (60) days.

(2) Accumulated sick-leave can build to said maximum of sixty (60) days over a period not to exceed five (5) years but with deductions allowed for sick-leave taken within said period to be considered in accumulating said total over said period of time.

(3) Sick-leave is to be used only in the event of legitimate personal illness and not for personal leave, vacations, or holidays.

(4) Sick leave must be taken according to the guidelines established in the City of Church Hill Personnel Policy. (2003 Code, § 1-803, as amended by Ord. #13-462, Aug. 2013)

4-204. Leave records. The mayor shall cause to be kept, for each officer and employee, a record currently up to date at all times showing credits earned and leave taken under this chapter. (2003 Code, § 1-804)

CHAPTER 3

MISCELLANEOUS REGULATIONS

SECTION

- 4-301. General purpose.
- 4-302. Nepotism.
- 4-303. Attendance.
- 4-304. Personal absence without pay.
- 4-305. Jury duty.
- 4-306. Garnishments.
- 4-307. Military duties/leave.
- 4-308. Political activity.

4-301. General purpose. It is the purpose of the City of Church Hill to establish a fair and uniform system of personnel policies and procedures for all employees of the city in order that the most effective services possible may be delivered to the citizens of the community in keeping with the social and economic needs of the citizens. It shall therefore be the policy of the city that:

- (1) Employment shall be based on merit and fitness, without regard to race, religion, national origin, political affiliation, sex, age, creed or color;
- (2) Just and equitable incentives and conditions of employment may be established and maintained; and
- (3) All applicable state and federal regulations shall apply in personnel administration. (2003 Code, § 1-901)

4-302. Nepotism. No person shall be appointed or serve in a position over which a member of his immediate family as a city employee or city official has direct supervisory authority or may effect his or her job performance, job evaluation, or status in any way. Immediate family shall be considered a spouse, children, parents, siblings, foster parents, grandparents, and similar relatives of the employee's spouse. Existing situations may remain but efforts shall be made to minimize the effect of same. (2003 Code, § 1-902)

4-303. Attendance. Attendance is mandatory. Failure to report on time and leaving work early will have a direct adverse impact on any raises, promotions, or other terms and conditions of employment. Employees will be paid only for time worked. Should an employee be unable to work or perform his or her assigned duties, the employee shall promptly notify the appropriate supervisor. (2003 Code, § 1-903)

4-304. Personal absence without pay. The city recognizes that there may be compelling personal reasons for employees to request from a few minutes to a few days off during the course of employment. In this event, a

request must be submitted at least twenty-four (24) hours in advance to the appropriate supervisor (except in the case of emergencies) providing a full explanation of the situation which requires personal absence. Such a personal absence is uncompensated but no more than twenty four (24) hours of personal absence without pay may be taken in any one (1) calendar year. (2003 Code, § 1-904)

4-305. Jury duty. Jury duty is a matter of civic obligation. If a full-time employee is called to jury duty, he or she will be paid the usual salary, provided he or she remits to the city any compensation received from court for jury services, and that he or she report to work on any day or any part of a day that he or she is excused from jury duty. (2003 Code, § 1-905)

4-306. Garnishments. An assignment or a garnishment of a portion of an employee's compensation is an inconvenient and unnecessary administrative expense to the city. The city may take such disciplinary steps, including dismissal, as are legally allowed and appropriate in the particular matter. (2003 Code, § 1-906)

4-307. Military duties/leave. (1) Any employee who enters active duty within a branch of the armed forces of the United States will be granted a military leave of absence without pay. Employees who have been granted a military leave of absence will be re-employed in accordance with all applicable Federal and State laws.

(2) Full-time employees who are members of a military reserve unit that is required to attend a two (2) week training session annually will be allowed to perform that obligation without loss of income. The city may pay any difference between normal pay and the amount received in military pay for the two (2) week period. When returning from military duty, the employee must present his or her military reserve pay voucher to the city recorder who will arrange for such payments. (2003 Code, § 1-907)

4-308. 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 governing body. The restriction against running for office in the governing body shall not apply to elective officials (2003 Code, § 1-908)

CHAPTER 4

OCCUPATIONAL SAFETY AND HEALTH PROGRAM

SECTION

- 4-401. Creation and 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. Creation and title. There is hereby created an occupational safety and health program for the employees of City of Church Hill as follows. This chapter shall be known as the Occupational, Safety and Health Program for the employees of the City of Church Hill, Tennessee. (2003 Code, § 1-1001)

4-402. Purpose. The City of Church Hill, in electing to update their established program plan will maintain an effective 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 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) Make, keep, preserve, and make available to the Commissioner of Labor and Workforce Development of the State of Tennessee, his 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.
- (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 and health standards, and provide for education and notification of all employees of the existence of this program. (2003 Code, § 1-1002)

4-403. Coverage. The provisions of the Occupational Safety and Health Program Plan for the employees of City of Church Hill shall apply to all employees of each administrative department, commission, board, division, or other agency of the city whether part-time or full-time, seasonal or permanent. (2003 Code, § 1-1003)

4-404. Standards authorized. The occupational safety and health standards adopted by the City of Church Hill 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. (2003 Code, § 1-1004)

4-405. Variances from standards authorized. The City of Church Hill 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 the 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 city 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 safety director of the city shall be deemed sufficient notice to employees. (2003 Code, § 1-1005)

4-406. Administration. The board of mayor and alderman shall appoint a director of occupational safety and health to perform duties and to exercise powers assigned so as to plan, develop, and administer the occupational safety and health program for the employees of the City of Church Hill, Tennessee. The director shall develop a plan of operation for the program and said plan shall become a part of this ordinance 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. (2003 Code, § 1-1006)

4-407. Funding the program. Sufficient funds for administering and staffing the program pursuant to this ordinance shall be made available as authorized by the Board of Mayor and Aldermen of the City of Church Hill. (2003 Code, § 1-1007)

CHAPTER 5

TRAVEL AND EXPENSE REGULATIONS

SECTION

- 4-501. Purpose.
- 4-502. Enforcement.
- 4-503. Travel policy.
- 4-504. Travel reimbursement rate schedules.
- 4-505. Administrative procedures.

4-501. Purpose. The purpose of this chapter and referenced regulations is to bring the city into compliance with Tennessee Public Acts 1003, chapter 433 which requires Tennessee municipalities to adopt travel and expense regulations covering expenses incurred by "any mayor and any member of the local governing body and any board or committee member elected or appointed by the mayor or local governing body and any official or employee of the municipality whose salary is set by charter or general law" to provide consistent travel regulations and reimbursement, this chapter is expanded to cover regular city employees. It's the intent of this policy to assure fair and equitable treatment to all individuals traveling on city business at city expense. (2003 Code, § 1-1301)

4-502. Enforcement. The chief administrative officer (CAO) of the city or his or her designee shall be responsible for the enforcement of these travel regulations. (2003 Code, § 1-1302)

4-503. Travel policy. (1) In the interpretation and application of this chapter, the term "traveler" or "authorized traveler" means any elected or appointed municipal officer or employee, including members of municipal boards and committees appointed by the mayor or the municipal governing body, and the employees of such boards and committees who are traveling on official municipal business and whose travel was authorized in accordance with this chapter. "Authorized traveler" shall not include the spouse, children, other relatives, friends, or companions accompanying the authorized traveler on city business, unless the person(s) otherwise qualifies as an authorized traveler under this chapter.

(2) Authorized travelers are entitled to reimbursement of certain expenditures incurred while traveling on official business for the city. Reimbursable expenses shall include expenses for transportation; lodging; meals; registration fees for conferences, conventions, and seminars; and other actual and necessary expenses related to official business as determined by the CAO. Under certain conditions, entertainment expenses may be eligible for reimbursement.

(3) Authorized travelers can request either a travel advance for the projected cost of authorized travel, or advance billing directly to the city for registration fees, air fares, meals, lodging, conferences, and similar expenses.

Travel advance requests aren't considered documentation of travel expenses. If travel advances exceed documented expenses, the traveler must immediately reimburse the city. It will be the responsibility of the CAO to initiate action to recover any undocumented travel advances.

(4) Travel advances are available only for special travel and only after completion and approval of the travel authorization form.

(5) The travel expense reimbursement form will be used to document all expense claims.

(6) To qualify for reimbursement, travel expenses must be:

(a) Directly related to the conduct of the city business for which travel was authorized, and

(b) Actual, reasonable, and necessary under the circumstances.

The CAO may make exceptions for unusual circumstances.

Expenses considered excessive won't be allowed.

(7) Claims of five dollars (\$5.00) or more for travel expense reimbursement must be supported by the original paid receipt for lodging, vehicle rental, phone calls, public carrier travel, conference fee, and other reimbursable costs.

(8) Any person attempting to defraud the city or misuse city travel funds is subject to legal action for recovery of fraudulent travel claims and/or advances.

(9) Mileage and motel expenses incurred within the city aren't ordinarily considered eligible expenses for reimbursement. (2003 Code, § 1-1303)

4-504. Travel reimbursement rate schedules. Authorized travelers shall be reimbursed according to the federal travel regulation rates. The city's travel reimbursement rates will automatically change when the federal rates are adjusted.

The municipality may pay directly to the provider for expenses such as meals, lodging, and registration fees for conferences, conventions, seminars, and other education programs. (2003 Code, § 1-1304)

4-505. Administrative procedures. The city adopts and incorporates by reference--as if fully set out herein--the administrative procedures submitted by the Municipal Technical Advisory Service to, and approved by letter by, the Comptroller of the Treasury, State of Tennessee, in June 2003. A copy of the administrative procedures is on file in the office of the city recorder. (2003 Code, § 1-1305)