

## TITLE 4

MUNICIPAL PERSONNEL

## CHAPTER

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## CHAPTER 1

SOCIAL SECURITY

## SECTION

- 4-101. Policy and purpose as to coverage.
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- 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. (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)

## CHAPTER 2

VACATIONS, SICK LEAVE AND HOLIDAYS

## SECTION

4-201. Applicability of chapter.

4-202. Paid time off.

4-203. Leave records.

4-204. Holidays.

4-201. Applicability of chapter. This chapter shall apply to all full-time city officers and employees except those operating under the jurisdiction of a school, utility, or other separate board or commission. A full time officer or employee is one who works a minimum of 1800 hours per year for the city. (1977 Code, § 1-801)

4-202. Paid time off. (1) Paid time off (P.T.O.) may be used for absences for which the employee is to be paid. It is used for illness, personal time, holidays, vacations, etc.

(2) P.T.O. starts accruing when an employee has been hired full time. P.T.O. stops accruing upon the day of termination.

(3) Accrued paid time off accrues against actual time worked or leave time if comp time is used for leave and is based on the following schedule:

8%	-	0-1 Year
10%	-	2-10 Years
12%	-	11-15 Years
14%	-	16+

(4) The philosophy of a paid time off program is to give an employee a break from his work so the he can return to his work in a refreshed condition. It is expected that the employee will take all 8 holidays and at least 5 days of vacation time each year.

(5) Part-time and temporary employees are not eligible for P.T.O.

(6) P.T.O. will not be accrued on overtime, therefore, P.T.O. time base for accrual will not exceed 80 hours in any given pay period.

(7) If there is no accrued P.T.O. the employee may not be paid for absences.

(8) Fractions of a day off will be allowed if the time has been requested and properly scheduled.

(9) A resigning employee must give two weeks notice and work out this notice before he/she can receive accrued P.T.O. No P.T.O. may be taken during this two-week notice.

(10) Upon forced termination or death of employee, the employee or beneficiaries will be paid any balance of P.T.O. he/she may have accrued.

4-203. Leave records. The city manager 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. (1977 Code, § 1-804)

4-204. Holidays. Except and in addition to such other holidays as may be from time-to-time declared by the board of commissioners, the following days shall be official holidays for employees of the City of Collegedale:

<u>Holiday Name</u>	<u>Holiday Date</u>
New Year's Day	January 1st of each year
Good Friday	Friday before Easter of each year
Memorial Day	Last Monday in May of each year
Independence Day	July 4th of each year
Labor Day	First Monday in September of each year
Thanksgiving	Fourth Thursday in November of each year and the following Friday
Christmas Day	December 25th of each year
Employee's birthday	Anniversary of employee's date of birth

## CHAPTER 3

PERSONNEL REGULATIONS

## SECTION

- 4-301. Business dealings.
- 4-302. [Repealed.]
- 4-303. [Repealed.]
- 4-304. Political activity.
- 4-305. [Repealed.]
- 4-306. [Repealed.]
- 4-307. Strikes and unions.
- 4-308. Other rules and regulations.

4-301. Business dealings. Except for the receipt of such compensation as may be lawfully provided for the performance of his city duties, it shall be unlawful for any municipal officer or employee to be privately interested in, or to profit, directly or indirectly, from business dealings with the city. (1977 Code, § 1-901)

4-302. [Repealed.] (1977 Code, § 1-902, as repealed by Ord. #633, June 2006)

4-303. [Repealed.] (1977 Code, § 1-903, as repealed by Ord. #633, June 2006)

4-304. Political activity. City officers and employees may individually exercise their right to vote and, privately express their political views as citizens. However, no city officer or employee shall solicit political campaign contributions or engage in or actively participate in any city political campaign. These restrictions shall not apply to elective officials or law enforcement officers when they are not on city property, in uniform or on duty. (1977 Code, § 1-904)

4-305. [Repealed.] (1977 Code, § 1-905, as repealed by Ord. #633, June 2006)

4-306. [Repealed.] (1977 Code, § 1-906, as repealed by Ord. #633, June 2006)

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 city officer or employee to join any labor union which authorizes the use of strikes by government employees. (1977 Code, § 1-907)

4-308. Other rules and regulations. The board of commissioners may from time to time pass additional personnel rules and regulations which will be on file in the office of the recorder.

## CHAPTER 4

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

## SECTION

- 4-401. Establishment.
- 4-402. Program.
- 4-403. Coverage.
- 4-404. Standards authorized.
- 4-405. Variances from standards authorized.
- 4-406. Administration.
- 4-407. Funding the program.

4-401. Establishment. In compliance with Public Chapter 561 of The General Assembly of the State of Tennessee for the year 1972, the City of Collegedale hereby establishes the "Occupational Safety and Health Program" for its employees. (1977 Code, § 1-1001)

4-402. Program. There is hereby created a safety and health program for employes.

Title: This chapter shall provide authority for establishing and administrating the Occupational Safety and Health Program Plan for the employees of The City of Collegedale.

Purpose: The board of commissioners, 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,

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<sup>1</sup>See Appendix A for the plan of operation for the Occupational Safety and Health Program for the employees of the City of Collegedale.

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 of 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. (1977 Code, § 1-1002, as replaced by Ord. #584, Aug. 2003, and further replaced by Ord. #633, June 2006)

4-403. Coverage. The provisions of the Occupational Safety and Health Program Plan for the employees of the City of Collegedale 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. (1977 Code, § 1-1002, as replaced by Ord. #584, Aug. 2003, and further replaced by Ord. #633, June 2006)

4-404. Standards authorized. The occupational safety and health standards adopted by the board of commissioners 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. #584, Aug. 2003, and replaced by Ord. #633, June 2006)

4-405. Variations from standards authorized. The director 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 director shall notify or serve notice to employees, their designated representatives, or

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<sup>1</sup>State law reference

Tennessee Code Annotated, title 50, chapter 3.



interested parties and present them with an opportunity for a hearing. The posting of notice on the main bulletin board as designated by the director shall be deemed sufficient notice to employees. (as added by Ord. #584, Aug. 2003, and replaced by Ord. #633, June 2006)

4-406. Administration. For the purposes of this chapter, building official 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 a plan. 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. (as added by Ord. #584, Aug. 2003, and replaced by Ord. #633, June 2006)

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 board of commissioners. (as added by Ord. #584, Aug. 2003, and replaced by Ord. #633, June 2006)

## CHAPTER 5

TRAVEL REIMBURSEMENT REGULATIONS

## SECTION

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

4-501. Enforcement. The chief administrative officer (CAO) of the city or his or her designee shall be responsible for the enforcement of these regulations. (Ord. #305, Aug. 1993)

4-502. Travel policy. (1) In the interpretation and application of this chapter, the term "traveler" or "authorized travel" 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.

(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 \$5 or more for travel expense reimbursement must be supported by the original paid receipt for lodging, vehicle rental, phone call, 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. (Ord. #305, Aug. 1993)

4-503. 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. (Ord. #305, Aug. 1993)

4-504. Administrative procedures. The city adopts and incorporates by reference--as if fully set out herein--the administrative procedures submitted by MTAS to, and approved by letter by, the Comptroller of the Treasury, State of Tennessee, in June 1993. A copy of the administrative procedures is on file in the office of the city recorder.

This chapter shall take effect upon its final reading by the municipal governing body. It shall cover all travel and expenses occurring on or after July 1, 1993. (Ord. #305, Aug. 1993)