

## TITLE 4

### MUNICIPAL PERSONNEL

#### CHAPTER

1. PERSONNEL REGULATIONS.
2. WORK, VACATION, SICK LEAVE, AND HOLIDAY REGULATIONS.
3. TRAVEL REIMBURSEMENT REGULATIONS.

#### CHAPTER 1

### PERSONNEL REGULATIONS<sup>1</sup>

#### SECTION

- 4-101. Applicability of chapter.
- 4-102. Acceptance of gratuities.
- 4-103. Outside employment.
- 4-104. Employee involvement in political activities.
- 4-105. Use of municipal time, facilities, etc.
- 4-106. Use of position.
- 4-107. Strikes.
- 4-108. Report of travel.
- 4-109. Employment at will.

**4-101. Applicability of chapter.** This chapter shall apply to all officers and employees except those operating under the jurisdiction of a school, utility, or other separate board or commission. (2004 Code, § 4-101)

**4-102. Acceptance of gratuities.** No town officer or employee shall accept any money or other consideration or favor from anyone other than the town for the performance of an act which he would be required or expected to perform in the regular course of his duties; nor shall any officer or employee accept, directly or indirectly, any gift, gratuity, or favor of any kind which might reasonably be interpreted as an attempt to influence his actions with respect to town business. (2004 Code, § 4-102)

**4-103. Outside employment.** No officer or employee of the town shall accept any outside employment, without the mayor's written approval. The

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<sup>1</sup>Charter reference

Personnel rules: § 3.08.

Municipal code reference

Impersonating a government officer or employee: § 11-502.

mayor shall not grant approval if he determines that the outside employment would interfere with the satisfactory performance of the officer's or employee's duties or if the outside work is incompatible with town employment or if the outside work is likely to cast discredit upon or create embarrassment for the town. (2004 Code, § 4-103)

**4-104. Employee involvement in political activities.** Employees of the Town of Rossville shall enjoy the same rights of other citizens of Tennessee to be a candidate for any state or local political office, and the right to participate in political activities by supporting or opposing political parties, political candidates, and petitions to governmental entities; provided that no Rossville employee shall:

- (1) Participate in political activity while on duty, including the wearing of campaign buttons, pins, hats, or other similar items;
- (2) Participate in political activity while wearing a Rossville uniform or any other insignia which would identify them as a Rossville municipal employee;
- (3) Engage in campaigning which makes any reference to the position he/she holds with the Town of Rossville;
- (4) Participate in political activity while on town-owned premises or when using town-owned vehicles; or
- (5) Pursuant to *Tennessee Code Annotated*, § 7-51-1501 , no Rossville municipal employee shall be qualified to run for or hold any seat on the Rossville Board of Mayor and Aldermen. (Ord. #2016-003, June 2016)

**4-105. Use of municipal time, facilities, etc.** No town officer or employee shall use or authorize the use of municipal time, facilities, equipment, or supplies for private gain or advantage to himself or any other private person or group. (2004 Code, § 4-105)

**4-106. Use of position.** No town officer or employee shall make or attempt to make private purchases, for cash or otherwise, in the name of the town, nor shall he otherwise use or attempt to use his position to secure unwarranted privileges or exemptions for himself or others. (2004 Code, § 4-106)

**4-107. Strikes.** No town officer or employee shall participate in any strike against the town. (2004 Code, § 4-107)

**4-108. Report of travel.** All officers and employees shall make a written report to the board of mayor and aldermen of any conference, seminar, or meeting attended at town expense. (2004 Code, § 4-108)

**4-109. Employment at will.** No policy, benefit, or procedure contained herein creates an employment contract for any period of time. All employees will be considered employment at will. Employees may be terminated for failure to satisfactorily perform their duties or simply at the will of the employer, but they shall not be terminated for discriminatory or illegal purpose. (2004 Code, § 4-109)

## CHAPTER 2

### WORK, VACATION, SICK LEAVE, AND HOLIDAY REGULATIONS

#### SECTION

- 4-201. Applicability of chapter.
- 4-202. Work attendance.
- 4-203. Holidays.
- 4-204. Vacation leave.
- 4-205. Sick leave.
- 4-206. Bereavement leave.
- 4-207. Absence without leave.
- 4-208. Leave without pay.
- 4-209. Military leave.

**4-201. Applicability of chapter.** This chapter shall apply to all full-time officers and employees except those operating under the jurisdiction of a school, utility, or other separate board or commission. (2004 Code, § 4-201)

**4-202. Work attendance.** All employees shall be in attendance at their regular time and at their regular place of work as may be designated by the department head. The head of every department shall keep a daily attendance record of the employees working under such supervisor and shall report the same to the mayor. (2004 Code, § 4-202)

**4-203. Holidays.** (1) Except and in addition to such other holidays as may be from time-to-time declared by the board of mayor and aldermen, the following days shall be official holidays:

<u>Holiday Name</u>	<u>Holiday Date</u>
New Year's Day	January 1 <sup>st</sup>
Memorial Day	Last Monday in May
Independence Day	July 4 <sup>th</sup>
Labor Day	First Monday in September
Thanksgiving Day	Fourth Thursday in November
Friday After Thanksgiving	Fourth Friday in November
Christmas Day	December 25 <sup>th</sup>

(2) When a holiday falls on a Saturday, the preceding Friday shall be observed as the holiday, and when a holiday falls on a Sunday, the following Monday shall be observed as the holiday.

(3) All employees shall be compensated for any holiday granted in this chapter or otherwise designated by the board of mayor and aldermen by receiving eight (8) hours off with pay on the date of the holiday. However, in the

interest of continuing essential municipal services, any employee may be required to work on any holiday. Working on any holiday is a condition of employment for all town employees. Employees who are required to work on any holiday shall be paid double their regular pay for each hour they work on that holiday or in lieu of double time, an employee, at their option, may receive compensatory time. (2004 Code, § 4-203)

**4-204. Vacation leave.** (1) All employees who have been employed for one full year of continuous service shall be allowed vacation leave time with pay according to the following schedule:

<u>Years of Service</u>	<u>Annual Vacation Leave Time</u>
1 year	5 working days
After 2 years	10 working days
After 10 years	15 working days

For vacation leave purposes the term "working day" as it applies herein shall be computed on an eight (8) hour basis.

(2) Vacation leave compensation shall be computed at the employee's regular straight time pay rate in effect as of the date that the vacation leave time is earned.

(3) The date of service to be used in determining vacation leave time accrual rate is the beginning date of the employee's current period of continuous service or the date on which the employee was initially employed or appointed, whichever is more recent.

(4) Vacation leave may not be taken before it is earned.

(5) Temporary, casual or part-time employees are not eligible for accrual of vacation leave.

(6) Earned vacation leave may be taken in whole or in part throughout the year at such times as may be approved by the head of the department. No less than one (1) day may be taken at any one time.

(7) No more than thirty (30) days vacation leave may be accumulated by any employee.

(8) Any official holiday falling within a period of vacation leave shall be charged as holiday leave rather than vacation leave.

(9) Any employee who is separated from employment for any reason, including retirement, may receive terminal vacation leave pay for any accumulated vacation leave up to the limit of vacation leave allowed to be accumulated under this chapter. (2004 Code, § 4-204)

**4-205. Sick leave.** (1) All employees shall be allowed to accumulate sick leave with pay at the rate of one (1) working day for each full calendar month of service completed up to a maximum of thirty (30) working days. Employees who have accumulated more than thirty (30) days of sick leave as of the date of

the adoption of this section shall retain such excess accumulation, but in no case shall more than ninety (90) days of accumulated sick leave be recognized. Sick leave shall be considered a benefit and privilege and not a right for the employees to use at their discretion. Employees may utilize their accumulated sick leave for personal illness or physical incapacity, personal illness or incapacity within the immediate family of the employee (as defined in subsection (3) below), enforced quarantine of the employee in accordance with community health regulations, disability resulting from pregnancy, childbirth or related medical conditions, or so as to keep an appointment with a licensed medical doctor, dentist or other recognized health care practitioner.

(2) The board of mayor and aldermen may, in its discretion, prescribe regulations requiring that a health care practitioner's certificate or other satisfactory evidence be filed supporting the absence before it may be properly chargeable as sick leave.

(3) For sick leave purposes the term "working day" as it applies in this section shall be computed on an eight (8) hour basis. The term "immediate family" shall be defined as spouse, children, parents, brothers and sisters, and grandparents, both of the employee and spouse of the employee.

(4) The date of service to be used in determining sick leave time accrual rate is the beginning date of the employee's current period of continuous service or the date on which the employee was initially employed or appointed, whichever is more recent.

(5) Sick leave shall begin to accrue on the first day of the month next following the first full calendar month of employment.

(6) Temporary, casual or part-time employees are not eligible for accrual of sick leave.

(7) Any employee who abuses these sick leave provisions or who deliberately makes or causes to be made any false or misleading statement or claim concerning the same, shall be subject to disciplinary action.

(8) Any employee who is injured when engaging in his employment may be carried on sick leave for any accumulated sick leave that they have, but in no case shall any employee be allowed to receive sick leave pay while drawing any workers compensation disability payments. (2004 Code, § 4-205, modified)

**4-206. Bereavement leave.** All employees may be granted bereavement leave for three (3) consecutive working days immediately following the death of a member of the immediate family.

For bereavement leave purposes, "immediate family" shall be defined as spouse, children, parents, parents-in-law, brothers and sisters, and grandparents. (2004 Code, § 4-206, modified)

**4-207. Absence without leave.** An absence without leave is an absence from duty which was not authorized or approved and for which either a request for leave was not made by the employee, or when made such request was denied.

Under such circumstances any employee may be subject to such disciplinary action, including termination from employment with the town, as the board of mayor and aldermen deems necessary or appropriate. (2004 Code, § 4-207, modified)

**4-208. Leave without pay.** An employee who is in good standing may be granted a leave without pay for a period not to exceed ninety (90) calendar days in any one calendar year upon the approval of the board of mayor and aldermen. (2004 Code, § 4-208)

**4-209. Military leave.** All officers and employees of the Town of Rossville, who are, or may become members of any reserve component of the Armed Forces of the United States, including members of the Tennessee Army and Air National Guard, shall be entitled to leave of absence from their respective duties, without loss of time, pay, regular leave or vacation, impairment of efficiency rating, or any other rights or benefits to which otherwise entitled, for all periods of military service during which they are engaged in the performance of duty or training in the service of this state, or of the United States, under competent orders; provided, that an officer or employee while on such leave shall be paid his salary or compensation for a period, or periods, not exceeding twenty (20) working days in any one (1) calendar year, plus such additional days as may result from any call to active state duty pursuant to *Tennessee Code Annotated*, § 58-1-106. The military leave herein provided shall be unaffected by date of employment or length of service and shall have no effect of other leaves provided by law, regulation or practice. (2004 Code, § 4-209, modified)

## CHAPTER 3

### TRAVEL REIMBURSEMENT REGULATIONS

#### SECTION

- 4-301. Purpose.
- 4-302. Enforcement.
- 4-303. Travel policy.
- 4-304. Travel reimbursement rate schedules.
- 4-305. Administrative procedures

**4-301. Purpose.** The purpose of this chapter and referenced regulations is to bring the town into compliance with Public Acts 1993, Chapter 433. This act requires Tennessee municipalities to adopt travel and expense regulations covering expenses incurred by "any mayor and any member of the local government 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 town employees. It is the intent of this policy to assure fair and equitable treatment to all individuals traveling on town business at town expense. (2004 Code, § 4-301)

**4-302. Enforcement.** The chief administrative officer (CAO) of the town or his or her designee shall be responsible for the enforcement of these travel regulations. (2004 Code, § 4-302)

**4-303. 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 town 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 town. 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 town 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 town. 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 must be:

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

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

The CAO may make exceptions for unusual circumstances.

(c) Expenses considered excessive will not 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 call, public carrier travel, conference fee, and other reimbursable costs.

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

(9) Mileage and motel expenses incurred within the town aren't ordinarily considered eligible expenses for reimbursement. (2004 Code, § 4-303)

**4-304. Travel reimbursement rate schedules.** Authorized travelers shall be reimbursed according to the State of Tennessee travel regulation rates.

The municipality may pay directly to the provider for expenses such as meals, lodging, and registration fees for conferences, conventions, seminars, and other educational programs. (2004 Code, § 4-304)

**4-305. Administrative procedures.** The town adopts and incorporates by reference--as it fully sets out herein--the administrative procedures submitted by MTAS to, and approved by letter by, the Comptroller of the Treasure, State of Tennessee, in June 1993. A copy of the administrative procedures is on file in the office of the town recorder. (2004 Code, § 4-305)