

TITLE 4

MUNICIPAL PERSONNEL

CHAPTER

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

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 the City of Lewisburg 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. (1985 Code, § 1-1001)

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. (1985 Code, § 1-1002)

4-103. Withholdings from salaries or wages. Withholdings from the salaries or wages of employees and officials for the purpose provided in § 4-101 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. (1985 Code, § 1-1003)

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. (1985 Code, § 1-1004)

4-105. Records and reports to be made. The city shall keep such records and make such reports as may be required by applicable state and federal laws or regulations. (1985 Code, § 1-1005)

CHAPTER 2

VACATIONS AND SICK LEAVE

SECTION

4-201. Vacations and sick leave.

4-201. Vacations and sick leave. The city council may from time to time, by resolution, adopt a vacation and sick leave plan. (1985 Code, § 1-1101)

CHAPTER 3

PERSONNEL REGULATIONS

SECTION

- 4-301. Business dealings.
- 4-302. Acceptance of gratuities.
- 4-303. Outside employment.
- 4-304. Political activity.
- 4-305. Use of municipal time, facilities, etc.
- 4-306. Use of position.
- 4-307. Fidelity bond required of certain personnel.
- 4-308. At-will employment.
- 4-309. Termination.

4-301. Business dealings. Except for the receipt of such compensation as may be lawfully provided for the performance of his municipal 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 municipality. (1985 Code, § 1-1201)

4-302. Acceptance of gratuities. No city officer or employee shall accept any money or other consideration or favor from anyone other than the city 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 city business. (1985 Code, § 1-1202)

4-303. Outside employment. No full-time officer or employee of the municipality shall accept any outside employment without written authorization from the city manager. The city manager shall not grant such authorization if the work is likely to interfere with the satisfactory performance of the officer's or employee's duties, or is incompatible with his municipal employment, or is likely to cast discredit upon or create embarrassment for the municipality. (1985 Code, § 1-1203, modified)

4-304. Political activity. City 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, city employees shall not be qualified to run for mayor or city councilman. (1985 Code, § 1-1204, modified)

4-305. Use of municipal time, facilities, etc. No city 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. Provided, however, that this prohibition shall not apply where the governing body has authorized the use of such time, facilities, equipment, or supplies, and the municipality is paid at such rates as are normally charged by private sources for comparable services. (1985 Code, § 1-1205)

4-306. Use of position. No city officer or employee shall make or attempt to make private purchases, for cash or otherwise, in the name of the city, nor shall he otherwise use or attempt to use his position to secure unwarranted privileges or exemptions for himself or others. (1985 Code, § 1-1206)

4-307. Fidelity bond required of certain personnel. The fidelity bond required by article VI, § 3, of the charter shall be in the form of a blanket bond in the amount of twenty thousand dollars (\$20,000.00). (1985 Code, § 1-1207)

4-308. At-will employment. All city employees are at-will employees of the city and as at-will employees their employment does not vest in them any right for continued employment by the city. Employees may be terminated at any time with or without cause.

4-309. Termination. Employees terminating their employment shall be paid their accrued salary and vacation days through their termination date. No employee shall receive or have any right to compensation at any time.

CHAPTER 4

OCCUPATIONAL SAFETY AND HEALTH PROGRAM

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.

4-401. Title. This chapter shall provide authority for establishing and administering the occupational safety and health program for the employees of the City of Lewisburg. (1985 Code, § 1-1301, as replaced by Ord. #02-09, Oct. 2002)

4-402. Purpose. The Mayor and Council of the City of Lewisburg, in electing to establish and maintain an effective occupational safety and health program for its employees, shall:

- (1) Provide a safe and healthful place and condition of employment.
- (2) Make, keep, preserve and make available to the Commissioner of Labor of the State of Tennessee, his designated representatives, or persons within the Tennessee Department of Labor 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.
- (3) 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. (1985 Code, § 1-1302, as replaced by Ord. #02-09, Oct. 2002)

4-403. Coverage. The provisions of the occupational safety and health program for the employees of the City of Lewisburg shall apply to all employees of each administrative department, commission, board, division, or other agency of the City of Lewisburg whether part-time or full-time, seasonal or permanent. (1985 Code, § 1-1303, as replaced by Ord. #02-09, Oct. 2002)

4-404. Standards authorized. The occupational safety and health standards adopted by the Mayor and City Council are the same as, but not limited to, the State of Tennessee Safety 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). (1985 Code, § 1-1304, modified, as replaced by Ord. #02-09, Oct. 2002)

4-405. Variances from standards authorized. The may, upon written application to the Commissioner of Labor 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, Occupational Safety, Chapter 0800-1-2, 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 as designated by the city manager shall be deemed sufficient notice to employees. (1985 Code, § 1-1305, as replaced by Ord. #02-09, Oct. 2002)

4-406. 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 the program. 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. (1985 Code, § 1-1306, modified, as replaced by Ord. #02-09, Oct. 2002)

4-407. Funding the program. Sufficient funds for administering the program shall be made available as needed. (1985 Code, § 1-1307, as replaced by Ord. #02-09, Oct. 2002)