

PERSONNEL POLICIES AND PROCEDURES ORDINANCE

WHEREAS, the most effective and efficient administration of personnel policies and procedures can be carried out with written guidelines; and

WHEREAS, employees can better meet the expectations of the employer when those guidelines are specified; and

WHEREAS, the best interest of the Town of Mount Carmel require the development of such uniform policies and procedures;

Now, therefore, be it ordained by the Town of Mount Carmel, Tennessee, as follows:

SECTION ONE

GENERAL PURPOSE

It is the purpose of the Town of Mount Carmel to establish a fair and uniform system of personnel policies and procedures for all employees of the Town 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 that: (a) employment shall be based on merit and fitness, without regard to race, religion, national origin, political affiliation, sex, age, creed or color, (b) just and equitable incentives and conditions of employment shall be established and maintained, (c) all applicable state and federal regulations shall apply in personnel administration.

SECTION TWO

EMPLOYMENT AT WILL

All employees of the Town shall be employees at will and none of the provisions contained herein are intended to establish any other type of contract of employment between any employee and the Town.

SECTION THREE

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.

SECTION FOUR

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.

SECTION FIVE

BEREAVEMENT PAY

In the event of a death in the immediate family (spouse, son, daughter, brother, sister, mother, father, mother-in-law, father-in-law), employee will be given time off with pay up to three days, to make arrangements and/or attend the funeral. Employees are expected to discuss with their supervisor the amount of time that will actually be needed. In the event of a death in the immediate family other than the above-noted individuals, such as the death of aunts, uncles, and grandparents, employees will be given time off, with pay, up to one full day of work.

SECTION SIX

HOLIDAYS

Full-time employees will be given paid time off for the following holidays: New Year's Day, Good Friday, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day. To be paid for a holiday, the employee must be present on the scheduled working day immediately preceding the holiday and the scheduled working day immediately after the holiday. Holidays falling on Saturday are normally observed on the preceding Friday. Holidays falling on Sunday are normally observed on the following Monday.

SECTION SEVEN

VACATION

Full-time employees will earn the same number of hours paid vacation for each full "vacation year" of service as that employee has in his or her regular workweek. The "vacation year" starts on each employee's date of hire

and runs for the next twelve (12) consecutive calendar months. Should an employee take a leave of absence, the date of hire will change to reflect time taken off during that leave of absence. It is the purpose and intent of this section to grant employees a vacation after having worked a full year. After having worked one (1) full year, employees will be entitled to take one (1) week of vacation and be paid for the number of hours which that employee would regularly be scheduled to work in that vacation week. Vacation pay is available during the period of time that the vacation is taken. After an employee has worked two (2) full years, two (2) weeks of vacation with pay for the number of hours regularly scheduled for work over that two-week period may be taken. After an employee has worked eight (8) years, three (3) weeks of vacation may be taken with pay based on the number of regularly scheduled hours over that three-week period. If an employee chooses a vacation time which includes a paid holiday, that holiday time will not be charged to that employee's vacation account. If employment is terminated at any time before each full year of service is completed, accrued vacation is forfeited.

SECTION EIGHT

PERSONAL ABSENCE WITHOUT PAY

The Town 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 cases 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.

SECTION NINE

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, providing he or she remits to the Town 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.

SECTION TEN

GARNISHMENTS

An assignment or a garnishment of a portion of an employee's compensation is an inconvenient and unnecessary administrative expense to the Town. The Town may take such disciplinary steps, including dismissal, as are legally allowed and appropriate in the particular matter.

SECTION ELEVEN

MILITARY DUTY/LEAVE

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.

Full-time employees who are members of a military reserve unit that is required to attend a two week training session annually will be allowed to perform that obligation without loss of income. The Town will pay any difference between normal pay and the amount received in military pay for the two 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 the payment.

SECTION TWELVE

POLITICAL ACTIVITY

(Delete Title 4, Chapter Two, Section 4-204, in its entirety and substitute therefore):

The following prohibitions and restrictions on political activity shall apply to all city officers and employees, except for elected officers:

(1) In elections from municipal offices. No city officer or employee, whether on or off duty, whether in or out of uniform, and whether on or off city property, shall at any time or any place:

(a) Become a candidate for, or campaign for an elective city office.

(b) Directly or indirectly solicit, receive, collect, handle, disburse or account for assessments, contributions or other funds for a candidate for city office.

(c) Organize, sell tickets to, promote or actively participate in a fund-raising activity of a candidate for city office.

(d) Take an active part in managing the political campaign of a candidate for city office.

(e) Solicit votes in support of or in opposition to a candidate for city office or any proposition put before the voters of the Town of Mt. Carmel.

(f) Drive voters to the polls on behalf of a candidate for any city office.

(g) Endorse or oppose a candidate for city office in any political advertisement, broadcast, campaign literature or other material.

(h) Initiate or circulate a nominating petition for a candidate for city office.

(i) Wear campaign buttons, pins, hats or other similar attachments, or distribute campaign literature in support or opposition to a candidate for city office.

(2) No city officer or employee, shall while on duty, whether in or out of uniform, and whether on or off city property, at any time engage in any of the above-enumerated political activities.

(3) Leaves of absence will not be granted to city officers or employees to engage in any of the political activities enumerated above.

(4) Nothing in this section is intended to prohibit any city officer or employee from privately expressing his or her political views, casting his or her vote in all elections, and otherwise exercising his or her rights under the First Amendment to the United States Constitution.

SECTION THIRTEEN

LEGAL STATUS PROVISIONS

Conflict With Other Ordinances. In case of conflict between this ordinance or any part thereof, and the whole or part of any existing or future ordinance of the Town of Mt. Carmel, the most restrictive shall in all cases apply.

Validity. If any rule, section, or subsection of this ordinance is held by any court to be invalid or unconstitutional, the same shall not invalidate, or otherwise affect any of the other rules, sections, or subsections

of this ordinance unless it clearly appears that such other rule, section, or subsection is wholly or necessarily dependent for its operation upon the rule, section, or subsection so held invalid or unconstitutional.

Effective Date. This ordinance shall become effective upon passage, the public welfare requiring.

Passed 1st Reading March 22, 1990

Passed 2nd Reading April 26, 1990

Passed 3rd Reading May 24, 1990

Ronnie L. Davis
MAYOR

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CITY RECORDER

Michael A. Faubé
CITY ATTORNEY