

ORDINANCE NO. 138

AN ORDINANCE AMENDING TITLE 4, CHAPTER 4, OF
THE MOUNT CARMEL MUNICIPAL CODE, SECTION 4-402,
BY DELETING THE EMPLOYMENT-AT-WILL PROVISIONS
AND SUBSTITUTING A GRIEVANCE PROCEDURE

WHEREAS, the Board of Mayor and Alderman of the Town of Mount Carmel has adopted a policies and procedures manual for the employees of the Police Department of the Town of Mount Carmel, Tennessee, which includes a grievance procedure; and

WHEREAS, such a grievance procedure is contrary to and in conflict with the employment-at-will provisions which apply to all other city employees; and

WHEREAS, it is the purpose of the Town of Mount Carmel, Tennessee, 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; and

WHEREAS, the health, safety, and welfare of the employees of the Town of Mount Carmel, Tennessee, would benefit thereby;

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE TOWN OF MOUNT CARMEL, TENNESSEE, AS FOLLOWS:

SECTION ONE

MCC SECTION 4-402 "EMPLOYMENT-AT-WILL" DELETED.

MCC Section 4-402. "Employment-At-Will." shall be repealed and deleted in its entirety.

SECTION TWO

GRIEVANCE PROCEDURE ADDED

Mt. Carmel Municipal Code Title 4, Chapter Four shall be amended by adding the following section:

4-402. Disciplinary Action; Grievance Procedure.

(1) All employees of the Town shall be subject to the following types of disciplinary actions:

- (1) Oral reprimand,
- (2) Written reprimand,
- (3) Suspension without pay,

- (4) Reduction in pay grade,
- (5) Demotion, and
- (6) Dismissal.

(2) All supervisors shall report any suspension of any employee from duty as soon as possible to the Mayor, naming the employee affected and the details of the reason for the action.

(3) An employee may be dismissed by his department head with the concurrence of the Mayor, or an employee may be dismissed by the Mayor. A dismissed employee shall be apprised in writing of the reason for his discharge. Should an employee disagree with the dismissal, he shall within five (5) days from receiving the reasons in writing for his dismissal, grieve the dismissal to the Board of Mayor and Alderman. At their next regularly scheduled meeting, the Board of Mayor and Alderman shall rule on such grievance.

SECTION THREE

LEGAL STATUS PROVISIONS

A. 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 Mount Carmel, Tennessee, the most restrictive shall in all cases apply.

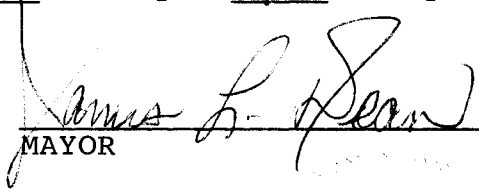
B. Validity

If any rule, section, or sub-section of this ordinance is held by any court to be invalid or unconstitutional, the same shall not invalidate, otherwise effect any of the other rules, sections, or sub-sections of this ordinance unless it clearly appears that such other rule, section, or sub-sections is wholly or necessarily dependent for its operation upon the rule, section or sub-section so held invalid or unconstitutional.

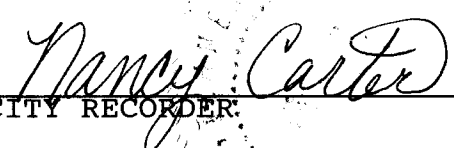
C. Effective Date

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

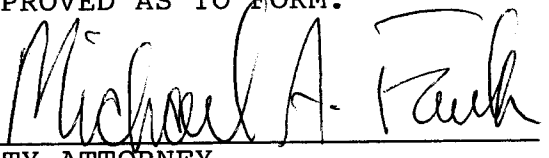
Passed First Reading	<u>3-25-1993</u>	Ayes	<u>5</u>	Nays	<u>0</u>
Passed Second Reading	<u>4-22-1993</u>	Ayes	<u>7</u>	Nays	<u>0</u>


MAYOR

ATTEST


CITY RECORDER

APPROVED AS TO FORM:


CITY ATTORNEY