TITLE 4

MUNICIPAL PERSONNEL

CHAPTER 1

SOCIAL SECURITY

SECTION

4-101. Policy and purpose as to coverage. It is hereby declared to be the policy and purpose of the City of Clifton, Tennessee, to extend at the earliest date, to employees and officials thereof, not excluded by law or this chapter, and whether employed in connection with a governmental or proprietary function, the benefits of the System of Federal Old-Age and Survivors Insurance as authorized by the Federal Social Security Act and amendments thereto, including Public Law 734, 81st Congress. 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. (Ord. #33, April 1956)

4-102. Necessary agreements to be executed. The Mayor of the city of Clifton, Tennessee, is hereby authorized and directed to execute all the necessary agreements and amendments thereto with the state executive director of old age and survivors insurance, as agent or agency, to secure coverage of employees and officials as provided in the preceding section. (Ord. #33, April 1956)

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. (Ord. #33, April 1956)

**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; which shall be paid over to the state or federal agency designated by said laws or regulations. (Ord. #33, April 1956)

**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. (Ord. #33, April 1956)

**4-106. Exclusion.** There is hereby excluded from this chapter any authority to make any agreement with respect to any position or any employee or official now covered or authorized to be covered by any other ordinance creating any retirement system for any employee or official of the city. (Ord. #33, April 1956)
CHAPTER 2

OCCUPATIONAL SAFETY AND HEALTH PROGRAM

SECTION
4-201. Title. This chapter shall provide authority for establishing and administering the occupational safety and health program for the employees of City of Clifton. (Ord. #73, May 1975, as replaced by Ord. #185, July 2002)

4-202. Purpose. The board of commissioners, 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. (Ord. #73, May 1975, as replaced by Ord. #185, July 2002)

4-203. Coverage. The provisions of the occupational safety and health program for the employees of the City of Clifton shall apply to all employees of each administrative department, commission, board, division, or other agency of the City of Clifton whether part-time or full-time, seasonal or permanent. (Ord. #73, May 1975, as replaced by Ord. #185, July 2002)

4-204. Standards authorized. The occupational safety and health standards adopted by the City of Clifton 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 § 6 of the Tennessee
Change 2, September 2, 2003

Ottessional Safety and Health Act of 1972.\(^1\) (Ord. #73, May 1975, as replaced by Ord. #185, July 2002)

4-205. **Variance from standards authorized.** The board of commissioners 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 board of commissioners 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 board of commissioners shall be deemed sufficient notice to employees. (Ord. #73, May 1975, as replaced by Ord. #185, July 2002)

4-206. **Administration.** For the purposes of this chapter, the public safety officer 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 safety standards. The director shall develop a plan of operation for the program and said plan shall become a part of this chapter\(^2\) 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. (Ord. #73, May 1975, as replaced by Ord. #185, July 2002)

4-207. **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. (Ord. #73, May 1975, as replaced by Ord. #185, July 2002)

4-208 – 4-212. [Deleted.] (Ord. #73, May 1975, as replaced by Ord. #185, July 2002)

---

\(^1\)State law reference

Tennessee Code Annotated, title 50, chapter 5.

\(^2\)The occupational safety and health program plan is included in this municipal code as Appendix 1.
CHAPTER 3

PERSONNEL SYSTEM

SECTION
4-301. Purpose of a personnel system.
4-302. Coverage.
4-303. Administration of the personnel system.
4-304. Personnel rules and regulations.
4-305. Personnel records.
4-306. Right to contract for special services.
4-307. Discrimination.
4-308. Amendments.

4-301. **Purpose of a personnel system.** The purpose of this chapter is to establish a system of personnel administration in the City of Clifton that is based upon merit and fitness. The system shall provide means to select, develop, and maintain an effective municipal work force through the impartial application of personnel policies and procedures free of personal and political considerations and regardless of race, sex, age, creed, national origin or handicapping condition.

4-302. **Coverage.** All offices and positions of the municipal government are divided into the classified service and the exempt service. The classified service shall include all regular full-time employees in the city's service unless specifically placed in the exempt service.

Offices and positions of the municipal government placed in the exempt service are as follows:

1. All elected officials.
2. The city manager.
3. Members of appointed boards and commissions.
4. Consultants, advisers, and legal counsel rendering temporary professional service.
5. City attorney.
6. Independent contractors.
7. Persons employed not more than three (3) months during a fiscal year.
8. Part-time employees paid by the hour and not considered regular part-time.
10. City judge.

All employment positions of the municipal government not expressly exempted from coverage by this section shall be subject to the provisions of the city charter.
4-303. **Administration of the personnel system.** The personnel system shall be administered by the city manager or his designee, with the following duties and responsibilities:

1. Exercise leadership in developing an effective personnel administration system subject to provisions in this chapter, other ordinances, the city charter, and federal and state laws relating to personnel administration.

2. Establish policies and procedures for the recruitment, appointment, and discipline of all employees of the municipality subject to those policies as set forth in this chapter, the city charter and the municipal code.

3. Fix and establish the number of employees in the various municipal government departments and offices and determine the duties, authority, responsibility, and compensation in accordance with the policies as set forth in the city charter and code, and subject to any required approval of the city commission and budget limitations.

4. Foster and develop programs for the improvement of employee effectiveness, including training, safety, and health.

5. Maintain records of all employees subject to the provisions of this chapter of the city code which shall include each employee’s class, title, pay rates, and other relevant data.

6. Make periodic reports to the city commission regarding the administration of the personnel system.

7. Prepare and recommend to the city commission a pay plan for all municipal government employees.

8. Develop and administer such recruiting programs as may be necessary to obtain an adequate supply of competent applicants to meet the employment needs of the municipal government.


10. Develop a city travel policy covering travel reimbursement for employees and elected officials in conformance with state law.

11. Perform such other duties and exercise such other authority in personnel administration as may be prescribed by law and the city commission.

4-304. **Personnel rules and regulations.** The city manager shall develop further rules and regulations, in the form of a policies and procedures manual, necessary for the effective administration of the personnel system. The city commission shall adopt the rules and regulations presented to them by the city manager with any necessary amendments agreed to by the commission. Amendments to the rules and regulations shall be made in accordance with the procedure below.

4-305. **Personnel records.** The city recorder shall maintain adequate records of the employment history of every employee as specified herein.
4-306. **Right to contract for special services.** The city commission may contract with any competent agency for the performance of such technical services in connection with the establishment of the personnel system or with its operation as may be deemed necessary.

4-307. **Discrimination.** No person in the classified service or seeking admission thereto, shall be employed, promoted, demoted, or discharged, or in any way favored or discriminated against because of political opinions or affiliations, or because of race, color, creed, national origin, sex, ancestry, age, or religious belief.

4-308. **Amendments.** Amendments or revisions to the personnel rules and regulations may be recommended for adoption by the city manager. Such amendments or revisions of these rules shall become effective after adoption by the city commission.