



**TOWN OF ASHLAND CITY**  
**Regularly Scheduled Workshop Meeting**  
**March 03, 2020 6:00 PM**  
**Agenda**

**Mayor:** Steve Allen

**Vice Mayor:** Daniel Anderson

**Council Members:** Tim Adkins, Gerald Greer, Lisa Walker, Roger Jackson, Chris Kerrigan

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**CALL TO ORDER**

**ROLL CALL**

**APPROVAL OF AGENDA**

**APPROVAL OF MINUTES**

- [1.](#) Workshop Meeting Minutes 2-4-2020

**REPORTS:**

2. Fire, Codes, and IT Report
3. Police Department
4. Court Department
5. Senior Center
6. Parks Department
7. Public Utilities/Works
8. City Recorder
9. Financial Manager

**OLD BUSINESS:**

- [10.](#) Ordinance: Fiscal Year 2019-2020 Budget Amendment #2
- [11.](#) Ordinance: Amending Title 15: Rules of Road
- [12.](#) Ordinance: Updating Title 18 Chapter 1: Section 7: 18-107
- [13.](#) Ordinance: Title 2, Chapter 2: Parks and Recreation Advisory Board
- [14.](#) Resolution: Employee Manual Updates
15. Josh Wright Building Presentation

**NEW BUSINESS:**

- [16.](#) Ordinance: Rezone Map 64 Parcel 11.01- Highway 12 South and Caldwell Road
- [17.](#) Pickleball Discussion
- [18.](#) Resolution: TOSHA Occupational Safety and Health Program Plan
- [19.](#) Resolution: Wage and Salary Policy
20. Resolution: Charter Changes

**SURPLUS PROPERTY NOMINATIONS:**

**EXPENDITURE REQUESTS:**

- [21.](#) Cheatham County Enhancement Coalition Half Marathon Sponsorship

**OTHER.**

## ADJOURNMENT

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*Those with disabilities who require certain accommodations in order to allow them to observe and/or participate in this meeting, or who have questions regarding the accessibility of the meeting, should contact the ADA Coordinator at 615-792-6455, M-F 8:00 AM – 4:00 PM. The town will make reasonable accommodations for those persons.*



**TOWN OF ASHLAND CITY**  
**Regularly Scheduled Workshop Meeting**  
**February 04, 2020 6:00 PM**  
**Minutes**

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**CALL TO ORDER**

Mayor Allen called the meeting to order at 6:01 p.m.

**ROLL CALL**

PRESENT

Mayor Steve Allen

Vice Mayor Daniel Anderson

Councilman Tim Adkins

Councilman Gerald Greer

Councilman Chris Kerrigan

Councilwoman Lisa Walker

ABSENT

Councilman Roger Jackson

**APPROVAL OF AGENDA**

A motion was made by Councilwoman Walker, seconded by Councilman Adkins, to approve the agenda as written. Motion passed unanimously by voice vote.

**APPROVAL OF MINUTES**

1. Workshop Meeting Minutes 1-7-2020

A motion was made by Councilman Adkins, seconded by Councilwoman Walker, to approve the 1-1-2020 meeting minutes as written. Motion passed unanimously by voice vote.

**REPORTS:**

2. Fire and Codes

Chief Walker provided council with the January 2020 report showing 82 calls. He stated the department has twelve new volunteers and in two weeks the department will be working with Dickson City to do a live burn at the training tower. Chief Walker said his codes employee Tom Ponder is no longer employed with the City and has been replaced by Mr. Justin Short as an internal transfer from Public Works. He stated Mr. Short will start as Property Maintenance then work up to Building Inspector. Chief Walker stated the Planning Committee approved a 13 lot subdivision near/on Forrest St., North Poole, and Gallaher, and one property on HWY 12 South was recommended for rezone on next month's Planning Committee meeting

I.T. Report

Chief Walker stated he has no written report for IT; however, Mr. Jake Greer and Mr. Derek Noe have updated all firewalls, made progress on Office 365, the current server issue, patrol cars remote management system, are working to correct email servers, and are working with the County for record sharing. Mr. Greer closed ten of twelve IT tickets in January 2020. Chief Walker stated the contract for Office 365 should be available next week.

3. Police Department

Chief Ray stated a lot of calls last month and the department is back to full staff from some being out on sick leave. He stated they will begin testing for Sargent next week.

4. Court Department

Ms. Anita Justice stated business as usual.

5. Senior Center

Ms. Melissa Womack stated business as usual. She stated the applications have been picked up for the open position. She said the Event Committee met and discussed the upcoming Disc

Golf Tournament as well as Easter craft sells and food trucks taking place on April 11, 2020. She stated Mr. Scott Sampson got with HB Clark and 45 people have signed up to participate and is almost full.

6. Parks Department

Mr. Scott Sampson was absent. Mr. A.C. Clark was there to fill in. He stated they are getting ready for Summerfest vendors and for the youth sports season to start up. Mayor Allen asked about the date for the Pow Wow which was requested to be held at Riverbluff park this year. It was determined to get with Mr. Sampson on date and time.

7. Public Utilities/Works

Mr. Clint Biggers stated they tore down a single wide trailer that was condemned on Maple Drive. He stated they have started the Sycamore Square water tank project and currently are waiting on metal and the sewer treatment plant land description has been written out and is to be turned into the County and waiting for grant to get completed. Councilman Tim Adkins said a resident approached him about trash on Hwy 12 South and he is asking who is responsible for cleaning that area. Mr. Gary Binkley stated he will call the sheriff and request it be put on their list.

8. City Recorder

Ms. Kellie Reed stated the front office had 7 cut-offs last month. Further, she is working on the Industrial Access Road Grant and had a meeting with the business owners. Councilman Chris Kerrigan asked about electrical permits and Ms. Gayle Bowman stated she previously spoke with Mr. Dwight Thornton and Mr. Jason Scott and they requested we continue doing permits in the office for him if he sends the customer to us. Ms. Bowman stated she has not given a definite answer yet but the ladies at City Hall are giving customers the information for the website.

**OLD BUSINESS:**

9. Contract from Pyro Shows for fireworks

Ms. Reed stated this agreement is for this year's fireworks show for Summerfest and will set up at the walking tract. She stated this is the final agreement.

10. Tennessee Waltz Parkway/Highway 12 Red Light Design

Mr. Biggers stated the Council has a copy of the engineer's report on the estimated cost of a basic red light. He stated the last 5 items on the list are optional and we need to decide if the optional items are needed or wanted.

**NEW BUSINESS:**

11. I Am Responding Subscription Renewal Agreement

Chief Walker stated this is already in the budget and is a program used to schedule the volunteer firemen and have been using this program for about 7 years

12. Contract Rider for Summerfest Performer (Clayton Quisenberry)

Ms. Reed spoke for Mr. Sampson stating Mr. Sampson requested this item be added to tonight's agenda. She said this contract is for one performer to play at Summerfest. It was discussed that we do pay other performers for Music on Main as well as Summerfest from monies allowed in the budget but have not had one request a contract before. Mayor Allen stated Mr. Sampson may have more information on this when he returns.

13. Open Roads Policy Agreement

Chief Ray stated this agreement is with the State and states we agree to open any closed roads as soon as possible and the State will assist.

14. Creation of a Parks and Recreation Advisory Board Discussion

Ms. Reed stated that to her knowledge this was passed as a Resolution in 2016 and after speaking with MTAS it should be an Ordinance and will require two readings. Ms. Reed said Mr. Sampson would be involved but not a board member, and he will report back to Council on any updates from the advisory board made up of five members. She said if it passes in February it will take effect 20 days later. Mayor Allen asked about pay for the members. Ms. Reed stated they will be paid \$62.50 a meeting and for any special called meetings if needed

and the Mayor will appoint the members. Councilwoman Walker stated that other boards need to be looked into as she thinks the Events Committee does not have a term date. Ms. Reed said that was already on her list of to-dos.

15. Dog Park Agreement and Resolution

Ms. Reed stated that Ms. Jennifer Noe had requested for her to show the council pictures of what the park in Kingston Springs looks like and Ms. Reed projected the photos and a video for council to view. Ms. Amanda Melton also presented a letter of support/agreement and estimates for construction for the dog park. Ms. Reed stated Ms. Noe is currently working on the resolution and looking over the letter of support/agreement. Councilman Adkins asked if the agreement was needed to apply for the grants. Ms. Reed stated yes. Councilman Adkins asked how many grants. Ms. Melton stated there will be 2 grants for an estimated total of \$20,000.00 and are due in April or June.

16. Community Development Block Grant Resolution

Ms. Reed stated with Resolution passed in November 2019 for sewer lift stations, however the State changed a few things and the Resolution will need to change to accommodate the changes.

17. Resolution: Employee Manual Updates

Ms. Reed stated Ms. Bowman presented these changes at the last budget meeting and Ms. Noe has looked and made recommendations for changes.

18. Ordinance: Rules of the Road

Ms. Reed stated Ms. Noe requested this be added to the agenda. Ms. Justice requested to see the Ordinance before the reading as she brought this Ordinance to Ms. Noe's attention.

19. Ordinance: Updating Title 18 Chapter 1: Section 7: 18-107

Ms. Reed stated this is an Ordinance to update our current leak adjustment policy for Servline policy that will be in the packet for next week's meeting and finalizing with Ms. Noe.

20. Ordinance: Fiscal Year 2019-2020 Budget Amendment #2

Ms. Reed stated this amendment is for several items already approved; \$16,000.00 salary study, engineering fees for traffic light design options, and \$3,500.00 for Ms. Justice's traffic school material.

**SURPLUS PROPERTY NOMINATIONS:**

None.

**EXPENDITURE REQUESTS:**

21. Award Bid Replacing Fire Station II. roof

Chief Walker stated there was a pre-bid meeting and four contracts attended. Open bids will take place Friday February 7, 2020. Chief said this is a budgeted item but may run over the budget as they have found more issues to repair or replace.

**OTHER.**

Councilwoman Walker requested an updated spreadsheet showing all current City grants. Councilman Greer stated he saw an ad on Facebook for HGTV to do a hometown makeover and requested permission to submit Ashland City. Mayor Allen said he feels this is a good idea if the deadline can be met of Friday February 7, 2020. Chief Walker offered Councilman Greer the use of the Fire Departments drone.

**ADJOURNMENT**

A motion was made by Councilman Greer, seconded by Councilman Kerrigan to adjourn the meeting. All approved by voice vote. Meeting adjourned at 6:48 p.m.

**ORDINANCE #**

**AN ORDINANCE TO ACCEPT A BUDGET AMENDMENT FOR THE 19/20 FISCAL YEAR.**

**WHEREAS**, the Mayor and Council appropriate \$3,500 for the Court Department’s traffic school materials line item; and

**WHEREAS**, the Mayor and Council appropriate \$16,000 for the General Government and Administration consultant services line item for the salary study project; and

**WHEREAS**, the Mayor and Council appropriate \$180,355 for the engineering fees and construction for the traffic signal design which will be reimbursed by A.O. Smith per the berm agreement; and

**WHEREAS**, the Mayor and Council appropriate an additional \$9,750 for the pedestrian crossing equipment cost for the traffic signal design project.

**NOW THEREFORE, BE IT ORDAINED**, by the Mayor and Council of the Town of Ashland City, Tennessee that this ordinance shall become effective 20 days after final passage the public welfare requiring.

**SECTION 1.** A budget amendment consisting of the available funds and appropriations be adopted for the General Fund:

<i>General Fund</i>	<i>Beginning Budget</i>	<i>Ending Budget</i>
Court Department	\$273,050.00	\$276,550.00
Recorder Office and General Government	\$1,369,250.00	\$1,575,355.00

1<sup>st</sup> reading February 11, 2020  
Public Hearing March 10, 2020  
2<sup>nd</sup> reading March 10, 2020

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Mayor Steve Allen

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City Recorder Kellie Reed, CMFO, CMC

**ORDINANCE #**

**AN ORDINANCE OF THE TOWN OF ASHLAND CITY, TENNESSEE,  
REPLACING MUNICIPAL CODE, TITLE 15 AND ADOPTING BY  
REFERENCE STATE TRAFFIC OFFENSES AND RULES OF THE ROAD.**

**WHEREAS**, the City Council desires to adopt by reference state traffic offenses, registration requirements and rules of the road; and

**WHEREAS**, the Tennessee General Assembly allows municipalities to the adoption of state laws by reference;

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the Town of Ashland City, Tennessee that Section 15 of the Municipal Code is hereby repealed in its entirety and replaced as follows:

**15-101. Adoption of state traffic statutes.** By the authority granted under Tennessee Code Annotated § 16-18-302, the Town of Ashland City adopts by reference as if fully set forth in this section, the “Rules of the Road,” as codified in Tennessee Code Annotated §§ 55-8-101 through 55-8-199 and §§ 55-8-201 through 55-8-207. Additionally, the Town of Ashland City adopts Tennessee Code Annotated §§ 55-4-101 through 55-4-128, §§ 55-4-130 through 55-4-133, §§ 55-4-135 through 55-4-136, §§ 55-8-301 through 55-8-307, §§ 55-9-401 through 55-9-408, §§ 55-9-601 through 55-9-606, §55-12-101 et al (Tennessee Financial Responsibility Law of 1977), and § 55-50-351, by reference as if fully set forth in this section.

This ordinance shall take effect 20 days after the final reading, the public welfare requiring it.

First Reading: February 11, 2020

Public Hearing: March 10, 2020

Second and Final Reading: March 10, 2020

\_\_\_\_\_  
Mayor Steve Allen

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City Recorder Kellie Reed, CMFO, CMC

Approved as to form: \_\_\_\_\_  
City Attorney Jennifer Noe

**ORDINANCE #**

**AN ORDINANCE BY THE TOWN OF ASHLAND CITY, TENNESSEE TO  
AMEND TITLE 18, CHAPTER 1, SECTION 18-107**

**WHEREAS**, the Mayor and Council have contracted with an insurance provider for coverage of water loss due to leaks; and

**WHEREAS**, this coverage adopts the towns previously approved policies for adjustments; and

**WHEREAS**, the Mayor and Council of Ashland City, Tennessee has given due consideration to change the Code of Ordinances of the Ashland City and wish to update Title 18 Chapter 1, Section 18-107.

**NOW, THEREFORE BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF ASHLAND CITY, TENNESSEE**, that Title 18, Chapter 1, Section 18-107 be amended to read in its entirety as follows:

18-107. Water and sewer scheduled rates and charges.

(1) The charges and/or rates for water and sewer and/or water and sewer services provided and furnished by the Town of Ashland City, Tennessee, to its inhabitants, and to all users of such water and sewer services, for each and every calendar month of the year, are hereby adopted, fixed, and established as set forth in the following schedule, to-wit:

	<b>WATER RATES</b>		<b>SEWER RATES</b>
	<i>Inside City Limits</i>	<i>Outside City Limits</i>	<i>ALL</i>
Base Charge (minimum fee)	\$10.89	\$20.44	\$10.89
<b>ALL RATES ARE PER 1,000 GALLONS</b>			
First gallon used to last gallon	\$7.17	\$8.18	\$7.17

The water and sewer rates may be adjusted each budgeting cycle to meet the operational requirements including expenses and debt service obligations.

Flat Rate Sewer- Monthly	\$8.00
Non-refundable Application Fee-owner	\$50.00
Non-refundable Application Fee-renter	\$100.00
Residential STEP fee- monthly	\$9.50
Commercial STEP fee- monthly	10% of combined water and sewer total
Returned check	Amount allowable by State Law
Reconnection Fee- inside city limits	\$50.00
Reconnection Fee- outside city limits	\$75.00
After Hours Reconnection Fee- inside city limits	\$75.00
After Hours Reconnection Fee- outside city limits	\$100.00



Industrial rates outside of the industrial park sewer system may be charged at the rate listed above but be charged on the number of gallons of sewer versus number of gallons of water if the industrial user installs a dedicated line to the plant with an appropriate manhole for testing of the sewer and approval of the line by the Town of Ashland City.

(2) Billing and payment.

- (a) Utility bills for residences will be rendered monthly. Commercial and industrial customers may be billed monthly or more frequently, at the discretion of the **City Council**. **The accounting department shall notify each customer of amount due for water and/or sewer services provided.**
- (b) Utility bills shall include a “net” amount and a “gross” amount. The gross amount is due as specified on the bill and is the net plus ten (10) percent.
- (c) Should the net date for payment of a bill fall on a weekend or a holiday, the bill may be paid on the following business day at the net amount.
- (d) When a customer does not pay current bill by the cutoff date, service shall be discontinued in accordance to the utility’s discontinuance of service policy.
- (e) Utility bills are recognized, as a routine bill owed by the customer. The customer’s failure to receive a bill does not change in any way the customer’s obligation to pay the amount due in a timely manner.
- (f) The following bill payment method/locations are acceptable:
  - (i) Mail - payment will be posted according to the postmark on the payment.
  - (ii) Drop-off box - payment posted on business day that box is opened.
  - (iii) Town hall and other designated areas as approved by the governing body.
  - (iv) Automatic ach withdrawal.
  - (v) Credit card.
- (g) The following residential dwellings shall have a separate meter for each living unit:
  - (i) Single family dwellings and duplexes if being served by more than one (1) electric meter base after the effective date of the ordinance comprising this chapter. However, duplexes may elect to have one (1) commercial tap upon giving reasonable notice the city.
  - (ii) Triplexes and multiplexes (three or more meters) if individually owned
  - (iii) Condominiums after the effective date of the ordinance comprising this chapter. However, condominiums may elect to have one (1) commercial tap if the bill will be paid by one (1) individual such as a homeowner’s association upon giving reasonable notice to the city
  - (iv) Mobile homes and mobile home parks after the effective date of the ordinance comprising this chapter.
  - (v) Apartment buildings that were receiving utility service prior to the implementation of the ordinance comprising this chapter.
- (h) The following residential dwellings shall have one (1) commercial tap for all living units:
  - (i) Apartment buildings consisting of four (4) or more units; (i) All customers in section (g) and (h) above who are allowed to receive service to multiple users though a single meter shall be charged commercial rates if those differ from residential rates. In addition, the following method of bill computation shall apply: The bill shall be calculated by the number of units multiplied by the base charge for water and sewer plus the fee for gallons of water and sewer used. The total bill shall be the responsibility of the customer who contracted for the metered service. Example: 12-unit residential complex 12 units multiplied by the base charge plus water usage
  - (j) Each customer must give a one (1) day notice to the utility of service termination.
  - (k) Procedure for customer notification of discontinuance of service: (i) In person: customer must present acceptable identification, or
  - (ii) Mail or fax: customer must include address, account number, and one other form of positive account identification

(3) Adjustments of billing. Customers have the option of participating or opting out of the insurance program which covers water loss due to leaks. If the customer opts out of the insurance coverage the water loss will be at the customer's expense. Customer's that choose to participate in the insurance program will be required to file claims for adjustments through the insurance provider under the Town's previously adopted policy restrictions as follows:

- (a) It is the customer's responsibility to keep his plumbing system in good working order.
- (b) The "utility" will first determine that the meter was properly read. If an investigation of the meter and meter records establishes that the meter was misread or that there was a failure of utility equipment, a new bill will be issued using an estimated reading based on an average of the past 12 months' billings for this period. There will be no penalty assessed in the event the adjustment procedure delays payment past the penalty date.
- (c) If an investigation of the meter and meter record establishes that the meter was properly read and that there was no failure of utility equipment, the bill will remain valid and payable.
- (d) Adjustments for water.
  - (i) Will be considered only if the leak caused the bill to be five (5) times an average bill. A signed affidavit showing proof of repair will be required before an adjustment can be issued. The calculation for a bill five times greater is as follows:
    - (A) Determine the average usage of past 12 months then subtract average from usage billed;
    - (B) Take one-half of usage difference;
    - (C) Add average usage and one-half of difference, and
    - (D) The total usage will be the new amount billed. Only one (1) adjustment for water will be allowed in one calendar year.  
Example: 12 Month Average = 5,500 gallons Bill with leak = 35,500 gallons (This is 5 times greater than average)  
Difference = 30,000 gallons One-half of difference = 15,000 gallons  
Average + difference = 20,500 gallons (Adjusted bill amount)
  - (ii) Adjustments for sewer will be considered when a leak occurs in the water system of the customer and the leak does not enter the sewer system. The sewer bill will be adjusted to an average annual bill. An example of this would be a pipe leak in the ground on the customer's property. Water leaks that enter into the sewer system, such as a faucet leak, will be adjusted on the same basis as a water leak. Sewer adjustment is limited to two (2) consecutive billing periods per leak.
  - (iii) Adjustments for swimming pools will be for sewer only and one (1) per calendar year. The adjustment will be based on the capacity of water in gallons held by the pool.
- (e) Adjustments on water and sewer bills will not be made on the following:
  - (i) Routine dripping faucets, leaking commodes, or any type of faulty customer plumbing;
  - (ii) Premises left or abandoned without reasonable care for the plumbing system;
  - (iii) Watering of lawns or gardens.
- (f) The "utility" shall not be obligated to make adjustments of any bills not disputed within thirty (30) days from the billing date.
- (g) All requests for billing adjustments must be received by phone, in writing or in person at the business office of the "utility" during regular business hours or official meetings of the "utility."
- (h) The mayor or his designee shall file a written report of the customer billing adjustment and the action of the staff regarding the adjustments.
- (i) The governing body has the discretion to grant adjustment associated with natural disasters.
- (j) The governing body authorizes the department head and/or administrator the discretion to grant a payment plan for a person with extenuating circumstances.

(4) Service connections.

- (a) The service connection to single family residences shall be limited to serving one residence only. No other dwelling, whether located on the same parcel or on an adjoining parcel, shall be served

through the same service connection. Customers may have lines extended to barns and other uninhabited buildings as part of his service, provided that the installation meets the utility's specifications.

- (b) A residential tapping privilege shall not entitle a customer to connect a commercial or industrial business such as a beauty parlor or repair shop to the utility's lines without notifying the utility and paying the additional amount required for a commercial or industrial tap.
- (c) Authorized employees, representatives and contractors of the utility shall have access to all properties served by the utility at reasonable times for the purpose of reading meters, maintaining and inspecting lines and connections to the utility (or believed to be connected to the utility), observation, measurement, sampling and testing as provided by the policies of the utility and by state and federal law.
- (d) The failure of a customer to comply with the provisions of this and other ordinances and policies of the utility shall constitute a breach of contract by the customer. Any customer found to be violating any provision of this ordinance shall be served by the utility with written notice stating the nature of the violation and providing a time limit for the satisfactory correction thereof. The offending customer shall, within the period of time stated in such notice, permanently cease all violations.
- (e) Any customer who shall continue any violation beyond the time limit stated in the notice shall be disconnected from the system at the convenience of the utility.
- (f) If more than one customer is served from a single residential meter installation, the reliability and lifespan of the equipment is impaired. Failure to give notice of additions or changes in load to utility equipment shall render the customer liable for any damage to utility lines or other equipment caused by the addition or modified installation.
- (g) The following residential dwellings shall have a separate meter for each living unit:
  - (i) Single family dwellings and duplexes if being served by more than one electric meter base after the effective date of this ordinance
  - (ii) Triplexes and multiplexes (three or more meters) after the effective date of this ordinance;
  - (iv) Condominiums after the effective date of this ordinance;
  - (v) Mobile homes after the effective date of this ordinance;
  - (vi) Mobile home parks applying for service after the effective date of this ordinance,
  - (vii) Apartment buildings applying for new service after the effective date of this ordinance, except by written agreement with the utility.
- (h) The following residential dwellings shall be allowed to maintain multiple living units on one commercial tap:
  - (i) Mobile home parks consisting of five (5) or more units that were receiving utility service prior to the implementation of this ordinance
  - (ii) Apartment buildings consisting of five (5) or more units that were receiving utility service prior to the implementation of this ordinance.
  - (iii) Hotels, motels and campgrounds consisting of five (5) or more units, regardless of when service was initiated.
  - (iv) All customers in section (g) above who are allowed to receive service to multiple users through a single meter shall be charged commercial rates if those differ from residential rates. In addition, the following method of bill computation shall apply: The bill shall be calculated by the number of units, less one, multiplied by the minimum charge plus the original billed amount. The total bill shall be the responsibility of the customer who contracted for the metered service. Example: 12 Unit Residential Complex 12 units multiplied by minimum billing plus usage.

(5) Bad check. When financial institutions return a check or ach withdrawal to the city for insufficient funds or account closed the city will levy a service charge for the amount of check or withdrawal and will require the check to be picked up or the ach withdrawal to be paid by a specified date. Bad

check/ach withdrawal service charge is established Change 11, April 12, 2016 18-11 under this subsection and the customer may be required to pay the amount by money order, cashier's check or cash, at the discretion of the utility personnel.

(6) Charges for new service.

- (a) Any customer or potential customer desiring utility service from this utility shall fill out a customer application form. The fee associated with the application is not a security deposit and is not refundable unless the utility cannot, within a reasonable period of time, provide service.
- (b) No application fee shall be assessed to a property owner who resumes responsibility for service formerly in the name of a tenant.
- (c) A tap fee is a charge made when utility service is initially run from the main line to the customer's property line. The ownership of the tap is conveyed along with the property.
- (d) A residential or commercial/industrial tap shall entitle a customer to utility service to one and only one dwelling or business. If a second residential dwelling or business is to receive service on the same or neighboring tract, a second tap must be obtained, unless otherwise determined by the governing body.
- (e) If any customer fails to disconnect any additional dwellings during the allotted time period, the customer's service shall be disconnected for violation of the rules and regulations of this utility at the convenience of the utility.
- (f) The owner of a property may be allowed to call in to have temporary service restored to his rental property without having to come in to the office in person, as long as all accounts are current.

(7) Temporary or seasonal charges.

- (a) Customers requiring temporary service shall pay all costs of connecting and disconnecting service, in addition to the regular charge for water used, provided such temporary service can be feasibly provided at the discretion of the utility. No application fee shall be assessed to a property owner who resumes responsibility for service formerly in the name of a tenant.
- (b) The customer shall pay all costs for the discontinuance and reinstatement of service for any other purposes for the customer's exclusive benefit.
- (c) If a customer wishes service to be temporarily turned off, he must contact the utility in person or in writing. Depending on the duration of the cut-off, the utility will valve off or remove the meter, at its discretion.
- (d) As long as the account is active, a minimum bill will be assessed at each billing period. All taps made after the acceptance of this ordinance will be considered an active account so a minimum bill will be assessed. (The minimum bill reflects each customer's share of the overhead to operate the system). By keeping the account active, the customer can demand service at any time and therefore must share in the costs.

**BE IT FURTHER ORDAINED**, this Ordinance shall be effective twenty (20) days after the final passage, to the public welfare requiring it.

1st reading February 11, 2020

Public hearing March 10, 2020

2nd reading March 10, 2020

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Mayor Steve Allen

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City Recorder Kellie Reed, CMFO, CMC

## **ORDINANCE #**

### **AN ORDINANCE BY THE TOWN OF ASHLAND CITY TO ESTABLISH TITLE 2 CHAPTER 2 OF THE MUNICIPAL CODE**

**WHEREAS**, Resolution 2016-02 previously established a Parks and Recreation Advisory Board with the purpose of advisement and recommendation to City Council on all matters to the establishment, maintenance, and operation; and

**WHEREAS**, the Mayor and Council wish to add the Parks and Recreation Advisory Board to the Town of Ashland City Code of Ordinances.

**NOW THEREFORE, BE IT RESOLVED**, by the Mayor and City Council of Ashland City, Tennessee that a Parks and Recreation Advisory Board shall be established under Title 2 Chapter 2 titled Parks and Recreation Board of the Municipal Code be added as follows:

2-201. Purpose. The Ashland City Parks and Recreation Board, herein this chapter referred to as the Board, shall be composed of five (5) members. The duties of the Board shall be to advise and recommend to the Parks Department and City Council on all matters to the establishment, maintenance, and operation of the city parks and recreation programs for the Town of Ashland City and its inhabitants and to carry out other duties as may be assigned by the City Council.

2.202. Terms of Office. The terms of the office for the Board shall commence on May 1<sup>st</sup> and shall be two (2) years in length. The members of the board shall be appointed by the Mayor on a staggered basis with three (3) expiring in uneven years and two (2) expiring in even years. The Board will be established in May 2020 and the first Board will have two (2) member's terms that will expire in 2022 and three (3) member's terms that will expire in May 2023. The Board shall appoint one (1) member to serve as Chairperson and one (1) member to serve as Vice-chairperson on an annual basis, as selected by the Board at the July meeting. Members appointed to fill vacancies on the Board shall be for the remainder of the term of his/her predecessor.

2.203. Termination. Any board member appointed by the Mayor shall forfeit that membership if absent for more than three (3) meetings in a twelve-month period that are considered unexcused or twenty-five percent (25%) of the meetings, whichever is greater, in one appointment year. If a member goes beyond this absenteeism limit, the Mayor shall be advised by the Board to declare the position vacant and appoint a new member to fill the vacancy. Unexcused absences include failure to notify Chairperson or Vice-Chairperson of a valid reason or good cause, as determined by the Board, for absence prior to a scheduled meeting. The Chairperson will monitor attendance and will discuss absenteeism during the regularly scheduled meeting if any issues shall arise prior to notifying the Mayor of a vacancy on the board.

2.204. Organization and Amendments. The Board is authorized to establish its own rules and regulations by a majority vote, subject to ratification by Resolution of the City Council. These by-laws may be amended by a majority vote of the Board members present and shall be present these amendments to City Council for ratification by Amendment to this Code of Ordinances.

2.205. Limitations. The Board shall not be authorized to incur on behalf of the Town of Ashland City any expense incident to the operation of said Parks and Recreation programs, unless expressly authorized to do so by the City Council, or through appropriation of the Parks and Recreation budget at under the direction of the Parks Director. The Board shall not knowingly conduct business that has been assigned by ordinance to any governing or advisory board of the Town of Ashland City.

2.206. Meetings. Meetings shall be held once a month and shall be reported to the City Recorder and advertised on the town website and any other media outlets the town chooses to utilize. The regularly scheduled meeting time and date shall be determined and voted on by the Board. Special called meetings may be called at any time within forty-eight (48) hours notice and may be called by the Chairperson of the Board or by three (3) members of the Board.

2.207. Place of Meeting. The place of the meeting shall be the location designated in the advertisement as approved by the Board.

2.208. Quorum. Three (3) members or more shall at all times constitute a quorum.

2.209. Rules of Order. General parliamentary rules, as given in Robert's Rules of Order, shall be observed in conducting meetings of the Board.

2.210. Order of Business. The following shall be the Order of Business of the Board, but the rules of order may be suspended and any matters considered or postponed by action of the Board:

- a. Call to Order
- b. Roll call
- c. Attendance
- d. Approval of Agenda
- e. Approval of Minutes
- f. Public Forum
- g. Reports
- h. Old Business
- i. New Business
- j. Other
- k. Adjournment

2.211. Appointment of Officers. The Board shall appoint one (1) member of the Board to serve as Chairperson and one (1) member of the Board to serve as Vice Chairperson on an annual basis, as selected by the Board at the May meeting.

2.212. Duties of the Chairperson. The Chairperson shall preside at the meetings of the Board, shall perform all other duties ordinarily performed by a Chairperson, shall have a vote on all matters, but shall not have veto power. The Chairperson will track attendance of the Board and will report issues of absenteeism to the Mayor. The Chairperson shall prepare and present an annual report to the City Council stating significant accomplishments from the preceding twelve (12) months.

2.213. Duties of the Vice Chairperson. The Vice-Chairperson in the absence of the Chairperson shall perform all the duties of the Chairperson of the Board. In the absence of both the Chairperson and Vice-Chairperson the Board shall elect a Chairperson Pro Tempore who shall perform the duties of the Chairperson.

2.214. Duties of the Parks and Recreation Director. The Director shall act as an advisor to the Board, but shall not be a member. The Director, or their designee, shall attend all regularly scheduled meetings, report attendance of the Board to the Town's payroll department, and participate in discussions, but shall not be entitled to vote.

2.215. Duties of the Secretary. An appointed town employee shall to act as Secretary for the Board, but shall not be a member. The Secretary will prepare agendas, notify Board members of all special called meetings at least forty-eight (48) hours prior to the meeting, transcribe minutes from the regular and special meetings in which a quorum of the Board is present, maintain and post the minutes and records of the Board to the Town website and remain in compliance with all state and local law, and shall post, prepare, and/or report to the appropriate town employee(s) the appropriate notices.

2.216. Compensation. The appointed members of the Board shall be compensated sixty-two dollars and fifty cents (\$62.50) per meeting in which they attend. Attendance shall be reported to the Town's payroll department within two (2) days following the conclusion of the meeting.

BE IT FURTHER ORDAINED, this ordinance shall become effective 20 days after its final passage.

First Reading: February 11, 2020

Public Hearing: March 10, 2020

Second and Final Reading: March 10, 2020

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Mayor Steve Allen

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City Recorder Kellie Reed, CMFO, CMC

State of Tennessee  
Cheatham County

**RESOLUTION NO. 2020-**

**A RESOLUTION OF THE CITY COUNCIL OF THE TOWN OF  
ASHLAND CITY UPDATING A PERSONNEL POLICIES AND  
PROCEDURE MANUAL GOVERNING EMPLOYMENT WITH THE  
TOWN OF ASHLAND CITY**

**WHEREAS**, the City Council for the Town of Ashland City has adopted an ordinance establishing a personnel system designed to provide a means to select, develop and maintain an effective municipal work force; and

**WHEREAS**, the personnel system ordinance authorizes the Mayor to develop personnel rules and regulations in the form of an Employee Manual; and

**WHEREAS**, the personnel system ordinance requires that the Employee Manual shall be updated with the attached changes.

**NOW, THEREFORE BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE TOWN OF ASHLAND CITY, TENNESSEE**, that the Employee Manual updates and changes, attached hereto, is hereby approved and adopted and shall replace any previously adopted sections of the Employee Manual and shall become effective immediately following passage of this resolution.

We, the undersigned City Council members, meeting in Regular Session on this 10th day of March, 2020 move the adoption of the above Resolution.

Councilmember \_\_\_\_\_ moved to adopt the Resolution.

Councilmember \_\_\_\_\_ seconded the motion.

Voting in Favor \_\_\_\_\_

Voting Against \_\_\_\_\_

Attest:

\_\_\_\_\_  
Mayor Steve Allen

\_\_\_\_\_  
City Recorder Kellie Reed, CMC, CMFO



# **Town of Ashland City** **Personnel Manual**



**Updated 2020**

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# TOWN OF ASHLAND CITY, TENNESSEE

## PERSONNEL POLICIES AND PROCEDURES MANUAL

### SECTION I – PERSONNEL POLICIES

These personnel policies and procedures are for information only. This manual is not an employment contract. Employment with the City is at-will. No employee or representative of the City can change any employee's at-will status. This document is a statement of current policies, practices, and procedures. Each department may have more specific department policies. Nothing in this document is to be interpreted as giving employees any more property rights in their jobs than may already be given by the city charter, this document, and/or the ordinances of the local government. These personnel policies, rules, and regulations shall be reviewed periodically. The Town of Ashland City reserves the right to change any or all such policies, practices, and procedures in whole or in part at any time, in accordance with the procedures included herein. The policies and procedures in this manual will remain in effect until changes are considered necessary. Any changes once adopted by Mayor and City Council supersede the previous copy. This manual has been approved by the Mayor and City Council. No member of supervision is authorized to change orally or in writing any of the policies and practices described in this manual without the express approval of the Mayor and City Council.

### PURPOSE AND OBJECTIVES

The main purpose of these policies and procedures is to establish a high degree of understanding, cooperation, efficiency, and unity among municipal government employees fostered by a systematic application of good procedures in personnel administration. Another purpose is to provide uniform policies for all employees with all the benefits such a program ensures, without regard to race, gender, age, national origin, creed, ancestry, military status, gender identity and disability.

The fundamental objectives of these personnel administration policies and procedures are to:

1. Promote and increase efficiency and economy among employees of the Town of Ashland City;
2. Provide fair and equal opportunity to all qualified citizens on the basis of demonstrated merit and fitness as ascertained through fair and practical methods of selection;
3. Develop a program of recruitment and advancement that will make employment with the city attractive as a career and encourage each employee to render the best service;
4. Establish and promote high morale among the employees by providing good working relationships, a uniform personnel policy, opportunity for advancement, and consideration for employee needs and desires.

## PERSONNEL POLICY STATEMENT

It is the policy of the Town of Ashland City to apply and foster a sound program of personnel management. The policies of the municipal government are established for:

1. **Employment and Placement**
  - a. Fill all positions without undue delay in accordance with job qualifications and requirements without discrimination as to race, gender, age, national origin, creed, ancestry, military status, gender identity and disability.
  - b. Establish programs for the promotion, transfer, demotion, dismissal, and reassignment of personnel.
2. **Position Classification and Pay Administration**
  - a. Establish and maintain job descriptions for every position with the descriptions maintained on file with the Human Resources Director and Department Head;
  - b. Review position descriptions periodically and systematically with the employee to ensure currency and accuracy;
  - c. Establish appropriate position standards and to group positions in classes with similar standards; and
  - d. Conduct area wage and salary surveys periodically to provide competitive wage and salary scales.
3. **Employee Relations and Services**
  - a. Develop a system of job performance standards and evaluation and inform each employee periodically and systematically of the status of his/her job performance;
  - b. Establish rules and standards governing employee conduct both on and off the job;
  - c. Administer a uniform leave program;
  - d. Provide and maintain a safe and healthful work environment.
4. **Employee Development and Training**
  - a. Establish training standards and requirements for all positions; and
  - b. Motivate and stimulate employees to achieve their highest potential usefulness.
5. **Records**
  - a. Establish and maintain comprehensive uniform personnel records.

## COVERAGE

These rules and regulations shall cover all employees in the city service unless specifically exempt by this document, the city charter, and/or the ordinances of the municipality without regard to race, gender, age, national origin, creed, ancestry, military status, gender identity and disability. All municipal government offices and positions are divided into the classified service and the executive service. The classified service shall include all regular full-time and regular part-time positions in the city's service unless specifically placed in the executive service. All offices and positions of the municipal government placed in the executive service and not subject to these policies are:

1. All elected officials;
2. Members of appointed boards and commissions;
3. Consultants, advisers, and legal counsel rendering temporary professional services;
4. The city attorney;
5. Independent contractors;

6. People employed by the municipality for not more than six (6) months during a fiscal year;
7. Part-time employees paid by the hour or the day who are not considered regular part-time;
8. Volunteer personnel appointed without compensation or who only receive incentive pay and/or compensation for special events;
9. The city judge;
10. Part-time District Attorney;
11. Probation services for Municipal Court;
12. Reserve officers.

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.

## ADMINISTRATION

These rules shall be administered by the Mayor in conformity with the ordinance establishing a personnel system. Amendments to the rules and regulations shall be made in accordance with the procedure herein.

## SECION II – EMPLOYMENT

### APPLICATIONS

The Town of Ashland City shall make every effort to attract qualified applicants for various types of positions. When a vacancy occurs or a position is made available, the department head is to notify the City Recorder by email of the department vacancy. Salary and or other considerations need to be discussed prior before posting vacancies.

Applications are only accepted when vacancies exist and will only be considered for specific positions applied. The Mayor may also provide notice of vacancies in alternate media, including taped messages, radio announcements, or other methods to ensure effective communication to someone with disabilities.

Open positions may be advertised internally and externally concurrently. In no situation will an open position be advertised externally prior to being advertised internally. Open positions will be sent out via email to all town employees and will also be posted in breakrooms of city buildings. Employees will have one (1) week prior the position being advertised externally to submit applications. External advertisements may include publication in the officially designated newspaper, social media, the town website, and/or other websites based on the position in order to attract qualified applicants.

All employment applications are received at Workforce Essentials in Ashland City. Applications are given a beginning and end date for receiving and given thorough consideration by the Mayor and/or Department Head. The Mayor will make reasonable accommodations in the application process to applicants with disabilities making a request for such accommodations.



An applicant may be removed from consideration if he/she:

1. Declines an appointment when offered;
2. Cannot be located by the postal authorities – it shall be deemed impossible to so locate an applicant when a communication mailed at the last known address is returned unclaimed;
3. Moves out of the area;
4. Is currently using narcotics, or his/her excessive use of intoxicating liquors will pose a direct threat to the health and safety of others;
5. Is found to have been convicted of a felony or a misdemeanor involving moral turpitude as the term is defined by law;
6. Has made a false statement of material fact on the application;
7. Does not file the application within the period specified in the application/examination announcement or does not use the prescribed form or uses a different format than allowed as a reasonable accommodation; and/or
8. Does not possess the minimum qualifications.

Once all applications have been reviewed, an applicant will be notified by either email, telephone, or mail to set an interview time or notified that their application is not being considered.

## RECRUITMENT BY EXAMINATION

All appointments in the municipal government service shall be made according to merit and fitness and may be subject to competitive examination. All such examinations shall fairly and impartially test those matters relevant to the capacity and fitness of the applicant to efficiently discharge the essential functions of the position to be filled.

### A. TYPES OF EXAMINATIONS

The examinations held to establish eligibility and fitness for any class may consist of one or more of the following parts as determined by the Mayor. The Mayor will make reasonable accommodations in the examination process to disabled applicants requesting such accommodations.

1. **Written Test** – This part, when required, shall include a written demonstration designed to show the applicant's familiarity with the knowledge involved in the class of positions to which he/she is seeking appointment.
2. **Oral Test** – This part, when required, shall include a personal interview where the ability to deal with others, to meet the public, and/or other personal qualifications are to be evaluated. An oral interview may also be used in examinations where a written test is unnecessary or impractical or as a reasonable accommodation to someone unable to take a written test due to a disability.
3. **Performance Test** – This test, when required, shall involve performance tests as would aid in determining the ability and manual skills of applicants to perform the work involved. The performance test may be given a weight in the examination process or may be used to exclude from further consideration applicants who:

- a. Cannot perform the essential functions of a specific position due to a disability that cannot reasonably be accommodated;
  - b. Pose a direct threat to themselves or others;
  - c. Are unable to perform the essential functions of a specific position due to a temporary condition or disability not protected by the ADA.
4. **Physical Agility Test** – When required, this consists of job-related tests of bodily conditioning, muscular strength, agility, and physical fitness of job applicants for a specific position. This test may be given a weight in the examination process or may be used to exclude from further consideration applicants who do not meet the minimum required standards.
  5. **Mental Test** – When required, this shall include any test to determine mental alertness, general capacity of the applicant to adjust his/her thinking to new problems, or to ascertain special character traits and attitudes.
  6. **Pre-employment Drug Test** – When required under these rules and regulations applicants receiving a conditional offer of employment for certain positions will be required to undergo a drug test. A confirmed positive result on the drug test will result in an applicant being denied employment.

## NOTIFICATION AND INSPECTION OF EXAMINATION RESULTS

Each person who takes an examination shall be notified of his/her passing or failing. Each person in an examination may inspect his/her rating and the examination papers within 14 days of notification of the results. These inspections shall be permitted only during regular business hours and at the office of the City Clerk/Recorder.

## MEDICAL EXAMINATIONS AND GENERAL PHYSICALS

1. **Pre-employment** – Following a conditional offer of employment, every prospective employee, when required, may be examined by a licensed medical physician designated by the municipal government. This exam will determine whether prospective employees can perform the essential functions of the position offered. The cost of this medical examination shall be borne by the city. Prospective employees who are unable to successfully perform the essential functions tested for in the medical examination shall have their offer of employment by the city withdrawn only if they:
  - a. Cannot perform the essential functions due to a disability that cannot reasonably be accommodated;
  - b. Pose a direct threat to themselves and/or others; or
  - c. Are unable to perform the essential functions due to a temporary condition or disability not protected by the ADA.
2. **Post-employment** – All employees of the city may, during their employment, be required by their department head, with the approval of the Mayor, to undergo periodic examinations to determine their physical and mental fitness to continue to perform the work of their positions. This periodic examination shall be at no expense to the employee. Determination of physical or mental fitness will be made by a physician designated by the city.

When a city employee is reported by the examining physician to be physically or mentally unfit to perform work in the position for which he/she is employed, the

employee may, within five (5) days from the date of his/her notification of such determination, indicate in writing to the Mayor, his/her intention to submit the question of his/her physical or mental unfitness to a physician of his/her own choice.

In the event there is a difference of opinion between the examining physician and the physician chosen by the employee, a physician shall be mutually agreed upon and designated by both physicians. The third physician's decision shall be final and binding as to the physical or mental fitness of the employee. The municipal government shall pay its physician, the employee shall pay his/her physician, and the third physician shall be paid by the city.

Employees determined to be physically or mentally unfit to continue in their positions may be demoted according to these rules, or they may be separated from the municipal government service only after it has been determined that they:

- a. Cannot perform the essential functions due to a disability that cannot reasonably be accommodated;
- b. Pose a direct threat to themselves and/or others;
- c. Are unable to perform the essential functions due to a temporary condition or disability not protected by the ADA.

#### **Additional Exams**

Other exams may be required for specific jobs. An example is a psychological exam for police officers.

### **EQUAL EMPLOYMENT OPPORTUNITY**

The Town does not discriminate in its employment practices and complies with applicable State and Federal Laws regarding equal employment opportunities. The Town will continually strive to hire, train and promote individuals based on their qualifications without regard to race, gender, age, national origin, creed, ancestry, military status, gender identity and disability.

### **MINIMUM AGE**

The FLSA requires that employees of state and local governments be at least sixteen (16) years old for most non-farm jobs and at least eighteen (18) years old for non-farm jobs declared hazardous by the Secretary of Labor. Minors fourteen (14) and fifteen (15) years old may work outside school hours under certain conditions.

### **TYPES OF EMPLOYEES**

1. **Regular Full-time Employee** – A regular full-time employee is an employee who works a minimum of thirty-five (35) hours per week, has completed a 90-day probationary period, is subject to all conditions of employment, and receives all benefits offered by the city unless specifically excluded by the city charter, code, or ordinance.
2. **Regular Part-time Employee** – A regular part-time employee is an employee who works an average of fewer than thirty-five (35) hours during the work week, but at least twenty (20) hours per week. Regular part-time employees are eligible for some city benefits on a prorated basis according to the actual hours worked (except health and/or life insurance benefits).

3. **Volunteer Firefighter** – Volunteer firefighters are appointed by the Fire Chief when necessary. Volunteer firefighters are compensated per fire-call with no other benefits except Worker’s Compensation coverage under the Volunteer Firefighters’ Insurance Coverage Policy.
4. **Temporary Part-time Employee** – A temporary part-time employee is an employee who works less than thirty-five (35) hours during the work week. The position may be one year or longer but works fewer than an average of twenty (20) hours during the week and/or no more than one thousand hours in a calendar year. Temporary part-time employees are not eligible for city benefits.
5. **Reserve/Auxiliary Police Officer** – Reserve officers are appointed by the Police Chief. Reserve officers will not have any benefits except Worker’s Compensation coverage while acting in the capacity of a Reserve officer.

## NEW HIRES, PROMOTIONS, DEMOTIONS, AND TRANSFERS

1. **New Hires**– Pursuant to the Town’s charter, the Mayor has the authority to appoint, promote, demote, transfer, suspend, and remove any/all employees of the Town of Ashland City, except for the City Clerk/Recorder and City Attorney, who shall be appointed by the City Council. All vacancies in the municipal government service shall be filled by original appointment, re-employment, promotional appointment, provisional appointment, transfer, or demotion.
2. **Promotions** – A promotion is assigning an employee from one position to another that has a higher maximum pay rate, rank, and responsibility. Promotions in every case must involve a definite increase in duties and responsibilities and shall not be made merely for the purpose of affecting an increase in compensation. A 90-day probationary period is automatic to assess competency for any promotion. Under Section 25 of the city charter, the Mayor, or the appropriate department head, if so designated by the Mayor, has the authority to make promotions.
3. **Transfers** – The Mayor, or appropriate department head if so designated by the Mayor, has the authority to transfer employees among positions within the municipal government. An employee who transfers from one municipal government department to another will retain and carry forward all benefits earned, accrued, or both as of the date of transfer, and are not necessarily given preference in the hiring process. As a general rule, lateral transfers require no increase in compensation.
4. **Demotions** – A demotion is assigning an employee from one position to another that has a lower pay rate, rank, and responsibility. The Mayor, or appropriate department head if so designated by the Mayor, has the authority to demote an employee. When an employee in one classification is demoted to a position in a lower classification and the employee pay rate is higher than the minimum rate for the new position, the employee’s salary shall be reduced to the lower rate.
5. **Evaluations** – Evaluations will be conducted by the department head/immediate supervisor no less than one time per year.
6. **Rehires-** A former employee rehired within six months from the effective date of their previous termination may, upon approval of the Mayor, be given credit for the previous service. After six months, the former employee will be considered a new hire. A re-hire with less than one year of prior service will be considered a new hire.

7. **Employee Type Changes-** When any employee type becomes a regular full-time employee, a period of non-eligibility for health-related employee benefits must be satisfied. Sick time and vacation time will begin accruing on the first day of full-time employment.

## CITIZENSHIP AND IMMIGRATION STATUS VERIFICATION

The city will not discriminate on the basis of a person's race, gender, age, national origin, creed, ancestry, military status, gender identity and disability in regard to recruitment, hiring, or discharge. However, the city will not knowingly employ any person who is or becomes an unauthorized immigrant. In compliance with the Immigration Reform and Control Act, all employees hired after November 6, 1986, regardless of national origin, ancestry, or citizenship, must provide suitable documentation to verify identity and employability. The documentation must be provided within three (3) days of employment or the individual will be terminated.

## PROBATIONARY PERIOD

The probationary period for all newly hired, promoted and/or laterally transferred employees will be 90 days. During the probationary period, the supervisor will inform the employee when his/her performance is unsatisfactory. A performance evaluation/appraisal will be completed at 90 days after employment. After each evaluation, the department head shall notify the Mayor if the employee's service has been satisfactory and whether he/she will continue to employ the individual. The probationary period does not change the at-will status.

Department heads may request an extension of any employee's probationary period with the prior approval of the Mayor. In no event may a probationary period be extended beyond six (6) months.

An employee may be terminated or demoted during the probationary period for any reason without respect or reference to the procedures set forth in this document, the charter or other ordinances that do not violate the federal or state law. If the employee's work performance during the probationary period is satisfactory, the employee shall be recommended for regular full-time status.

### Performance Appraisal/evaluation

The performance of all employees will be appraised and reviewed at least annually by their immediate supervisor. Written appraisals will be discussed with the employees so they will know how they are progressing and what they may do to improve their performance.

## FIRST DAY OF EMPLOYMENT

After an applicant has been appointed to fill a job vacancy by the Mayor, the new employee shall be required to complete or provide the following documents and forms before beginning work:

1. W-4 form;
2. Signed acknowledgement form from the employee handbook/personnel manual
3. Immigration Control and Reform Act form (I-9);

4. A copy of educational certification, professional license, or certificate required per the job description;
5. Emergency telephone numbers;
6. A copy of driver's license and social security card;
7. List of dependents as required by Consolidated Omnibus Budget Reconstruction Act (COBRA); and others.

In order for new employees to be successful, it is imperative that they understand the overall environment in which they will be operating. Employees who understand the organizations history, scope of operation, economic goals and future prospects will identify more readily with the entire organization. They should develop a sense of belonging more quickly than other employees who are left to search our needed information on their own.

New employees are required to attend a new employee orientation. At this orientation, employees will be provided with relevant documentation which may include:

1. City organization chart and department functions
2. Map of the city
3. Copy of policy handbook and other city pamphlets
4. Benefit handout
5. Detailed outline of emergency and accident-prevention procedures;
6. Telephone numbers and locations of key personnel and operations; and/or
7. Safety requirements and accident procedures.

## OUTSIDE EMPLOYMENT

No full-time employee of the Town of Ashland City shall accept any outside employment without written authorization from the Mayor or appropriate department head. The Mayor or appropriate department head shall not grant such authorization if the work is likely to interfere with the satisfactory performance of the employee's duties, or is incompatible with the employee's municipal employment, or is likely to cause discredit upon or create embarrassment for the Town of Ashland City. Each department head is responsible to report the opportunity for outside work to the Mayor.

Before outside employment begins, employees must present a written request describing the work to be performed.

Employees missing work because of sickness or injury that can be attributed to a second job will not receive pay or other normal benefits for time lost from their municipal government job.

Approval of a second job may be withdrawn for any of the above reasons.

## WORKDAY/WORKWEEK

The Mayor shall establish the hours of work per week for each position in the service of the town. All designated workdays and workweeks shall be in accordance with the FLSA.

Some departments allow irregular workweeks. The Department Head has the authority to schedule arrival and departure times and specific workdays for employees depending upon departmental need and approval of the Mayor. The use of flex and compressed work weeks is also subject to the approval of the Mayor.

An employee on an irregular work schedule must revert to a normal work week schedule when using a prolonged period of annual, sick and compensatory leave, when placed on extended leave without pay status, when paid through the sick leave bank, and when a holiday falls within a work week.

## ATTENDANCE

Punctual and regular attendance is necessary for the city to operate efficiently. Employees unavoidably late or absent from work due to illness or other causes must notify their supervisor within the time frame established by each department, unless unusual circumstances prevent the employee from making proper notification. Employees must explain the reason for the absence and, if possible, the anticipated time and date they will return to work. Failure to notify one's supervisor of absences may result in disciplinary action. Employees found cheating on their time sheets will be subject to immediate dismissal. Excessive tardiness is regarded as sufficient reason for termination.

## BREAKS

Employees working at least an eight (8) hour shift shall have thirty (30) minutes of employer paid break time. Employees working at least an eight (8) hour shift are required to take an unpaid thirty (30) minute lunch break during their work day. Employees can choose to take a thirty (30) minute meal break and two (2) fifteen (15) minute breaks or combine their breaks with their unpaid lunchbreak for a total of one (1) sixty (60) minute meal break. Employees working at least a four (4) hour shift shall have a fifteen (15) minute employer paid break.

## NEPOTISM

No member of an employee's immediate family, which is defined as spouse, mother or stepmother, father or stepfather, children, sister, brother, grandparents, grandchildren, current mother-in-law and father-in-law, son-in-law, daughter-in-law, current brother or sister-in-law, step-grandparents, step-grandchildren, aunt, uncle, niece/nephew, 1<sup>st</sup> cousin will be hired as an employee under the same line of supervision.

No immediate family member (as defined above) of a municipal official will be hired as an employee by the Town of Ashland City.

## SECTION III – LEAVE

### LEGAL HOLIDAYS

All offices and shops of the Town of Ashland City, Tennessee, except emergency and necessary operations, will be closed and employees excused on the following legal holidays:

New Year's Day	January 1
Martin Luther King Day	Third Monday in January
President's Day	Third Monday in February
Good Friday	Friday before Easter Sunday
Memorial Day	Last Monday in May
Independence Day	July 4
Labor Day	First Monday in September
Veterans Day	November 11
Thanksgiving Day	Fourth Thursday in November
Friday after Thanksgiving Day	Fourth Friday in November
Christmas Eve	December 24
Christmas Day	December 25

When a holiday falls on Saturday, offices will be closed on the preceding Friday. When a holiday falls on Sunday, it shall be observed on the following Monday.

To receive compensation for a holiday, employees eligible for holidays must be in a pay status (not on leave without pay or on worker's compensation) on their last regular shift scheduled before a holiday and their first regularly scheduled shift after a holiday.

Employees required to work on one of the above listed holidays shall receive his regular pay for the holiday worked and an additional days pay as holiday pay. Further, if on an on-call status during a holiday week when called out the employee will be paid at the overtime rate of 1 ½ times the employee's regular rate. This includes those employees called in by the dept. head to help the on-call person during a holiday week. Employees are only paid overtime if they have exceeded forty (40) hours in the work week. It shall be the department heads responsibility to report to payroll the names, hours, and dates of employees who work holidays. This shall be reported as soon as possible, but in no case, later than three workdays after the holiday.

Any employee on sick leave before and after a holiday is assumed to be sick on the holiday and will receive holiday pay.

Legal holidays falling within an employee's vacation period are not to be counted as vacation days.

## VACATION LEAVE

Annual/vacation leave will be granted to regular full-time and part time employees. An employee will earn annual vacation leave during his/her probationary period after completing 30 days. Annual vacation time will not accrue if an employee is not working for 30 consecutive days. Annual vacation leave will be given in January of every year. For new hires, vacation leave will be prorated from the first day of eligibility to the end of the calendar year. This shall also be applied for employees who have an increase in their leave based upon years of service and this shall be prorated as well. For all employees a



maximum of 100 hours may be carried forward into the next year. Any remaining hours over 100 at the end of the year (December) will be transferred to sick time.

Annual Vacation time will be added to employee's first paycheck in January (new hires will be prorated thru end of calendar year) according to the following schedule:

<u>Years of Service Employees</u>	<u>Full Time Employees</u>	<u>Regular Part time</u>
0-5 years per paycheck)	2 weeks (3.08 hours per paycheck)	1 week (1.54 hours
6-15 years hours per paycheck)	3 weeks (4.62 hours per paycheck)	1-1/2 weeks (2.31
16+ years per paycheck)	4 weeks (6.15 hours per paycheck)	2 weeks (3.08 hours

Definitions of regular full time and regular part-time employees can be found in Section III, Subsection H of this manual.

Vacations of one week or more consecutive days will be scheduled at least one (1) month in advance for the mutual convenience of the employee and the city government so proper adjustments can be made in the work schedules. No employee may begin his/her annual leave until his/her request has been approved by the Mayor and/or Department Head.

All annual vacation leave must be used prior to the employee receiving long term disability benefits.

An employee who is separated from city employment shall be paid for his/her unused vacation leave. The termination date shall coincide with last day of pay. In no event will an employee who has not completed at least 90 days of satisfactory service receive terminal annual vacation pay.

Legal holidays falling within a vacation period are not to be counted as vacation days. There shall be no pay in lieu of vacation. When an employee is on "leave without pay" for 15 days during any calendar month, no vacation leave will accumulate. Employees may not borrow against future annual vacation or transfer earned leave to another employee.

If the employee has accrued compensatory time, the employee may be required to use compensatory time before using vacation leave or other types of leave.

Vacation leave can be taken in minimum increments of one hour. Vacation can only be used if vacation hours are available.

Vacation does not accrue while on short term or long-term disability, leave without pay status, or FMLA, with the exception of Employees on Workers Compensation, who will continue to accrue vacation during the period of absence.

After twenty (20) working days of full compensation, members of any reserve component of the armed forces of the United States, including members of the Tennessee army and national guard, may use up to five (5) days of sick leave in lieu of annual leave for the purposes of not having to take leave without pay. (T.C.A. 8-33-109)

## SICK LEAVE

Each regular full-time employee and regular part-time will accrue sick leave bi-weekly beginning on the first day after 30 days of employment and continuing until their termination. An employee shall not accumulate sick time if the employee does not work 30 consecutive regularly scheduled work days. Sick leave benefits will commence on the first day of such absence and shall continue for as long as sick leave credit remains.

Generally, employees become eligible to use sick leave in the situations outlined below.

1. Employees are incapacitated by sickness or a non-job-related injury.
2. Employees are seeking medical, dental, optical, or other professional diagnosis or treatment.
3. Necessary care and attendance of a member of the employee's immediate family, as defined in the nepotism section of this employee manual, if approved by the Mayor, department head, and/or immediate supervisor so authorized to approve such leave.
4. Employees may jeopardize the health of others because they have been exposed to a contagious disease. This must be certified by a qualified doctor's certificate.

Employees shall notify their immediate supervisor via text message, phone call, or email at the earliest possible time prior to the start of their shift but at least one (1) hour prior to the beginning of their regular work day of their absence due to illness. Every effort shall be made to notify the supervisor at the earliest possible time.

To prevent abuse of sick leave privilege employees are required to obtain and turn in a doctor's note to their immediate supervisor, department head, or mayor for any absence in excess of three (3) workdays.

Leave deducted from an employee's sick leave accumulation shall be for a regular workday and shall not include holidays and scheduled days off. Employees claiming sick leave while on annual leave must support their claim by a doctor's statement. When an employee is on "leave without pay" for fifteen (15) days during any calendar month, no sick leave accumulates. An employee shall not accumulate sick time if the employee does not work 30 consecutive regularly scheduled work days.

After employees have exhausted their accrued sick leave, "leave without pay" may be granted at the discretion of the Mayor. Also, employees may be placed on special "leave without pay", or they may be terminated if unable to perform their job or another job with or without a reasonable accommodation. Should employees later be able to return to work, upon presentation of certification by a doctor, they shall be given preference for employment in a

position for which they are qualified, with a recommendation by the department head and the approval of the Mayor.

Sick leave does not accrue while on short term or long term disability.

Employees may not borrow against future sick leave or transfer earned sick leave to another employee. The only allowable transfer would be for the approval of sick bank hours.

## Shared Sick Leave

### **1. Purpose**

City employees accumulate paid time off (sick leave) to be used for absences caused by non-occupational illness or injury. The City realizes that because of serious and prolonged illness, an employee may exhaust all available paid leave and may be placed on leave without pay. Employees forced to go on leave without pay could be without income at a very critical point in their work life. This Shared Sick Leave Policy establishes guidelines as to how fellow employees may voluntarily share some of their sick leave in order to provide assistance to another employee. This policy is not intended to apply to incidental, normal, or short-term conditions.

Unless differently specified in this policy, the use of shared sick leave by employees will comply with all uses, criteria and requirements of the City's Sick Leave Policy.

### **2. Eligibility to Receive Shared Sick Leave**

An employee with twelve (12) months or more of continuous service who has exhausted all paid leave due to a serious illness or injury and has entered a leave-without-pay status for at least forty (40) consecutive regularly scheduled work hours may submit a request to the Human Resources Director for sharing of sick leave. Accompanying the request must be a doctor's statement explaining the nature of the illness or injury and an anticipated return-to-work date, provided this information has not already been received.

Shared sick leave shall not be utilized retroactively except to cover the period between the date the request was submitted to the employee's department head and the date of approval by the City.

### **3. Eligibility to Share Sick Leave**

An employee must maintain a minimum personal sick leave balance of eighty (80) hours after sharing sick leave to be eligible to share. An eligible employee may voluntarily share up to forty (40) sick leave hours in one calendar year.

### **4. Approval of Request for Shared Sick Leave**

Upon receipt of a request for shared sick leave, the Human Resources Director will submit the request to the standing Mayor and Department Head meeting on the following Tuesday. If the request is determined to be valid, the Human Resources Director will send a request to all City employees asking for sick leave sharing. Employees wishing to voluntarily honor the request should contact the Human Resources Director to complete the sick leave sharing process. The City will attempt to protect the confidentiality of the medical condition of the

employee, but the requesting employee's name will be published in the request for shared sick leave.

#### **5. Maximum Allowable Received Shared Sick Leave**

Employees may receive up to six hundred forty (640) shared sick leave hours while in employment service to the City.

#### **6. Use of Shared Sick Leave**

Shared sick leave shall be used:

- a) In the order in which it is shared in eight (8) hour increments; and
- b) On consecutive regularly scheduled work hours.

NOTE: Any paid leave that an employee accrues while using shared sick leave shall be used before shared sick leave.

#### **7. Unused Shared Sick Leave**

When the recipient of shared sick leave returns to work, unused shared sick leave will be restored to the donors in reverse order of donation. Donating employees will be informed by the Human Resources Director of the amount of shared time he/she donated and used by the requesting employee.

#### **8. Conformity with Provisions of the City's Family and Medical Leave Act (FMLA) Policy**

Use of shared sick leave hours by an employee will be treated the same as if the employee was using his/her own accumulated paid leave as it relates to FMLA leave. Just as with other types of paid leave, shared sick leave hours will be used concurrently with leave provided under FMLA.

### **FAMILY AND MEDICAL LEAVE ACT**

#### **Purpose**

The Town of Ashland City in compliance with Public Law 103-3, titled Family and Medical Leave Act (FMLA) of 1993. The policy also provides the changes to FMLA that come as part of the National Defense Authorization Act of 2008.

#### **Eligibility**

The Family and Medical leave policy is applicable to employees who have worked at least 12 months for the City and who have worked at least 1,250 hours during the preceding 12-month period. Such employees are eligible for a maximum of 12-26 weeks leave under the act. Special rules apply for husbands and wives employed by the same employer, for highly compensated employees, and for local educational agencies. People who are *not* covered include elected officials, political appointees, volunteers, independent contractors, and legal advisors.

#### **FMLA Circumstances**

Employees may be eligible for Family and Medical Leave for one or more of the following reasons:

1. For the birth and care of the newborn child of the employee;
2. For placement with the employee of a son or daughter for adoption or foster care;
3. To care for an immediate family member (spouse, dependent child, or parent) with a serious health condition;
4. Medical leave when the employee is unable to work because of a serious health condition.
5. To care for an immediate family member (spouse, child or parent) injured while on active military duty if that injury renders the service member unfit for military duty. Eligible employees can take up to 26 weeks of unpaid leave or may substitute vacation or sick leave.
6. To handle a “qualifying exigency” relating from an employee’s spouse, child or parent being called to active duty through the National Guard. Eligible employees can take up to 12 weeks of unpaid leave for a qualifying exigency or may use vacation leave (not sick leave).

### **Paid / Unpaid Leave**

Family Medical Leave may be paid or unpaid. Family Medical Leave runs concurrently with paid time off (i.e. sick, vacation time). If the employee has the time available, he/she must use all balances of paid time prior to an unpaid leave beginning. If the employee does not have the time available or he/she exhausts paid time while out on FML, the remainder of the approved leave will be unpaid. During periods of unpaid leave, an employee may not accrue any additional leave.

The combination of sick leave, vacation leave, floating holidays, and unpaid leave may not exceed the total allowable leave under FMLA.

### **Guidelines**

An eligible employee may take up to 12 weeks (480 hours) of FML in a 12-month period for the birth of a child or the placement of an adopted or foster care child. Leave may also be taken to care for one’s self, a child, spouse, or parent who has a serious health condition. The right to take leave applies equally to male and female employees who are eligible. Eligible employees may take up to 12 weeks of unpaid leave to deal with family issues resulting from a spouse, son, daughter or parent being called to active duty (including being notified of an impending call to active duty).

Eligible family members of military personnel defined as the spouse, son, daughter, parent or next of kin of a covered service member may take a maximum of 26 weeks leave under FML to care for a wounded member of the armed forces. This includes family members of the National Guard or Reserves who are undergoing medical treatment, recuperation, therapy or other medical treatment for a “serious injury or illness”.

Serious health condition means an illness, injury, impairment, or physical or mental condition that involves one of the following:

1. Inpatient care in a hospital, hospice or residential medical care facility, including any period of incapacity or subsequent treatment.
2. A period of incapacity of more than three consecutive calendar days that also involves treatment two or more times by a health care provider or treatment which results in a regimen of continuing treatment under the supervision of the health care provider.
3. Any period of incapacity due to pregnancy or for prenatal care.
4. A chronic condition that requires periodic treatments, continues over an extended period of time, and may cause episodic rather than a continuous period of incapacity.
5. A period of incapacity which is permanent or long-term due to a condition for which treatment may not be effective, requiring continuing supervision of a health care provider.
6. Multiple treatments either for restorative surgery after an accident or other injury, or for a condition that would likely result in a period of incapacity of more than three calendar days in the absence of medical intervention or treatments, such as cancer, severe arthritis or kidney disease.

Serious Injury or Illness for an Injured Service member is defined as a covered service member's injury or illness incurred in the line of duty on active duty in the Armed Forces that may render the service member medically unfit to perform the duties of the member's office, grade, rank, or rating. This could include medical treatment, recuperation, therapy, outpatient care and other treatments for a serious injury or illness.

During periods of unpaid leave, an employee may not accrue any additional seniority or similar employment benefits during the leave period.

#### **Spouse / Same Employer**

If spouses are employed by the same employer and eligible to take leave for the birth or adoption of a child, their aggregate leave under FMLA is limited to 12 weeks. For example, if the father takes four weeks leave to care for a child, the mother would be entitled to eight weeks leave, for a total of 12 weeks. If, however, the spouse experiences her own serious health condition as a result of the pregnancy, both employees are entitled to the full 12 weeks.

#### **Right to Return to Work**

On return from FML, an employee is entitled to be returned to the same position the employee held when leave commenced, or to an equivalent position with equivalent benefits, pay, and other terms and conditions of employment. An employee is entitled to such reinstatement even if the employee has been replaced or his/her position has been restructured to accommodate the employee's absence.

If the employee is unable to perform the essential functions of the position because of a physical or mental condition, including the continuation of a serious health condition, the employee has no right to restoration to another position under the FMLA. The employer, however, may be required by the Americans with Disabilities Act to offer the employee an accommodation.

#### **Notification and Scheduling**

An eligible employee must provide the employer at least 30 day's advance notice of the need for leave for birth, adoption, or planned medical treatment when it is foreseeable. This 30-day advance notice is not required in cases of medical emergency or other unforeseen events, such as premature birth or sudden changes in a patient's condition that require altering scheduled medical treatment.

Parents who are awaiting the adoption of a child and are given little notice of the availability of the child may also be exempt from this 30-day notice.

Employees may not retroactively claim that leave was for FMLA. Failure to provide notification will result in the leave not being designated as FMLA.

The employer will, if necessary, provide the FMLA leave notice in alternate formats.

Until FML is approved, the employee must follow the City's call in procedures for sick leave absences. Failure to do so will cause the absences to fall under the sick leave policy.

### **Certification**

The employer reserves the right to verify an employee's request for family/medical leave. If an employee requests leave because of a serious health condition or to care for a family member with a serious health condition, the employer may require that the request be supported by certification from the health care provider of either the eligible employee or the family member, as appropriate. Failure to submit proper certification may result in a delay of FML approval. If the employer has a reason to question the original certification, the employer may, at the employer's expense, require a second opinion from a different health care provider chosen by the employer. The health care provider may not be employed by the employer on a regular basis. If a resolution of the conflict cannot be obtained by a second opinion, a third opinion may be obtained from another provider and that opinion will be final and binding.

Payment for the second opinion shall be borne by the employer. This certification must contain the date on which the serious health condition began; its probable duration, and appropriate medical facts within the knowledge of the health care provider regarding the condition. The certification must also state the employee's need to care for the family member. Medical certifications will be treated as confidential and privileged information under HIPAA and the State's Open Records laws as appropriate.

An employee may be required to report periodically to the employer the status and the intention of the employee to return to work. Before return is granted, employees who have taken leave under this policy may be required to furnish the employer with a medical certification from the employee's health care provider that the employee is able to resume work.

Failure to provide certification in a timely manner may result in delay or denial of FMLA.

### **Reduced and Intermittent Leave**

FMLA Leave may be taken intermittently or on a reduced schedule when medically necessary as certified by the health care provider. Minimum intermittent leave is one hour. Intermittent or reduced leave schedules for routine care of a new child can be taken only with the employer's approval. The schedule must be mutually agreed upon by the employee and the employer. Employees on intermittent or reduced leave schedules may be temporarily transferred by the employer to an equivalent alternate position that may better accommodate the intermittent or reduced leave schedule.

Intermittent or reduced leave may be spread over a period of time longer than 12 weeks, but it will not exceed the equivalent of 480 hour's total leave in a 12-month period.

Each time intermittent leave is used, the supervisor must be contacted and FMLA leave requested. Otherwise, the absence will fall under the sick leave policy.

### **Restoration**

Employees who are granted leave under the FMLA policy will be reinstated to an equivalent or the same position held prior to the commencement of their leave. Certain highly compensated key employees, who are salaried and among the 10 percent highest paid workers, may be denied restoration.

Restoration may be denied if:

1. the employer shows that such denial is necessary to prevent substantial and grievous economic injury to the employer's operations;
2. the employer notifies the employee that it intends to deny restoration on such basis at the time the employer determines that such injury would occur; and
3. in any case in that the leave has commenced, the employee elects not to return to work within a reasonable period of time after receiving such notice

Employees voluntarily accepting a light duty assignment in lieu of continuing FMLA leave maintain their right to restoration to the original or an equivalent job until the twelve (12) weeks of FMLA leave has passed.

### **The 12-Month FMLA Period**

The 12-month period during which an employee is entitled to 480 hours of Family and Medical Leave Act (FMLA) leave is a rolling twelve-month period and is measured as follows: An employee is entitled to 12-26 weeks of leave during the 12-month period after the leave begins. The next FML period will begin the first time the employee requests FML after the completion of the previous 12-month period.

### **Denial of FMLA Leave**

If an employee fails to give timely, advance notice when the need for FMLA leave is foreseeable, the employer may delay the taking of FMLA leave until 30 days after the date the employee provides notice to the employer of the need for FMLA leave.

If an employee fails to provide, in a timely manner, a requested medical certification to substantiate the need for FMLA leave due to a serious health condition, an employer may delay continuation of FMLA leave until an employee submits the certificate. If the employer never produces the certification, the leave is not designated as FMLA.

If an employee fails to provide a requested fitness-for-duty certification to return to work, an employer may delay restoration until the employee submits the certification.

### **Employee Benefits While on FMLA**

During periods of FMLA, the City will continue to provide health insurance benefits at the employee rate. If premiums are current, the employer will maintain health insurance benefits during periods of unpaid leave without interruption. Any payment for premiums or other payroll deductible insurance policies must be paid by the employee or the benefits may be terminated.

The employer is obligated to reinstate benefits upon an employee's return to work.

The employer has the right to recover from the employee all health insurance premiums paid during the unpaid leave period if the employee fails to return to work after leave. Employees



who fail to return to work because they are unable to perform the functions of their job because of their own serious health condition or because of the continued necessity of caring for a seriously ill family member may be exempt from this recapture provision at the local government's discretion.

FMLA Leave under this policy does not constitute a qualifying event that entitles an employee to Consolidated Omnibus Budget Reconstruction Act (COBRA) benefit; however, the qualifying event triggering COBRA coverage may occur when it becomes clearly known that an employee will not be returning to work. At that point, the employee ceases to be entitled to leave under this policy and may be offered COBRA.

**Workers' Compensation While on FMLA**

Workers' Compensation injury/illness meets the criteria for a serious health condition; the workers' compensation absence and the FMLA leave entitlement may run concurrently.

**TENNESSEE MATERNITY LEAVE ACT**

Maternity/paternity leave is granted to male and female employees for a maximum of sixteen (16) weeks, with the first twelve (12) weeks of leave falling under the Family Medical Leave Act (FMLA) and the remaining four (4) weeks as maternity/paternity leave. Eligible employees must be employed full-time for at least twelve (12) months (and 1250 hours) to receive maternity/paternity leave.

The employee must provide at least four to six (4-6) weeks advance notice of his/her anticipated date of departure, except in those cases where medical emergency prevents this notice. The employee should state the length of his/her requested leave and detail the intention to return to fulltime employment after the leave.

Employees will be required to use accrued leave (vacation, sick, comp) during maternity/paternity leave. Accrued leave and maternity/paternity leave are used at the same time—employees do not take accrued leave first and then take maternity/paternity leave. The purpose of this leave is to provide time off for pregnancy, childbirth, nursing, and/or bonding with the infant. If the City finds that the employee pursued other employment opportunities or worked part-time or full-time for another employer during the period of maternity/paternity leave, then the City does not have to reinstate the employee at the end of the leave period.

These four months includes the 12-weeks allowable under FMLA.

<u>Leave Position</u>	<u>Maximum Time Allowed</u>
<b>FMLA</b>	<b>12 weeks</b>
<b>TN Maternity Act</b>	<b>4 weeks</b>
<b>TOTAL</b>	<b>16 weeks</b>

An employee, upon exhausting all earned sick leave, must use earned annual vacation leave, comp time or take leave without pay. Upon exhausting all sick leave and annual/vacation leave, an employee can request time from the sick bank. Sick bank is the accumulated leave of city employees. Upon sick bank board (department heads) approval time can be given to an individual up to 90 days. (See Human Resources Director for sick bank procedures.) Only the governing body, by a majority vote in a regular meeting, may make exceptions to leave policy due to unusual and/or extenuating circumstances.

The Town of Ashland City will follow the guidelines set out by the Family and Medical Leave Act of 1993. If an employee meets the eligibility requirements of FMLA, the employee will be provided the required notices and form letters. City Recorder along with Mayor will make determination of approval.

Upon receiving long term disability, the employee will update medical documentation as to their continued disability.

**RETIREMENT-** An employee who retires under the city retirement plan shall have all unused sick leave credited as additional time worked when calculating the employee's retirement benefits.

**Retiree Health Coverage**

A retiree who reaches 59 1/2 with 25 years or more of service, the city shall pay 25% of the cost of the employee coverage for the employer provided health insurance. All dependent coverage will be the retiree's responsibility. At age 65, all employer provided health insurance benefits will cease.

**BEREAVEMENT LEAVE**

Regular full-time and regular part-time employees shall be allowed three (3) days, twenty-four (24) hours pay for full-time and twelve (12) hours for part time employees, leave with pay for the death of an employee's spouse, parents, child, stepchild, grandchild, grandparents, siblings, stepparents, foster parents, or parents-in-law. An extra day may be allowed when out of state travel is required, as approved by the employee's department head and supervisor or the mayor. Any employee who wishes to take time off for death of family or friends not defined within this section will be allowed to take any accumulated paid time off, as defined as compensatory time, vacation time, or sick leave, for a period not to exceed three (3) days. In the event the employee does not have enough paid time off employees may seek approval from the mayor for temporary "leave without pay."

**CIVIL LEAVE**

Civil leave with pay may be granted to employees for the following reasons:

1. Serve on jury duty. In the event of release from jury duty during work hours, employees are expected to return to work.
2. Answer a subpoena to testify for the city. Employees may use any available vacation leave for court appearances for non-city purposes.
3. Perform emergency duty for National Defense.

## MILITARY RESERVE DUTY LEAVE

Any employee who has successfully completed the probationary period, and who is a member, or may become a member of any reserve component of the armed forces of the United States or of the Tennessee Army and Air National Guard, will be entitled to a leave of absence from their respective duties for 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. While on such leave, the employee will be granted paid leave up to twenty (20) days in any one (1) calendar year. Qualified employees who seek paid leave under this policy must provide the official order calling for their service or training to their supervisor. It is the responsibility of the employee to make arrangements with their department head for leave to attend monthly meetings on regular off-time, with the expectation that the paid leave granted herein will be applied to the annual training periods required for reservists.

Any employee who has successfully completed their probationary period and who is a member in the armed forces of the United States who is called to active duty will be placed on military leave. Such employee must present their supervisor or department head with advance notice of their active duty orders. The employee's seniority, status and pay will remain unchanged during their time of military leave. Continued health insurance coverage will be offered up to 18 months, with the employee paying premiums due for such policy. An employee wishing to continue health insurance coverage during their military leave shall provide a mailing address where notices of premium payments due may be sent. The returning employee will be re-employed in the position they would have attained had they not been absent for military service, with the same seniority, status and pay.

Any regular employee who is a member of the United States Army Reserve, Air Force Reserve, Marine Reserve or any of the Armed Forces of the United States, will be granted military leave for any field training or active duty required (excluding extended active duty). Such leave will be granted upon presentation of the employee's official order to his/her jurisdictional official. Compensation for such leave will be paid pursuant to Section T.C.A. 8-33-109 and shall not exceed twenty (20) working days per calendar year. After the 20 working days the employee may use up to five (5) days of sick leave in lieu of annual leave for the purposes of not having to take leave without pay. The employee may take more than the allotted time in which he has acquired leave but it will be without pay. Employees entering an extended active duty will be given two week's pay when placed on military leave. All sick and vacation benefits will continue to accrue.

## VOTING

When elections are held in the State, leave for the purpose of voting shall be in accordance with T.C.A. 2-1-106 herein reprinted:

**“EMPLOYERS MAY DESIGNATE PERIOD OF PERMISSIBLE ABSENTEEISM.**

Any person entitled to vote in an election held in this state may be absent from any service

or employment on the day of the election for a reasonable period of time, not to exceed three (3) hours, necessary to vote during the time the polls are open in the county where he/she is a resident. A voter who is absent from work to vote in compliance with this section may not be subjected to any penalty or reduction in pay for his absence. If the tour of duty of an employee begins three (3) or more hours after the opening of the polls or ends three (3) or more hours before the closing of the polls of the county where he/she is a resident, he/she may not take time off under this section. The employer may specify the hours during which the employee may be absent. Request for such an absence shall be made to the employer before twelve noon of the day before the election.”

## DEATH OF AN EMPLOYEE

Upon the death of a full-time employee, his/her beneficiary shall receive his/her next due payroll check and pay for accrued vacation time. Further, his/her beneficiary shall be given complete assistance by the City Clerk/Recorder in settling pension, life, and hospital insurance benefits.

## JURY SERVICE LEAVE

When an employee receives a summons to report for jury duty, the employee is required to provide a copy of the summons to his/her immediate supervisor within 2 business days of receiving the summons. Upon presentation of the summons, the employee will be excused from employment for the day or days required of the employee while serving as a juror in any court of the United States or the state of Tennessee. The employee is expected to report for work for any time they are excused from active jury duty.

Upon release from jury duty during the employee’s normal working hours, he/she will be expected to return to duty. Employees will receive full pay during jury service. The City will pay the employee such employee’s usual compensation and the employee will sign over the check issued from the jury duty service to the City.

This policy also applies to employees who are summoned by the Court by subpoena as a witness in a legal proceeding.

## INCLEMENT WEATHER POLICY

Per resolution 2016-03, Employees who are required to work when City offices have been otherwise closed shall be granted compensatory time for hours actually worked during the period of closing up to their regularly scheduled hours for the workday. Hours worked in excess of regularly scheduled hours are compensated as overtime based on each employee’s status under the Fair Labor Standards Act. Part-time employees are paid for hours worked and are not eligible for discretionary leave with pay or compensatory time. Employees on previously approved leave during the effected period must continue to charge the appropriate leave and will not be eligible for discretionary leave under this policy.

## SECTION V – BENEFITS

The City recognizes that employee benefits are a critical component in career decisions. The City intends to provide a comprehensive benefits package that remains affordable and value based.

The plan document for each plan is available upon request.

### **Eligibility**

Employees are eligible for benefits when employees work a minimum of 32 hours per week. These benefits may include: medical coverage, dental coverage, and vision benefit options. If employees' hours drop below 32 hours per week on a regular basis, employees will lose eligibility for health insurance. If this occurs, the employee and all covered dependents will be offered COBRA.

Employees are responsible to list only dependents that are eligible for coverage as defined by the plan rules. If a covered dependent becomes ineligible based on the plan rules, it is the employee's responsibility to notify Human Resources immediately. Employees must notify Human Resources of any changes in status within 30 days of the status change. This includes: dependent status change, address changes, divorce, marriage, birth, adoption, reduction in work hours, or any other change that could affect benefit plan eligibility.

### **Benefit Effective Dates**

Medical, dental and vision insurance will be effective the 1st day of the month following 30 days of continuous full-time employment.

## Health Coverage

Eligible employees must enroll for coverage within 30 days of employment or a qualifying event. Temporary employee and part-time employees are **not** eligible for medical coverage.

The city pays the full premium for eligible employees only, and 10% of the premium cost for spouse, children and families.

### **Annual Enrollment / Transfer Period**

Health plans, benefit designs, eligibility rules, and premiums are subject to change each plan year based on the previous year's claims experience. Pre-taxed deductions can only be changed with a qualifying event during the plan year or at annual open enrollment.

### **Contribution**

The City may elect to contribute toward the cost of health benefits. The City's contributions, if any, are subject to change.

### **Qualifying Events**

Employees are responsible to notify the City if they experience any significant life event such as birth, marriage, divorce, legal separation, adoption, legal placement of a child, change of address, reduction in employee's regularly scheduled work hours, or a dependent change in status (i.e., school status). Some events will allow changes to benefits including adding or dropping dependents or terminating / adding coverage. Employees should notify the City within 30 days of experiencing a qualifying event or may be required to wait until the following open enrollment to make any changes.

Documentation must be provided such as a marriage certificate, birth certificate, divorce decree, court order, etc.

### **Retiree Health Coverage**

A retiree who reaches 59 1/2 with 25 years or more of service, the city shall pay 25% of the cost of the employee coverage for the employer provided health insurance. All dependent coverage will be the retiree's responsibility. At age 65, all employer provided health insurance benefits will cease.

## **COBRA – CONTINUATION COVERAGE**

Under the federally mandated Consolidated Omnibus Budget Reconciliation Act, the City offers employees and their families the opportunity to temporarily extend their health insurance coverage in certain instances in which coverage under the group health plan would normally end.

Some examples of triggering events could be: reduction in employee's hours resulting in loss of eligibility, termination of employment (voluntary or involuntary), dependent eligibility changes (age/student status), divorce, and legal separation.

Employees covered under the City plan have a right to continue coverage if they lose it through reduction in regular work hours or employment termination for reasons other than gross misconduct.

A spouse of a covered employee also has a right to continue coverage if coverage would be lost because the employee dies, employment is terminated, the employee and spouse become divorced or legally separated, or the employee becomes eligible for Medicare benefits.

Dependent children may also continue coverage if the employee dies, employment is terminated, the parents become divorced or legally separated, the employee becomes eligible for Medicare, or the child ceases to be a "dependent child" under the terms of the plan.

If termination or reduction in hours is the qualifying event that triggers lost coverage, continuation coverage can be in effect for 18 months. All other qualifying events will trigger continuation coverage that lasts up to 36 months. Coverage will end before 18 or 36 months, however, if certain other events take place (i.e. if the employee becomes eligible for coverage under another group health plan).

Employees and family members have the responsibility to inform the plan administrator about any change in status. Failure to do so may terminate rights to elect continued coverage. Those eligible for continuation coverage have 60 days from the date they would normally lose coverage to elect to continue under the plan.

### **Premium Payments**

Failure to make timely premium payments may result in termination of coverage.

## **LIFE INSURANCE**

The City provides Term Life Insurance with Accidental Death & Dismemberment to employees. The face value of the policy is \$15,000.

Additional life insurance is available for employees and dependents, the cost of which is born by the employee.

## WORKERS' COMPENSATION

**Compensation.** Employees on occupational disability will only be compensated in accordance with the provisions for the Tennessee Worker's Compensation Law (T.C.A. 50-6-101 through 50-6-623). No compensation shall be paid for the first seven (7) days of disability resulting from the injury, excluding the day of injury. However, if disability extends beyond that period, compensation shall commence with the eighth (8th) day after the injury. In the event, however, the disability from the injury exists for a period as long as fourteen (14) days, then compensation shall be allowed beginning with the first day after the injury. The rate of compensation through worker's compensation is 66 2/3 percent of the employee's average weekly wages.

Vacation and sick leave will continue to accrue while on worker's compensation leave.

Employees may choose to use sick and/or vacation time in order to be paid for the unpaid time under worker's compensation (up to the first seven (7) days).

Employees must report the work-related accident to the immediate supervisor during the shift in which they occur. Failure to do so may result in benefits being denied.

Worker's compensation leave will be denied if the post-incident Alcohol/Drug test is failed.

The employee is responsible for the employee's portion of insurance premiums while out on workers' compensation leave if deductions cannot be made from a paycheck.

**Return to Maximum Medical Improvement.** Upon reaching Maximum Medical Improvement (MMI), the employee's medical condition shall be assessed as to the permanent medical restrictions and their ability to perform the duties of their normal work assignment.

If the injured employee cannot return to their regular position, the Human Resources

Department in conjunction with the department head shall attempt to find employment within the employee's department or within another department. Reasonable accommodation will be provided to qualified disabled individuals unless the accommodation would pose an "undue hardship" or is impractical due to the position the employee held at the time of the injury.

Such attempts are not a guarantee that a position will be offered or that future employment is assured.

## UNEMPLOYMENT COMPENSATION

The state of Tennessee offers unemployment benefits through the Employment Security Division. Unemployment insurance benefits provide income to individuals who have lost work through no fault of their own. The benefits are intended to partially offset the loss of wages while an unemployed worker searches for suitable work, or until his employer can recall him/her to work.

## TENNESSEE CONSOLIDATED RETIREMENT SYSTEM (TCRS)

The City contributes to the Tennessee Consolidate Retirement System for all qualified full-time employees. Employees are vested after five (5) years of service. The plan document issued by TCRS controls specific employee eligibility and benefits. For more information, contact TCRS at 615-741-1971 or [www.treasury.tn.gov/tcrs](http://www.treasury.tn.gov/tcrs).

## OTHER BENEFITS

### Employee Assistance Program

The City provides an Employee Assistance Program at no direct expense to employees. The Town of Ashland City's EAP Program is operated by outside consultants and available free of charge to employees and family members living in the immediate household.

The EAP is a confidential service guaranteed by state and federal laws as well as professional licensing regulations. Confidentiality will be maintained regarding all contacts to the extent allowed by law. Appointments are kept confidential and information is not included in personnel records nor revealed to supervisors, coworkers, family or friends. Should an employee be referred to the EAP by a supervisor, the EAP can only confirm for the supervisor, upon their request, if the contact was made and the dates on which meetings took place. No other information will be released to the supervisor without the consent of the employee or a legal requirement to do so. Specific information is released only when the employee has signed specific written consent, the law requires it, or there is concern for client safety or the safety of others. Employees can contact their supervisors or the Human Resources Manager for more information.

#### **Deferred Compensation Plan**

Voluntary contributions can be made by the employee at a pre-taxed rate.

#### **Long Term Disability Benefits**

Premiums for long term disability insurance are paid by the City. There is a 6-month exclusionary period.

## **SECTION VI CODE OF ETHICS**

This Title is the Code of Ethics for personnel of the Town of Ashland City. It applies to all full-time and part-time elected or appointed officials and employees, whether compensated or not, including those of any separate board, commission, committee, authority, corporation, or other instrumentality appointed or created by the municipality. The words "municipal" and "municipality" include these separate entities.

#### **Definition of "Personal Interest"**

(1) For purposes of this Title, "personal interest" means:

- a) Any financial, ownership, or employment interest in the subject of a vote by a municipal board not otherwise regulated by state statutes on conflicts of interests; or
- b) Any financial, ownership, or employment interest in a matter to be regulated or supervised; or
- c) Any such financial, ownership, or employment interest of the official's or employee's spouse, parent(s), stepparent(s), grandparent(s), sibling(s), child(ren), or stepchild(ren); or
- d) Any such financial, ownership, or employment interest of the official's or employee's spouse's parent(s), stepparent(s), grandparent(s), sibling(s), child(ren), or stepchild(ren).

The words "employment interest" include:

- (a) Any job, occupation, consultation, or other position for which the employee or official is compensated, whether by a third party/entity or in a self-employed capacity, other than the Town of Ashland City; and



- (b) Any situation in which an official or employee or a designated family member is negotiating possible employment with a person or organization that is the subject of a vote of any Town of Ashland City board, committee, or commission, or that is to be regulated or supervised by the Town of Ashland City.

In any situation in which a personal interest is also a conflict of interest under state law, the provisions of the state law take precedence over the provisions of this chapter.

#### Disclosure of Personal Interest by Official with Vote

An official with the responsibility to vote on a measure shall disclose during the meeting at which the vote takes place, before the vote and so it appears in the minutes, any personal interest that affects or that would lead a reasonable person to infer that it affects the official's vote on the measure. In addition, the official may recuse himself/herself from voting on the measure.

#### Disclosure of Personal Interest in Non-Voting Matters

An official or employee who must exercise discretion relative to any matter, other than casting a vote, and who has a personal interest in the matter that it affects, or that would lead a reasonable person to infer that it affects, the exercise of the discretion, or is in a reasonably apparent position of influence over such matter, shall disclose, before the exercise of the discretion or influence, when possible, the interest on a form provided by and filed with the Recorder. In addition, the official or employee may, to the extent allowed by law, charter, ordinance, or policy, recuse himself from the exercise of discretion in the matter.

#### Acceptance of Gratuities

An official or employee may not accept, directly or indirectly, any money, gift, gratuity, or other consideration or favor of any kind from anyone other than the municipality over the amount of \$50.00:

- (1) For the performance of an act, or refraining from performance of an act, that he would be expected to perform, or refrain from performing, in the regular course of his duties; or
- (2) That might reasonably be interpreted as an attempt to influence his action, or reward him for past action, in executing municipal business.

#### Use of Information

- (1) An official or employee may not disclose any information obtained in his official capacity or position of employment that is made confidential under state or federal law except as authorized by law.
- (2) An official or employee may not use or disclose information obtained in his official capacity or position of employment with the intent to result in financial gain for himself or any other person or entity.

#### Use of Municipal Time or Facilities

- (1) An official or employee may not use or authorize the use of municipal time, facilities, equipment, or supplies for private gain or advantage to himself or herself. An official or employee may use a facility of the Town of Ashland City for his or her own personal use only upon express permission by the Mayor.
- (2) An official or employee may not use or authorize the use of municipal time, facilities, equipment, or supplies for private gain or advantage to any private person or entity, except as authorized by legitimate contract or lease that is determined by the governing body to be in the best interests of the municipality.

#### Use of Position or Authority

- (1) An official or employee may not make or attempt to make private purchases, for cash or otherwise, in the name of the municipality.
- (2) An official or employee may not use or attempt to use his position to secure any privilege or exemption for him/her or others that are not authorized by the charter, general law, or ordinance or policy of the municipality.

#### Outside Employment or Other Position of Financial Interest

- (1) Outside employment, or other position of financial interest, shall be defined as any job, occupation, consultation, or other position for which the employee is compensated, whether by a third party/entity or in a self-employed capacity, other than the Town of Ashland City.
- (2) All positions of outside employment, or other position of financial interest, must be submitted on the Outside Employment form provided by the city and approved on an annual basis by the employee's respective department head prior to the acceptance, or continuance, of such outside employment, or other position of financial interest.
- (3) No employee of the Town of Ashland City shall be permitted to continue in, commence, or accept any position of outside employment, or other position of financial interest, if such outside employment, or other position of financial interest:
  - a. Will unreasonably inhibit the performance of any affirmative duty of the city position or conflict with any provision of the city's charter or any ordinance or policy;
  - b. Is likely to interfere with the employee's satisfactory performance of his or her duties and responsibilities; or
  - c. Is incompatible with city employment in any way, including the appearance of any conflict of interest or impropriety.

#### Ethics Complaints

- (1) The city attorney is designated as the ethics officer of the municipality. Upon the written request of an official or employee potentially affected by a provision of this chapter, they city attorney may render an oral or written advisory ethics opinion based upon this chapter and other applicable law.
- (2) (a) Except as otherwise provided in this subsection, the city attorney shall investigate any credible complaint against an appointed official or employee charging any violation of this chapter, or may undertake an investigation on his

own initiative when he acquires information indicating a possible violation and make recommendations for action to end or seek retribution for any activity that, in the attorney's judgment, constitutes a violation of this code of ethics.

(b)The city attorney may request that the governing body hire another attorney, individual, or entity to act as ethics officer when he has or will have a conflict of interests in a particular matter.

(c)When a complaint of a violation of any provision of this chapter is lodged against a member of the municipality's governing body, the governing body shall either determine that the complaint has merit, determine that the complaint does not have merit, or determine that the complaint has sufficient merit to warrant further investigation. If the governing body determines that a complaint warrants a further investigation, it shall authorize an investigation by the city attorney or another individual or entity chosen by the governing body.

- (3) The interpretation that a reasonable person in the circumstances would apply shall be used in interpreting and enforcing this code of ethics.
- (4) When a violation of this code of ethics also constitutes a violation of a personnel policy, rule, or regulation, or a civil service policy, rule, or regulation, the violation shall be dealt with as a violation of the personnel or civil service provisions rather than as a violation of this code of ethics.

Any complaint filed with malice or under false statements of fact or, in an obvious attempt to embarrass, shall be the subject of proper sanctions or disciplinary action. However, any city employee shall be able to file a valid complaint without fear of retaliation. Any supervisor, or any other employee, who harasses or retaliates against an employee filing a complaint shall be subject to disciplinary action, including dismissal.

- (1) The interpretation that a reasonable person in the same circumstances would apply shall be used in interpreting and enforcing this code of ethics.
- (2) When a violation of this code of ethics also constitutes a violation of a personnel policy, rule, or regulation or a civil service policy, rule, or regulation, the violation shall be dealt with as a violation of the personnel or civil service provisions rather than as a violation of this code of ethics.

### Violations

An elected official or appointed member of a separate municipal board, commission, committee, authority, corporation, or other instrumentality who violates any provision of this chapter is subject to punishment as provided by the municipality's charter or other applicable law, and in addition is subject to censure by the governing body. An appointed official or an employee who violates any provision of this chapter is subject to disciplinary action.

### Appearance of Impropriety

At all times, every Town of Ashland City employee or official, whether elected or appointed, shall conduct himself or herself in a manner so as to avoid even the appearance of any impropriety.

## SECTION VII – NARCOTICS AND INTOXICATING LIQUORS

### PURPOSE

The Town of Ashland City recognizes that the use and abuse of drugs and alcohol in today's society is a serious problem that may involve the workplace. It is the intent of the Town of Ashland City to provide all employees with a safe and secure workplace in which each person can perform his/her duties in an environment that promotes individual health and workplace efficiency. Employees of the Town of Ashland City are public employees and must foster the public trust by preserving employee reputation for integrity, honesty, and responsibility.

To provide a safe, healthy, productive, and drug-free working environment for its employees to properly conduct the public business, the Town of Ashland City has adopted this drug and alcohol testing policy effective February 13, 1996. This policy complies with the: Drug-Free Workplace Act of 1988, which ensures employees the right to work in an alcohol- and drug-free environment and to work with persons free from the effects of alcohol and drugs. Federal Highway Administration (FHWA) rules, which require drug and alcohol testing for persons required to have a commercial driver's license (CDL); Division of Transportation (DOT) rules, which include procedures for urine drug testing and breath alcohol testing; and the Omnibus Transportation Employee Testing Act of 1991, which requires alcohol and drug testing of safety-sensitive employees in the aviation, motor carrier, railroad, pipeline, commercial marine, and mass transit industries. In the case of this policy, the Omnibus Transportation Employee Testing Act of 1991 is most significant with its additional requirement of using the "split specimen" approach to drug testing, which provides an extra safeguard for employees. The types of tests that may be required are: pre-employment, transfer, reasonable suspicion, post-accident (post-incident), random, return-to-duty, and follow-up.

It is the policy of the Town of Ashland City that the use of drugs by its employees and impairment in the workplace due to drugs and/or alcohol are prohibited and will not be tolerated. Engaging in prohibited and/or illegal conduct may lead to termination of employment. Prohibited and/or illegal conduct includes but is not limited to:

1. Being on duty or performing work in or on city property while under the influence of drugs and/or alcohol;
2. Engaging in the manufacture, sale, distribution, use, or unauthorized possession of drugs at any time and of alcohol while on duty or while in or on city property;
3. Refusing or failing a drug and/or alcohol test administered under this policy;
4. Providing an adulterated, altered, or substituted specimen for testing;
5. Use of alcohol within four hours prior to reporting for duty on schedule or use of alcohol while on-call for duty; and
6. Use of alcohol or drugs within eight hours following an accident (incident) if the employee's involvement has not been discounted as a contributing factor in the accident (incident) or until the employee has successfully completed drug and/or alcohol testing procedures.

This policy does not preclude the appropriate use of legally prescribed medication that does not adversely affect the mental, physical, or emotional ability of the employee to safely

and efficiently perform his/her duties. It is the employee's responsibility to inform the proper supervisory personnel of his/her use of any legally prescribed medication THAT IS LISTED UNDER Section F before the employee goes on duty or performs any work. The use of legally prescribed medication will be reviewed by the Dept. Head and Mayor on a case by case basis. before the employee goes on duty or performs any work.

In order to educate the employees about the dangers of drug and/or alcohol abuse, the city shall sponsor an information and education program for all employees and supervisors. Information will be provided on the signs and symptoms of drug and/or alcohol abuse; the effects of drug and/or alcohol abuse on an individual's health, work, and personal life; the city's policy regarding drugs and/or alcohol; and the availability of counseling. The Mayor has been designated as the municipal official responsible for answering questions regarding this policy and its implementation.

All Town of Ashland City property may be subject to inspection at any time without notice. There should be no expectation of privacy in such property. Property includes, but is not limited to, vehicles, desks, containers, files, and lockers.

## SCOPE

Certain aspects of this policy may apply to all full-time, part-time, temporary, and volunteer employees, of the Town of Ashland City. The pre-employment drug testing requirements of this policy apply to all applicants including positions requiring CDL and safety sensitive employees, who have been given a conditional offer of employment from the Town of Ashland City.

## CONSENT FORM

Before a drug and/or alcohol test is administered, employees and applicants will be asked to sign a consent form authorizing the test and permitting release of test results to the laboratory, medical review officer (MRO), and Mayor, or his/her designee. The consent form shall provide space for employees and applicants to acknowledge that they have been notified of the city's drug and alcohol testing policy.

The consent form shall set forth the following information:

1. The procedure for confirming and verifying an initial positive test result;
2. The consequences of a verified positive test result; and
3. The consequences of refusing to undergo a drug and/or alcohol test.

The consent form also provides authorization for certified or licensed attending medical personnel to take and have analyzed appropriate specimens to determine if drugs or alcohol were present in the employee's system.

## COMPLIANCE WITH SUBSTANCE ABUSE POLICY

Compliance with this substance abuse policy is a condition of employment. The failure or refusal by an applicant or employee to cooperate fully by signing necessary consent forms or

other required documents or the failure or refusal to submit to any test or any procedure under this policy in a timely manner will be grounds for refusal to hire or for termination. The submission by an applicant or employee of a urine sample that is not his/her own or is adulterated shall be grounds for refusal to hire or for termination.

## GENERAL RULES

These are the general rules governing the Town of Ashland City's drug and alcohol testing program:

1. City employees shall not take or be under the influence of any drugs unless prescribed by the employee's licensed physician. Employees who are required to take prescription and/or over-the-counter medications shall notify the proper supervisory personnel before the employees go on duty.
2. City employees are prohibited from engaging in the manufacture, sale, distribution, use, or unauthorized possession of illegal drugs at any time and of alcohol while on duty or while in or on city property.
3. All Town of Ashland City property is subject to inspection at any time without notice. There should be no expectation of privacy in or on such property. City property includes, but is not limited to, vehicles, desks, containers, files, and lockers.
4. Any employee convicted of violating a criminal drug statute shall inform the director of his/her department of such conviction (including pleas of guilty and nolo contendere) within five (5) days of the conviction occurring. Failure to so inform the city subjects the employee to disciplinary action up to and including termination for the first offense. The city will notify the federal contracting officer pursuant to applicable provisions of the Drug-Free Workplace Act and the Omnibus Transportation Employee Testing Act.

## PROHIBITED SUBSTANCES

All test results will be reported to the medical review officer (MRO). If verified by the MRO, they will be reported to the Mayor. The following is a list of substances for which tests will be routinely conducted (see Appendix A for cutoff levels):

1. Amphetamines
2. Marijuana
3. Cocaine
4. Opiates
5. Phencyclidine (PCP)

The city may test for additional substances listed under the Tennessee Drug Control Act of 1989.

## DRUG TESTING

An applicant or employee must carry and present a current and recent photo ID to appropriate personnel during testing. Failure to present a photo ID is equivalent to refusing to take the test.

### **1. Types of Drug Tests**

Employees and applicants may be required to submit to drug testing under six separate conditions:

- a. **Pre-employment:** All applicants for employee status who have received a conditional offer of employment with the Town of Ashland City, must take a drug test before receiving a final offer of employment.
- b. **Transfer:** Employees transferring to another position within the city that requires a CDL or safety sensitive position, excluding volunteer firefighters, shall undergo drug testing.
- c. **Post-Accident/Post-Incident Testing:** Following any workplace accident (incident) determined by supervisory personnel of the Town of Ashland City to have resulted in significant property or environmental damage or in significant personal injury, including but not limited to a fatality or human injury requiring immediate medical treatment away from the scene, each employee whose performance either contributed to the accident (incident) or cannot be discounted as a contributing factor to the accident (incident) and who is reasonably suspected of possible drug use as determined during a routine post-accident (post-incident) investigation or who receives a citation for a moving violation arising from the accident will be required to take a post-accident (post-incident) drug test. This applies to all Town of Ashland City employees.

Post-accident (post-incident) testing shall be carried out within 32 hours following the accident (incident). (Note – DOT regulations allow up to 32 hours for drug tests. A lesser time provision is optional.) Urine collection for post-accident (post-incident) testing shall be monitored or observed by same-gender collection personnel at the established collection site(s).

In instances where post-accident (post-incident) testing is to be performed, the Town of Ashland City reserves the right to direct the medical review officer (MRO) to instruct the designated laboratory to perform testing on submitted urine specimens for possible illegal/illegitimate substances.

Any testing for additional substances listed under the Tennessee Drug Control Act of 1989 as amended shall be performed at the urinary cut-off level that is normally used for those specific substances by the laboratory selected.

(1) Post-Accident (Post-Incident) Testing for Ambulatory Employees

Following all workplace accidents (incidents) where drug testing is to be performed, unless otherwise specified by the department head, affected employees who are ambulatory will be taken by a supervisory or designated personnel of the Town of Ashland City to the designated urine specimen collection site within 32 hours following the accident. (Note-DOT regulations allow up to 32 hours for drug tests. A lesser time provision is optional.) In the event an accident (incident) occurring after regular work hours, the employee(s) will be taken to the testing site within 32 hours. No employee shall consume drugs prior to completing the post-accident (post-incident) testing procedures.

No employee shall delay his/her appearance at the designated collection site(s) for post-accident (post-incident) testing. Any unreasonable delay in providing specimens for drug testing shall be considered a refusal to cooperate with the substance abuse program of the Town of Ashland City and shall result in administrative action up to and including termination of employment.

(2) Post-Accident (Post-Incident) Testing for Injured Employees

An affected employee who is seriously injured, non-ambulatory, and/or under professional medical care following a significant accident (incident) shall consent to the obtaining of specimens for drug testing by qualified, licensed attending medical personnel and consent to the testing of the specimens. Consent shall also be given for the attending medical personnel and/or medical facility (including hospitals) to release to the medical review officer (MRO) of the Town of Ashland City appropriate and necessary information or records that would indicate only whether or not specified prohibited drugs (and what amounts) were found in the employee's system. Consent shall be granted by each employee at the implementation date of the substance abuse policy of the Town of Ashland City or upon hiring following the implementation date.

Post-accident (post-incident) urinary testing may be impossible for unconscious, seriously-injured, or hospitalized employees. If this is the case, certified or licensed attending medical personnel shall take and have analyzed appropriate specimens to determine if drugs were present in the employee's system. Only an accepted method for collecting specimens will be used. Any failure to do post-accident (post-incident) testing within 32 hours must be fully documented by the attending medical personnel.

d. **Testing Based on Reasonable Suspicion**

A drug test is required for each employee where there is reasonable suspicion to believe the employee is using or is under the influence of drugs and/or alcohol. This applies to all employees of the Town of Ashland City.

The decision to test for reasonable suspicion must be based on a reasonable and articulate belief that the employee is using or has used drugs. This belief should be based on recent, physical, behavioral, or performance indicators of possible drug use. One supervisor who has received drug detection training that complies with DOT regulations must make the decision to test and must observe the employee's suspicious behavior.

Supervisory personnel of the Town of Ashland City making a determination to subject any employee to drug testing based on reasonable suspicion shall document their specific reasons and observations in writing to the Mayor within 24 hours of the decision to test and before the results of the urine drug tests are received by the department. Urine collection for reasonable suspicion testing shall be monitored or observed by same-gender collection personnel.

e. **Random Testing**

Only employees of the Town of Ashland City requiring a CDL or who are safety sensitive employees, excluding volunteer firefighters, are subject to random urine drug testing. In accordance with Federal law, it is the policy of the Town of Ashland City to annually random test for drugs at least 50 percent of the total number of drivers possessing or obtaining a commercial driver's license (CDL).

A minimum of 15 minutes and a maximum of two hours will be allowed between notification of an employee's selection for random urine drug testing and the actual presentation for specimen collection.



Random donor selection dates will be unannounced with unpredictable frequency. Some may be tested more than once each year while others may not be tested at all, depending on the random selection.

If an employee is unavailable (i.e., vacation, sick day, out of town, work related causes, etc.) to produce a specimen on the date random testing occurs, the Town of Ashland City may omit that employee from that random testing or await the employee's return to work.

**f. Return-to-Duty and Follow-Up**

Any employee of the Town of Ashland City who has violated the prohibited drug conduct standards and is allowed to return to work must submit to a return-to-duty test. Follow-up tests will be unannounced, and at least six tests will be conducted in the first 12 months after an employee returns to duty. Follow-up testing may be extended for up to 60 months following return to duty.

The employee will be required to pay for his or her return-to-duty and follow-up tests accordingly.

Testing will also be performed on any employee in a position requiring a CDL returning from leave or special assignment in excess of six months. In this situation, the employee will not be required to pay for the testing.

**2. Drug Test Collection Procedures**

Testing will be accomplished as non-intrusively as possible. Affected employees, except in cases of random testing, will be taken by a supervisor or designated personnel of the Town of Ashland City to a drug test collection facility selected by the city (see Appendix B), where a urine sample will be taken from the employee in privacy. The urine sample will be immediately sealed by personnel overseeing the specimen collection after first being examined by these personnel for signs of alteration, adulteration, or substitution. The sample will be placed in a secure mailing container. The employee will be asked to complete a chain-of-custody form to accompany the sample to a laboratory selected by the Town of Ashland City to perform the analysis on collected urine samples.

**3. Drug Test Laboratory Standards and Procedures**

All collected urine samples will be sent to a laboratory that is certified and monitored by the Federal Department of Health and Human Services (DHHS) (see Appendix C). As specified earlier, in the event of an accident (incident) occurring after regular work hours, the supervisor or designated personnel shall take the employee(s) to the testing site within 32 hours where proper collection procedures will be administered.

The Omnibus Act requires that drug testing procedures include split specimen procedures. Each urine specimen is subdivided into two bottles labeled as a "primary" and a "split" specimen. Both bottles are sent to a laboratory. Only the primary specimen is opened and used for the urinalysis. The split specimen bottle remains sealed and is stored at the laboratory. If the analysis of the primary specimen confirms the presence of drugs, the employee has 72 hours to request sending the split specimen to another Federal Department of Health and Human Services (DHHS) certified laboratory for analysis. The employee will be required to pay for his or her split specimen test(s).

For the employee's protection, the results of the analysis will be confidential except for the testing laboratory. After the MRO has evaluated a positive test result, the employee will be notified, and MRO will notify the Mayor.

#### **4. Drug Test Reporting and Reviewing**

The city Mayor shall designate a medical review officer (MRO) to receive, report, and file testing information transmitted by the laboratory. This person shall be a licensed physician with knowledge of substance abuse disorders (see Appendix D).

- a. The laboratory shall report test results only to the designated MRO, who will review them in accordance with accepted guidelines and the procedures adopted by the Town of Ashland City.
- b. Reports from the laboratory to the MRO shall be in writing or by fax. The MRO may talk with the employee by telephone upon exchange of acceptable identification.
- c. The testing laboratory, collection site personnel, and MRO shall maintain security over all the testing data and limit access to such information to the following: the respective department head, the Mayor, and the employee.
- d. Neither the Town of Ashland City, the laboratory, nor the MRO shall disclose any drug test results to any other person excepted under written authorization from the affected employee, unless such results are necessary in the process of resolution of accident (incident) investigations, requested by court order, or required to be released to parties (i.e., DOT, the Tennessee Department of Labor, etc.) having legitimate right-to-know as determined by the city attorney.

## **ALCOHOL TESTING**

An applicant or employee must carry and present a current and recent photo ID to appropriate personnel during testing. Failure to present a photo ID is equivalent to refusing to take the test.

### **1. Types of Alcohol Tests**

Employees may be required to submit to alcohol testing under four separate conditions.

#### **a. Post-Accident/Post-Incident Testing**

Following any workplace accident (incident) determined by supervisory personnel of the Town of Ashland City to have resulted in significant property or environmental damage or in significant personal injury, including but not limited to a fatality or human injury requiring immediate medical treatment away from the scene, each employee whose performance either contributed to the accident (incident) or cannot be discounted as a contributing factor to the accident (incident) and who is reasonably suspected of possible alcohol use as determined during a routine post-accident (post-incident) investigation or who receives a citation for a moving violation arising from the accident will be required to take a post-accident (post-incident) alcohol test. This applies to all employees of the Town of Ashland City.

Post-accident (post-incident) testing shall be carried out within two hours following the accident (incident).

##### **(1.) Post-Accident (Post-Incident) Testing for Ambulatory Employees**

Following all workplace accidents (incidents) where alcohol testing is to be performed, unless otherwise specified by the department head, affected employees

who are ambulatory will be taken by a supervisor or designated personnel of the Town of Ashland City to the designated breath alcohol test site for a breath alcohol test within two (2) hours following the accident. In the event of an accident (incident) occurring after regular work hours, the employee(s) will be taken to the testing site within two hours. No employee shall consume alcohol prior to completing the post-accident (post-incident) testing procedures.

No employee shall delay his/her appearance at the designated collection site(s) for post-accident (post-incident) testing. Any unreasonable delay in appearing for alcohol testing shall be considered a refusal to cooperate with the substance abuse program of the Town of Ashland City and shall result in administrative action up to and including termination of employment.

**(2.) Post-Accident (Post-Incident) Testing for Injured Employees**

An affected employee who is seriously injured, non-ambulatory, and/or under professional medical care following a significant accident (incident) shall consent to the obtaining of specimens for alcohol testing by qualified, licensed attending medical personnel and consent to specimen testing. Consent shall also be given for the attending medical personnel and/or medical facility (including hospitals) to release to the medical review officer (MRO) of the Town of Ashland City appropriate and necessary information or records that would indicate only whether or not specified prohibited alcohol (and what amount) was found in the employee's system. Consent shall be granted by each employee at the implementation date of the substance abuse policy of the Town of Ashland City or upon hiring following the implementation date.

Post-accident (post-incident) breath alcohol testing may be impossible for unconscious, seriously injured, or hospitalized employees. If this is the case, certified or licensed attending medical personnel shall take and have analyzed appropriate specimens to determine if alcohol was present in the employee's system. Only an accepted method for collecting specimens will be used. Any failure to do post-accident (post-incident) testing within two (2) hours must be fully documented by the attending medical personnel.

**b. Testing Based on Reasonable Suspicion**

An alcohol test is required for each employee where there is reasonable suspicion to believe the employee is using or is under the influence of alcohol. This applies to all employees of the Town of Ashland City.

The decision to test for reasonable suspicion must be based on a reasonable and articulate belief that the employee is using or has used alcohol. This belief should be based on recent, physical, behavioral, or performance indicators of possible alcohol use. One supervisor who has received alcohol detection training that complies with DOT regulations must make the decision to test and must observe the employee's suspicious behavior.

Supervisory personnel of the Town of Ashland City making a determination to subject any employee to alcohol testing based on reasonable suspicion shall document their specific reasons and observations in writing to the Mayor within eight (8) hours of the decision to test and before the results of the tests are received by the city.

**c. Random Testing**

Only employees of the Town of Ashland City in positions requiring a CDL or who are safety sensitive employees, excluding volunteer firefighters, are subject to random alcohol testing. It is the policy of the Town of Ashland City to annually random test for alcohol at least 25 percent of the total number of drivers required to possess a CDL.

A minimum of fifteen (15) minutes and a maximum of two (2) hours will be allowed between notification of an employee’s selection for random alcohol testing and the actual presentation for testing.

Random test dates will be unannounced with unpredictable frequency. Some employees may be tested more than once each year while others may not be tested at all, depending on the random selection.

If an employee is unavailable (i.e., vacation, sick day, out of town, work related causes, etc.) to be tested on the date random testing occurs, the Town of Ashland City may omit that employee from that random testing or await the employee’s return to work.

**d. Return-to-Duty and Follow-Up**

Any employee of the Town of Ashland City who has violated the prohibited alcohol conduct standards must submit to a return-to-duty test. Follow-up test will be unannounced and at least six (6) tests will be conducted in the first twelve (12) months after an employee returns to duty. Testing may be extended for up to 60 months following return to duty.

The employee will be required to pay for his or her return-to-duty and follow-up tests accordingly.

Testing will also be performed on any employee required to possess a CDL returning from leave or special assignment in excess of six (6) months. In this situation, the employee will not be required to pay for the testing.

**2. Alcohol Testing Procedures**

All breath alcohol testing conducted for the Town of Ashland City shall be performed using evidential breath testing (EBT) equipment and personnel approved by the National Highway Traffic Safety Administration (NHTSA). The city’s police department cannot do this testing unless the test is required because of a traffic accident (incident).

Alcohol testing is to be performed by a qualified technician as follows:

a. Step One:

An initial breath alcohol test will be performed using a breath alcohol analysis device approved by the National Highway Traffic Safety Administration (NHTSA). If the measured result is less than 0.02 percent breath alcohol level (BAL), the test shall be considered negative. If the result is greater or equal to 0.04 percent BAL, the result shall be recorded and witnessed, and the test shall proceed to Step Two.

b. Step Two:

Fifteen minutes shall be allowed to pass following the completion of Step One above. Before the confirmation test or Step Two is administered for each employee, the breath alcohol technician shall insure that the evidential breath testing device registers 0.00 on an air blank. If the reading is greater than 0.00, the breath alcohol technician shall conduct one more air blank. If the reading is greater than 0.00, testing shall not proceed using that instrument. However, testing may proceed on another instrument. Then Step One shall be repeated using a new mouthpiece and either the same or equivalent but different breath analysis device.

The breath alcohol level detected in Step Two shall be recorded and witnessed.

If the lower of the breath alcohol measurements in Step One and Step Two is 0.04 percent or greater, the employee shall be considered to have failed the breath alcohol test. Failure of the breath alcohol test shall result in administrative action by proper officials of the Town of Ashland City up to and including termination of employment.

Any breath level found upon analysis to be between 0.02 percent BAL and 0.04 percent BAL shall result in the employee's removal from duty without pay for a minimum of 24 hours. In this situation, the employee must be retested by breath analysis and found to have a BAL of up to 0.02 percent before returning to duty with the Town of Ashland City.

All breath alcohol test results shall be recorded by the technician and shall be witnessed by the tested employee and by a supervisory employee of the Town of Ashland City, when possible.

The completed breath alcohol test form shall be submitted to the Mayor.

## EDUCATION AND TRAINING

### **1. Supervisory Personnel Who Will Determine Reasonable Suspicion Testing**

Training supervisory personnel who will determine whether an employee must be tested based on reasonable cause will include at the minimum two (2) 60-minute periods of training on the specific, contemporaneous, physical, behavioral, and performance indicators of both probable drug use and alcohol use. One 60-minute period will be for drugs and one will be for alcohol.

The Town of Ashland City will sponsor a drug-free awareness program for all employees.

### **2. Distribution of Information**

The minimal distribution of information for all employees will include the display and distribution of:

- a. Informational material on the signs and symptoms of drug and/or alcohol abuse;
- b. Informational material on the effects of drug and alcohol abuse;
- c. An existing community services hotline number, available drug counseling, rehabilitation, and employee assistance programs for employee assistance;

- d. The Town of Ashland City policy regarding the use of prohibited drugs and/or alcohol; and
- e. The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.

#### CONSEQUENCES OF A CONFIRMED POSITIVE DRUG AND/OR ALCOHOL TEST RESULT AND/OR VERIFIED POSITIVE DRUG AND/OR ALCOHOL TEST RESULT

Job applicants subject to pre-employment drug testing will be denied employment with the Town of Ashland City if their initial positive pre-employment drug test results have been confirmed/verified.

If a current employee's positive drug and alcohol test result has been confirmed, the employee is subject to immediate removal from any safety-sensitive function and referral to the Substance Abuse Professional. The employee may be subject to disciplinary action up to and including termination. Factors to be considered in determining the appropriate disciplinary response include: the employee's work history, length of employment, current work assignment, current job performance, and existence of past disciplinary actions. However, the city reserves the right to allow employees to participate in an education and/or treatment program approved by the Town Employee Assistance Program as an alternative to or in addition to disciplinary action. If such a program is offered and accepted by the employee, then the employee must satisfactorily participate in and complete the program as a condition of continued employment.

No disciplinary action may be taken pursuant to this drug policy against employees who voluntarily identify themselves as drug users, obtain counseling and rehabilitation through the city's employee physician or breath alcohol technician who shall provide a written statement to the city indicating a refusal to test.

#### VOLUNTARY DISCLOSURE OF DRUG AND/OR ALCOHOL USE

In the event that an employee of the Town of Ashland City is dependent upon or an abuser of drugs and/or alcohol and sincerely wishes to seek professional medical care, that employee should voluntarily discuss his/her problem with the respective department head in private.

Such voluntary desire for help with a substance abuse problem will be honored by the Town of Ashland City. If substance abuse treatment is required, the employee will be removed from active duty pending completion of the treatment.

Affected employees of the Town of Ashland City are entitled to up to 30 consecutive calendar days for initial substance abuse treatment as follows:

1. The employee must use all vacation, sick, and compensatory time available.
2. In the event accumulated vacation, sick, and compensatory time is insufficient to provide the medically prescribed and needed treatment up to a maximum of 30 consecutive calendar days, the employee will be provided paid leave for the difference between the

amount of accumulated leave and the number of days prescribed and needed for treatment up to the maximum 30-day treatment period.

Voluntary disclosure must occur before an employee is notified of or otherwise becomes subject to a pending drug and/or alcohol test.

Prior to any return-to-duty consideration of an employee following voluntary substance abuse treatment, the employee shall obtain a return-to-duty recommendation from the substance abuse professional (SAP) of the Town of Ashland City. The SAP may suggest conditions of reinstatement of the employee that may include after-care and return-to-duty and/or random drug and alcohol testing requirements. The Mayor of the Town of Ashland City will consider each case individually and set forth final conditions of reinstatement to active duty. These conditions of reinstatement must be met by the employee. Failure of the employee to complete treatment or follow after-care conditions, or subsequent failure of any drug or alcohol test under this policy will result in administrative action up to and including termination of employment.

These provisions apply to voluntary disclosure of a substance abuse problem by an employee of the Town of Ashland City. Voluntary disclosure provisions do not apply to applicants. Employees found positive during drug and/or alcohol testing under this policy are subject to administrative action up to and including termination of employment as specified elsewhere in this policy.

## EXCEPTIONS

This policy does not apply to possession, use, or provision of alcohol and/or drugs by employees in the context of authorized work assignments (i.e., undercover police enforcement, intoxilyzer demonstrations). In all such cases, it is the individual employee's responsibility to ensure that job performance is not adversely affected by the possession, use, or provision of alcohol.

## MODIFICATION OF POLICY

This statement of policy may be revised by the Town of Ashland City at any time to comply with applicable federal and state regulations that may be implemented, to comply with judicial rulings, or to meet any changes in the work environment or changes in the drug and alcohol testing policy of the Town of Ashland City.

## DEFINITIONS

For purposes of the drug and alcohol testing policy, the following definitions are adopted:

**Alcohol** – The intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohols including methyl or isopropyl alcohol.

**Alcohol Concentration** – The alcohol in a volume of breath expressed in terms of grams of alcohol per 210 liters of breath as indicated by a breath test.

**Alcohol Use** – The consumption of any beverage, mixture, or preparation, including any medication, containing alcohol.

**Breath Alcohol Technician (BAT)** – An individual who instructs and assists individuals in the alcohol testing process and operates an evidential breath testing device (EBT).

**Chain of Custody** – The method of tracking each urine specimen to maintain control from initial collection to final disposition for such samples and accountability at each stage of handling, testing, storing, and reporting.

**Collection Site** – A place where applicants or employees present themselves to provide, under controlled conditions, a urine specimen that will be analyzed for the presence of alcohol and/or drugs. Collection site may also include a place for the administration of a breath analysis test.

**Collection Site Personnel** – A person who instructs donors at the collection site.

**Commercial Driver's License (CDL)** – A motor vehicle driver's license required to operate a commercial motor vehicle (CMV).

**Commercial Motor Vehicle (CMB)** – Any vehicle or combination of vehicles meeting the following criteria: weighing more than 26,000 pounds; designed to transport more than 15 passengers; transporting hazardous materials required by law to be placarded, regardless of weight; and/or classified as a school bus.

**Confirmation Test** – A drug testing, a second analytical procedure that is independent of the initial test to identify the presence of a specific drug or metabolite that uses a different chemical principle from that of the initial test to ensure reliability and accuracy. In breath alcohol testing, a second test following an initial test with a result of 0.02 or greater than provided quantitative data of alcohol concentration.

**Confirmed Positive Result** – The presence of an illicit substance in the pure form or its metabolites at or above the cutoff level specified by the National Institute of Drug Abuse identified in two consecutive tests that utilize different test methods and that was not determined by the appropriate medical, scientific, professional testing, or forensic authority to have been caused by an alternate medical explanation or technically insufficient data. An EBT result equal to or greater than 0.02 is considered a positive result.

**Consortium** – An entity, including a group or association of employers or contractors, which provides alcohol or controlled substances testing as required by this part or other DOT alcohol or drug testing rules and that acts on behalf of the employers.

**Department Director** – The director or chief of a city department or his/her designee. The designee may be an individual who acts on behalf of the director to implement and administer these procedures.



**DHHS** – The Federal Department of Health and Human Services or any designee of the Secretary, Department of Health and Human Services.

**DOT Agency** – An agency of the United States Department of Transportation administering regulations related to alcohol and/or drug testing. For the Town of Ashland City, the Federal Highway Administration (FHWA) is the DOT agency.

**Driver** – Any person who operates a commercial motor vehicle.

**EAP** – Employee Assistance Program.

**Employee** – An individual currently employed by the Town of Ashland City.

**Evidential Breath Testing Device (EBT)** – An instrument approved by the National Highway Traffic Safety Administration (NHTSA) for the evidential testing of breath and placed on NHTSA’s “Conforming Products List of Evidential Breath Measurement Devices.”

**FHWA** – Federal Highway Administration.

**Initial Test** – In drug testing, an immunoassay test to eliminate negative urine specimens from further analysis. In alcohol testing, an analytic procedure to determine whether an employee may have a prohibited concentration of alcohol in a breath specimen.

**Medical Review Officer (MRO)** – A licensed physician (medical doctor or doctor of osteopathy) responsible for receiving laboratory results generated by an employer’s drug testing program who has knowledge of substance abuse disorders and has appropriate medical training to interpret and evaluate an individual’s confirmed positive test result together with his/her medical history and any other relevant biomedical information.

**Negative Result** – The absence of an illicit substance in the pure form or its metabolites in sufficient quantities to be identified by either an initial test or confirmation test.

**NHTSA** – National Highway and Traffic Safety Administration.

**Refuse to Submit** – Refusing to submit to an alcohol or controlled substances test means that a driver: (1) fails to provide adequate breath for testing without a valid medical explanation after he or she has received notice of the requirement for breath testing in accordance with the provisions of this part; (2) fails to provide adequate urine for controlled substances testing without a valid medical explanation after he or she has received notice of the requirement for urine testing in accordance with the provisions of this part; or (3) engages in conduct that clearly obstructs the testing process.

**Safety-Sensitive Drivers** – Employees in the aviation, motor carrier, railroad, and mass transit industries.

**Safety Sensitive Police and Fire Employees** – Includes all police officers, firefighters, and dispatchers, excluding volunteer firefighters.

**Split Specimen** – Urine drug test sample will be divided into two parts. One part will be tested initially, the other will remain sealed in case a retest is required or requested.

**Substance Abuse Professional** – A licensed physician (medical doctor or doctor of osteopathy), or a licensed/certified psychologist, social worker, employee assistance professional, or addiction counselor (certified by the National Association of Alcoholism and Drug Abuse Counselors Certification Commission) with knowledge of and clinical experience in the diagnosis and treatment of alcohol and controlled substances-related disorders.

**Safety-Sensitive Employees** – Any employee of the Town of Ashland City that drives any city vehicle, truck or equipment or works with chemicals and machinery.

**A. 1994 DRUG AND ALCOHOL TEST STANDARDS**

<u>Drug</u>	<u>Cutoff Level Screen (ng/ml)</u>	<u>Cutoff Level Confirmation (ng/ml)</u>
Amphetamine (speed)	1000.00	
Amphetamine		500.00
Methamphetamine		500.00
Cannabinoid (marijuana)	50.00	15.00
Cocaine (benzoylecgonine)	300.00	150.00
Opiate	300.00	
Codeine		300.00
Morphine		300.00
Phencyclidine (PCP)	25.00	25.00
Alcohol	.04 percent BAL	.04 percent BAL

(Note – Additional substances listed under the Tennessee Drug Control Act of 1989 may be tested at the cutoff level customarily used by the selected laboratory. Cutoff levels are subject to change as DOT rules change.)

**B. DESIGNATED DRUG TESTING COLLECTION FACILITY**

Workforce Essentials  
 202 N. Main St., Unit #4  
 Ashland City, TN 37015  
 615-792-2520  
 Emergency Phone 1-800-905-3123 (Pager)

**C. DESIGNATED DEPARTMENT OF HEALTH AND HUMAN SERVICES (DHHS)  
 CERTIFIED LABORATORY**

EMPLOYEE ACKNOWLEDGEMENT FORM

**Town of Ashland City  
Employee Acknowledgement**

As an applicant or an employee, I have carefully read the Town of Ashland City Drug and Alcohol Testing Policy. I have received a copy of the Town of Ashland City Drug and Alcohol Testing Policy, understand its requirements and agree without reservation to follow this policy. As an applicant, I am aware that my offer of employment is conditional upon the results of a drug and/or alcohol test. As an employee, I am aware that I may be required to undergo drug and/or alcohol tests, that I will be informed prior to the drug and/or alcohol test, and that I may be subject to immediate dismissal if I refuse to take the test.

\_\_\_\_\_  
Name of Applicant or Employee

\_\_\_\_\_  
Social Security Number

\_\_\_\_\_  
Department

\_\_\_\_\_  
Supervisor

\_\_\_\_\_  
(Signature of Applicant or Employee)

\_\_\_\_\_  
Date

\_\_\_\_\_  
(Signature of Witness)

\_\_\_\_\_  
Date

CONSENT AND ACKNOWLEDGEMENT FORM

**Town of Ashland City**  
**DRUG/ALCOHOL TESTING PROCEDURES**  
**CONSENT AND ACKNOWLEDGEMENT FORM**

As an applicant or an employee with the Town of Ashland City, I hereby consent to and acknowledge that I am scheduled to undergo drug and/or alcohol testing. The test for alcohol will be a breath analysis test. The drug test will involve an analysis of a urine sample, which I will provide at a designated site. The purpose of the test will be to test for the presence of the following substances: amphetamines, marijuana, cocaine, opiates, PCP, alcohol, and/or any additional drugs listed in the Tennessee Drug Control Act.

I authorize qualified personnel to take and have analyzed appropriate specimens to determine if drugs and/or alcohol are present in my system. I acknowledge that the drug/alcohol screen test results will be made available to the testing laboratory, medical review officer (MRO), the Mayor, or his/her designee.

As an applicant, I am aware that a confirmed and verified positive drug/alcohol test result will rescind my conditional offer of employment. As an employee, I am aware that a confirmed and verified positive test result may lead to disciplinary action up to and including immediate dismissal. I understand that failure or refusal to submit to any test or any procedure under the City’s Drug and Alcohol Testing Policy in a timely manner will be grounds for refusal to hire or for termination.

I will present a copy of this form to the collection site when I report for my scheduled drug/alcohol test. I also understand that failure to provide adequate breath for testing without a valid medical explanation, failure to provide adequate urine for controlled substances testing without a valid medical explanation, and engaging in conduct that clearly obstructs the testing process are the same as refusing to test.

I understand that if the urinalysis confirms the presence of drugs, I have the option to request that the split sample be sent to another certified laboratory for analysis at my expense. I understand that a failed breath alcohol test will be confirmed by a second test administered in accordance with the City’s Drug and Alcohol Testing Policy.

Name of Applicant or Employee: \_\_\_\_\_

Department Name: \_\_\_\_\_ Social Security Number: \_\_\_\_\_

\_\_\_\_\_  
(Signature of Applicant or Employee)

\_\_\_\_\_  
Date

\_\_\_\_\_  
(Signature of Witness)

\_\_\_\_\_  
Date

## SECTION VII - HARRASSMENT POLICY

The Town of Ashland City is committed to providing a professional work environment that maintains employee equality, dignity, and respect. In keeping with this commitment, the City strictly forbids discriminatory practices, including sexual harassment and other forms of harassment, as defined in this policy. Any harassment prohibited by this policy, whether verbal, physical or environmental, is unacceptable and will not be tolerated, whether it occurs in the workplace or at outside work-sponsored activities. The City will take immediate, positive steps to stop such harassment when it occurs.

The City prohibits any verbal, physical or visual conduct which could offend, intimidate or create a hostile working environment for any individual on the basis of race, color, religion, national origin, sex (including gender identity and pregnancy), age, disability, genetic information, sexual orientation, or parental status or any other characteristics protected by federal, state or local law. The City also specifically prohibits sexual harassment, which is defined in this policy as sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature, directed towards employees of either sex.

The conduct prohibited by the preceding paragraph will not be tolerated under any circumstances, including cases where the conduct is unwelcome, and /or:

1. Submission to the conduct is made either explicitly or implicitly a term or condition of an individual's employment; or
2. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting the individual; or
3. The conduct has the purpose or effect of unreasonably interfering with the individual's performance or of creating an intimidating, hostile or offensive working environment.

The types of behavior that may constitute prohibited harassment include, but are not limited to:

1. Making derogatory, vulgar, or graphic written or oral statements or jokes regarding race, color, religion, national origin, disability, gender, sexuality, sexual experience or any other characteristics protected by federal, state or local law;
2. Sexual harassment or unwelcome sexual advances;
3. Requesting sexual favors;
4. Verbal or physical conduct of a sexual nature in the form of pinching, grabbing, patting or propositioning;
5. Making explicit or implied job threats or promises in return for submission to sexual favors;
6. Making inappropriate sex-oriented comments on appearance;
7. Stating embarrassing sex-oriented stories;
8. Displaying sexually explicit or pornographic material, no matter how the material is displayed; and/or
9. Sexual assault on the job by supervisors, fellow employees, or, on occasion, non-employees.
10. Sending and/or displaying sexually explicit text messages and/or emails.

Note: Sexual harassment, for purposes of this policy, includes conduct directed by men toward women, conduct directed by men toward men, conduct directed by women toward men, and conduct directed by women toward women.

Scope. This policy applies to all officers and employees of the City, including but not limited to full-time and part-time employees, elected officials, permanent and temporary employees, employees covered or exempt from the personnel rules or regulations of the City, and employees working under contract for the City. Additionally, it applies to conduct directed towards a City employee in the City workplace by someone who is not directly related to the City, such as a vendor, consultant, client, customer, or other City contact.

Responsibility: It shall be the joint responsibility of managers and supervisors of the City to ensure adherence to this policy. All managers and supervisors will assist in the coordination and the implementation of this policy. All supervisors and managers have the duty of ensuring that no individual or employee is subjected to sexual harassment or any other form of unlawful workplace harassment, and of maintaining a workplace free of such harassment. Supervisors and managers shall discuss this policy with employees and assure them that they are not required to endure any form of unlawful harassment.

Complaint Procedure The City encourages employees to report all perceived incidents of harassment, regardless of the position of the alleged offender. ***Any employee who has a harassment complaint against a supervisor, coworker, visitor, customer or other person, must bring the problem to the employer's attention.***

Any employee who feels he/she is subject to workplace harassment should immediately contact one of the people listed below with whom the employee feels most comfortable. Employees have the right to circumvent the employee chain-of-command when selecting the person to complain to about workplace harassment. Complaints may be made verbally or in writing to his/her immediate supervisor, Department Head, Human Resources Manager, or City Recorder. If an employee is uncomfortable reporting harassment to any of these people, or if the employee believes that the complaint was not properly addressed, the employee should report the incident to the Mayor or the City Attorney.

When filing his/her complaint, the employee should be prepared to provide the following information:

1. His/her name, department, and position title;
2. The name of the person or people committing the harassment, including title(s), if known;
3. The specific nature of the harassment, how long it has gone on, any employment action (demotion, failure to promote, dismissal, refusal to hire, transfer, etc.) taken against the employee as a result of the harassment, or any other threats made against the employee as a result of the harassment;
4. Witnesses to the harassment, if any; and
5. Whether the employee has previously reported the harassment and, if so, when and to whom.

### Reporting and Investigating Complaints:

The Human Resources Director is the person the City designates as the investigator of workplace harassment complaints against the employees. In the event the harassment complaint is against the Human Resources Director, the investigator shall be an employee appointed by the Mayor. The City may elect to use an investigator not employed by the City to conduct factual investigations otherwise performed by the Human Resources Director.

When any employee makes an allegation of workplace harassment, the person to whom the complaint is made shall:

1. Immediately prepare a report of the complaint according to the complaint procedure section and submit it to the Human Resources Director.
2. Make and keep a written record of the investigation at the time the verbal interview is in progress, including notes on:
  - a. Verbal responses made to the investigator by the person complaining of harassment;
  - b. Witnesses interviewed during the investigation;
  - c. The person against whom the complaint of harassment was made; and
  - d. Any person contacted by the investigator in connection with the investigation.
3. Within five (5) days of receiving the complaint, prepare and present the findings to the Human Resources Director in a report, which will include:
  - a. The written statement of the person complaining of harassment,
  - b. The written statement of witnesses,
  - c. The written statement of the person against whom the complaint of harassment was made,
  - d. All the investigator's notes connected to the investigation.

### Action on Complaints of Workplace Harassment

Upon receiving an investigation report of a workplace harassment complaint, the Human Resources Director shall immediately review the report. If the Human Resources Director determines that the report is not complete in some respect, he/she may question the person complaining of workplace harassment, the person against whom the complaint has been made, witnesses to the conduct in question, or any other person who may have knowledge about the harassment.

Based upon the report and his/her own investigation (where a separate investigation is made), the Mayor shall, within a reasonable time, determine whether the conduct in question constitutes harassment. In making that determination, he/she shall look at the record as a whole and at the totality of circumstances, including the nature of the conduct, the context in which the alleged actions occurred, and the behavior of the person complaining. Whether harassment took place or not will be determined on a case-by-case basis.

If the Human Resources Director determines that the harassment complaint is founded, he/she may recommend discipline the employee consistent with his/her authority under the municipal charter, ordinances, resolutions, or rules governing employee discipline.

The disciplinary action shall be consistent with the nature and severity of the offense, the employee's rank, and any other factors the Human Resources Director believes relate to fair and efficient administration of the municipal government. This includes, but is not limited to, the effect of the offense on employee morale, public perception of the offense, and the light in which it casts the City. The disciplinary action may include warning, reprimand, suspension, demotion, or dismissal. Determining the level of disciplinary action shall also be made on a case-by-case basis. **A written record shall be kept of imposed disciplinary actions.**

In all events, an employee found guilty of workplace harassment shall be warned not to retaliate in any way against the person making the complaint, witnesses, or any other person connected with the investigation.

In cases where workplace harassment is committed by a non-employee against a city government employee in the workplace, the Mayor shall take whatever lawful action is necessary against the non-employee to bring the harassment to an immediate end.

The employee will be notified of a decision or of the status of the investigation as soon as possible.

There will be no discrimination or retaliation against any individual who files a good-faith harassment complaint, even if the investigation produces insufficient evidence to support the complaint, and even if the charges cannot be proven.

There will be no discrimination or retaliation against any other individual who participates in the investigation of a harassment complaint.

Disciplinary action (up to discharge) will also be initiated against employees who make false or frivolous accusations, such as those made maliciously or recklessly, and against employees who knowingly fail to report instances of workplace harassment or fail or refuse to cooperate in a harassment complaint investigation.

Actions taken by the City to investigate and resolve harassment complaints shall be conducted confidentially to the extent practicable and appropriate, and consistent with the Tennessee Open Records Act, in order to protect the privacy of persons involved.

## WORKPLACE VIOLENCE

The City maintains a zero-tolerance policy toward workplace violence, or the threat of violence, by any of its employees, customers, the general public, and/or anyone who conducts business with the City. The City recognizes that each employee is entitled to a safe and secure work environment that is free from intimidation, threats, or violent acts.

Workplace violence includes, but is not limited to harassment, threats, physical attacks, or property damage. A threat is the expression of intent to cause physical and/or mental harm regardless of whether the person communicating the threat has the present ability to carry out the threat. Physical attack is intentional hostile physical contact with another person such as hitting, fighting, pushing, shoving, or throwing objects. Property damage is intentional damage to property, which includes property owned by the City, employees, or others.

Each incident of violent behavior, whether it is committed by an employee or external entity, must be reported to the supervisor and Human Resources. The Human Resources Director is the party designated to investigate any claims of workplace violence.

Upon completion of an investigation, a written report will be presented to the City Manager. If it is determined that the information is correct, immediate and appropriate disciplinary action will be taken against the employee guilty of workplace violence. It is in direct violation of this policy to engage in any act of workplace violence.

Employees who have knowledge of an act of workplace violence or of another employee's intent to commit an act of violence against a co-worker, supervisor or citizen have an obligation to report such information to their supervisor. Failure to report or refusal to cooperate in an investigation regarding workplace violence may result in disciplinary action. Any employee who acts in good faith by reporting real or implied violent behavior will not be subject to any form of retaliation or harassment. Any action of this type resulting from a report of violent behavior must be reported to Human Resources for investigation.



The Town of Ashland City is firmly committed to the principle of fair and equal employment opportunities for its citizens and strives to protect the rights and opportunities of all people to seek, obtain, and hold employment without being subjected to illegal discrimination and harassment in the workplace. It is the State's policy to provide an environment free of discrimination and harassment of an individual because of that person's race, color, national origin, age (40 and over), sex, pregnancy, religion, creed, disability, veteran's status or any other category protected by state and/or federal civil rights laws.

In the absence of an agency-specific policy, employees or applicants for employment who believe they have been discriminated against or harassed on any of these bases should utilize the procedures set forth in this policy.

In the absence of an agency-specific policy, employees or applicants for employment who believe they have been discriminated against or harassed on any of these bases should utilize the procedures set forth in the city's grievance procedure.

## Definitions of Discrimination and Harassment in the Workplace

### A. Workplace Discrimination and Harassment

This policy prohibits unequal and unlawful treatment of an individual on the basis of a person's race, color, national origin, age (40 and over), sex, pregnancy, religion, creed, disability, or veteran's status or any other category protected by state and/or federal civil rights laws. This policy further prohibits any unwelcome verbal, written, physical conduct, or electronic communication that either degrades or shows hostility or aversion towards a person because of that person's race, color, national origin, age (40 and over), sex, pregnancy, religion, creed, disability, or veteran's status or any other category protected by state and/or federal civil rights laws.

To aid employees in identifying prohibited behavior, the following specific examples of workplace discrimination and harassment are provided. These examples are not exhaustive; they illustrate, however, the types of conduct that violate this policy:

- Undermining a person's authority or work performance because of the person's protected characteristics, such as age or religion;
- Using stereotypes or assumptions to guide decision-making about a person's career;
- Unwelcome touching or near-touching, which can encompass leaning over, cornering, hugging, or pinching, sexual innuendos, teasing and other sexual talk such as jokes, personal inquiries, persistent unwanted courting and sexist put-downs;
- Slurs and jokes about a class of persons, such as disabled persons or a racial group;
- Distributing via electronic means epithets, slurs, jokes or remarks that are derogatory, demeaning, threatening or suggestive to a class of persons or a particular person or that promote stereotypes of a class of persons;
- Display of explicit or offensive calendars, posters, pictures, drawings or cartoons that are sexually suggestive or that reflect disparagingly upon a class of persons or a particular person; or
- Derogatory remarks about a person's national origin, race, language, or accent.

## B. Hostile environment

Hostile environment harassment occurs when a victim is subjected to comments based on race, color, national origin, age (40 and over), sex, pregnancy, religion, creed, disability, veteran's status or any other category protected by state and/or federal civil rights laws. A hostile work environment may also be created by innuendoes, touching, electronic communications or other conduct.

## C. Sexual Harassment

Sexual harassment involves any unwelcome sexual advance, request for sexual favors, or verbal, written, electronic, or physical conduct of a sexual nature by a manager, supervisor, co-worker, or non-employee (third party). Managerial harassment occurs when a manager or a supervisor gives or withholds a work-related benefit in exchange for sexual favors from the victim or takes an adverse action against an employee for refusing a request for sexual favors. In some circumstances, threatening to take such actions may also be a violation of this policy. Certain actions may also create a hostile work environment. (See the definition for "hostile work environment" above.)

## D. Retaliation

Retaliation is *any* act of reprisal, interference, restraint penalty, discrimination, intimidation, or harassment against an individual or individuals exercising rights under this policy.

### A. Third Parties

Third parties are individuals who are not city employees but who have business interactions with city employees. Such individuals include, but are not limited to, customers, such as applicants for city employment or services, vendors, contractors, or volunteers.

## Conduct Prohibited by the Town of Ashland City

The Town strictly forbids and will not tolerate discrimination or harassment of any employee, applicant for employment, or third party on the basis of an individual's race, color, national origin, age (40 and over), sex, pregnancy, religion, creed, disability, veteran's status or any other category protected by state and/or federal civil rights laws. The fact that an alleged offender meant no harm or was teasing will not excuse conduct that violates this policy.

The State of Tennessee strictly forbids and will not tolerate any form of retaliation directed against an employee, applicant for employment, or third party who either complains about discrimination or harassment or who participates in any investigation concerning discrimination or harassment.

## How to Report Incidents of Discrimination or Harassment

If an employee, applicant for employment, or third party believes he/she has been subjected to discriminatory or harassing conduct that violates this policy, he/she must report those incidents as soon as possible after the event occurs and follow the grievance policy section IX, segment J of the policy manual.

## How to Report a Retaliation Incident

If an employee, applicant for employment, or third party believes he/she has been subjected to retaliation for engaging in protected conduct under this policy, he/she must report those incidents as soon as possible after the event occurs and follow the grievance procedure set forth in section IX, segment J of the policy manual.

## **SECTION IX – MISCELLANEOUS POLICIES**

### **ASHLAND CITY DRESS CODE**

This document sets forth the policy of the Town of Ashland City with respect to the Business Dress Policy. Customers and the general public judge our city on the basis of the appearance of our employees. The general dress code of our employees is business casual. Dress and personal grooming must be appropriate for the business environment in which you work.

The dress policy pertains to all full-time, part-time or temporary employees.

Office Dress – Business Casual includes business suits and dresses as well as more casual clothing such as short-sleeved shirts, polo style shirts, sweaters, Capri pants and khaki slacks. Clothing issued to employees with the Ashland City logo, such as polo shirts and sweatshirts, is also considered appropriate business casual dress.

Not in the definition of Office Dress-Business Casual are the following: sports or workout attire, leggings, t-shirts, tank tops, halter tops, short shorts, short skirts, tight fitting clothing, torn, tattered, wrinkled or dirty clothing. This list is not all inclusive.

Field Dress: An employee who must visit/work at current and potential construction site/location may dress appropriately for the work environment. Appropriate dress includes jeans, work uniforms, work jackets and work or protective boots/shoes.

However, at all times, common sense and good taste must apply towards any clothing worn.

To further clarify our business dress policy, please keep in mind the following when considering what is acceptable.

#### **Examples of Acceptable Attire for Work:**

- (1) Casual dresses and skirts that are split at or below the knee;
- (2) Casual shirts, golf shirts, dress shirts, sweaters, tops and turtlenecks;
- (3) Slacks, dress slacks, or pant suits;
- (4) Loafers, boots, flats, clogs, dress heels;
- (5) Ashland City apparel;
- (6) Dress sandals (except in the field)
- (7) Jeans without holes, tears or fading are allowed by decision of each Department Head

#### **Examples of Inappropriate Attire at Work:**

- (1) Miniskirts, sun dresses, spaghetti-straps, or strapless tops or dresses/skirts split above the knee;
- (2) T-shirts, sweatshirts, midriff tops, shirts with potentially offensive words, logos, pictures, cartoons, or slogans;
- (3) Tank tops, halter tops, and t-shirts unless worn under another blouse, shirts, sweater or jacket;
- (4) Exercise pants, sweatpants, bib overalls, shorts, leggings, and any spandex or other form fitting pants;
- (5) Flip flops, slippers;
- (6) Torn, dirty or frayed clothing;
- (7) Clothing that is tight fitting, low cut, reveals stomach, cleavage, or undergarments (undergarments are required but should not be visible);
- (8) Jewelry, make-up, perfume and cologne should be in good taste;
- (9) No visible body piercing (other than ears).

**Please keep in mind that no dress code can cover all contingencies so employees must use a certain amount of judgment in their choice of clothing to wear to work.**

The department head is responsible for:

- (1) Ensuring employees under his or her supervision are informed of this policy.
- (2) Notifying an employee when his or her dress and personal grooming fall outside the provisions of the city's business dress policy.

An employee is responsible for:

- (1) Complying with Ashland City's Business Dress Policy;
- (2) Avoiding unprofessional dress and/or unprofessional personal grooming while in the workplace or on Ashland City business;
- (3) Understanding that fashion trends may have to yield to more traditional, conservative business dress;
- (4) Using good judgment when deciding dress in the workplace.

**An employee should direct questions regarding this policy to his or her department head or the Mayor.**

## PROTECTIVE FOOTWEAR

It is the responsibility of Police, Dept. of Fire & Life Safety and Public Works to perform a workplace hazard assessment to determine the need for specific foot protection. Each affected employee shall wear protective footwear during employee work hours. They shall wear the approved foot protection as part of their work uniform.

Police, Dept. of Fire & Life Safety, and Public Works will purchase the footwear for all affected employees. Each affected employee shall wear protective footwear during regular working hours. Police, Dept. of Fire & Life Safety and Public Works will purchase the footwear for all affected employees.

## TRAVEL/TIP REIMBURSEMENT POLICIES

This policy applies to all city employees and/or elected city officials who may have reasons to travel out of town on official city business. No expenses shall be reimbursed unless travel is authorized and approved in advance by department head and/or Mayor of the Town of Ashland City.

### 1. Transportation

- a. **Air Transportation:** The city will pay for regular class or business class air travel as a general rule and will only pay for first class travel where the need is clearly indicated and approved in advance. Air travel will be utilized when the distance involved in the travel indicated is the mode travel of more economical.
- b. **City Vehicles:** If a city vehicle is generally available and does not otherwise interfere with the regular utilization of said vehicle, it should be used in lieu of a personal/private automobile. Arrangements for these vehicles should be made in advance through the appropriate department head. Proof of actual gasoline purchase must be presented for reimbursement.
- c. **Private Automobile:** The use of a private automobile for travel on official business may be authorized by department head, but only with the concurrence of the Mayor of the city. The Department Head or Mayor shall be notified prior to the employee's use of his/her personal vehicle for city business. Authorized to use their personal vehicles, employees shall be reimbursed *at the current federal per mile reimbursement rate* for actual miles driven. Only mileage on official business may be claimed; from origin to destination of official business and return by the most direct route, together with the mileage incurred at the destination. The cost of other related expenses, such as tolls, parking, and other vehicular expenses will be reimbursed.
- d. **Non-Reimbursable Vehicular Expenses:** The employee will NOT be reimbursed for any fines, traffic violations, or parking tickets incurred while on official business.
- e. **Rental Vehicles Associated with Air Travel:** The cost of a rental vehicle will be paid for by the city, if and when reasonably incurred by the employee as a result of traveling by air to the destination. Rental car authorization must be AUTHORIZED IN ADVANCE by the department head and the Mayor. The City Recorder must also be notified in advance of the anticipated travel. Receipts for the cost of rental cars should accompany the request for reimbursement.
- f. **Other Considerations:** The selected mode of travel will be based on the best interest of the city. Additional factors to be considered in determining the most economical mode of transportation will include distance, length of travel time, salary, fuel, meals, etc.

### 2. Lodging

Reimbursement for lodging will be based upon the locality, purpose of travel, and availability of accommodations. Lodging shall be approved in advance of securing reservations by the department head/Mayor/City Recorder. A signed receipt from the place of lodging is required for appropriate reimbursement.

### 3. Meal Cost and Allowances

The meals and incidentals rate is \$59.00 per day, and is intended to cover the costs of a single days' worth of meals and incidental costs (such as tips and parking) based on the average cost for these expenses in the Nashville area. If meals and incidentals should total more than this rate, receipts must be turned in to department head and or mayor for approval. If excess is not approved, employee may be responsible for the difference between the per diem rate and total cost submitted.

A higher amount than allowed per diem shall be authorized for meals when traveling to a place that is generally known to be more expensive; receipts must be kept. Any expenditure in excess of the daily allowed per diem must be documented by appropriate receipts for reimbursement. For officials attending the annual Tennessee Municipal League meeting, National League of Cities meeting or other official conferences of the city, reimbursement of meals in excess of the per diem will require receipts to be submitted with the travel form.

#### **4. Miscellaneous Expenditures**

- a. Expenditures of a personal nature, movie theaters, etc. will not be approved for reimbursement.
- b. All charges for long distance and local business calls will be allowed while traveling. Two personal calls are allowed each day provided the charges are reasonable. Use your cell phones IF you have nationwide coverage.
- c. All registration fees for employee/officials attending approved workshops, seminars, conventions, and other business meetings will be allowed, including cost of any breakfast, luncheon, banquet or other associated meeting programs.
- d. NO expense of spouses or related parties accompanying the employee/official on travel will be reimbursed.
- e. An individual combining travel on official city business and travel for another organization or for personal reasons will be reimbursed ONLY for the appropriate part of the city's costs. The basis for reimbursement will be arranged in advance of travel.
- f. BEFORE traveling, a "Request to Travel" form must be filled in and submitted to the department head/Mayor/City Recorder for approval. This form combines a request for travel advance and authorization to travel, which must be granted in each case.
- g. A travel advance shall not be granted more than three (3) working days prior to travel. Such request must be made three (3) days in advance to allow for processing and approval. Upon return from travel, an employee/official shall submit a completed expense report within twenty (20) days detailing actual expenditures due for reimbursement. The city will pay travel expenses promptly upon receipt of completed travel expense report supported by proper receipts.
- h. It is recognized that individual departments may have special travel restrictions, requirements, or policies which apply to that department's travel. These may apply to such things as the Tennessee Law Enforcement Academy or other special training special training programs which employees may be required to attend from time to time. Any special department policy applicable to travel is authorized upon approval of the City Council.

- i. Other necessary and reasonable expenses will be reimbursed subject to approval of the department head/Mayor/City Clerk/Recorder.

## USE OF CITY VEHICLES

A “city owned vehicle” is any vehicle to which the Town of Ashland City holds title. This includes, but is not limited to: police cars, dump trucks, pick-up trucks, fire department trucks and service vehicles, and the Director of Public Works vehicle.

Certain jobs require that employees be “on call” 24 hours a day, and for that reason, the city currently provides a “take home” vehicle for selected employees. The list of employees authorized to possess a “take home” vehicle shall be maintained by the Mayor and may be revised as needed.

A city vehicle is for the employee’s official use as a representative of the Town of Ashland City, and will not be used at any time as a personal vehicle. Any and all persons riding in a city vehicle must have official business with the city.

All vehicles shall be permanently marked as property of the Town of Ashland City. The driver of each vehicle shall have a valid Tennessee Driver’s License and a copy of this license shall be on file in the City Clerk/Recorder’s office.

City owned “take home” vehicles are allowed travel outside the corporate limits of Town of Ashland City. If the employee lives outside the corporate city limits or official business requires travel beyond the city limits with approval of the Mayor or Department Head.

While operating a moving vehicle, cell phone conversations should be kept to an absolute minimum. No cell phone usage, even with a headset, is allowable for any off-road (maintenance/construction type) equipment. No texting while driving or operating any city vehicle on or off the road. Personal cell phones will not be used while operating a city vehicle.

City vehicles may be fitted with location devices. The employee will be subject to disciplinary action up to termination, if a city vehicle is found to not be conducting city business while in their possession.

City employees should wear seatbelts at all times when driving city vehicles.

No smoking in city vehicles.

This policy applies to any employee with a need to use any city vehicle.

## USE OF CITY COMPUTERS AND CELL PHONES and related technology items devices such as iPads, laptops etc.

Computers, phones and related items furnished by the Town of Ashland City are city property, intended for use by employees for city business only. Computers, phones, and

related items include, but are not limited to, hardware, software, (including e-mail and internet software), computer files, documents and cell phones. The city has the right, but not the duty, to monitor any and all of its computers, cell phones, and related items, included but not limited to: monitoring employee's visits on the Internet, reviewing material downloaded or uploaded by employees, reviewing e-mail sent and received by employees, and cell phone messages and usage.

#### Waiver of Privacy:

Employees have no expectation of privacy in e-mail or cell phone messages, data accessed through the internet, or any other data or information created or stored on city computers or cell phones, nor does the use of passwords by employees create any privacy rights in this information. The city may access, monitor, or reproduce these messages and data, without the consent of the employees, when it is deemed necessary in the sole discretion of the city. All passwords must be provided to the department head upon request. The use of undisclosed passwords is prohibited.

#### Prohibited Uses:

The sending, displaying, disseminating or storing inappropriate or sexually explicit material is prohibited, unless the employee can demonstrate a legitimate city interest in such conduct (such as a police investigation of criminal activity). "Sexually explicit material" means any printed or written material or any audio, film, video recording or pictorial representation of graphic depiction, produced in any medium, which depicts or describes nudity, including sexual or excretory activities or organs, in a manner which is lewd and intended to elicit a sexual response. No city employee shall use city computers in a manner that is disruptive or offensive to others or in violation of any provision of the city's personnel policy. Other prohibited uses include but are not limited to any material containing ethnic slurs, racial comments, off-color jokes or material that may be construed as sexual, racial, or other harassment, or the showing of disrespect for others. The use of social media is discouraged while on shift unless the employee can demonstrate a legitimate city interest.

No software, hardware, applications or devices may be installed, downloaded or placed on the city network or any city owned technology without the written permission of the IT Committee and approval of the Mayor.

The e-mail system or cell phone should not be used to solicit or to conduct personal business ventures.

Personal email access is prohibited on any city device. Personal email should not be linked to any city device (ex. auto forwarding) Any information on city property should have no expectation of privacy, and is subject to audit at any time.



City phones, I-pads, laptops, any city device should be returned to the Department Head or City Recorder when an employee is terminated, receives an updated phone or device or changes position where a phone or device is no longer required.

All passwords should be changed every 6 months. A list of passwords should be maintained by a designated person within the department.

Any suspicious emails should not be opened. If employees are unsure, they should contact their department head immediately who in turn may contact IT for further investigation.

While operating a moving vehicle, cell phone conversations should be kept to an absolute minimum. No cell phone usage, even with a headset, is allowable for any off-road (maintenance/construction type) equipment. No texting while driving or operating any city vehicle on or off the road. Personal cell phones will not be used while operating a city vehicle.

Personal phone calls should be kept to a minimum and may be restricted by an employee's supervisor in such situations that use may present a safety hazard.

#### **COMPLIANCE WITH APPLICABLE LAWS AND LICENSES:**

Employees must comply with all software licenses, copyrights and all other state and federal laws governing intellectual property and online activity. No city employee may duplicate such software without the written permission of IT.

#### **VIOLATIONS – DISCIPLINARY ACTION:**

Employees who violate this policy shall be subject to legal and/or disciplinary actions, up to and including termination of employment. Employees should notify their immediate supervisor or department head upon receiving any inappropriate or sexually explicit material or upon learning of violations of this policy.

#### **USE OF MUNICIPAL TIME, FACILITIES, ETC.**

No employee of the Town of Ashland City shall use or authorize the use of municipal time, facilities, equipment or supplies for private gain or advantage to oneself or any other private person or group without prior approval of the Det. Head and/or Mayor. No city employee shall have in his/her possession tools or equipment that should obviously belong on city property (i.e. bulldozers, truck, etc.) unless acting in his/her capacity as a city employee.

#### **DRIVING RECORDS**

Any employee who is required as an employment condition to possess and maintain a valid Tennessee driver's license or commercial driver's license must **immediately**, before reporting for duty the next workday, inform his/her supervisor should his/her license become denied, expired, restricted, suspended, or revoked any time during employment with the city. Failure to inform his/her supervisor of any restrictions on their license may

be a basis for discipline. Periodic review of employees driving records will be conducted by the department head to assure adherence to this policy.

Driver's license information is to be provided during open enrollment each year to the Human Resources Director.

### ACCEPTING GRATUITIES

No employee shall accept, directly or indirectly, any gift, gratuity, or favor of any kind that might reasonably be interpreted as an attempt to influence his/her actions with respect to city business. See ethics policy.

### USING TOBACCO PRODUCTS

In light of the fact that using tobacco products poses a threat not only to the user but to non-users as well, the city has adopted a policy that prohibits using tobacco products in city facilities. The policy states that no person, including employees, shall, in a city facility, smoke or use any tobacco products. However, the city may provide a designated smoking area outside public buildings of at least 25 feet from the city facility.

### BUSINESS INTEREST

No employee shall have any financial interest in the profits of any contract, service, or other work performed by the city. No department head or supervisor shall personally profit directly or indirectly from any contract, purchase, sale, or service between the city and any person or company. No department head or supervisor shall personally, or as an agent, provide any surety, bail, or bond required by law or is subject to approval by the City Council.

No city employee shall enter into a contract with the city or perform any work or function under any contract with the city if he/she has a direct or indirect financial interest in the contract, unless:

1. The contract is awarded through a process that complies with the city's purchasing requirements; or
2. The City Council waives this section's requirements after making a formal finding that it is in the best financial interest of the city to do so after full disclosure on the part of the city employee of his/her direct or indirect financial interest in the contract, and the City Council's finding and waiver and the employee's full financial disclosure are recorded on the minutes of the City Council in open session.

### PERSONNEL RECORDS

Personnel records for each employee are kept on file and maintained by the Human Resources Director. Any changes of address, telephone number, marital status, draft status, beneficiaries, number of dependents, or completed education/training should be turned in to the supervisor for transmittal to the personnel file.

The accounting office maintains the vacation, pension, retirement and sick leave records for each employee. The Human Resources Director maintains the personnel file and all benefits to include medical, dental, life insurance. The Human Resources Director will advise employees of their eligibility so that they may take full advantage of all the benefits available. All medical records shall be kept in a separate confidential file for each employee.

It is the responsibility of each employee to update personnel information in his/her personnel file by notifying the Human Resources Director if any information changes. The city shall not be held liable when incorrect withholding, wrong beneficiaries, or loss of employee benefits result from the failure of any employee to keep personnel records current.

## **SOCIAL MEDIA USE AND INTERNET POSTING POLICY**

### **(1) Applicability**

- (a) This policy applies to every employee, whether part-time, full-time, currently employed by the city in any capacity who posts any material whether written, audio, video or otherwise on any web site, blog or any other medium accessible via the internet.
- (b) For purposes of this policy social media is content created by individuals using accessible and scalable technologies through the internet. Examples include: Facebook, blogs, My Space, RSS, YouTube, Second Life, Twitter, Linked In, Google Wave, etc.

### **(2) City-Owned or Created Social Media**

- (a) The City maintains an online presence. An employee may not characterize him or herself as representing the city, directly or in-directly, in any online posting unless pursuant to a written policy of the city or the direction of a supervisor.
- (b) All city social media sites directly or indirectly representing to be an official statement of the city must be created pursuant to this policy and be approved by the Mayor.
- (c) The city's primary and predominant internet presence shall remain ashlandcitytn.gov and no other website, blog or social media site shall characterize itself as such, unless approved by the Mayor.
- (d) The Mayor's appointee (see appendix) is responsible for the content and upkeep of any social media sites created pursuant to this policy. The Appendix may change as needed.
- (e) Whenever possible a social media site shall link or otherwise refer visitors to the city's main website.
- (f) In addition to this policy all social media sites shall comply with any and every other applicable city policy including but not limited to:
  - i. Open records policy
  - ii. Internet Use policy
  - iii. IT Security policy
  - iv. Ethics policy
  - v. Records retention policy

- (g) A social media site is subject to Tennessee’s Public Records Act (T.C.A. 10-7-101, et seq) and Open Meetings Act (T.C.A. 8-44-101, et seq) and no social media site shall be used to circumvent or otherwise in violation of these laws. All information posted on a social media site shall be a public record and subject to public inspection. All lawful records request for information contained on a social media site shall be fulfilled by (See Appendix) and any employee whose assistance is necessitated. Every social media site shall contain a clear and conspicuous statement referencing the aforementioned state laws. All official postings on a social media site shall be preserved in accordance with the city’s records retention schedule.
- (h) A social media site shall also contain a clear and conspicuous statement that the purpose of the site is to serve as a mechanism for communication between the city and its constituents and that all postings are subject to review and deletion by the city. The following content is not allowed and will be immediately removed and subject the poster to banishment from all city social media sites:
1. Comments not topically related to the particular social media article being commented upon;
  2. Comments in support of or opposition to political campaigns or ballot measures;
  3. Profane language or content;
  4. Content that promotes, fosters, or perpetuates discrimination on the basis of race, creed, color, age, religion, gender, marital status, status with regard to public assistance, national origin, physical or mental disability or sexual orientation;
  5. Sexual content or links to sexual content;
  6. Solicitations of commerce;
  7. Conduct or encouragement of illegal activity;
  8. Information that may tend to compromise the safety or security of the public or public systems; or
  9. Content that violates a legal ownership interest of any other party.

The city will approach the use of social media tools, software, hardware and applications in a consistent, citywide manner. All new tools, software, hardware and applications must be approved by IT.

- Administration of city social media sites. The IT Committee will maintain a list of social media tools which are approved for use by the city departments and staff.

Each Department will maintain a list of all city social media sites, including login and password information. Employees and officials will inform the Mayor and IT Committee of any new social media sites or administrative changes to existing sites.

The city must be able to immediately edit or remove content from social media sites.

For each social media tool approved for use by the city the following documentation will be developed and adopted:

- a. Operational and use guidelines
- b. Standards and processes for managing accounts on social media sites
- c. City and departmental branding standards

- d. Enterprise-wide design standards
- e. Standards for the administration of social media sites

### **(3) Non-City Social Media Sites**

An employee may not characterize him or herself as representing the city, directly or indirectly, in any online posting unless pursuant to a written policy of the city or the direction of a supervisor.

The use of a city email address, job title, official City name, seal or logo shall be deemed an attempt to represent the city in an official capacity. Other communications leading an average viewer to conclude that a posting was made in an official capacity shall also be deemed an attempt to represent the city in an official capacity.

Any postings on a non-city social media site made in an official capacity shall be subject to the Tennessee Open Records Act and the Tennessee Open Meetings Act.

An employee or official posting on a social media site shall take reasonable care not to disclose any confidential information in any posting.

When posting in a non-official capacity an employee or official shall take reasonable care not to identify themselves as an official or employee of the city. When the identity of an employee or official posting on a non-city social media site is apparent, the employee or official shall clearly state that he or she is posting in a private capacity.

## **SECTION X – SEPARATIONS AND DISCIPLINARY ACTIONS**

### **TYPES OF SEPARATIONS**

All separations of employees from positions with the municipal government shall be designated as one of the following types and shall be accomplished in the manner indicated: resignation, layoff, disability, death, retirement, suspension and dismissal. At the time of separation and prior to final payment, all records, assets and other city property in the employee's custody must be transferred to the department. Any amount due because of shortages shall be withheld from the employee's final compensation.

This is not an employment contract. This document is a statement of current policies, practices, and procedures. Nothing in this document is to be interpreted as giving employees any more property rights in their jobs than may already be given by the city charter. The town of Ashland City reserves the right to change any or all such policies, practices, and procedures in whole or in part at any time, in accordance with the procedures included herein.

### **RESIGNATION**

In the event an employee decides to leave the municipal government's employ, a two (2) –week notice shall be given to his/her supervisor so that arrangements for a replacement can be made. An unauthorized absence from work for a period of three consecutive working days may be considered by the department head as a resignation.

On an employee's last day of work, the Department Head, Mayor and/or Human Resources Director is to complete the following process:

1. Contact police department to discontinue access to any city buildings.
2. Collect any city property such as cell phones, city badge, computers, tablets, etc.
3. Contact IT to set end date for city email.
4. Interview employee to determine reason for resignation, if applicable.
5. Contact HR by email to inform them of the employee's last day of employment.

If a former employee returns to municipal government employment, after 6 months, his/her status of seniority, pay, leave, etc., will be the same as any new employee beginning work for the first time.

## LAYOFF

The Mayor or department head, if so designated by the Mayor, may lay off an employee in municipal government service when he/she deems it necessary by reason of a shortage of funds, abolishing a position, other material changes in the duties of organization of the employee's position, or related reasons that are outside the employer's control and that do not reflect discredit upon the employee's service.

A laid-off employee who is reinstated as a city employee within 90 days from the date he/she was laid off shall be reinstated with full benefits as if he/she had not been laid off.

## DISABILITY

An employee may be separated due to a disability when he/she cannot perform the essential functions of the job because of a physical or mental impairment that cannot be accommodated without undue hardship or that poses a direct threat to the health and safety of others. Reasonable accommodations may include transfer to a comparable position for which the individual is qualified. Action may be initiated by the employee or the municipality, but in all cases it must be supported by medical evidence acceptable to the Mayor and City Council, and the disability must prevent the employee from performing the essential functions of the job. The city may require an examination at its expense to be performed by a licensed physician of its choice.

## DEATH

Separation shall be effective as of the date of death of an employee. All compensation due in accordance with these rules shall be paid to the estate of the employee, except for such sums as by law must be paid to the surviving spouse.

## RETIREMENT

Whenever an employee meets the conditions set forth in the retirement system's regulations, he/she may elect to retire and receive all benefits earned under the appropriate retirement system.

## SUSPENSION

Pursuant to Chapter 25 of the Town of Ashland City Charter, an employee may be suspended without pay by the Mayor or department head if such authority is delegated by the Mayor, for reasonable cause. For suspensions of more than fifteen (15) days, a written statement of the reason for suspension shall be submitted to the employee. This notice shall also include notification that the employee may appeal to the City Council by filing with the City Clerk/Recorder, within 10 days, a written notice of his/her intention to appeal. The City Council shall hold a hearing within twenty (20) days after the notice of appeal is delivered by the employee. The votes of four (4) councilpersons, excluding the Mayor's vote, shall be required to override the suspension, and the action of the City Council shall be the final determination in the matter. If the suspension is overruled by the City Council, any loss of salary shall be paid to the employee. All records associated with a suspension shall become a permanent part of the employee's personnel file.

## DISMISSAL

Pursuant to Chapter 25 of the Town of Ashland City Charter, an employee may be dismissed by the Mayor or department head if such authority is delegated by the Mayor, for reasonable cause. Reasons for dismissal may include, **BUT SHALL NOT BE LIMITED TO:** misconduct, negligence, incompetence, and insubordination, unauthorized absences, falsifying records, or violating any of the charter provisions, ordinances or these rules. Examples include:

1. Incompetency or inefficiency in performing duties;
2. Conviction of a criminal offense or of a malfeasance involving moral turpitude;
3. Violating any lawful and reasonable regulation, order, or direction made or given by a superior, or insubordination that constitutes a serious breach of discipline;
4. Being intoxicated, drinking any intoxicating beverages, or being under the influence of a drug or narcotic while on duty;
5. Theft, destruction, carelessness, or negligence of city property;
6. Disgraceful personal conduct or language toward the public, fellow officers, or employees;
7. Unauthorized absences or abuse of leave privileges;
8. Incapacity to perform the essential functions of a job because of a permanent or chronic physical or mental defect that cannot be accommodated;
9. Accepting any valuable consideration that was given with the expectation of influencing the employee in performing his/her duties;
10. Falsifying records or using official position for personal advantage;
11. Loss of an employee's driver's license and driving privileges by due process of law when the employee's position makes operating a motor vehicle necessary in performing his/her duties.

Prior to an employee's dismissal, a written statement of the reason for dismissal shall be submitted to the employee. This notice shall also include notification that the employee may appeal to the City Council by filing with the City Clerk/Recorder, within ten (10) days, a written notice of his/her intention to appeal. The City Council shall hold a hearing within twenty (20) days after the notice of appeal is delivered by the employee. The votes of four

councilpersons, excluding the Mayor's vote, shall be required to override the dismissal, and the action of the City Council shall be the final determination in the matter. If the dismissal is overruled by the City Council, the employee shall be reinstated to his/her previous position, and any loss of salary shall be paid to the employee. All records associated with a dismissal shall become a permanent part of the employee's personnel file.

This is not an employment contract. This document is a statement of current policies, practices, and procedures. Nothing in this document is to be interpreted as giving employees any more property rights in their jobs than may already be given by the city charter. The town of Ashland City reserves the right to change any or all such policies, practices, and procedures in whole or in part at any time, in accordance with the procedures included herein.

## EXIT INTERVIEWS

All separating employees are encouraged to attend an exit interview with the Mayor. The main purpose of this interview is to ascertain whether the reason for an employee's separation is founded on a misunderstanding that might be corrected by either the city or the employee. Any information that may improve future working conditions in the city is always welcome.

## GRIEVANCE PROCEDURES

A grievance is defined as an employee's feeling of dissatisfaction and any differences, disagreements, or disputes arising between an employee and his/her supervisor and/or employer regarding some aspect of his/her employment, application or interpretation of regulations and policies, or some management decision affecting him/her. **A grievance can be something real, alleged, or a misunderstanding** concerning rules and regulations or an administrative order involving the employee's health, safety, physical facilities, equipment or material used, employee evaluation, promotion, transfer, layoff, recall, and any other related items. Such misunderstandings, complaints, points of view and opinions will be considered a grievance, except in cases where they relate to personnel actions arising out of pay, suspension and dismissal.

It is the city's desire to address grievances informally. Both supervisors and employees are expected to make every effort to resolve problems as they arise. However, it is recognized that there will be occasional grievances that will be resolved only after a formal appeal and review. Employees who have a grievance may discuss it with their immediate supervisor, a higher-level supervisor, and/or the department head.

Employees must remember that there is no grievance until the department head or other appropriate person has been made aware of the dissatisfaction. Every employee may present a complaint or grievance under the provisions of the grievance procedures free from fear, interference, restraint, discrimination, coercion or reprisal.

Steps of the grievance procedure are as follows:

1. **STEP ONE:** The employee makes an oral or written presentation of the complaint or grievance to the immediate supervisor. It shall be the supervisor's responsibility to



- promptly investigate the circumstances surrounding the grievance, discuss the matter with the appropriate department head and take action, if possible. The supervisor shall inform the employee of the decision and any action taken. The supervisor shall prepare a written report of the complaint or grievance and provide a copy of it to the department head. Any supervisor in the chain-of-command shall attach his/her recommendation regarding the unresolved complaint or grievance if it proceeds to a higher level.
2. **STEP TWO:** If the grievance cannot be resolved on an informal basis between the employee and supervisor, the employee may proceed to the second procedural step. Before proceeding, an employee must reduce the complaint or grievance to writing and request that the written statement be delivered to the department head. If an employee wishes a hearing, the department head will hold such hearing and provide a written response to the employee and the immediate supervisor within five (5) days of being notified of the grievance.
  3. **STEP THREE:** If the grievance is not resolved with the department head, the employee may request in writing a hearing with the Mayor. The Mayor's decision shall be communicated to the employee, department head and all other supervisory personnel involved in steps one and two. The Mayor's decision is the final step and shall be binding to all parties involved.

## GRIEVANCE AND APPEAL RESPONSIBILITIES

The Mayor is responsible for acting on appeals promptly and assisting employees in expediting appeals through the process. Only employee suspensions and dismissals may be appealed to the City Council. Only the Mayor and City Council may make the final decision to deny an appeal.

### A. POLICIES GOVERNING GRIEVANCE AND APPEALS PROCEDURES

An employee with a grievance shall be notified in writing of his/her rights to:

1. A grievance or appeals hearing as specified in this policy;
2. Receive written notification of the reason for the action that led to the grievance;
3. Be represented at all stages of the grievance proceedings by legal counsel retained at the employee's expense;
4. Present witnesses in his/her own behalf and cross-examine witnesses in support of the municipal government's action;
5. Examine and copy all documents that will be used by the municipality as justification for its actions;
6. Be free from threats, coercion, intimidation, or discrimination from other employees because he/she has made complaints, testified, or assisted in any manner in the above-stated grievance and appeals procedures.

### B. RECORDS

Records shall be made of all procedures pertaining to all grievance actions and these records shall be maintained in the city's permanent files by the City Clerk/Recorder.

## **SECTION XI – AMENDMENTS TO THE PERSONNEL RULES**

### **AMENDMENTS**

Amendments or revisions of these rules may be recommended for adoption by the Mayor. Such amendments or revisions of these rules shall become effective after public hearing and approval by resolution of the governing body.

### **SEVERABILITY**

Each section, subsection, paragraph, sentence and clause of this policy document is hereby declared to be separable and severable. The invalidity of any section, subsection, paragraph, sentence or clause shall not affect the validity of any other portion of these rules and only any portion declared to be invalid by a court of competent jurisdiction shall be deleted.

### **SPECIAL NOTE**

These personnel policies are believed to be written within the framework of the charter of the Town of Ashland City, but, in case of conflict, the charter takes precedence.

These personnel rules and regulations are for information only. This is not an employment contract. This document is a statement of current policies, practices and procedures. Nothing in this document is to be interpreted as giving employees any more property rights in their jobs than may already be given by the city charter. These personnel policies, rules and regulations shall be reviewed periodically. The employer reserves the right to change any or all such policies, practices and procedures in whole or in part at any time, with or without notice to employees.

### **WAGE & SALARY POLICY**

A copy of the city's wage & salary policy is on file with the city recorder's office. The content within the wage & salary policy is detailed for accounting purposes and is the standing policy on wage & salary.

**ORDINANCE NO.**

**AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE TOWN OF ASHLAND CITY, TENNESSEE, BY REZONING PARCEL 11.01 OF CHEATHAM COUNTY TAX MAP 64, LOCATED ON HIGHWAY 12 SOUTH AND CALDWELL ROAD**

**WHEREAS**, the Town of Ashland City has recognized the need to reclassify certain parcels located within its corporate limits to a zoning district classification more appropriate to the existing land use and the surrounding area in an effort to promote and protect the health, safety, morals, convenience, order, prosperity, and other aspects of general welfare; and

**WHEREAS**, a request has been made to the Ashland City Municipal-Regional Planning Commission to rezone said properties; and

**WHEREAS**, the Ashland City Municipal-Regional Planning Commission has reviewed and recommended to the Town Council that the Official Zoning Map, be amended as hereinafter described; and

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF ASHLAND CITY, TENNESSEE:**

*SECTION 1.* Pursuant to provisions of Sections 13-7-201 to 13-7-204, Tennessee Code Annotated, the property described herein is rezoned as follows:

The property included on Tax Map 64, Parcel 011.01, located on Highway 12 South and Caldwell Road rezoned from R-1 (Low-Density Residential) zoning district to the PO-PUD (Professional Office- Planned Unit Development) district, as taken from the records of the Assessor of Property of Cheatham County, Tennessee as of May 2020.

This area to be zoned PO-PUD is marked with a red "X" and shown on the map below.

*SECTION 2.* This ordinance shall be effective 20 days after its final passage, the public welfare requiring it.

Recommended by Ashland City Municipal-Regional Planning Commission regularly called meeting on February 3, 2020.

First Reading March 10, 2020

Second Reading April 14, 2020

Public Hearing April 14, 2020

Public Hearing Advertisement

ATTEST:

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Mayor Steve Allen

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City Recorder Kellie Reed CMFO, CMC



# Pickleball

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## Pickleball



[Play media](#)

<b><a href="#">Highest governing body</a></b>	International Federation of Pickleball <sup>[1]</sup>
<b>First played</b>	1965, <a href="#">Bainbridge Island, Washington</a>
	<b>Characteristics</b>
<b>Contact</b>	No
<b>Team members</b>	Singles or doubles
<b><a href="#">Mixed gender</a></b>	Yes, separate singles and doubles & mixed doubles
<b>Type</b>	<a href="#">Racquet sport</a> , <a href="#">Paddleball sport</a>
<b>Equipment</b>	<a href="#">PickleBall</a> , <a href="#">Pickleball Paddle</a>
<b>Venue</b>	Indoor or outdoor <a href="#">badminton court</a> with a <a href="#">tennis</a> type net
	<b>Presence</b>
<b>Country or region</b>	<a href="#">United States</a> , <a href="#">Canada</a> , <a href="#">United Kingdom</a> , <a href="#">India</a> , <a href="#">Spain</a> , <a href="#">Finland</a> , <a href="#">France</a> , <a href="#">Belgium</a> , <a href="#">New Zealand</a> , <a href="#">Australia</a> , <a href="#">Republic of Ireland</a> , <a href="#">Italy</a> , <a href="#">Germany</a> , <a href="#">Shenzhen</a> , <a href="#">Hongkong</a> , <a href="#">Taiwan</a> , <a href="#">South Korea</a> , <a href="#">Scotland</a> , <a href="#">Pakistan</a> , <a href="#">Singapore</a> , <a href="#">Philippines</a> , <a href="#">Poland</a>
<b><a href="#">Olympic</a></b>	No
<b><a href="#">Paralympic</a></b>	No

**Pickleball** is a paddleball sport (similar to a [racquet sport](#)) that combines elements of [tennis](#), [badminton](#), and [table tennis](#).<sup>[2]</sup> Two or four players use solid paddles made of wood or composite materials to hit a perforated polymer ball, with 26-40 round holes, over a net. The sport shares features of other racquet sports: the dimensions and layout of a [badminton court](#), and a net and rules somewhat similar to tennis, with several modifications. Pickleball was invented in the mid 1960s as a children's backyard game.<sup>[3]</sup>

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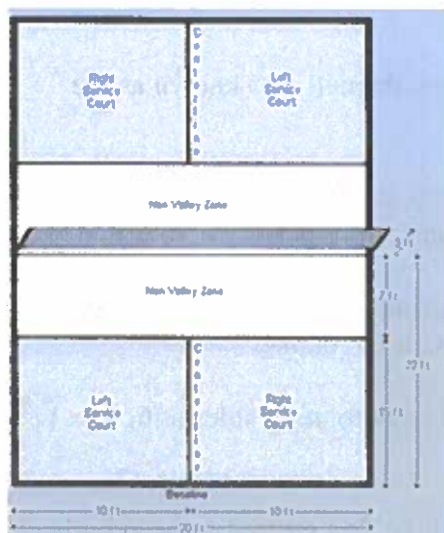
## History

The game started during the summer of 1965 on [Bainbridge Island, Washington](#), at the home of [Joel Pritchard](#), who later served in Congress and as lieutenant governor.<sup>[4]</sup> He and two of his friends, Bill Bell and Barney McCallum, returned from [golf](#) and found their families bored one Saturday afternoon. They attempted to set up badminton, but no one could find the [shuttlecock](#). They improvised with a [Wiffle ball](#), lowered the badminton net, and fabricated paddles of plywood from a nearby shed.<sup>[5][6][7]</sup>

McCallum made the first paddles that were specifically for paddleball on his basement bandsaw. He tried several alternative paddles, but one he called "M2" became the paddle of choice for most players.<sup>[8]</sup> In 1972, McCallum incorporated Pickle-Ball, Inc. and manufactured wooden paddles to help grow the sport. His son David McCallum now runs the business, which is headquartered in [Kent, Washington](#).<sup>[9]</sup>

Some sources claim that the name "Pickleball" was derived from that of the Pritchard's family dog, Pickles, or from the term "pickle boat".<sup>[5][7]</sup> According to Joan Pritchard, Joel Pritchard's wife, "The name of the game became Pickle Ball, after I said it reminded me of the Pickle Boat in crew where oarsmen were chosen from the leftovers of other boats. Somehow the idea the name came from our dog Pickles was attached to the naming of the game, but Pickles wasn't on the scene for two more years. The dog was named for the game, but stories about the name's origin were funnier thinking the game was named for the dog."<sup>[10]</sup>

## Court



court dimensions

The pickleball court<sup>[11]</sup> is similar to a doubles badminton court. The actual size of the court is 20 by 44 feet for both doubles and singles. The net is hung at 36 inches on the ends, and 34 inches at center. The court is striped like a tennis court, with no alleys; but the outer courts, and not the inner courts, are divided in half by service lines. The inner courts are non-volley zones and extend 7 feet from the net on either side.<sup>[12]</sup>

## Play



Pickleballs

The ball is served<sup>[13]</sup> with an underarm stroke so that contact with the ball is made below waist level (waist is defined as the navel level) in an upward arc. The server hits from behind the baseline on one side of the center line and aims diagonally to the opponent's service court (as in the figure on the right).

Only the serving side may score a point. Play ends for a point when one side commits a *fault*.<sup>[14]</sup> Faults include:

- not hitting the serve into the opponent's diagonal service court
- not hitting the ball beyond the net

- not hitting the ball before the 2nd bounce on one side of the net
- hitting the ball out of bounds
- volleying the ball on the service return
- volleying the ball on the first return by the serving side
- stepping into the non-volley zone (the first seven feet from the net, also known as the 'kitchen') in the act of volleying the ball.

A player may enter the non-volley zone to play a ball that bounces and may stay there to play balls that bounce.<sup>[12]A-22</sup> The player must exit the non-volley zone before playing a volley.

The first side scoring 11 points leading by at least two points wins the game. If the two sides are tied at 10 points apiece, the side that goes ahead by two points wins the game.<sup>[15]</sup>

Tournament games may be played to 11, 15 or 21 points with players rotating sides at 6, 8 or 11 total points respectively.

The server or server and partner usually stay at the baseline until the first return has been hit back and bounced once.

At the beginning of a doubles game before any serving, the score is 0-0. Then the side serving first gets only one fault before their side is *out*, meaning that their opponents serve next. After the first fault each side gets 2 faults (one for each team member serving) before their side is "out".

In singles play, each side gets only one fault before a side out and the opponent then serves. The server's score will always be even (0, 2, 4, 6, 8, 10...) when serving from the right side, and odd (1, 3, 5, 7, 9...) when serving from the left side.<sup>[12]A-15</sup>

Para-Pickleball, or wheel chair pickleball, was officially recognized as a competitive branch of Pickleball by the United States of America Pickleball Association in 2016. Rules for those in wheelchairs are similar to the standing rules with minor alternatives. The player's wheelchair is considered to be part of the player's body and all applicable rules that usually apply to the body will also apply to the player's wheelchair. A pickleball player in a wheelchair is allowed two bounces instead of the one a standup player would receive. When a player in a wheelchair is serving the ball, they must be in a stationary position. They are then allowed one push before striking the ball for service. When the player strikes the ball, the wheels of the wheel chair shall not touch any baselines, sidelines, center lines or the extended center or sidelines. When there is a mixed game of those in wheelchairs and those standing, the applicable rules apply for those players respectively. Standing players will adhere to the standing pickleball rules and the wheelchair players will adhere to the wheelchair pickleball rules.<sup>[16]</sup>



## **RESOLUTION # 2020-**

### **A RESOLUTION TO ESTABLISH AN UPDATED OCCUPATIONAL SAFETY AND HEALTH PROGRAM PLAN, DEVISE RULES AND REGULATIONS, AND TO PROVIDE FOR A SAFETY COORDINATOR AND THE IMPLEMENTATION OF SUCH PROGRAM PLAN**

**WHEREAS**, in compliance with Public Chapter 561 of the General Assembly of the State of Tennessee for the year 1972, the Town of Ashland hereby updates the Occupational Safety and Health Program Plan for our employees.

**WHEREAS**, due to various changes in subsequent years, it has become necessary to amend the program plan to comply with more recent state requirements.

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL FOR THE TOWN OF ASHLAND CITY** that the Occupational and Health Program Plan is hereby amended as follows:

**TITLE:**

This section shall be known as “The Occupational Safety and Health Program Plan” for the employees of Town of Ashland City.

**PURPOSE:**

The Town of Ashland City in electing to update the established Program Plan will maintain an effective and comprehensive Occupational Safety and Health Program Plan for its employees and shall:

- 1) Provide a safe and healthful place and condition of employment that includes:
  - a) Top Management Commitment and Employee Involvement;
  - b) Continually analyze the worksite to identify all hazards and potential hazards;
  - c) Develop and maintain methods for preventing or controlling the existing or potential hazards; and
  - d) Train managers, supervisors, and employees to understand and deal with worksite hazards.
- 2) Acquire, maintain and require the use of safety equipment, personal protective equipment and devices reasonably necessary to protect employees.
- 3) Record, keep, preserve, and make available to the Commissioner of Labor and Workforce Development, or persons within the Department of Labor and Workforce Development 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.
- 4) Consult with the Commissioner of Labor and Workforce Development with regard to the adequacy of the form and content of records.
- 5) Consult with the Commissioner of Labor and Workforce Development, as appropriate, regarding safety and health problems which are considered to be unusual or peculiar and are such that they cannot be achieved under a standard promulgated by the State.
- 6) Provide reasonable opportunity for the participation of employees in the effectuation of the objectives of this Program Plan, including the opportunity to make anonymous complaints concerning conditions or practices injurious to employee safety and health.

7) 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 Plan.

**COVERAGE:**

The provisions of the Occupational Safety and Health Program Plan for the employees of Town of Ashland City shall apply to all employees of each administrative department, commission, board, division, or other agency whether part-time or full-time, seasonal or permanent.

**STANDARDS AUTHORIZED:**

The Occupational Safety and Health standards adopted by the Town of Ashland City 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 Section 6 of the Tennessee Occupational Safety and Health Act of 1972 (T.C.A. Title 50, Chapter 3).

**VARIANCES FROM STANDARDS AUTHORIZED:**

Upon written application to the Commissioner of Labor and Workforce Development of the State of Tennessee, we may 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 and Workforce Development Occupational Safety and Health, VARIANCES FROM OCCUPATIONAL SAFETY AND HEALTH STANDARDS, CHAPTER 0800-01-02, as authorized by T.C.A., Title 50. Prior to requesting such temporary variance, we will notify or serve notice to our 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 shall be deemed sufficient notice to employees.

**ADMINISTRATION:**

For the purposes of this resolution, Town of Ashland City is designated as the Safety Director of Occupational Safety and Health to perform duties and to exercise powers assigned to plan, develop, and administer this Program Plan. The Safety Director shall develop a plan of operation for the Program Plan in accordance with Rules of Tennessee Department of Labor and Workforce Development Occupational Safety and Health, SAFETY AND HEALTH PROVISIONS FOR THE PUBLIC SECTOR, CHAPTER 0800-01-05, as authorized by T.C.A., Title 50.

**FUNDING THE PROGRAM PLAN:**

Sufficient funds for administering and staffing the Program Plan pursuant to this resolution shall be made available as authorized by the Town of Ashland City.

**SEVERABILITY:**

SECTION 2. **BE IT FURTHER RESOLVED** that if any section, sub-section, sentence, clause, phrase, or portion of this resolution is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

**AMENDMENTS, ETC:**

SECTION 3. **BE IT FURTHER RESOLVED** that this resolution shall take effect from and after the date it shall have been passed, properly signed, certified, and has met all other legal requirements, and as otherwise provided by

law, the general welfare of the Town of Ashland City requiring it.

We, the undersigned City Council members, meeting in Regular Session on this 11th day of February, 2020 move the adoption of the above Resolution.

Councilmember \_\_\_\_\_ moved to adopt the Resolution.

Councilmember \_\_\_\_\_ seconded the motion.

Voting in Favor \_\_\_\_\_

Voting Against \_\_\_\_\_

Attest:

\_\_\_\_\_  
Steve Allen, Mayor

\_\_\_\_\_  
City Recorder Kellie Reed, CMC, CMFO

PLAN OF OPERATION FOR THE OCCUPATIONAL SAFETY AND HEALTH  
PROGRAM PLAN FOR THE EMPLOYEES OF THE TOWN OF ASHLAND CITY

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**I. PURPOSE AND COVERAGE**

The purpose of this plan is to provide guidelines and procedures for implementing the Occupational Safety and Health Program Plan for the employees of the Town of Ashland City.

This plan is applicable to all employees, part-time or full-time, seasonal or permanent.

The Town of Ashland City in electing to update and maintain an effective Occupational Safety and Health Program Plan for its employees,

- a. Provide a safe and healthful place and condition of employment.
- b. Require the use of safety equipment, personal protective equipment, and other devices where reasonably necessary to protect employees.
- c. Make, keep, preserve, and make available to the Commissioner of Labor and Workforce Development, his designated representatives, or persons within the Department of Labor and Workforce Development to whom such responsibilities have been delegated, including the Safety Director of the Division of Occupational Safety and Health, adequate records of all occupational accidents and illnesses and personal injuries for proper evaluation and necessary corrective action as required.
- d. Consult with the Commissioner of Labor and Workforce Development or his designated representative with regard to the adequacy of the form and content of such records.
- e. Consult with the Commissioner of Labor and Workforce Development regarding safety and health problems which are considered to be unusual or peculiar and are such that they cannot be resolved under an occupational safety and health standard promulgated by the State.
- f. Assist the Commissioner of Labor and Workforce Development or his monitoring activities to determine Program Plan effectiveness and compliance with the occupational safety and health standards.
- g. Make a report to the Commissioner of Labor and Workforce Development annually, or as may otherwise be required, including information on occupational accidents, injuries, and illnesses and accomplishments and progress made toward achieving the goals of the Occupational Safety and Health Program Plan.
- h. Provide reasonable opportunity for and encourage the participation of employees in the effectuation of the objectives of this Program Plan, including the opportunity to make anonymous complaints concerning conditions or practices which may be injurious to employees' safety and health.

## II. DEFINITIONS

For the purposes of this Program Plan, the following definitions apply:

- a. COMMISSIONER OF LABOR and Workforce Development means the chief executive officer of the Tennessee Department of Labor and Workforce Development. This includes any person appointed, designated, or deputized to perform the duties or to exercise the powers assigned to the Commissioner of Labor and Workforce Development.
- b. EMPLOYER means the Town of Ashland City and includes each administrative department, board, commission, division, or other agency of the Town of Ashland City.
- c. SAFETY DIRECTOR OF OCCUPATIONAL SAFETY AND HEALTH or SAFETY DIRECTOR means the person designated by the establishing resolution, or executive order to perform duties or to exercise powers assigned so as to plan, develop, and administer the Occupational Safety and Health Program Plan for the employees of the Town of Ashland City.
- d. INSPECTOR(S) means the individual(s) appointed or designated by the Safety Director of Occupational Safety and Health to conduct inspections provided for herein. If no such compliance inspector(s) is appointed, inspections shall be conducted by the Safety Director of Occupational Safety and Health.
- e. APPOINTING AUTHORITY means any official or group of officials of the employer having legally designated powers of appointment, employment, or removal there from for a specific department, board, commission, division, or other agency of this employer.
- f. EMPLOYEE means any person performing services for this employer and listed on the payroll of this employer, either as part-time, full-time, seasonal, or permanent. It also includes any persons normally classified as volunteers, provided such persons received remuneration of any kind for their services. This definition shall not include independent contractors, their agents, servants, and employees.
- g. PERSON means one or more individuals, partnerships, associations, corporations, business trusts, or legal

representatives of any organized group of persons.

- h. STANDARD means an occupational safety and health standard promulgated by the Commissioner of Labor and Workforce Development in accordance with Section VI (6) of the Tennessee Occupational Safety and Health Act of 1972 which requires conditions or the adoption or the use of one or more practices, means, methods, operations, or processes or the use of equipment or personal protective equipment necessary or appropriate to provide safe and healthful conditions and places of employment.
- i. IMMINENT DANGER means any conditions or practices in any place of employment which are such that a hazard exists which could reasonably be expected to cause death or serious physical harm immediately or before the imminence of such hazard can be eliminated through normal compliance enforcement procedures.
- j. ESTABLISHMENT or WORKSITE means a single physical location under the control of this employer where business is conducted, services are rendered, or industrial type operations are performed.
- k. SERIOUS INJURY or HARM means that type of harm that would cause permanent or prolonged impairment of the body in that:
  - 1. A part of the body would be permanently removed (e.g., amputation of an arm, leg, finger(s); loss of an eye) or rendered functionally useless or substantially reduced in efficiency on or off the job (e.g., leg shattered so severely that mobility would be permanently reduced), or
  - 2. A part of an internal body system would be inhibited in its normal performance or function to such a degree as to shorten life or cause reduction in physical or mental efficiency (e.g., lung impairment causing shortness of breath).

On the other hand, simple fractures, cuts, bruises, concussions, or similar injuries would not fit either of these categories and would not constitute serious physical harm.

- l. ACT or TOSH Act shall mean the Tennessee Occupational Safety and Health Act of 1972.
- m. GOVERNING BODY means the County Quarterly Court, Board of Aldermen, Board of Commissioners, City or Town Council, Board of Governors, etc., whichever may be applicable to the local government, government agency, or utility to which this plan applies.
- n. CHIEF EXECUTIVE OFFICER means the chief administrative official, County Judge, County Chairman, County Mayor, City Mayor, City Manager, General Manager, etc., as may be applicable.

### III. EMPLOYERS RIGHTS AND DUTIES

Rights and duties of the employer shall include, but are not limited to, the following provisions:

- a. Employer shall furnish to each employee conditions of employment and a place of employment free from recognized hazards that are causing or are likely to cause death or serious injury or harm to employees.
- b. Employer shall comply with occupational safety and health standards and regulations promulgated pursuant to Section VI (6) of the Tennessee Occupational Safety and Health Act of 1972.
- c. Employer shall refrain from and unreasonable restraint on the right of the Commissioner of Labor and Workforce Development to inspect the employers place(s) of business. Employer shall assist the Commissioner of Labor and Workforce Development in the performance of their monitoring duties by supplying or by making available information, personnel, or aids reasonably necessary to the effective conduct of the monitoring activity.
- d. Employer is entitled to participate in the development of standards by submission of comments on proposed standards, participation in hearing on proposed standards, or by requesting the development of standards on a given issue under Section 6 of the Tennessee Occupational Safety and Health Act of 1972.
- e. Employer is entitled to request an order granting a variance from an occupational safety and health standard.
- f. Employer is entitled to protection of its legally privileged communication.
- g. Employer shall inspect all worksites to insure the provisions of this Program Plan are complied with and carried out.
- h. Employer shall notify and inform any employee who has been or is being exposed in a biologically significant manner to harmful agents or material in excess of the applicable standard and of corrective action being taken.
- i. Employer shall notify all employees of their rights and duties under this Program Plan.

#### **IV. EMPLOYEES RIGHTS AND DUTIES**

Rights and duties of employees shall include, but are not limited to, the following provisions:

- a. Each employee shall comply with occupational safety and health act standards and all rules, regulations, and orders issued pursuant to this Program Plan and the Tennessee Occupational Safety and Health Act of 1972 which are applicable to his or her own actions and conduct.
- b. Each employee shall be notified by the placing of a notice upon bulletin boards, or other places of common passage, of any application for a permanent or temporary order granting the employer a variance from any provision of the TOSH Act or any standard or regulation promulgated under the Act.
- c. Each employee shall be given the opportunity to participate in any hearing which concerns an application by the employer for a variance from a standard or regulation promulgated under the Act.
- d. Any employee who may be adversely affected by a standard or variance issued pursuant to the Act or this Program Plan may file a petition with the Commissioner of Labor and Workforce Development or whoever is responsible for the promulgation of the standard or the granting of the variance.
- e. Any employee who has been exposed or is being exposed to toxic materials or harmful physical agents in concentrations or at levels in excess of that provided for by any applicable standard shall be provided by the employer with information on any significant hazards to which they are or have been exposed, relevant symptoms, and proper conditions for safe use or exposure. Employees shall also be informed of corrective action being taken.
- f. Subject to regulations issued pursuant to this Program Plan, any employee or authorized representative of employees shall be given the right to request an inspection and to consult with the Safety Director or Inspector at the time of the physical inspection of the worksite.
- g. Any employee may bring to the attention of the Safety Director any violation or suspected violations of the standards or any other health or safety hazards.
- h. No employee shall be discharged or discriminated against because such employee has filed any complaint or instituted or caused to be instituted any proceeding or inspection under or relating to this Program Plan.
- i. Any employee who believes that he or she has been discriminated against or discharged in violation of subsection (h) of this section may file a complaint alleging such discrimination with the Safety Director. Such employee may also, within thirty (30) days after such violation occurs, file a complaint with the Commissioner of Labor and Workforce Development alleging such discrimination.
- j. Nothing in this or any other provisions of this Program Plan shall be deemed to authorize or require any employee to undergo medical examination, immunization, or treatment for those who object thereto on religious grounds, except where such is necessary for the protection of the health or safety of others or when a medical examination may be reasonably required for performance of a specific job.
- k. Employees shall report any accident, injury, or illness resulting from their job, however minor it may seem to be, to their supervisor or the Safety Director within twenty-four (24) hours after the occurrence.

#### **V. ADMINISTRATION**

- a. The Safety Director of Occupational Safety and Health is designated to perform duties or to exercise powers assigned so as to administer this Occupational Safety and Health Program Plan.
  1. The Safety Director may designate person or persons as he deems necessary to carry out his powers, duties, and responsibilities under this Program Plan.
  2. The Safety Director may delegate the power to make inspections, provided procedures employed are as effective as those employed by the Safety Director.
  3. The Safety Director shall employ measures to coordinate, to the extent possible, activities of all departments to promote efficiency and to minimize any inconveniences under this Program Plan.
  4. The Safety Director may request qualified technical personnel from any department or section of government to assist him in making compliance inspections, accident investigations, or as he may otherwise deem necessary and appropriate in order to carry out his duties under this Program Plan.
  5. The Safety Director shall prepare the report to the Commissioner of Labor and Workforce Development

required by subsection (g) of Section 1 of this plan.

6. The Safety Director shall make or cause to be made periodic and follow-up inspections of all facilities and worksites where employees of this employer are employed. He shall make recommendations to correct any hazards or exposures observed. He shall make or cause to be made any inspections required by complaints submitted by employees or inspections requested by employees.
  7. The Safety Director shall assist any officials of the employer in the investigation of occupational accidents or illnesses.
  8. The Safety Director shall maintain or cause to be maintained records required under Section VIII of this plan.
  9. **The Safety Director shall, in the eventuality that there is a fatality or an accident resulting in the hospitalization of three or more employees, insure that the Commissioner of Labor and Workforce Development receives notification of the occurrence within eight (8) hours. All work-related inpatient hospitalizations, amputations, and loss of an eye must be reported to TOSHA within 24 hours.**
- b. The administrative or operational head of each department, division, board, or other agency of this employer shall be responsible for the implementation of this Occupational Safety and Health Program Plan within their respective areas.
1. The administrative or operational head shall follow the directions of the Safety Director on all issues involving occupational safety and health of employees as set forth in this plan.
  2. The administrative or operational head shall comply with all abatement orders issued in accordance with the provisions of this plan or request a review of the order with the Safety Director within the abatement period.
  3. The administrative or operational head should make periodic safety surveys of the establishment under his jurisdiction to become aware of hazards or standards violations that may exist and make an attempt to immediately correct such hazards or violations.
  4. The administrative or operational head shall investigate all occupational accidents, injuries, or illnesses reported to him. He shall report such accidents, injuries, or illnesses to the Safety Director along with his findings and/or recommendations in accordance with APPENDIX IV of this plan.

## **VI. STANDARDS AUTHORIZED**

The standards adopted under this Program Plan are the applicable standards developed and promulgated under Section VI (6) of the Tennessee Occupational Safety and Health Act of 1972. Additional standards may be promulgated by the governing body of this employer as that body may deem necessary for the safety and health of employees. Note: 29 CFR 1910 General Industry Regulations; 29 CFR 1926 Construction Industry Regulations; and the Rules of Tennessee Department of Labor and Workforce Development Occupational Safety and Health, CHAPTER 0800-01-1 through CHAPTER 0800-01-11 are the standards and rules invoked.

## **VII. VARIANCE PROCEDURE**

The Safety Director may apply for a variance as a result of a complaint from an employee or of his knowledge of certain hazards or exposures. The Safety Director should definitely believe that a variance is needed before the application for a variance is submitted to the Commissioner of Labor and Workforce Development.

The procedure for applying for a variance to the adopted safety and health standards is as follows:

- a. The application for a variance shall be prepared in writing and shall contain:
  1. A specification of the standard or portion thereof from which the variance is sought.
  2. A detailed statement of the reason(s) why the employer is unable to comply with the standard supported by representations by qualified personnel having first-hand knowledge of the facts represented.
  3. A statement of the steps employer has taken and will take (with specific date) to protect employees against the hazard covered by the standard.
  4. A statement of when the employer expects to comply and what steps have or will be taken (with dates specified) to come into compliance with the standard.



5. A certification that the employer has informed employees, their authorized representative(s), and/or interested parties by giving them a copy of the request, posting a statement summarizing the application (to include the location of a copy available for examination) at the places where employee notices are normally posted and by other appropriate means. The certification shall contain a description of the means actually used to inform employees and that employees have been informed of their right to petition the Commissioner of Labor and Workforce Development for a hearing.
- b. The application for a variance should be sent to the Commissioner of Labor and Workforce Development by registered or certified mail.
- c. The Commissioner of Labor and Workforce Development will review the application for a variance and may deny the request or issue an order granting the variance. An order granting a variance shall be issued only if it has been established that:
  1. The employer
    - i. Is unable to comply with the standard by the effective date because of unavailability of professional or technical personnel or materials and equipment required or necessary construction or alteration of facilities or technology.
    - ii. Has taken all available steps to safeguard employees against the hazard(s) covered by the standard.
    - iii. Has as effective Program Plan for coming into compliance with the standard as quickly as possible.
  2. The employee is engaged in an experimental Program Plan as described in subsection (b), section 13 of the Act.
- d. A variance may be granted for a period of no longer than is required to achieve compliance or one (1) year, whichever is shorter.
- e. Upon receipt of an application for an order granting a variance, the Commissioner to whom such application is addressed may issue an interim order granting such a variance for the purpose of permitting time for an orderly consideration of such application. No such interim order may be effective for longer than one hundred eighty (180) days.
- f. The order or interim order granting a variance shall be posted at the worksite and employees notified of such order by the same means used to inform them of the application for said variance (see subsection (a)(5) of this section).

## **VIII. RECORDKEEPING AND REPORTING**

Recording and reporting of all occupational accident, injuries, and illnesses shall be in accordance with instructions and on forms prescribed in the booklet. You can get a copy of the Forms for Recordkeeping from the internet. Go to [www.osha.gov](http://www.osha.gov) and click on Recordkeeping Forms located on the home page. The position responsible for recordkeeping is shown on the SAFETY AND HEALTH ORGANIZATIONAL CHART, Appendix IV to this plan. Details of how reports of occupational accidents, injuries, and illnesses will reach the recordkeeper are specified by ACCIDENT REPORTING PROCEDURES, Appendix IV to this plan. The Rule of Tennessee Department of Labor and Workforce Development Occupational Safety and Health, OCCUPATIONAL SAFETY AND HEALTH RECORD-KEEPING AND REPORTING, CHAPTER 0800-01-03, as authorized by T.C.A., Title 50.

## **IX. EMPLOYEE COMPLAINT PROCEDURE**

If any employee feels that he is assigned to work in conditions which might affect his health, safety, or general welfare at the present time or at any time in the future, he should report the condition to the Safety Director of Occupational Safety and Health.

- a. The complaint should be in the form of a letter and give details on the condition(s) and how the employee believes it affects or will affect his health, safety, or general welfare. The employee should sign the letter but need not do so if he wishes to remain anonymous (see subsection (h) of Section 1 of this plan).
- b. Upon receipt of the complaint letter, the Safety Director will evaluate the condition(s) and institute any corrective action, if warranted. Within ten (10) working days following the receipt of the complaint, the Safety

Director will answer the complaint in writing stating whether or not the complaint is deemed to be valid and if no, why not, what action has been or will be taken to correct or abate the condition(s), and giving a designated time period for correction or abatement. Answers to anonymous complaints will be posted upon bulletin boards or other places of common passage where the anonymous complaint may be reasonably expected to be seen by the complainant for a period of three (3) working days.

- c. If the complainant finds the reply not satisfactory because it was held to be invalid, the corrective action is felt to be insufficient, or the time period for correction is felt to be too long, he may forward a letter to the Chief Executive Officer or to the governing body explaining the condition(s) cited in his original complaint and why he believes the answer to be inappropriate or insufficient.
- d. The Chief Executive Officer or a representative of the governing body will evaluate the complaint and will begin to take action to correct or abate the condition(s) through arbitration or administrative sanctions or may find the complaint to be invalid. An answer will be sent to the complainant within ten (10) working days following receipt of the complaint or the next regularly scheduled meeting of the governing body following receipt of the complaint explaining decisions made and action taken or to be taken.
- e. After the above steps have been followed and the complainant is still not satisfied with the results, he may then file a complaint with the Commissioner of Labor and Workforce Development. Any complaint filed with the Commissioner of Labor and Workforce Development in such cases shall include copies of all related correspondence with the Safety Director and the Chief Executive Officer or the representative of the governing body.
- f. Copies of all complaint and answers thereto will be filed by the Safety Director who shall make them available to the Commissioner of Labor and Workforce Development or his designated representative upon request.

## **X. EDUCATION AND TRAINING**

- a. Safety Director and/or Compliance Inspector(s):
  1. Arrangements will be made for the Safety Director and/or Compliance Inspector(s) to attend training seminars, workshops, etc., conducted by the State of Tennessee or other agencies. A list of Seminars can be obtained.
  2. Access will be made to reference materials such as 29 CFR 1910 General Industry Regulations; 29 CFR 1926 Construction Industry Regulations; The Rules of Tennessee Department of Labor and Workforce Development Occupational Safety and Health, and other equipment/supplies, deemed necessary for use in conducting compliance inspections, conducting local training, wiring technical reports, and informing officials, supervisors, and employees of the existence of safety and health hazards will be furnished.
- b. All Employees (including supervisory personnel):

A suitable safety and health training program for employees will be established. This program will, as a minimum:

  1. Instruct each employee in the recognition and avoidance of hazards or unsafe conditions and of standards and regulations applicable to the employees work environment to control or eliminate any hazards, unsafe conditions, or other exposures to occupational illness or injury.
  2. Instruct employees who are required to handle or use poisons, acids, caustics, toxicants, flammable liquids or gases, explosives, and other harmful substances in the proper handling procedures and use of such items and make them aware of the personal protective measures, person hygiene, etc., which may be required.
  3. Instruct employees who may be exposed to environments where harmful plants or animals are present, of the hazards of the environment, how to best avoid injury or exposure, and the first aid procedures to be followed in the event of injury or exposure.
  4. Instruct all employees of the common deadly hazards and how to avoid them, such as Falls; Equipment Turnover; Electrocution; Struck by/Caught In; Trench Cave In; Heat Stress; and Drowning.
  5. Instruct employees on hazards and dangers of confined or enclosed spaces.
    - i. Confined or enclosed space means space having a limited means of egress and which is subject to the accumulation of toxic or flammable contaminants or has an oxygen deficient atmosphere. Confined or enclosed spaces include, but are not limited to, storage tanks, boilers, ventilation or

- exhaust ducts, sewers, underground utility accesses, tunnels, pipelines, and open top spaces more than four feet (4) in depth such as pits, tubs, vaults, and vessels.
- ii. Employees will be given general instruction on hazards involved, precautions to be taken, and on use of personal protective and emergency equipment required. They shall also be instructed on all specific standards or regulations that apply to work in dangerous or potentially dangerous areas.
- iii. The immediate supervisor of any employee who must perform work in a confined or enclosed space shall be responsible for instructing employees on danger of hazards which may be present, precautions to be taken, and use of personal protective and emergency equipment, immediately prior to their entry into such an area and shall require use of appropriate personal protective equipment.

## **XI. GENERAL INSPECTION PROCEDURES**

It is the intention of the governing body and responsible officials to have an Occupational Safety and Health Program Plan that will insure the welfare of employees. In order to be aware of hazards, periodic inspections must be performed. These inspections will enable the finding of hazards or unsafe conditions or operations that will need correction in order to maintain safe and healthful worksites. Inspections made on a pre-designated basis may not yield the desired results. Inspections will be conducted, therefore, on a random basis at intervals not to exceed thirty (30) calendar days.

- a. In order to carry out the purposes of this Resolution, the Safety Director and/or Compliance Inspector(s), if appointed, is authorized:
  - 1. To enter at any reasonable time, any establishment, facility, or worksite where work is being performed by an employee when such establishment, facility, or worksite is under the jurisdiction of the employer and;
  - 2. To inspect and investigate during regular working hours and at other reasonable times, within reasonable limits, and in a reasonable manner, any such place of employment and all pertinent conditions, processes, structures, machines, apparatus, devices, equipment, and materials therein, and to question privately any supervisor, operator, agent, or employee working therein.
- b. If an imminent danger situation is found, alleged, or otherwise brought to the attention of the Safety Director or Inspector during a routine inspection, he shall immediately inspect the imminent danger situation in accordance with Section XII of this plan before inspecting the remaining portions of the establishment, facility, or worksite.
- c. An administrative representative of the employer and a representative authorized by the employees shall be given an opportunity to consult with and/or to accompany the Safety Director or Inspector during the physical inspection of any worksite for the purpose of aiding such inspection.
- d. The right of accompaniment may be denied any person whose conduct interferes with a full and orderly inspection.
- e. The conduct of the inspection shall be such as to preclude unreasonable disruptions of the operation(s) of the workplace.
- f. Interviews of employees during the course of the inspection may be made when such interviews are considered essential to investigative techniques.
- g. Advance Notice of Inspections.
  - 1. Generally, advance notice of inspections will not be given as this precludes the opportunity to make minor or temporary adjustments in an attempt to create misleading impression of conditions in an establishment.
  - 2. There may be occasions when advance notice of inspections will be necessary in order to conduct an effective inspection or investigation. When advance notice of inspection is given, employees or their authorized representative(s) will also be given notice of the inspection.
- h. The Safety Director need not personally make an inspection of each and every worksite once every thirty (30) days. He may delegate the responsibility for such inspections to supervisors or other personnel provided:
  - 1. Inspections conducted by supervisors or other personnel are at least as effective as those made by the Safety Director.

2. Records are made of the inspections, any discrepancies found and corrective actions taken. This information is forwarded to the Safety Director.
- i. The Safety Director shall maintain records of inspections to include identification of worksite inspected, date of inspection, description of violations of standards or other unsafe conditions or practices found, and corrective action taken toward abatement. Those inspection records shall be subject to review by the Commissioner of Labor and Workforce Development or his authorized representative.

## **XII. IMMINENT DANGER PROCEDURES**

- a. Any discovery, any allegation, or any report of imminent danger shall be handled in accordance with the following procedures:
  1. The Safety Director shall immediately be informed of the alleged imminent danger situation and he shall immediately ascertain whether there is a reasonable basis for the allegation.
  2. If the alleged imminent danger situation is determined to have merit by the Safety Director, he shall make or cause to be made an immediate inspection of the alleged imminent danger location.
  3. As soon as it is concluded from such inspection that conditions or practices exist which constitutes an imminent danger, the Safety Director or Compliance Inspector shall attempt to have the danger corrected. All employees at the location shall be informed of the danger and the supervisor or person in charge of the worksite shall be requested to remove employees from the area, if deemed necessary.
  4. The administrative or operational head of the workplace in which the imminent danger exists, or his authorized representative, shall be responsible for determining the manner in which the imminent danger situation will be abated. This shall be done in cooperation with the Safety Director or Compliance Inspector and to the mutual satisfaction of all parties involved.
  5. The imminent danger shall be deemed abated if:
    - i. The imminence of the danger has been eliminated by removal of employees from the area of danger.
    - ii. Conditions or practices which resulted in the imminent danger have been eliminated or corrected to the point where an unsafe condition or practice no longer exists.
  6. A written report shall be made by or to the Safety Director describing in detail the imminent danger and its abatement. This report will be maintained by the Safety Director in accordance with subsection (i) of Section XI of this plan.
- b. Refusal to Abate.
  1. Any refusal to abate an imminent danger situation shall be reported to the Safety Director and Chief Executive Officer immediately.
  2. The Safety Director and/or Chief Executive Officer shall take whatever action may be necessary to achieve abatement.

## **XIII. ABATEMENT ORDERS AND HEARINGS**

- a. Whenever, as a result of an inspection or investigation, the Safety Director or Compliance Inspector(s) finds that a worksite is not in compliance with the standards, rules or regulations pursuant to this plan and is unable to negotiate abatement with the administrative or operational head of the worksite within a reasonable period of time, the Safety Director shall:
  1. Issue an abatement order to the head of the worksite.
  2. Post or cause to be posted, a copy of the abatement order at or near each location referred to in the abatement order.
- b. Abatement orders shall contain the following information:
  1. The standard, rule, or regulation which was found to be violated.
  2. A description of the nature and location of the violation.
  3. A description of what is required to abate or correct the violation.
  4. A reasonable period of time during which the violation must be abated or corrected.
- c. At any time within ten (10) days after receipt of an abatement order, anyone affected by the order may advise the Safety Director in writing of any objections to the terms and conditions of the order. Upon receipt of such objections, the Safety Director shall act promptly to hold a hearing with all interested and/or responsible

parties in an effort to resolve any objections. Following such hearing, the Safety Director shall, within three (3) working days, issue an abatement order and such subsequent order shall be binding on all parties and shall be final.

#### **XIV. PENALTIES**

- a. No civil or criminal penalties shall be issued against any official, employee, or any other person for failure to comply with safety and health standards or any rules or regulations issued pursuant to this Program Plan.
- b. Any employee, regardless of status, who willfully and/or repeatedly violates, or causes to be violated, any safety and health standard, rule, or regulation or any abatement order shall be subject to disciplinary action by the appointing authority. It shall be the duty of the appointing authority to administer discipline by taking action in one of the following ways as appropriate and warranted:
  1. Oral reprimand.
  2. Written reprimand.
  3. Suspension for three (3) or more working days.
  4. Termination of employment.

#### **XV. CONFIDENTIALITY OF PRIVILEGED INFORMATION**

All information obtained by or reported to the Safety Director pursuant to this plan of operation or the legislation (resolution, or executive order) enabling this Occupational Safety and Health Program Plan which contains or might reveal information which is otherwise privileged shall be considered confidential. Such information may be disclosed to other officials or employees concerned with carrying out this Program Plan or when relevant in any proceeding under this Program Plan. Such information may also be disclosed to the Commissioner of Labor and Workforce Development or their authorized representatives in carrying out their duties under the Tennessee Occupational Safety and Health Act of 1972.

#### **XVI. DISCRIMINATION INVESTIGATIONS AND SANCTIONS**

The Rule of Tennessee Department of Labor and Workforce Development Occupational Safety and Health, DISCRIMINATION AGAINST EMPLOYEES EXERCISING RIGHTS UNDER THE OCCUPATIONAL SAFETY AND HEALTH ACT OF 1972 0800-01-08, as authorized by T.C.A., Title 50. The agency agrees that any employee who believes they have been discriminated against or discharged in violation of Tenn. Code Ann § 50-3-409 can file a complaint with their agency/safety Safety Director within 30 days, after the alleged discrimination occurred. Also, the agency agrees the employee has a right to file their complaint with the Commissioner of Labor and Workforce Development within the same 30-day period. The Commissioner of Labor and Workforce Development may investigate such complaints, make recommendations, and/or issue a written notification of a violation.

#### **XVII. COMPLIANCE WITH OTHER LAWS NOT EXCUSED**

- a. Compliance with any other law, statute, resolution, or executive order, which regulates safety and health in employment and places of employment, shall not excuse the employer, the employee, or any other person from compliance with the provisions of this Program Plan.
- b. Compliance with any provisions of this Program Plan or any standard, rule, regulation, or order issued pursuant to this Program Plan shall not excuse the employer, the employee, or any other person from compliance with the law, statute, resolution, or executive order, as applicable, regulating and promoting safety and health unless such law, statute, resolution, or executive order, as applicable, is specifically repealed.

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Signature: Safety Director, Occupational Safety and Health and Date

## APPENDIX - I WORK LOCATIONS

Police Department - 18 employees  
233 Tennessee Waltz Pkwy  
Suite 101  
Ashland City, TN 37015  
615-792-6455

Parks Dept. - 3 employees  
233 Tennessee Waltz Pkwy  
Suite 103  
Ashland City, TN 37015  
615-792-2655

Public Works  
(Street, Water & Sewer) – 12 employees  
233 Tennessee Waltz Pkwy  
Suite 103  
Ashland City, TN 37015  
615-792-7553

Water Plant - 5 employees  
108 Adkisson St.  
Ashland City, TN 37015  
615-792-5750

Sewer Plant - 3 employees  
199 Rhea St.  
Ashland City, TN 37015  
615-792-3074

Fire Dept. (station #2) - 1 employee  
200 Little Marrowbone Rd.  
Ashland City, TN 37015  
615-792-4211

Fire Dept. - 11 employees  
101 Court St.

Ashland City, TN 37015  
615-792-4211

City Hall / Recorder Dept. 7 employees  
101 Court St.  
Ashland City, TN 37015  
615-792-4211

Court Dept. - 5 employees  
101 Court St.  
Ashland City, TN 37015  
615-792-4211

Codes Dept. - 2 employees  
101 Court St.  
Ashland City, TN 37015  
615-792-4211

Senior Center - 4 employees  
104 Ruth Dr.  
Ashland City, TN 37015  
615-792-3629

TOTAL NUMBER OF EMPLOYEES: 71

## APPENDIX – II NOTICE TO ALL EMPLOYEES

### NOTICE TO ALL EMPLOYEES OF THE TOWN OF ASHLAND CITY

The Tennessee Occupational Safety and Health Act of 1972 provide job safety and health protection for Tennessee workers through the promotion of safe and healthful working conditions. Under a plan reviewed by the Tennessee Department of Labor and Workforce Development, this government, as an employer, is responsible for administering the Act to its employees. Safety and health standards are the same as State standards and jobsite inspections will be conducted to insure compliance with the Act.

Employees shall be furnished conditions of employment and a place of employment free from recognized hazards that are causing or are likely to cause death or serious injury or harm to employees.

Each employee shall comply with occupational safety and health standards and all rules, regulations, and orders issued pursuant to this Program Plan which are applicable to his or her own actions and conduct.

Each employee shall be notified by the placing upon bulletin boards or other places of common passage of any application for a temporary variance from any standard or regulation.

Each employee shall be given the opportunity to participate in any hearing which concerns an application for a variance from a standard.

Any employee who may be adversely affected by a standard or variance issued pursuant to this Program Plan may file a petition with the Safety Director or \_\_\_\_\_.

Any employee who has been exposed or is being exposed to toxic materials or harmful physical agents in concentrations or at levels in excess of that provided for by an applicable standard shall be notified by the employer and informed of such exposure and corrective action being taken.

Subject to regulations issued pursuant to this Program Plan, any employee or authorized representative(s) of employees shall be given the right to request an inspection.

No employee shall be discharged or discriminated against because such employee has filed any complaint or instituted or caused to be instituted any proceedings or inspection under, or relating to, this Program Plan.

Any employee who believes he or she has been discriminated against or discharged in violation of these sections may, within thirty (30) days after such violation occurs, have an opportunity to appear in a hearing before \_\_\_\_\_ for assistance in obtaining relief or to file a complaint with the Commissioner of Labor and Workforce Development alleging such discrimination.

A copy of the Occupational Safety and Health Program Plan for the Employees of the Town of Ashland City is available for inspection by any employee at the office of the Safety Director during regular office hours.

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Mayor Steve Allen

Date



**APPENDIX - III PROGRAM PLAN BUDGET**

STATEMENT OF FINANCIAL RESOURCE AVAILABILITY

Be assured that the Town of Ashland City has sufficient financial resources available or will make sufficient financial resources available as may be required in order to administer and staff its Occupational Safety and Health Program Plan and to comply with standards.

## APPENDIX – IV ACCIDENT REPORTING PROCEDURES

Employees shall report all accidents, injuries, or illnesses to their supervisors as soon as possible, but not later than two (2) hours after the occurrence. The supervisor will provide the Safety Director and/or record keeper with the name of the injured or ill employee and a brief description of the accident or illness by telephone as soon as possible, but not later than four (4) hours, after the accident or injury occurred or the time of the first report of the illness. All fatalities or accidents involving the hospitalization of three (3) or more employees shall be reported to the Safety Director and/or record keeper immediately, either by telephone or verbally, and will be followed by a written report within four (4) hours after their occurrence. The supervisor will then make a thorough investigation of the accident or illness (with the assistance of the Safety Director or Compliance Inspector, if necessary) and will complete a written report on the accident or illness and forward it to the Safety Director within seventy-two (72) hours after the accident, injury, or first report of illness and will provide one (1) copy of the written report to the recordkeeper.

Since Workers Compensation Form 6A or OSHA NO. 301 Form must be completed; all reports submitted in writing to the person responsible for recordkeeping shall include the following information as a minimum:

1. Accident location, if different from employer's mailing address and state whether accident occurred on premises owned or operated by employer.
2. Name, social security number, home address, age, sex, and occupation (regular job title) of injured or ill employee.
3. Title of the department or division in which the injured or ill employee is normally employed.
4. Specific description of what the employee was doing when injured.
5. Specific description of how the accident occurred.
6. A description of the injury or illness in detail and the part of the body affected.
7. Name of the object or substance which directly injured the employee.
8. Date and time of injury or diagnosis of illness.
9. Name and address of physician, if applicable.
10. If employee was hospitalized, name and address of hospital.
11. Date of report.

**NOTE: A procedure such as one of those listed above or similar information is necessary to satisfy Item Number 4 listed under PROGRAM PLAN in Section V. ADMINISTRATION, Part b of the Tennessee Occupational Safety and Health Plan.**

**Resolution 2020-**

**A RESOLUTION OF THE CITY COUNCIL OF THE TOWN OF ASHLAND CITY  
UPDATING THE LONGEVITY PAYMENT SECTION IN THE WAGE AND  
SALARY POLICY GOVERNING EMPLOYMENT WITH THE TOWN OF  
ASHLAND CITY**

**WHEREAS**, the City Council for the Town of Ashland City has previously adopted Resolution 2017-31 establishing a Wage and Salary Policy designed to provide a means to select, develop and maintain an effective municipal work force; and

**WHEREAS**, the City Council for the Town of Ashland City wishes to amend the longevity payment schedule; and

**WHEREAS**, the Personnel System requires that the Wage and Salary Policy shall be updated and approved by City Council.

**NOW, THEREFORE BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE TOWN OF ASHLAND CITY, TENNESSEE** that the Wage and Salary Policy, attached hereto, is hereby amended and approved and shall become effective immediately following passage of this resolution.

We, the undersigned City Council members, meeting in Regular Session on this 10th day of March, 2020 move the adoption of the above Resolution.

Councilmember \_\_\_\_\_ moved to adopt the Resolution.

Councilmember \_\_\_\_\_ seconded the motion.

Voting in Favor \_\_\_\_\_

Voting Against \_\_\_\_\_

Attest:

\_\_\_\_\_  
Mayor Steve Allen

\_\_\_\_\_  
City Recorder Kellie Reed CMFO, CMC

# **Town of Ashland City Wage and Salary Policy**

## **I. Purpose**

The pay plan is intended to provide fair compensation for all employees in consideration of pay ranges for other employees, general pay rates for similar employment in private establishments and other public jurisdictions in the area, cost of living data, the financial condition of the municipality and other factors. Further this plan is intended to provide guidelines for the administration of employee salaries, including starting pay rates, pay increases, promotional increases, and other salary adjustments.

## **II. Policy Objectives**

This policy is intended to promote the following:

- A. Ensure competitive pay practices to allow the Town of Ashland City to effectively compete in the market for the talent needed to meet and exceed its performance standards.
- B. Ensure fair and unbiased treatment of employees relative to pay administration.
- C. Ensure that Town of Ashland City salary expense is consistent with taxpayers' expectations for reasonable labor costs.

## **III. Composition**

The pay plan for the Town of Ashland City shall consist of minimum and maximum pay rates for comparable positions. The pay plan is documented in the wage & salary policy, see addendums.

## **IV. Maintenance of the Pay Plan**

The Mayor will, from time to time, make comparative studies of all factors affecting the level of salary ranges and will recommend to the City Council such changes in the salary ranges as appear to be in order.

## **V. Job Descriptions**

A written job description is to be developed and maintained for each position recognized by the Town of Ashland City. Job descriptions are to follow the prescribed format (see Exhibit D). Once a year job description is to be reviewed by incumbents and supervisors to ensure they are up to date. Supervisors are responsible for accurate up-to-date job documentation.

## **VI. Employee Classifications**

1. **Exempt Employees** – An employee is exempt from the overtime provisions of the Fair Labor Standards Act, if they are classified as an executive, professional or administrative and meet specific criterion for exemption and must be paid at least \$684 weekly. All salaried positions are required to work a minimum of eighty (80) hours per pay period, at their office or city property, unless otherwise approved by the Mayor. Any time less than eighty (80) hours is to be made up using leave (Vacation, Sick, or Holiday leave) with prior approval by the Mayor. ~~Salaried employees who work additional time above the required eighty (80) hours in a pay period may flex their time.~~

2. **Non-exempt Employee** – An employee who is not exempt from the overtime provisions of the Fair Labor Standards Act. A non-exempt employee is entitled to receive overtime for all hours worked beyond 40 in a workweek (except as FLSA allows for police officers and fire fighters.)

**Overtime** When it becomes necessary for an employee to work overtime hours, regular employees, part-time employees, and temporary employees shall be paid according to the prevailing salary schedule. Overtime work will be compensated according to the FLSA provisions at a rate of 1 ½ times the employee’s regular rate. Overtime work may also be paid with compensatory time at a rate of 1 ½ times the hours worked in accordance with the FLSA. Non-emergency overtime work must be authorized in advance by the Mayor or department head. Employees exempt from the overtime requirements of the FLSA will not receive overtime compensation, with the exception of emergency pay in the event of a disaster. All compensation time must be paid/used by the end of the fiscal year. Overtime for non-exempt employees is paid for hours worked over 40 per week. Exceptions are made by FLSA for police officers and fire fighters on different shifts. Overtime must be authorized in advance. Sick time is not counted as hours worked for overtime calculations.

**Compensatory Time** – Overtime may be paid as monetary compensation, compensatory time or any combination of money and compensatory time equivalent so long as the premium pay is at least ‘time and one-half’. There must be an agreement of payment before the overtime is worked. An employee may not accrue more than 150 hours of compensatory time. Upon termination, an employee must be paid for compensatory time accrued.

3. **On-Duty** – An employee is considered ‘on-duty’ at any time for which the City compensates the employee, which includes lunch and breaks for police officers and fire fighters. All other employees are not compensated for lunch.

**Emergency Pay** – The city shall provide its employees who are considered “exempt” under the Fair Labor Standards Act with emergency pay for every hour worked in excess of forty (40) hours during their normal work when responding to an officially declared local, state or federal disaster or state of emergency. Emergency pay shall only be provided for performing essential services as approved by the Mayor at his or her discretion that the need for disaster or emergency response has ended.

**Documentation** – To assist the Federal Emergency Management Agency (FEMA) reimbursement process, exempt employees receiving emergency pay shall maintain accurate and detailed documentation defining the duties performed and the hours worked.

## VII. Pay Table

### A. Number of Pay Grades

Pay is to be administered within ten classifications or pay grades.

### B. Pay Ranges

Each pay grade falls within a pay range. Pay ranges are intended to furnish administrative flexibility in recognizing individual differences among positions allocated to the same class and to provide employee incentives.

### C. Adjustment of Pay Table

The pay table is subject to review on an annual basis and will be adjusted if necessary to ensure that the Town’s pay practices remain competitive with changes in labor market conditions. As appropriate, this review will consist of:

- Gathering comparative salary data for benchmark jobs from published sources or direct contacts with competing employers,
- Comparing market salary data obtained for each benchmark job with the corresponding pay range, and
- If necessary, adjusting the pay ranges approximate market value for jobs in each pay range, or, if appropriate, amending the pay range.

**D. Assignment of Positions**

Each position is to be assigned to the pay grade for which best matches the competitive market value for the job. Deviations may be made if strategic business considerations dictate that certain positions (not employees) should be valued differently than their market value.

**VIII. Rates of Pay**

In accordance with the Fair Labor Standards Act (FLSA), no employee, whether full-time, part-time, or probationary, shall be paid less than the federal minimum wage unless they are expressly exempt from the minimum wage requirement by FLSA regulations.

**A. Salary Rates**

Salary ranges, as seen in Exhibit II, are intended to furnish administrative flexibility in recognizing individual differences among positions allocated to the same class and to provide employee incentives.

**B. Starting Rates**

The minimum rate established for a class is the normal hiring rate except in those cases where unusual circumstances (such as inability to fill the position at the hiring rate or exceptional qualifications of an applicant) appear to warrant employing an individual at a higher rate in the pay range. Any department head desiring to appoint an applicant to start at a salary above the minimum must submit justification to the Mayor for approval. Such appointments shall be made only in exceptional cases as decided by the Mayor and/or governing body only after the current pay rates, qualifications, and skill levels of existing job incumbents are carefully considered.

**C. Rates Above the Pay Range**

Each pay range is intended to serve as a guideline for management for the highest pay rate the Town of Ashland City will normally pay an employee for a particular job.

**D. Rates Below the Minimum**

It is possible that employees' pay rates, probably for recent hires, will occasionally fall below the pay range upon adjustment of the pay table (see IV C above). Normally, the pay rates of such employees will be immediately adjusted to the new pay range at the time the new pay table becomes effective.

**E. Hourly Rates**

Employees paid on an hourly rate basis excluding salaried exempt employees as set out by the Department of Labor are paid for all time actually worked. The Mayor and City Council shall appropriate by budget all salaries paid by the city. Due consideration shall be given to duties performed, responsibilities, technical knowledge, and skills required to perform the work satisfactorily, the labor market, and availability of people having the desired qualifications.

**IX. Timesheets**

It is the responsibility of the employee to complete timesheets accurately reporting hours worked, paid time off taken, overtime, and on call pay. Any unpaid leave should be approved by the mayor or immediate supervisor and will be notated on the timesheet. Employee paychecks are issued by what is reported on the timesheet to the finance department. The immediate supervisor will review and sign the timesheet for accuracy. As stated in the Employee Manual, Section II. Employment Subsection O. Attendance, "Employees found cheating on their timesheets will be subject to immediate dismissal."

## **X. Pay Adjustments**

### **A. Pay Increases**

#### **1. Eligibility**

All non-probationary full-time and part-time employees in good standing whose current pay rate is within pay range are eligible for a pay increase in July each year, subject to appropriation by City Council as part of the annual budget process.

Employees who have been placed on disciplinary status or who have not received a good standing annual evaluation will not receive a pay increase. For recently hired employees still on probationary status, eligibility for pay increase is to be delayed until the end of their probationary period.

Note: Jobs requiring employees earn certification per state regulations- An employee who has **not** earned certification in a job that **requires** it. The employee will be ineligible for any pay increase until after the time frame in which certification is earned as stated in the job description. In such cases an employee's pay rate would be adjusted to the appropriate pay rate once the employee receives certification.

#### **2. Pay Increase Amount**

The base pay rate of employees eligible to receive a pay increase will be increase as determined and at the desecration of the department head and mayor based on evaluation and merit. All pay increases will then be presented to the council for approval and justification during the annual budget appropriation process.

#### **3. Pay Increases-Employees on Leave of Absence**

Scheduled pay increases will be postponed for employees on approved non-job related medical or personal leave of absence until they return to work. Pay increases will be postponed beyond the date of return to work in cases where such absence exceeds four months (will normally be postponed one additional month for every month of leave beyond four). Pay increases will not be delayed for worker's compensation related medical leave of absence.

#### **4. Pay Increases-Employees on Light Duty**

Employees in light duty positions are eligible for a pay increase.

### **B. Pay Table Adjustment Increases**

As indicated in IV C above, the pay table may be adjusted periodically to keep pace with the labor market. This adjustment will be effective July 1 (the beginning of the fiscal year) after receiving City Council approval voted on by resolution.

### **C. Longevity Payments**

#### **1. Eligibility**

Full-time employees after three years of service will begin receiving a longevity payment of \$100 per year of service, subject to appropriation by City Council as part of the annual budget process.

Part-time employees after three years of service will begin receiving a longevity payment of \$50 per year of service, subject to appropriation by City Council as part of the annual budget process.

2. Payment Date

The longevity payment is to be paid in the month of November.

3. Withholdings

Longevity payments will be subject to standard tax withholding excluding retirement.

**D. Promotional Increases**

1. Definition of Promotion

Placement of an individual in a job which is in a pay grade that is higher than the individual's current pay grade will be considered a promotion. (Temporary job reassignments of less than six months will not normally be considered a promotion.)

2. Increase Amount

Upon promotion the individual's salary is to be adjusted to reflect the increased demands and responsibility of the new position. Normally, the employee's pay rate will be increased to represent at least a 5% increase over his/her current pay rate as determined appropriate by the mayor and department head.

**E. Temporary Reassignment**

Adjustments to pay rates of employees assigned temporarily (for less than six months) to perform work of higher-level jobs will be made at the discretion of management.

**F. Lateral Job Reassignments**

Reassignment from one job to another in the same pay grade will be considered a lateral move. No immediate adjustment to pay will be made.

**G. Demotions or Reassignment to a Lower Pay Grade**

Demotions occur when an employee is returned or transferred to a position in a lower pay grade. Additionally, employees may voluntarily ask to move to a job in a lower pay grade, perhaps through the job posting/bidding process. If an employee was promoted and subsequently returns to the original (lower) job, his/her pay rate would be adjusted to the rate it would equal if the promotion had not occurred. Whether or not a reduction in pay should occur in other situations depends on consideration of the following:

1. Was the demotion related to employee's performance or to a reduction in force or organizational change?
2. How will the employee's pay rate compare with pay rates of other incumbents in a lower graded job or similar jobs?
3. How long has the employee been in the higher-level job?
4. What has been the Town of Ashland City's past practice in similar situations?

It is often sound practice to reduce the employee's pay rate to be consistent with rates of pay of other incumbents in the new job who possess similar skills and tenure.

**H. Re-Classification of Position**

A review of market salary data for the purpose of adjusting the pay table or at any other time may suggest that a job should be re-classified to a higher or lower pay grade. Normally, consistent data obtained for two periods over a span of eighteen to twenty-four months are required to confirm such a trend and justify re-classification. This may occur as the job responsibilities evolve over time. Section "G" above would apply to re-classification of a job to a lower pay grade. For an employee whose position was re-classified to a higher pay grade, the employee's pay would be adjusted in the pay range closest to but no less than his/her current pay rate. Significant changes in job responsibilities within a short time period will normally be treated as a promotion.



## **XI. Paychecks**

All employees of the Town of Ashland City shall be issued pay on a biweekly basis. If you have questions about your work time, salary or paycheck, call it to the attention of the City Clerk/Recorder within the pay period in question or immediately thereafter. Checks are picked up from each department by department head each pay day. If you are absent on payday and wish to have someone else obtain your check for you, you may give a verbal confirmation authorizing the city to give your check to the bearer.

1. **Final Paycheck** – The final paycheck for a resigning employee will be made available on his/her regular payday.
2. **Lost Paychecks** – Employees are responsible for their paychecks after they have been issued. Checks lost or otherwise missing should be reported immediately to the City Recorder so that a stop payment order may be initiated. The Recorder will determine if and when a new check should be issued to replace a lost or missing check. Cost of stop payment of check will be paid by the employee.
3. **Unclaimed paychecks** – Paychecks not claimed by employees within ten (10) days of the date issued must be returned by the supervisor to the City Recorder.

## **XII. Payroll Deductions**

The following deductions will be made when authorized by an employee:

1. **Federal Income Tax:** Federal taxes are withheld from employees' paychecks based on the number of dependents claimed by each individual. Employees are required to keep on file with the municipal government a copy of the W-4 form. In the event of changes in the employee exemption status, a revised W-4 must be filed before payroll deduction adjustments will be made.
2. **Social Security/Medicare:** Social Security payments and deductions will be made according to the Social Security Act. The City Recorder shall keep such records and make such reports as may be required by applicable state and federal laws or regulations.
3. **Other:** Other City authorized deductions will be made from an employee's pay only with the employee's signed consent or as required by law.
  - a. Medical insurance
  - b. Life insurance
  - c. Vision insurance
  - d. Supplemental insurance
  - e. Additional life insurance
  - f. Deferred compensation payments
  - g. Dental insurance
  - h. Child support garnishments
  - i. Any other garnishments or deductions agreed to or required by law
  - j. TCRS Retirement will be taken out of an employee paycheck after 30 day's employment at a rate of 5% of gross total per paycheck.
  - k. Any court order for garnishments or child support will be taken as ordered by the court.
  - l. Other city-authorized deductions may be made from an employee's pay only with the employee's signed consent.

If all leave has been exhausted, an employee must make arrangements to cover any premiums or deductions not covered by the city's umbrella plan. Additional coverages being paid by the city is done as a courtesy and benefit for the employee but is not the responsibility of the city. These are the responsibility of the employee. Arrangements must be made with the City Recorder before the leave is exhausted. The city will not continue to pay additional premiums

or deductions, if the employee has made no arrangement. Any arrangement for repayment will not exceed 6 months without approval from the Mayor.

**EXHIBIT 1**  
**The Town of Ashland City Job Description Format**

**JOB DESCRIPTION**

**Town of Ashland City**  
**(Department)**  
**(Location)**

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<b>CLASSIFICATION TITLE:</b>	(Job Title)
<b>DEPARTMENT:</b>	(Department)
<b>REVISION DATE:</b>	(Last date of Council Approval)
<b>REPORTS TO:</b>	(Department Head's Title)
<b>EMPLOYMENT STATUS:</b>	(Full-time or Part-time)
<b>FLSA STATUS:</b>	(Exempt or Non-exempt)
<b>PAY RANGE:</b>	(Pay Grade)

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**JOB SUMMARY**

(A brief one or two sentence description of the purpose of the job)

**ESSENTIAL DUTIES AND RESPONSIBILITIES**

(Brief statements, in descending order of importance based on frequency and impact, of the essential job functions. Essential function are those:)

- (For which the position exists to perform ex: data entry operator job exists to operate computer keyboard to input data)
- (For which there are a limited number of other employees available to perform the function)
- (Highly specialized in nature requiring incumbents to be hired specifically because of the skill or ability to perform them)

**QUALIFICATIONS**

(Brief description of the following job requirements)

- (Education)
- (Experience)
- (Certificates, Licenses, Registrations which include time allowed to become certified)
- (Special Requirements)

**REQUIRED KNOWLEDGE AND ABILITIES**

(Brief description of required knowledge, skills, and abilities)

**EQUIPMENT OPERATED**

- (Computer, printer, various office machines (phone, calculator, copier, etc.)
- (software)
- (Microsoft Office Suites)
- (Cell phone)

**WORKING CONDITIONS**

- (Working conditions are in an office environment)
- (Working environment is office setting with some lifting of office supplies weighing up to 20lbs)
- (Located in a busy office, faced with constant interruptions)

**USUAL PHYSICAL DEMANDS**

(Brief description of requirements for lifting, walking, sitting, seeing, hearing, reaching, feeling, and talking)

**EMPLOYEE AWARENESS**

- Implement and assure adherence to The Town of Ashland City policies and procedures regarding Equal Employment Opportunity.
  - Adheres to The Town of Ashland City initiative on business ethics and conduct.
  - Adheres to federal/state laws and relations regarding MSDA, OSHA and EPA compliance.
- 

This is not necessarily an exhaustive list of all responsibilities, skills, duties, requirements, efforts or working conditions associated with the job. While this is intended to be an accurate reflection of the current job, management reserves the right to revise the job, or to require that other, or different tasks be performed when circumstances change (i.e. emergencies, changes in personnel or workload, etc.).

**MANAGEMENT APPROVAL**

\_\_\_\_\_  
Manager's Signature

\_\_\_\_/\_\_\_\_/\_\_\_\_  
Date

**EMPLOYEE UNDERSTANDING AND AGREEMENT**

\_\_\_\_\_  
Employee's Signature

\_\_\_\_/\_\_\_\_/\_\_\_\_  
Date



## EXHIBIT II

### Town of Ashland City Pay Table

Pay Grade	Job Title		Pay Range		
			Starting Salary	Midpoint	Highest Salary
10	Public Utilities/Public Works Director		\$66,090.00	\$77,753.00	\$100,107.00
9	City Recorder	Fire and Codes Director	\$59,141.00	\$69,577.00	\$85,998.00
	Police Chief				
8	Deputy Fire Chief	Court Clerk	\$52,923.00	\$62,262.00	\$80,163.00
	Assistant Police Chief	Parks Director			
	Financial Director Manager				
7	Fire Marshal	Wastewater Plant Chief Operator	\$47,358.00	\$55,715.00	\$71,734.00
	Water Plant Chief Operator	Fire Department Captain			
	Police Detective	Building Inspector			
6	Building Codes Officer	Senior Center Director	\$42,378.00	\$49,857.00	\$61,623.00
	Utility Maintenance Supervisor	Waste Water Plant Operator III			
	Water Plant Operator III	Police Sergeant			
	Firefighter II/Paramedic				
5	Street Maintenance Supervisor	Police Corporal	\$37,923.00	\$44,615.00	\$55,145.00
	Mechanic II	Firefighter II			
	Water Plant Operator II	Part-time Firefighter			
	Lead Accounting Clerk	Waste Water Plant Operator II			
4	Administrative Assistant (Fire)	Administrative Assistant (Police)	\$33,935.00	\$39,924.00	\$49,347.00
	Cross Connection Coordinator	PW/PU Administrative Assistant			
	Senior Equipment Operator	Parks Maintenance Supervisor			
	Mechanic I	Building Maintenance Assistant			
	Water Distribution/Waste Water Collection Specialist	Court Officer			
		Police Officer			
	Athletic Supervisor	Firefighter I			
	Lead Deputy Court Clerk	Accounting Clerk II			
Assistant Senior Center Director					
3	Water/Wastewater Distribution/Collections Assistant	Accounting Clerk I		\$35,726.00	\$44,158.00
		Police Clerk			
	Water Plant Operator I (no license)	Streets Maintenance Assistant			
	Judicial Commissioner	Deputy Court Clerk I			
	Waste Water Plant Operator I (no license)	Administrative Assistant (Mayor's Office)			
2	Senior Center Activities Coordinator		\$27,174.00	\$31,969.00	\$39,514.00
1	Janitor		\$21,760.00	\$25,600.00	\$31,642.00



101  
1/29/2020

**Bill To**

Melissa Womack | The Senior Center of Ashland City  
104 Ruth Drive Ashland City, TN 37015

**For**

Walk Across TN Sponsorship

Item Description	Amount
Half Marathon Sponsorship	\$250.00

Total Cost

\$250.00

Make all checks payable to CCCEC

#4071

REMIT TO ADDRESS

CCCEC  
PO Box 699  
Pleasant View, TN 37146

110-44310-230  
Governors Healthy TN.  
Project. The Sr. Center  
will have teams as well  
as sponsor.  
Melissa Womack 1/30/20