

RESOLUTION NO. 335

**A RESOLUTION AMENDING THE PERSONNEL
POLICIES AND PROCEDURES RELATING TO
SICK LEAVE FOR EMPLOYEES**

WHEREAS, it appears that section 4.20 of the PERSONNEL POLICIES AND PROCEDURES relating to sick leave is in conflict with Resolution No. 212 adopted on March 23, 2000, relating to the TENNESSEE CONSOLIDATED RETIREMENT SYSTEM optional retirement benefit to employees of service credit for unused sick leave; and,

WHEREAS, liability for this benefit has been accepted pursuant to the terms of *Tenn. Code Ann. §8-34-604(c)*; and,

WHEREAS, it is desired to conform the PERSONNEL POLICIES AND PROCEDURES to Resolution No. 212. Now therefore,

BE IT RESOLVED that the Personnel Policies and Procedures, Chapter IV relating to leave, and more specifically Section 4.20 relating to sick leave, be amended to read as follows:

4.20. SICK LEAVE

Each regular full-time employee will accrue sick leave at the rate of one work day per pay period. Employees may accumulate an unlimited amount of sick leave which may be carried over from one calendar year to another.

Generally, employees become eligible to use sick leave in the following situations:

1. When an employees is incapacitated by sickness or a non-job-related injury, or they are seeking medical, dental or other diagnosis or treatment.
2. When necessary care and attendance of a member of the employee's immediate family is approved by a department head. Immediate family members are defined in Section 1.50 "Definitions," No. 16, "Immediate family."

3. When employees have received notice from their doctor that they may jeopardize the health of others because they have been exposed to a contagious disease.

Sick leave benefits shall commence on the first day of such absence and shall continue for as long as sick leave credit remains. A one work-day absence while sick will constitute a charge of one day of sick leave. Each day deducted from an employee's sick leave accumulation shall be for a regular workday and shall not include holidays and scheduled days off.

Sick leave shall be requested in advance for any non-emergency medical, dental or other diagnosis or treatment. Employees shall, when possible, notify their department head of their illness or incapacity before they are due to report to work on the first day of any sick leave. When an employee is not physically capable of doing so, they shall give notice as soon as possible.

To prevent abuse of the sick leave privilege, department heads are required to satisfy themselves that an employee is genuinely ill before sick leave is authorized. Any absence may require a doctor's certificate; and, any absence in excess of three workdays may also require a doctor's certificate to return to work, if, in the opinion of the department head, such action is deemed appropriate. Sick leave may be denied, and appropriate disciplinary action taken, when an employee is shown to be abusing sick leave privileges.

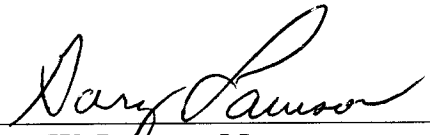
Sick leave shall not accrue to an employee who is on "leave without pay," including Short-term Disability, or is absent from work without approved excuse for 5 or more work days during any pay period

An employee, upon exhausting all earned sick leave, may use earned annual leave (vacation) After an employee has exhausted their accrued sick leave and vacation leave, leave with, or without, pay may be granted at the discretion of the mayor as a reasonable accommodation to disabled people. 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 that they are qualified, with the approval of the mayor.

Employees may not borrow against future sick leave or transfer earned sick leave to another employee. Only the mayor may make exceptions to leave policy due to unusual and/or extenuating circumstances.

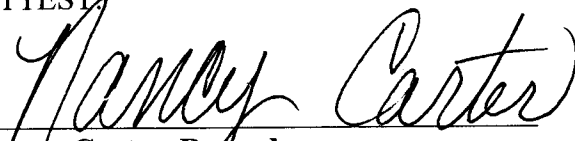
No employee shall be paid for accumulated sick leave. All accumulated sick leave shall expire upon an employees separation from employment; except that, an employee who retires under the Tennessee Consolidated Retirement System shall have all unused sick leave credited as additional time worked when calculating the employee's retirement benefits.

ADOPTED this 27th day of December, 2005.



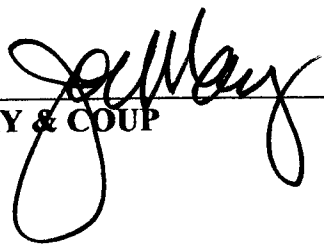
Gary W. Lawson, Mayor

ATTEST:



Nancy Carter, Recorder

APPROVED AS TO FORM:


LAW OFFICES OF MAY & COUP

FIRST READING	AYES	NAYS	OTHER
Alderman Henry Bailey	✓		
Vice-Mayor Eugene Christian	✓		
Mayor Gary Lawson	✓		
Alderman Tresa Mawk	✓		
Alderman Thomas Wheeler	✓		
Alderman Carl Wolfe	✓		
Alderman Wanda Worley	absent		
TOTALS			

PASSED FIRST READING

12-27-05