

RESOLUTION NO. _____

A RESOLUTION AMENDING RESOLUTION NO. 2023-070,
EMPLOYMENT POLICY FOR CITY EMPLOYEES

WHEREAS, the city last amended the Employment Policy by Resolution No.: 2023-070, effective September 13, 2022; and

WHEREAS, the city would like to amend the Employment Policy to promote the efficient operation of the city.

Now therefore,

BE IT RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN AS FOLLOWS:

SECTION I. That Section I of Resolution 2023-070, adopting the Employment Policy for the city is amended as follows:

WORK PERIOD/WORK WEEK

Generally, the work week of the city begins at 12:00 AM on Sunday and ends at 11:59 PM the following Saturday. There are exceptions to the general work week as permitted by the Fair Labor Standards Act.

The work week for all full-time, regular employees is forty (40) hours per week. The work day generally is eight (8) hours. For shift personnel of the fire department, a work period is 648 hours in duration, consisting of twenty-seven (27) consecutive 24-hour periods, and beginning and ending according to the fire department's official schedule for each shift employee.

The city does not "guarantee" work or work hours.

All employees who are non-exempt pursuant to the Fair Labor Standards Act must maintain an accurate record of daily hours worked. This record must be signed by both the employee and his/her supervisor verifying the correctness of the hours worked and leave taken. All employees who are exempt pursuant to the Fair Labor Standards Act shall report any leave time used during a workweek. Each department manager shall approve and submit an attendance and leave record for their department to the finance department (payroll) at the end of each pay period.

EMPLOYEE STATUS CHANGES

Every appointment, promotion, transfer, demotion, dismissal, or other temporary or permanent change in the status of employees shall be approved by the HR Department and the City Manager. A record of such changes shall be maintained in the employee's personnel file.

Status Changes include:

- Promotion – A promotion is a movement upward within the pay plan that is not temporary work in a higher capacity. Approval by the department director, the HR Director, and the City Manager is required for a promotion. When an employee is promoted, the employee and the respective department director shall have an initial thirty work day evaluation period in which to mutually agree that the promotion shall be confirmed. If for any reason during the evaluation period, the promoted employee decides to decline the promotion, the employee may do so and return to the position vacated at the former pay. If, during the evaluation period, the department director determines that the promoted employee cannot perform the new, increased responsibilities in an acceptable manner, the department director may return the promoted

employee to the position vacated and at the former pay.

The promotion may be confirmed at any time during the evaluation period. Normally, an individual may apply for a promotion only after a minimum of twelve (12) months from initial employment with the city or from receiving a promotion.

When it is in the interest of the city to allow an individual to apply for promotion within the twelve (12) months' time-frame, it shall be approved by the HR Director and the City Manager. Individuals may apply for promotions within their department after successful completion of probationary period.

- Temporary Work in Higher Classification - Temporary work in a higher classification is a temporary assignment that is expected to last longer than two (2) consecutive work weeks. Pay for such assignments will follow the Wage and Salary Policy. An employee's rate of pay will not change for temporary work in a higher classification to last less than two (2) consecutive work weeks. The employee is responsible and accountable for the full range of duties during such assignment.
- Lateral Move – A lateral move is an assignment that is not temporary, and defined as individual being moved from one organization to another organization and remaining on the same pay grade. The city shall not, under normal circumstances, consider employees for lateral moves, unless extenuating circumstances (e.g., career pathing, the city's best interest, or reasonable accommodation for a disability) are shown.
- Demotion – A demotion is permanent movement from a higher pay grade to a lower pay grade. The demoted employee's rate of pay shall follow the Wage and Salary Policy.
- Job Reassignment – A job reassignment may include a change in duties, work location, days of work hours or shift hours. Job reassignments may be temporary or permanent.

An employee may not be promoted, temporarily assigned to work in a higher classification, laterally moved, or demoted without consent of the department director, the HR Director, and the City Manager.

RESIDENCY REQUIREMENT

While it is the policy of the City of Kingsport to encourage all its employees to live in the City of Kingsport, the employees holding the position of City Manager, Deputy City Manager, and Assistant City Manager shall reside within the corporate limits of Kingsport. Other city leaders, such as but not limited to; City Recorder, City Attorney, Police Chief, Fire Chief, and Public Works Director, must live within the urban growth boundaries. If an individual is hired into one of the above positions and does not reside within the city limits, the City Manager shall have the discretion to determine a timeframe for when the individual is required to relocate within the city limits after assuming the position. In the event the timeframe exceeds one hundred eighty (180) days, the City Manager will review the need with the BMA. This residence requirement shall not apply to any person holding any of the positions in an acting, interim, or temporary capacity and shall not be construed to conflict with state law. At the discretion of the City Manager, other employees may be required to live in the city or close to their responsibility center.

SECTION II. That nothing herein shall be construed to conflict with or supersede any applicable state or federal law.

SECTION III. That the board finds that the actions authorized by this resolution are for a public purpose including recreational and educational, and will promote the health, comfort, and prosperity of the citizens of the city.

SECTION IV. That this resolution shall take effect from and after its adoption, the public welfare requiring it.

ADOPTED this the 6th day of June 2023.

PATRICK W. SHULL, MAYOR

ATTEST:

ANGELA MARSHALL, DEPUTY CITY RECORDER

APPROVED AS TO FORM:

RODNEY B. ROWLETT, III, CITY ATTORNEY