

1ST READING 1/29/08  
2ND READING 2-5-08  
INDEX NO. \_\_\_\_\_

ORDINANCE NO. 12072

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE,  
PART II, CHAPTER 2, SECTION 2-178 RELATIVE TO  
UNRESOLVED GRIEVANCES OF CITY EMPLOYEES.

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BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA,  
TENNESSEE:

SECTION 1. That Chattanooga City Code, Part II, Chapter 2, Section 2-178 be and is hereby amended by striking therefrom the words "other than a laborer."

SECTION 2. That this Ordinance shall become effective two (2) weeks from and after its passage.

PASSED on Second and Final Reading

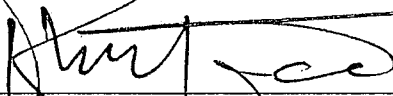
February 5, 2008.



CHAIRPERSON

APPROVED:  DISAPPROVED: \_\_\_\_\_

DATE: 2-8-08, 2008



MAYOR

RLN/add

## CHATTANOOGA CITY CODE

Within five (5) working days of the receipt of the appeal, the deputy administrator shall meet with the employee and attempt to resolve the grievance insofar as it is within his/her power to so do. Further, the deputy administrator shall render a decision in writing and provide a copy of same to the aggrieved employee within three (3) working days (or two (2) twenty-four (24) hour shifts if the employee is working such shifts) of the date the deputy administrator meets with the aggrieved employee.

(f) If the grievance is beyond the authority of the deputy administrator to resolve or if the employee disagrees with a deputy administrator's decision, the employee may appeal the grievance to the administrator. Any such appeal must be made in writing within three (3) working days (or two (2) twenty-four (24) hour shifts if the employee is working such shifts) of the employee's receipt of the deputy administrator's decision concerning the grievance, along with copies of the original grievance, the supervisor's decision, and the deputy administrator's decision. The employee shall clearly state why the attempted resolution failed and what relief the employee is seeking.

Within five (5) working days (or two (2) twenty-four (24) hour shifts if the employee is working such shifts) of the receipt of the appeal, the administrator shall meet with the employee and attempt to resolve the grievance insofar as it is within his/her power to so do. Further, the administrator shall render a decision in writing and provide a copy of same to the aggrieved employee within three (3) working days (or two (2) twenty-four (24) hour shifts if the employee is working such shifts) of the date the administrator meets with the aggrieved employee.

(g) Failure at any step in the grievance procedure by a supervisor lower than a department head to make and communicate a decision in writing within the specified time limits shall constitute a denial of the relief sought and shall permit the grievance to be appealed to the next step by the employee.

(h) The employee's failure to file a grievance within the time specified in this section constitutes abandonment of the grievance by the employee. The employee's failure to appeal a decision by the supervisor or the deputy administrator within the applicable time period specified in this section shall constitute abandonment of the grievance by the employee. A grievance may also be terminated at any time upon receipt of a signed statement from the employee requesting such termination.

(i) The grievance procedure shall not be used as a means of collectively bringing about changes in wages, hours or other conditions of employment applicable to other employees.

**Sec. 2-178. Unresolved grievances to be brought to department head; timely appeals.**

## ADMINISTRATION

Grievances which cannot be resolved at levels of supervision lower than the department head may be appealed to the department head. The department head shall have final authority to settle all employee grievances except those that involve a suspension, demotion or dismissal. If, after the foregoing steps are exhausted, an employee other than a laborer is still aggrieved and the grievance involves a suspension or demotion, which results in a loss of more than ten percent (10%) of gross wages in any three (3) year period or involves a dismissal, the employee may file a written appeal for the City Council to review the grievance, after requesting a review from the Mayor, as provided by Section 2-174, within 15 days of the department head's decision. The action of the department head with respect to all other grievances shall be final.

### **Sec. 2-179. Personnel director available to counsel employees.**

The personnel director or his/her designee shall be available to confer with any city employee concerning any grievance or on any other matter. Discussions pertaining to personal problems shall be kept strictly confidential. However, it shall be understood that there can be no secrecy in discussions of matters pertaining to the employee's job where there is a need for supervisory personnel to know. The duty of the personnel director shall be to assist in the settlement of grievances through the clearing up of any misunderstanding or the bringing to the attention of the proper authority of any variances from established policy, and he/she may in some instances be required to assemble needed information to determine facts.

## DIVISION 9. TERMINATION OF EMPLOYMENT RELATIONSHIP

### **Sec. 2-180. Notice upon separation from service; personal leave on resignation or retirement.**

(a) An employee who desires to resign in good standing shall submit a written resignation at least two (2) weeks in advance, setting forth his/her reasons for resigning.

(b) Employees with up to six (6) months' service may be given one (1) week's notice of dismissal and employees with more than six (6) months' service may be given two (2) weeks' notice of dismissal except that, if in the discretion of the supervisor the interests of the City will thus be best served, payment of compensation for the notice period may be made in lieu of continued work for that period; provided, however, that, when a supervisor terminates an employee for cause, the employee shall not be entitled to compensation for the notice period.