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Current through the 2023 Regular Session.

[TN - Tennessee Code Annotated](#)
[Title 5 Counties](#)
[Chapter 23 Written Personnel Policies](#)
5-23-103. Adoption of base personnel policies.

(a) Each county official shall adopt base personnel policies, which shall be approved by an attorney as provided in this chapter and filed in the office of the county clerk as provided in this section on or before December 31, 1997. The county official shall submit the base personnel policies to the attorney selected in accordance with § 5-23-105, to be reviewed for compliance with this chapter and other applicable law. In the event that any policy is not approved by such attorney, the county official may challenge the conclusion of the attorney as to such policy and have such policy reviewed by another attorney selected by the county official and paid from the fees of the office or funds budgeted for the office or department, and the conclusion of that attorney shall be final. The county official shall submit the approved policies to the county legislative body for inclusion in the minutes of the body and filing in the office of the county clerk. Notwithstanding the foregoing, the county board of education may employ its own attorney to review and approve its policies, and the board shall submit to the county legislative body with the approved policies acceptable evidence that the policies have been reviewed and are in compliance with this chapter and applicable law. If any county official fails to adopt and file such policies on or before December 31, 1997, the employees of the county official shall be governed by the base personnel policies adopted by the county legislative body pursuant to subsection (d).

(b) Any county official who wishes to discontinue policies that the official has previously adopted under subsection (a) shall submit written notice to the county legislative body for inclusion in the minutes and filing in the office of the county clerk, specifying the effective date of the change. From and after the specified effective date, the employees of such office shall be governed by the base personnel policies adopted by the county legislative body pursuant to subsection (d).

(c)

(1) Any county official whose employees are governed by the base personnel policies adopted by the county legislative body shall have the right to adopt separate base personnel policies applicable to the employees of such official's office by filing approved base personnel policies with the county legislative body in the same manner as set out in subsection (a), at the following times:

(A) Once annually, on or before November 30 each year; and

(B) Within thirty (30) days after any amendment to the policies becomes effective.

(2) Such policies shall become effective on the first day of the month following their filing in the office of the county clerk as provided in subsection (a).

(d)

(1) The county mayor and the county legislative body shall provide for the adoption of base personnel policies to govern all county employees except those governed by separate base personnel policies adopted as provided in this section.

(2) The county mayor shall submit to the county legislative body for approval a list of all agencies, offices and departments that will be governed by the base personnel policies. This list shall include and shall be limited to all departments, agencies and boards whose funds are handled through the office of the county trustee.

(3) The attorney selected in accordance with § 5-23-105 shall review the list for accuracy and completeness, and shall report such attorney's findings to the county legislative body.

(4) Upon approval of the list, the county mayor shall appoint, subject to the confirmation of the county legislative body, one (1) or more persons to develop the base personnel policies. Such persons may be members of the county legislative body, the county mayor, officials or employees of agencies, offices or departments to be governed by such policies, or other persons having appropriate knowledge and expertise. Such persons shall be appointed and confirmed on or before October 31, 1997.

(5) The policies shall be prepared and submitted to an attorney for review as provided in § 5-23-105, and upon approval by the attorney they shall be presented to the county legislative body for approval on or before March 1, 1998.

(6) The county legislative body shall either approve or disapprove the policies as a whole. If the policies are not approved, they shall be returned to the originating person or group for revision and resubmission to the county legislative body.

(7) When approved, the policies shall be included in the minutes of the county legislative body and filed in the office of the county clerk, and the policies shall be effective on the first day of the month following approval by the county legislative body. The final policies shall be approved by the county legislative body and filed in the minutes in the office of the county clerk on or before May 31, 1998.

(8) Any governmental agency or entity whose funds are not handled through the office of the county trustee may, by action of the governing board of such agency or entity, adopt for such agency or entity the personnel policies filed in the office of the county clerk in accordance with this subsection (d).

(e) Upon completion of the base personnel policies in accordance with subsection (d), a county mayor may adopt separate base personnel policies applicable to the employees of the county mayor's individual office by filing approved base personnel policies with the county legislative body in the same manner established in subsection (a).

History