

**RULES  
OF  
THE TENNESSEE DEPARTMENT OF HUMAN RESOURCES**

**CHAPTER 1120-09  
PROGRAMS ADMINISTERED BY THE DEPARTMENT OF HUMAN RESOURCES**

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**1120-09-.01 TENNESSEE EMPLOYEES' CHARITABLE CAMPAIGN.** The Tennessee Employees' Charitable Campaign shall be coordinated annually by the Department. The Governor and the Commissioner shall be designated as chair and co-chair respectively.

Employees may contribute through payroll deduction to charitable organizations authorized by the Commissioner. Procedures and methods for deductions of monies are at the discretion of the Governor, the Commissioner and the Commissioner of Finance and Administration.

**Authority:** T.C.A. §§ 8-30-104 and 8-30-105. **Administrative History:** (For history prior to January 2, 1988, see pages 1-2 of the Introduction at the beginning of the chapters.) Repeal and new rule filed November 18, 1987; effective January 2, 1988. Repeal and new rule filed December 14, 2010; effective May 31, 2011. Repeal and new rule filed July 5, 2012; effective October 3, 2012. Amendments filed February 7, 2017; effective May 8, 2017.

**1120-09-.02 SICK LEAVE BANK.** The Department shall administer a bank which grants paid sick leave to qualifying members who are medically certified as unable to perform the duties of their jobs as a result of a personal illness, injury, accident, disability, medical condition, or quarantine and who have exhausted all their personal sick, compensatory, and annual leave balances. Administration of the Sick Leave Bank is governed by guidelines adopted by the Sick Leave Bank Board. The Sick Leave Bank Board shall:

- (1) Establish the criteria for distributing sick leave from the bank;
- (2) Hear appeals of denials of request for sick leave; and
- (3) Prescribe the form and manner of participation in the bank.

**Authority:** T.C.A. §§ 8-50-901 through 8-50-910. **Administrative History:** (For history prior to January 2, 1988, see pages 1-2 of the Introduction at the beginning of the chapters.) Repeal and new rule filed November 18, 1987; effective January 2, 1988. Repeal and new rule filed December 14, 2010; effective May 31, 2011. Repeal and new rule filed July 5, 2012; effective October 3, 2012. Amendments filed February 7, 2017; effective May 8, 2017. Amendments filed January 18, 2023; effective April 18, 2023.

**1120-09-.03 EMPLOYEE SERVICE AWARDS.**

- (1) The Department shall provide a consistent and uniform system through which employees shall receive appropriate recognition for their service to state government. Each participating agency shall verify eligible employees' length of service and submit a request for awards to the appropriate vendor.
- (2) Service award credit shall be given for the same periods of employment in state government as are recognized by the Tennessee Consolidated Retirement System for retirement credit,

(Rule 1120-09-.03, continued)

excluding any service credit recognized by the Tennessee Consolidated Retirement System for service in local governments or the public school systems other than State owned and operated schools.

- (3) Service awards shall be presented following five (5) years of creditable service and at each increment of five (5) years thereafter.
- (4) Awards provided by the Department shall be at the discretion of the Commissioner.

**Authority:** T.C.A. §§ 8-30-104 and 8-30-105. **Administrative History:** (For history prior to January 2, 1988, see pages 1-2 of the Introduction at the beginning of the chapters.) Repeal and new rule filed November 18, 1987; effective January 2, 1988. Repeal and new rule filed December 14, 2010; effective May 11, 2011. Repeal and new rule filed July 5, 2012; effective October 3, 2012.

#### **1120-09-.04 EMPLOYEE SUGGESTION AWARD PROGRAM.**

- (1) The Department shall administer and establish policy governing the administration of the Employee Suggestion Award Program (ESAP) in accordance with T.C.A. §§ 4-27-101, et seq.
- (2) The ESAP board, made up of members in accordance with T.C.A. § 4-27-102, shall meet quarterly to establish criteria for making awards, evaluate employee suggestions, and approve awards.
- (3) The board will consider the following factors when making determinations about employee awards and suggestions:
  - (a) Severity of the present problem;
  - (b) Effectiveness of the suggestion offered;
  - (c) The need to encourage improvement in state operations; and
  - (d) Ingenuity of the suggestion.
- (4) The Department shall annually send ESAP program information to all state employees via electronic mail notification. The notice shall consist of:
  - (a) Information about the program;
  - (b) Information on how to submit suggestions; and
  - (c) Information regarding the criteria for suggestions and cash awards.
- (5) Cash or honorary awards may be made to state employees and retired state employees whose adopted suggestions will result in substantial savings or improvement in state operations. Any cash awards shall be awarded based on actual realized savings and must be submitted and approved by the agency where employee has made the suggestion. All cash awards shall comply with T.C.A. §§ 4-27-101, et seq.
- (6) Pursuant to T.C.A. § 4-27-104, the following levels of management are ineligible to receive cash awards under the program:
  - (a) Governor's staff, department commissioner, or equivalent;

(Rule 1120-09-.04, continued)

- (b) Assistant or deputy commissioner, assistant to commissioner, major fiscal and administrative policy department staff or equivalent;
- (c) Director or division chief, including the full line division chief to a statewide program; includes chief of division supervising several line service units or equivalent; and
- (d) Assistant to director or division chief, section chief, or head of a major departmental function or equivalent.

**Authority:** T.C.A. §§ 4-27-101 through 4-27-105, 8-30-104, and 8-30-105. **Administrative History:** (For history prior to January 2, 1988, see pages 1-2 of the Introduction at the beginning of the chapters.) Repeal and new rule filed November 18, 1987; effective January 2, 1988. Repealed and new rule filed August 25, 1994; effective December 29, 1994. Repeal and new rule filed December 14, 2010; effective May 31, 2011. Repeal and new rule filed July 5, 2012; effective October 3, 2012. Amendments filed February 7, 2017; effective May 8, 2017. Amendments filed May 17, 2019; effective August 15, 2019. Amendments filed January 18, 2023; effective April 18, 2023.

**1120-09-.05 REPEALED.**

**Authority:** T.C.A. §§ 8-30-202, 8-30-203, and 8-30-204. **Administrative History:** (For history prior to January 2, 1988, see pages 1-2 of the Introduction at the beginning of the chapters.) Repeal and new rule filed November 18, 1987; effective January 2, 1988. Repealed and new rule filed August 25, 1994; effective December 29, 1994. Repeal filed December 14, 2010; effective May 31, 2011.

**1120-09-.06 REPEALED.**

**Authority:** T.C.A. §§ 4-27-101, et seq., 8-30-202, 8-30-203, and 8-30-204. **Administrative History:** (For history prior to January 2, 1988, see pages 1-2 of the Introduction at the beginning of the chapters.) Repeal and new rule filed November 18, 1987; effective January 2, 1988. Repeal filed December 14, 2010; effective May 31, 2011.