

## TITLE 4

### MUNICIPAL PERSONNEL

#### CHAPTER

1. TOWN EMPLOYEE PERSONNEL POLICIES, REGULATIONS, ETC.
2. OCCUPATIONAL SAFETY AND HEALTH PROGRAM.
3. TRAVEL REIMBURSEMENT REGULATIONS.

#### CHAPTER 1

### TOWN EMPLOYEE PERSONNEL POLICIES, REGULATIONS, ETC.

#### SECTION

- 4-101. Personnel policies, regulations and administrative procedures.
- 4-102. Coverage.
- 4-103. Administration.
- 4-104. Employee at-will status.

**4-101. Personnel policies, regulations and administrative procedures.** The board of mayor and aldermen shall develop all rules and regulations deemed necessary by the board for the effective administration of the personnel system. All policies adopted by the board, or amendments to existing policies adopted by the board, shall be adopted in written form and compiled in the form of an employee's handbook. (1996 Code, § 4-201)

**4-102. Coverage.** All offices and positions of the town are divided into one (1) of two (2) categories, classified service and exempt service. The classified service shall include all regular full-time and regular part-time positions in the town's service unless specifically placed in the exempt service. All offices and positions placed in the exempt service include: all elected officials; members of appointed boards or commissions; consultants, advisers, legal counsel and other such professional services; independent contractors and individuals operating under employment contracts with the town; the town judge; the town building inspector. (1996 Code, § 4-202)

**4-103. Administration.** The personnel system shall be administered by the mayor, or the mayor's designee, who shall have the following duties and responsibilities:

- (1) Prepare and recommend to the board policies and procedures to develop an effective personnel administration system subject to the provisions of town ordinances, the town charter, and federal and state laws relating to personnel administration.

(2) Maintain records of all employees subject to the provisions of the personnel administration system.

(3) Make certain that all employees receive copies of all policies, procedures and regulations, or subsequent amendments, in the form of an employee handbook.

(4) Perform such other duties and exercise such other authority in personnel administration as may be prescribed by law and the board. (1996 Code, § 4-203)

**4-104. Employee at-will status.** Nothing in the provisions of the Bulls Gap Municipal Code, as written, or in any policies adopted in accordance with this chapter shall be interpreted as granting property rights to any employee of the town and all employees shall be considered at-will employees. (1996 Code, § 4-204)

## CHAPTER 2

### OCCUPATIONAL SAFETY AND HEALTH PROGRAM

#### SECTION

- 4-201. Title.
- 4-202. Purpose.
- 4-203. Coverage.
- 4-204. Standards authorized.
- 4-205. Variances from standards authorized.
- 4-206. Administration.
- 4-207. Funding the program.

**4-201. Title.** This section shall be known as the occupational safety and health program plan for the employees of the Town of Bulls Gap.

**4-202. Purpose.** The Town of Bulls Gap, in electing to update their established program plan will maintain an effective and comprehensive occupational safety and health program for its employees and shall:

- (1) Provide a safe and healthful place and condition of employment that includes:
  - (a) Top management commitment and employee involvement;
  - (b) Continually analyze of the worksite to identify all hazards and potential hazards;
  - (c) Develop and maintain methods for preventing or controlling existing or potential hazards; and
  - (d) Train managers, supervisors, and employees to understand and deal with worksite hazards.
- (2) Acquire, maintain and require the use of safety equipment, personal protective equipment and devices reasonably necessary to protect employees.
- (3) Record, keep, preserve, and make available to the Commissioner of Labor and Workforce Development of the State of Tennessee, or persons within the Tennessee Department of Labor and Workforce Development to whom such responsibilities have been delegated, adequate records of all occupational accidents and illnesses and personal injuries for proper evaluation and necessary corrective action as required.
- (4) Consult with the State Commissioner of Labor and Workforce Development with regard to the adequacy of the form and content of records.
- (5) Consult with the State Commissioner of Labor and Workforce Development, as appropriate, regarding safety and health problems which are considered to be unusual or peculiar and are such that they cannot be achieved under a standard promulgated by the state.

(6) Provide reasonable opportunity for the participation of employees in the effectuation of the objectives of this program, including the opportunity to make anonymous complaints concerning conditions or practices injurious to employee safety and health.

(7) Provide for education and training of personnel for the fair and efficient administration of occupational safety the health standards, and provide for education and notification of all employees of the existence of this program.

**4-203. Coverage.** The provisions of the occupational safety and health program plan for the employees of the Town of Bulls Gap shall apply to all employees of each administrative department, commission, board, division, or other agency of the Town of Bulls Gap whether part-time for full-time, seasonal or permanent.

**4-204. Standards authorized.** The occupational safety and health standards adopted by the Town of Bulls Gap are the same as, but not limited to, the State of Tennessee Occupational Safety and Health Standards promulgated, or which may be promulgated, in accordance with section 6 of the Tennessee Occupational Safety and Health Act of 1972 (*Tennessee Code Annotated*, title 50, chapter 3).

**4-205. Variances from standards authorized.** The Town of Bulls Gap may, upon written application to the Commissioner of Labor and Workforce Development of the State of Tennessee, request an order granting a temporary variance from any approved standards. Applications for variances shall be in accordance with Rules of Tennessee Department of Labor and Workforce Development, Occupational Safety, Chapter 0800-01-02, as authorized by *Tennessee Code Annotated*, title 50. Prior to requesting such temporary variance, the recorder shall notify or serve notice to employees, their designated representatives, or interested parties and present them with an opportunity for a hearing. The posting of notice on the main bulletin board shall be deemed sufficient notice to employees.

**4-206. Administration.** For the purposes of this chapter, the recorder, is designated as the director of occupational safety and health to perform duties and to exercise powers assigned so as to plan, develop, and administer for the Town of Bulls Gap program. The director shall develop a plan of operation for the program in accordance with the rules of the Tennessee Department of Labor and Workforce Development Occupational Safety and Health, Safety and Health Provisions for the Public Sector, chapter 0800-01-05, as authorized by *Tennessee Code Annotated*, title 50.

**4-207. Funding the program.** Sufficient funds for administering and staffing the program pursuant to this chapter shall be made available as authorized by the Town of Bulls Gap.

## CHAPTER 3

### TRAVEL REIMBURSEMENT REGULATIONS

#### SECTION

- 4-301. Enforcement.
- 4-302. Travel policy.
- 4-303. Travel reimbursement rate schedule.
- 4-304. Administrative procedures.

**4-301. Enforcement.** The mayor shall be considered the Chief Administrative Officer (CAO) of the town and shall be responsible for the enforcement of this chapter and these travel regulations. (1996 Code, § 4-401)

**4-302. Travel policy.** (1) In the interpretation and application of this chapter, the term "traveler" or "authorized travel" means any elected or appointed municipal officer or employee, including members of municipal boards and committees appointed by the mayor or the municipal governing body, and the employees of such boards and committees who are traveling on official municipal business and whose travel was authorized in accordance with this chapter. "Authorized traveler" shall not include the spouse, children, other relatives, friends, or any companions accompanying the authorized traveler on town business, unless the person(s) otherwise qualifies as an authorized traveler under this chapter.

(2) Authorized travelers are entitled to reimbursement of certain expenditures incurred while traveling on official business for the town. Reimbursable expenses shall include expenses for transportation; lodging; meals; registration fees for conferences, conventions, and seminars; and other actual and necessary expenses related to official business as determined by the CAO. Under certain conditions, entertainment expenses may be eligible for reimbursement.

(3) Authorized travelers can request either a travel advance for the projected cost of authorized travel, or advance billing directly to the town for registration fees, air fares, meals, lodging, conferences, and similar expenses.

Travel advance requests aren't considered documentation of travel expenses. If travel advances exceed documented expenses, the traveler must immediately reimburse the town. It will be the responsibility of the CAO to initiate action to recover any undocumented travel advances.

(4) Travel advances are available only for special travel and only after completion and approval of the travel authorization form.

(5) The travel expense reimbursement form will be used to document all expense claims.

(6) To qualify for reimbursement, travel expenses must be:

(a) Directly related to the conduct of official town business for which travel was authorized; and

(b) Actual, reasonable, and necessary under the circumstances. The CAO may make exceptions for unusual circumstances. Expenses considered excessive won't be allowed.

(7) Claims of five dollars (\$5.00) or more for travel expense reimbursement must be supported by the original paid receipt for lodging, vehicle rental, telephone call, public carrier travel, conference fee, and other reimbursable costs.

(8) Any person attempting to defraud the town or misuse town travel funds is subject to legal action for recovery of fraudulent travel claims and/or advances.

(9) Mileage and motel expenses incurred within the town are not ordinarily considered eligible expenses for reimbursement. (1996 Code, § 4-402)

**4-303. Travel reimbursement rate schedule.** Authorized travelers shall be reimbursed according to the State of Tennessee travel regulation rates in effect at the time the expenses are incurred. The town's travel rates will automatically change when the state rates are adjusted.

The municipality may pay directly to the provider for expenses such as meals, lodging, and registration fees for conferences, conventions, seminars, and other education programs. (1996 Code, § 4-403)

**4-304. Administrative procedures.** The town adopts and incorporates by reference--as if fully set out herein--the administrative procedures submitted by MTAS to, and approved by letter by, the comptroller of the treasury, State of Tennessee, in June 1993. A copy of the administrative procedures is on file in the office of the town recorder of the Town of Bulls Gap, Tennessee.

This chapter shall take effect upon its final passage by the board of mayor and aldermen of the Town of Bulls Gap, Tennessee, and the publication of the caption of the chapter in a newspaper of general circulation in the town, the public welfare requiring it. (1996 Code, § 4-404)