

TITLE 4

MUNICIPAL PERSONNEL

CHAPTER

1. OCCUPATIONAL SAFETY AND HEALTH PROGRAM.
2. TRAVEL REIMBURSEMENT REGULATIONS.

CHAPTER 1

OCCUPATIONAL SAFETY AND HEALTH PROGRAM¹

SECTION

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4-101. Title. This section shall be known as "The Occupational Safety and Health Program Plan" for the employees of City of Dresden (Ord. #____, March 2003, as replaced by Ord. #2014-06, April 2014, and Ord. #2019-04, June 2019 *Ch2_03-07-22*)

4-102. Purpose. The City of Dresden in electing to update the established program plan will maintain an effective and comprehensive occupational safety and health program plan 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 the worksite to identify all hazards and potential hazards;
 - (c) Develop and maintain methods for preventing or controlling the existing or potential hazards; and
 - (d) Train managers, supervisors, and employees to understand and deal with worksite hazards.

¹The Occupational Safety and Health Program Plan for the City of Dresden is included in this municipal code as Appendix A.

(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, or persons within the 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 Commissioner of Labor and Workforce Development with regard to the adequacy of the form and content of records.

(5) Consult with the 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 Plan, 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 and health standards, and provide for education and notification of all employees of the existence of this program plan. (Ord. #____, March 2003, as replaced by Ord. #2014-06, April 2014, and Ord. #2019-04, June 2019 **Ch2_03-07-22**)

4-103. Coverage. The provisions of the occupational safety and health program plan for the employees of City of Dresden shall apply to all employees of each administrative department, commission, board, division, or other agency whether part-time or full-time, seasonal or permanent. (Ord. #____, March 2003, as replaced by Ord. #2014-06, April 2014, and Ord. #2019-04, June 2019 **Ch2_03-07-22**)

4-104. Standards authorized. The occupational safety and health standards adopted by the City of Dresden 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). (Ord. #____, March 2003, as replaced by Ord. #2014-06, April 2014, and Ord. #2019-04, June 2019 **Ch2_03-07-22**)

4-105. Variances from standards authorized. Upon written application to the Commissioner of Labor and Workforce Development of the State of Tennessee, we may 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 and Health, VARIANCES FROM OCCUPATIONAL SAFETY AND HEALTH STANDARDS, CHAPTER 0800-01-02, as authorized by Tennessee Code Annotated, Title 50. Prior to requesting such temporary variance, we will notify or serve notice to our 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. (Ord. #____, March 2003, as replaced by Ord. #2014-06, April 2014, and Ord. #2019-04, June 2019 **Ch2_03-07-22**)

4-106. Administration. For the purposes of this chapter, city recorder is designated as the safety director of occupational safety and health to perform duties and to exercise powers assigned to plan, develop, and administer this program plan. The safety director shall develop a plan of operation for the program plan in accordance with Rules of 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. (Ord. #____, March 2003, as replaced by Ord. #2014-06, April 2014, and Ord. #2019-04, June 2019 **Ch2_03-07-22**)

4-107. Funding the program plan. Sufficient funds for administering and staffing the program plan pursuant to this chapter shall be made available as authorized by the City of Dresden. (Ord. #____, March 2003, as replaced by Ord. #2014-06, April 2014, and Ord. #2019-04, June 2019 **Ch2_03-07-22**)

CHAPTER 2

TRAVEL REIMBURSEMENT REGULATIONS

SECTION

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4-201. Purpose. The purpose of this chapter and referenced regulations is to bring the city into compliance with the Public Acts 1993, Chapter 433. This Act requires Tennessee municipalities to adopt travel and expense regulations covering expenses incurred by "any mayor and any member of the local governing body and any board or committee member elected or appointed by the mayor or local governing body, and any official or employee of the municipality whose salary is set by charter or general law."

To provide consistent travel regulations and reimbursement, this chapter is expanded to cover regular city employees. It is the intent of this policy to assure fair and equitable treatment to all individuals traveling on city business at city expense. (Ord. #93-01, Aug. 1993)

4-202. Enforcement. The chief administrative officer (CAO) of the city or his or her designee shall be responsible for the enforcement of these travel regulations. (Ord. #93-01, Aug. 1993)

4-203. Travel policy. (1) In the interpretation and application of this chapter, the term "traveler" or "authorized traveler" 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 companions accompanying the authorized traveler on city 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 city. 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 city for registration fees, air fares, meals, lodging, conferences, and similar expenses.

Travel advance requests are not considered documentation of travel expenses. If travel advances exceed documented expenses, the traveler must immediately reimburse the city. 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 the city 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 will not 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, phone call, public carrier travel, conference fee, and other reimbursable costs.

(8) Any person attempting to defraud the city or misuse city travel funds is subject to legal action for recovery of fraudulent travel claims and/or advances. (Ord. #93-01, Aug. 1993)

4-204. Travel reimbursement rate schedules. Authorized travelers shall be reimbursed according to the federal travel regulation rates.

The city's travel reimbursement rates will automatically change when the federal 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. (Ord. #93-01, Aug. 1993)

4-205. Administrative procedures. (1) Travel documentation. It is the responsibility of the authorized traveler to:

(a) Prepare and accurately describe the travel,

(b) Certify the accuracy of the reimbursement request,

(c) Note on the reimbursement form all direct payments and travel advances made by the city, and

(d) File the reimbursement form with the necessary supporting documents and original receipts.

(2) Vehicles. (a) Personal vehicle. Employees should use city vehicles when possible. Use of a private vehicle must be approved in advance by the CAO. The city will pay a mileage rate not to exceed the rate allowed by the federal reimbursement schedule. The miles for reimbursement shall be paid from origin to destination and back by the most direct route. Necessary vicinity travel related to official city business will be reimbursed. However mileage in excess of the Rand-McNally mileage must be documented as necessary and business related. If an indirect route is taken, the Rand-McNally mileage table will be used to determine the mileage to be reimbursed.

If a privately owned automobile is used by two or more travelers on the same trip, only the traveler who owns or has custody of the automobile will be reimbursed for mileage. It is the responsibility of the traveler to provide adequate insurance to hold harmless the city for any liability from the use of the private vehicle.

Travelers will not be reimbursed for automotive repair or breakdowns when using their personal vehicle.

(b) City vehicle. The city may require the employee to drive a city vehicle. If a city vehicle is provided, the traveler is responsible for seeing that the vehicle is used properly and only for acceptable business. The employee will be reimbursed for expenses directly related to the actual and normal use of the city vehicle when proper documentation is provided. Out-of-town repair cost to the city vehicle in excess of one hundred dollars (\$100.00) must be cleared with the proper city official before the repair is authorized.

(c) Fines for traffic or parking violations will not be reimbursed by the city.

(d) Reasonable tolls will be allowed when the most direct travel route requires them.

Reimbursement claims for taxis, limousines, or other ground transportation must be listed separately on the expense form, claiming the destination and amount of each fare.

(3) Lodging. The amount allocated for lodging shall not ordinarily exceed the maximum per diem rates authorized by the federal rate schedule.

(a) Original lodging receipts must be submitted with the reimbursement form. Photocopies are not acceptable.

(b) If a traveler exceeds the maximum lodging per diem, excess costs are the responsibility of the traveler.

(c) If the best rate is secured, and it still exceeds the maximum lodging per diem, the CAO may authorize a higher reimbursement amount.

Even if it costs more, travelers may be allowed to stay at the officially designated hotel of the meeting; however, more moderately priced accommodation must be requested whenever possible. It will be

the traveler's responsibility to provide documentation of the "officially designated meeting site" room rates, if these rates are higher than the normal reimbursable amounts.

(4) Meals and incidentals. Receipts are required for meals and incidentals. The authorized traveler may be reimbursed up to the daily amount based on the rate schedule and the authorized length of stay.

Whether meals may be claimed depends on when the traveler leaves and returns to the official station. The traveler's official station is home or work, whichever produces the least cost to the city. When partial day travel is involved, the current per diem allowance is determined as follows:

<u>Meal</u>	<u>If departure before</u>	<u>If return after</u>
Breakfast	7:00 A.M.	8:00 A.M.
Lunch	11:00 A.M.	1:30 P.M.
Dinner	5:00 P.M.	6:30 P.M.

(5) Miscellaneous expenses. (a) Registration fees for approved conferences, conventions, seminars, meetings, and other educational programs will be allowed and will generally include the cost of official banquets, meals, lodging, and registration fees.

(b) The traveler may be reimbursed for personal phone calls while on official travel, but the amount will be limited to five dollars (\$5.00) per day.

(c) A four dollar (\$4.00) allowance will be reimbursable for hotel/motel check-in and baggage handling expenses.

(d) Laundry, valet service, tips, and gratuities are considered personal expenses and are not reimbursable.

(6) Entertainment. The city may pay for certain entertainment expenses provided that:

(a) The entertainment is appropriate in the conduct of city business;

(b) The entertainment is approved by the CAO;

(c) The group or individuals involved are identified; and

(d) Documentation is attached to the expense form to support the entertainment expense claim. (Ord. #93-01, Aug. 1993)

4-206. Travel reconciliation. (1) If the city provided a travel advance or made advanced payment, the traveler should include that information on the expense form. In the case of advances, the form should have a reconciliation summary, reflecting total claimed expenses with advances and city pre-payments indicated. The balance due the traveler or the refund due the city

should be clearly shown--below the total claim on the form or in a cover memo attached to the front of the form.

(2) If the traveler received a travel advance and spent less than the advance, the traveler should attach a check made payable to the city for that difference.

(3) The CAO will address special circumstances and issues not covered in this chapter on a case-by-case basis. (Ord. #93-01, Aug. 1993)

4-207. Disciplinary action. Violation of the travel rules can result in disciplinary action for employees. Travel fraud can result in criminal prosecution of officials and/or employees. (Ord. #93-01, Aug. 1993)