

TITLE 4

MUNICIPAL PERSONNEL

CHAPTER

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CHAPTER 1

SOCIAL SECURITY--POWER SYSTEM EMPLOYEES

SECTION

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4-101. Policy and purpose as to coverage. It is hereby declared to be the policy and purpose of the City of Mount Pleasant, Tennessee, to extend to the employees of the Mount Pleasant Power System, a municipal power corporation, the benefits of the system of federal old-age and survivors insurance as authorized by the Federal Social Security Act and amendments thereto, including Public Law 734, 81st Congress. In pursuance of said policy and for that purpose the city shall take such action as may be required by applicable state or federal laws or regulations. (1984 Code, § 1-701)

4-102. Necessary agreements to be executed. The Mayor of the City of Mount Pleasant, Tennessee, is hereby authorized and directed to execute all the necessary agreements and amendments thereto with the state executive director of old age and survivors insurance, as agent or agency, to secure coverage of employees and officials as provided in the preceding section. (1984 Code, § 1-702)

4-103. Withholdings from salaries or wages. Withholdings from the salaries or wages of employees and officials for the purpose provided in the first section of this chapter are hereby authorized to be made in the amounts and at

such times as may be required by applicable state or federal laws or regulations, and shall be paid over to the state or federal agency designated by said laws or regulations. (1984 Code, § 1-703)

4-104. Appropriations for employer's contributions. There shall be appropriated from available funds of the said Mount Pleasant Power System, such amounts at such times as may be required by applicable state or federal laws or regulations for employer's contributions, and the same shall be paid over to the state or federal agency designated by said laws or regulations. (1984 Code, § 1-704)

4-105. Records and reports. The city shall keep such records and make such reports as may be required by applicable state and federal laws or regulations. (1984 Code, § 1-705)

4-106. Exclusions from coverage. There is hereby excluded from this chapter any authority to make any agreement with respect to any position, employee, or official now covered or authorized to be covered by any other ordinance creating any retirement system for any employee or official of the city.

There is also excluded from this chapter any authority to make any agreement with respect to any position, employee or official, compensation for which is on a fee basis, or any employee engaged in rendering only services of an emergency nature, or in part-time positions, or any position, employee, or official not authorized to be covered by applicable state or federal laws or regulations. (1984 Code, § 1-706)

4-107. When chapter effective. This chapter shall take effect retroactive to July 1, 1951, the public welfare requiring it. (1984 Code, § 1-707)

CHAPTER 2

SOCIAL SECURITY--CITY EMPLOYEES AND OFFICIALS

SECTION

- 4-201. Policy and purpose as to coverage.
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- 4-204. Appropriations for employer's contributions.
- 4-205. Records and reports.
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4-201. Policy and purpose as to coverage. It is hereby declared to be the policy and purpose of the City of Mount Pleasant, Tennessee, to extend at the earliest date, to employees and officials thereof, not excluded by law or this chapter, and whether employed in connection with a governmental or proprietary function, the benefits of the System of Federal Old-Age and Survivors Insurance as authorized by the Federal Social Security Act and amendments thereto, including Public Law 734, 81st Congress. In pursuance of said policy, and for that purpose, the city shall take such action as may be required by applicable state and federal laws or regulations. (1984 Code, § 1-801)

4-202. Necessary agreements to be executed. The Mayor of the City of Mount Pleasant, Tennessee, is hereby authorized and directed to execute all the necessary agreements and amendments thereto with the state executive director of old age and survivors insurance, as agent or agency, to secure coverage of employees and officials as provided in the preceding section. (1984 Code, § 1-802)

4-203. Withholdings from salaries or wages. Withholdings from the salaries or wages of employees and officials for the purpose provided in the first section of this chapter are hereby authorized to be made in the amounts and at such times as may be required by applicable state or federal laws or regulations, and shall be paid over to the state or federal agency designated by said laws or regulations. (1984 Code, § 1-803)

4-204. Appropriations for employer's contributions. There shall be appropriated from available funds such amounts at such times as may be required by applicable state or federal laws or regulations for employer's contributions, and the same shall be paid over to the state or federal agency designated by said laws or regulations. (1984 Code, § 1-804)

4-205. Records and reports. The city shall keep such records and make such reports as may be required by applicable state and federal laws or regulations. (1984 Code, § 1-805)

4-206. Exclusions from coverage. There is hereby excluded from this chapter any authority to make any agreement with respect to any position, employee, or official now covered or authorized to be covered by any other ordinance creating any retirement system for any employee or official of the city. (1984 Code, § 1-806)

4-207. When chapter effective. This chapter shall take effect retroactive to July 1, 1956, the public welfare requiring it. (1984 Code, § 1-807)

CHAPTER 3

VACATIONS AND SICK LEAVE

SECTION

4-301. Applicability of chapter.

4-302. Vacation leave.

4-303. Sick leave.

4-304. Leave records.

4-305. Family and Medical Leave Policy for city employees.

4-301. Applicability of chapter. This chapter shall apply to all full-time municipal officers and employees except those operating under the jurisdiction of a school, utility, or other separate board or commission. (1984 Code, § 1-901)

4-302. Vacation leave. Vacation leave shall be in accord with the City of Mt. Pleasant, Tennessee Employee Handbook, as amended. See § 4-401. (1984 Code, § 1-902, as amended by Ord. #2008-889, Feb. 2008, and Ord. #2009-896, July 2009)

4-303. Sick leave. Sick leave shall be in accord with the City of Mt. Pleasant, Tennessee Employee Handbook, as amended. See § 4-401. (1984 Code, § 1-903, as amended by Ord. #2008-889, Feb. 2008)

4-304. Leave records. The city manager shall cause to be kept, for each officer and employee, a record currently up to date at all times showing credit earned and leave taken under this chapter. (1984 Code, § 1-904)

4-305. Family and Medical Leave Policy for city employees. There is hereby established for all employees of the City of Mt. Pleasant the benefits conferred in the Family and Medical Leave Act as provided in Title 29, United States Code, Chapter 28, section 2601, et seq. (Ord. #93-750, Oct. 1993)

CHAPTER 4

PERSONNEL REGULATIONS

SECTION

- 4-401. Employee handbook.
- 4-402. Business dealings.
- 4-403. Political activity.
- 4-404. Strikes and unions.
- 4-405. Employee's pension trust system adopted.

4-401. Employee handbook.¹ The document entitled City of Mount Pleasant, Tennessee Employee Handbook effective January 1, 2009 is hereby approved as the personnel employee handbook for the uses and purposes described in the preambles above, which said handbook shall be made available to all city employees and all city employees shall be required to acknowledge its receipt. The personnel policies described in said document will remain in effect until formally amended and approved by the board of commissioners and a copy of said document is annexed hereto and incorporated herein as if fully copied verbatim. (Ord. #2008-889, Feb. 2008)

4-402. Business dealings. Except for the receipt of such compensation as may be lawfully provided for the performance of his city duties, it shall be unlawful for any city officer or employee to be privately interested in, or to profit, directly or indirectly, from business dealings with the municipality. (1984 Code, § 1-1201)

4-403. Political activity. Employees shall enjoy the same rights of other citizens of Tennessee to be a candidate for any state or local political office (except for membership on the municipal governing body), the right to participate in political activities by supporting or opposing political parties, political candidates, and petitions to governmental entities. Provided, however, no employee may campaign on municipal time or in municipal uniform nor use municipal equipment or supplies in any campaign or election. (1996 Code, § 1-1204, modified)

4-404. Strikes and unions. No city officer or employee shall participate in any strike against the city, nor shall he join, be a member of, or solicit any other city officer or employee to join any labor union which authorizes the use of strikes by government employees. (1984 Code, § 1-1207)

¹A copy of the employee handbook (including any amendments) for Mount Pleasant is on file in the recorder's office.

4-405. Employees' pension trust system adopted. The City of Mount Pleasant hereby adopts, effective as of the anniversary date designated hereinafter, to wit: January 1, 1966, the City of Mount Pleasant, Tennessee, Employees Pension Trust System, which is incorporated by reference herein and made a part of this chapter as fully as if copied herein.

The duly authorized representatives of the City of Mount Pleasant are hereby authorized and directed to bind the City of Mount Pleasant in regard to any and all actions which the said city is required to take pursuant to this trust agreement in order to effectively carry out the retirement and death benefit plans incorporated therein, and the duly authorized representatives of the city are hereby authorized to act in the name of the city in this regard without further action of the board of commissioners. (1984 Code, § 1-1208)

CHAPTER 5

OCCUPATIONAL SAFETY AND HEALTH PROGRAM

SECTION

- 4-501. Program created.
- 4-502. Title.
- 4-503. Purpose.
- 4-504. Coverage.
- 4-505. Standards authorized.
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4-501. Program created. There is hereby created an Occupational Safety and Health Program for the employees of the City of Mount Pleasant, Tennessee, as follows. (Ord. #2005-847, March 2005, as replaced by Ord. #2013-962, Sept. 2013)

4-502. Title. This section shall provide authority for establishing and administering the Occupational Safety and Health Program for the employees of the City of Mount Pleasant, Tennessee. (Ord. #2005-847, March 2005, as replaced by Ord. #2013-962, Sept. 2013)

4-503. Purpose. The board of mayor and commissioners in electing to establish and maintain an effective occupational safety and health program for its employees, shall:

(1) Provide a safe and healthful place and condition of employment.

(2) Make, keep, preserve, and make available to the Commissioner of Labor and Workforce Development of the State of Tennessee, his designated representatives, 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.

(3) Acquire, maintain and require the use of safety equipment, personal protective equipment and devices reasonably necessary to protect employees.

(4) Provide for educational and training 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. (Ord. #2005-847, March 2005, as replaced by Ord. #2013-962, Sept. 2013)

4-504. Coverage. The provisions of the Occupational Safety and Health Program for the employees of the City of Mount Pleasant shall apply to all

employees of each administrative department, commission, board, division, or other agency of the City of Mount Pleasant whether part-time or full-time, seasonal or permanent. (Ord. #2005-847, March 2005, as replaced by Ord. #2013-962, Sept. 2013)

4-505. Standards authorized. The occupational safety and health standards adopted by the board of mayor and commissioners 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 Occupational Safety and Health Act of 1972.¹ (Ord. #2005-847, March 2005, as replaced by Ord. #2013-962, Sept. 2013)

4-506. Variances from standards authorized. The board of mayor and commissioners 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, Occupational Safety, Chapter 0800-1-2, as authorized by the Occupational Safety and Health Act of 1972."² Prior to requesting such temporary variance, the board of mayor and commissioners 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 as designated by the board of mayor and commissioners shall be deemed sufficient notice to employees. (Ord. #2005-847, March 2005, as replaced by Ord. #2013-962, Sept. 2013)

4-507. Administration. For the purpose of this chapter, the director of planning and codes 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 the occupational safety and health program. The director shall develop a plan of operation for the program and said plan shall become a part of this chapter when it satisfies all applicable sections of the Occupational Safety and Health Act of 1972.³ (Ord. #2005-847, March 2005, as replaced by Ord. #2013-962, Sept. 2013)

¹State law reference
Tennessee Code Annotated, § 50-3-201, et seq.

²State law reference
Tennessee Code Annotated, § 50-3-601, et seq.

³State law reference
Tennessee Code Annotated, § 50-3-101, et seq.

4-508. Funding the program. Sufficient funds for administering and staffing the program pursuant to the ordinance comprising this chapter shall be made available as authorized by the board of mayor and commissioners. (Ord. #2005-847, March 2005, as replaced by Ord. #2013-962, Sept. 2013)

CHAPTER 6

TRAVEL RULES, REGULATIONS, AND PROCEDURES

SECTION

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- 4-603. Travel reimbursement rate schedules.
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- 4-605. Travel documentation.
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- 4-607. Taxi, limousine, and other transportation fares.
- 4-608. Lodging.
- 4-609. Meals and incidentals.
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- 4-611. Travel reconciliation.
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4-601. Enforcement. The city manager or his/her designee shall be responsible for the enforcement of the travel rules, regulations, and procedures. (Ord. #93-753, Dec. 1993, as replaced by Ord. #2017-1013, Nov. 2017)

4-602. Travel policy. (1) In the interpretation and application of this policy, 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 policy. "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 policy.

(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 city manager. 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, and/or advance billing directly to the city for registration fees, air fares, meals, lodging, conference, 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 city manager 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 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 city manager may make exceptions for unusual circumstances. Expenses considered excessive will not be allowed.

(7) Claims of five dollars (\$5.00) dollars 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, as well as disciplinary action up to and including termination.

(9) Mileage and motel expenses incurred within the city are not ordinarily considered eligible expenses for reimbursement. (Ord. #93-753, Dec. 1993, as replaced by Ord. #2017-1013, Nov. 2017)

4-603. Travel reimbursement rate schedule. Authorized travelers shall be reimbursed according to the State of Tennessee travel regulation rates. The city's travel reimbursement rates will automatically change when the rates are adjusted. The city may pay directly to the provider for expenses such as meals, lodging, and registration fees for conferences, conventions, seminars, and other education programs. (Ord. #93-753, Dec. 1993, as replaced by Ord. #2017-1013, Nov. 2017)

4-604. Travel requests. To ensure reimbursement for official travel, an approved travel authorization form is required. Lack of pre-approval does not prohibit reimbursement, but it does assure reimbursement within the limits of the city travel policy. All costs associated with the travel should be reasonably estimated and shown on the authorization for travel form. An approved authorization form is needed before advanced expenses are paid or travel advances are authorized. A copy of the conference program, if applicable, should be attached to the authorization form. If the program is not available prior to the travel, you must attach it to your statement of expense claims form. (Ord. #93-753, Dec. 1993, as replaced by Ord. #2017-1013, Nov. 2017)

4-605. Travel documentation. It is the responsibility of the authorized traveler to:

- (1) Prepare and accurately describe the travel;
- (2) Certify the accuracy of the reimbursement request;
- (3) Note on the reimbursement form all direct payments and travel advances made by the city; and
- (4) File the expense form with the necessary supporting documents and original receipts. The expense form should be filed with the finance department within ten (10) days of return or at the end of the month, whichever is more practical. (as added by Ord. #2017-1013, Nov. 2017)

4-606. Mode of transportation. (1) All potential costs should be considered when selecting the modes of transportation. For example, airline travel may be cheaper than automobile when time away from work and increased meal and lodging costs are considered. When time is important, or when the trip is so long that other modes of transportation are not cost-beneficial, air travel is encouraged. If the traveler goes outside the state by means other than air, the reimbursement will be limited to air fare at tourist or economy class, ordinary expenses during the meeting date, and one (1) day's meals and motel before and after the meeting. The traveler will be required to take annual leave for any additional time taken beyond the day before and the day after the meeting dates.

(2) Exceptions. When the traveler extends his or her trip with personal time to take advantage of discount fares, the reimbursement will be limited to the lesser of the:

- (a) Actual expenses incurred; or
- (b) The amount that would have been incurred for the business portion only. The calculations for the business portion of the trip must be made using the least expensive rates available. All expenses and savings associated with extending the trip must be submitted with the expense reimbursement form.

(3) Air. When possible, the traveler should make full use of discounts for advance airline reservations and advance registration. The traveler should request conference, government, or weekend rates, whichever is cheaper, when making lodging or rental car reservations. The city will pay for tourist or economy class air travel. The traveler should get the cheapest reasonable fare and take advantage of discount fares. Airline travel can be paid by direct billing to the city. Mileage credits for frequent flyer programs accrue to the individual traveler. However, the city will not reimburse for additional expenses - such as circuitous routing, extended stays, layovers to schedule a particular carrier, upgrading from economy to first class - for travelers to accumulate additional mileage or for other personal reasons. The city will not reimburse travel by private aircraft unless authorized in advance by the city manager.

(4) Rail or bus. The city will pay for actual cost of ticket.

(5) Vehicles. (a) Automobile transportation may be used when a common carrier cannot be scheduled, when it is more economical, when

a common carrier is not practical, or when expenses can be reduced by two (2) or more city employees traveling together.

(b) Personal vehicle. Employees should use city vehicles when possible. Use of a private vehicle must be approved in advance by the city manager. The city manager may require that the employee use the city credit card for purchase of vehicle expenses, otherwise the city will pay a mileage rate not to exceed the rate allowed by the state 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. If an indirect route is taken, a mapping application will be used to determine the mileage to be reimbursed. If a privately owned automobile is used by two (2) or more travelers on the same trip, only the traveler who owns or had 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. In no event will mileage reimbursement, plus vicinity travel and associated automobile costs, exceed the lowest reasonable available air fare and associated air fare travel costs. Travelers will not be reimbursed for automotive repair or breakdowns when using their personal vehicle.

(c) City vehicle. The city manager 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.

(d) Rental cars. Use of a rental care is not permitted unless it is less expensive or otherwise more practical than public transportation. Approval of car rental is generally required in advance by the city manager. Always request the government or weekend rate, whichever is cheaper. Anyone who uses a rental car for out of-state travel must obtain liability coverage from the vendor.

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

(f) Tolls. Reasonable tolls will be allowed when the most direct travel route requires them. (as added by Ord. #2017-1013, Nov. 2017)

4-607. Taxi, limousine, and other transportation fares. When an individual travels by common carrier, reasonable fares will be allowed for necessary ground transportation. Bus or limousine service to and from airports should be used when available and practical. The city will reimburse mileage for travel to and from the local airport and parking fees, provided such costs do not

exceed normal taxi/limousine fares to and from the airport. Receipts are required. For travel between lodging quarters and meetings, conference, or meals, reasonable taxi fares will be allowed. Remember, original receipts are required for claims of five dollars (\$5.00) or more. Transportation to and from shopping, entertainment, or other personal trips is the choice of the traveler and not reimbursable. 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. (as added by Ord. #2017-1013, Nov. 2017)

4-608. Lodging. (1) The amount allocated for lodging shall not ordinarily exceed the maximum per diem rates authorized by the state rate schedule.

(2) Tennessee's reimbursement rate varies according to location and does not include appropriate taxes. State rates for travel reimbursement can be found in the state regulations online at <https://www.tn.gov/assets/entities/finance/attachments/policy8.pdf>.

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

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

(5) If the best rate is secured, and it still exceeds the maximum lodging per diem, the supervisor 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 accommodations 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.

(6) If two (2) or more city employees travel together and share a room, the lodging reimbursement rate will be the maximum of two (2) single rooms. If an employee shares a room with non-employee, the actual cost will be allowed up to the maximum reimbursable amount. The receipt for the entire amount must be submitted with the expense form.(as added by Ord. #2017-1013, Nov. 2017)

4-609. Meals and incidentals. Receipts are not required for meals and incidentals. The authorized traveler may be reimbursed the daily amount based on the rate schedule and the authorized length of stay. The per diem meal amounts are expected to cover meals, tips, porters, and incidental expenses. The authorized traveler will not be reimbursed more than this. 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. If lunch or dinner is provided as part of a class/training, but the employee chooses to go on their own, the meal will not be reimbursed.

Regardless of which reimbursement rate the city uses, the amounts include tip, gratuity, not to exceed fifteen (15%) of cost of meal. (as added by Ord. #2017-1013, Nov. 2017)

4-610. Miscellaneous expenses. (1) 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. Registration fees should be specified on the original travel request form and can include a request for preregistration fee payment.

(2) An allowance as defined in State of Tennessee guidelines and city travel policy will be reimbursable for hotel/motel check-in and baggage handling expenses. (as added by Ord. #2017-1013, Nov. 2017)

4-611. Travel reconciliation. (1) Within ten (10) days of return from travel, or by the end of the month, the traveler is expected to complete and file the expense claims form. It must be certified by the traveler that the amount due is true and accurate. Original lodging, 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 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 city manager will address special circumstances and issues not covered in this policy on a case-by-case basis. (as added by Ord. #2017-1013, Nov. 2017)

4-612. Travel violations. Violation of the travel rules can result in disciplinary action for employees. Travel fraud can result in criminal prosecution of officials and/or employees. (as added by Ord. #2017-1013, Nov. 2017)