

TITLE 4**MUNICIPAL PERSONNEL****CHAPTER**

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4. TRAVEL REIMBURSEMENT REGULATIONS.
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CHAPTER 1**SOCIAL SECURITY****SECTION**

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4-101. Policy and purpose as to coverage. It is hereby declared to be the policy and purpose of this municipality to provide for the employees and officials of the municipality, 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 municipality shall take such action as may be required by applicable state and federal laws or regulations. (1978 Code, § 1-701)

4-102. Necessary agreements to be executed. The mayor is hereby authorized and directed to execute all the necessary agreements and amendments thereto, with the state executive director of old age insurance, as agent or agency, to secure coverage of employees and officials as provided in the preceding section, effective January 1, 1952. (1978 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. (1978 Code, § 1-703)

4-104. 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. (1978 Code, § 1-704)

4-105. Records and reports. The municipality shall keep such records and make such reports as may be required by applicable state and federal laws or regulations. (1978 Code, § 1-705)

4-106. Personnel excluded from coverage. There is hereby excluded from this chapter any authority to make any agreement with respect to any position or employee or official now authorized to be covered by any other ordinance creating any retirement system for any employee or official for the municipality. There is further excluded from this chapter any authority to make any agreement with respect to emergency employees, employees rendering services in part-time and fee basis positions, and elective legislative officials, or any employee or official not authorized to be covered by applicable federal or state laws or regulations. (1978 Code, § 1-706)

4-107. Coverage extended. Acting under the authority of § 4-102 of this code, the mayor is hereby directed to make and enter into a supplement to the Social Security Agreement of February 4, 1952, to provide coverage in the system of federal old age and survivors insurance, effective April 1, 1961, for emergency employees, employees rendering services in part-time and fee basis positions, and elective legislative officials. (1978 Code, § 1-707)

CHAPTER 2

VACATION AND SICK LEAVE

SECTION

4-201. Applicability of chapter.

4-202. Vacation leave.

4-203. Sick leave.

4-204. Leave records.

4-201. 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. (1978 Code, § 1-801)

4-202. Vacation leave. All officers and employees shall be given a credit of one (1) working day of vacation leave with pay for each full month of employment. Such vacation leave, up to the number of working days credited on this basis, shall be taken at a time approved by the mayor or such other officer as he may designate. At no time shall a person's total credit for accrued vacation leave exceed twelve (12) working days. (1978 Code, § 1-802)

4-203. Sick leave. All officers and employees shall be given a credit of one (1) working day of sick leave with pay for each full month of employment. Sick leave shall be taken only when approved by the mayor or by such other officer as he may designate. Sick leave, up to the number of days accrued, shall be approved for all officers and employees whose absence from duty is due to illness, bodily injury, exposure to contagious disease, or death in the immediate family of the officer or employee. However, the mayor may, in his discretion, require doctors' certificates or other satisfactory evidence that absences are properly chargeable as sick leave. The number of days which may be accrued as sick leave under the provisions of this section shall not be limited. (1978 Code, § 1-803)

4-204. Leave records. The mayor 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. (1978 Code, § 1-804)

CHAPTER 3

OCCUPATIONAL SAFETY AND HEALTH PROGRAM

SECTION

- 4-301. Title.
- 4-302. Purpose.
- 4-303. Coverage.
- 4-304. Standards authorized.
- 4-305. Variances from standards authorized.
- 4-306. Administration.
- 4-307. Funding the program.

4-301. Title. This section shall provide authority for establishing and administering the occupational safety and health program for the employees of the Town of Linden. (1978 Code, § 1-1001, as added by Ord. #03-08-A, Sept. 2003)

4-302. Purpose. The Town of Linden, in electing to update their established program plan will maintain an effective 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 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) 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.
- (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 and health standards, and provide for education and notification of all employees of the existence of this program. (1978 Code, § 1-1002, as replaced by Ord. #03-08-A, Sept. 2003)

4-303. Coverage. The provisions of the occupational safety and health program plan for the employees of Town of Linden shall apply to all employees of each administrative department, commission, board, division, or other agency of the Town of Linden whether part-time or full-time, seasonal or permanent. (1978 Code, § 1-1003, as replaced by Ord. #03-08-A, Sept. 2003)

4-304. Standards authorized. The occupational safety and health standards adopted by the Town of Linden 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). (1978, § 1-1003, as replaced by Ord. #03-08-A, Sept. 2003)

4-305. Variances from standards authorized. The Town of Linden 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 0800-1-2, as authorized by Tennessee Code Annotated, title 50. Prior to requesting such temporary variance, the Town of Linden 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 Town of Linden shall be deemed sufficient notice to employees. (1978 Code, § 1-1004, as replaced by Ord. #03-08-A, Sept. 2003)

4-306. Administration. For the purposes of this chapter, the gas, water, street sup 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 safety standards. 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 Tennessee Occupational Safety and Health Act of 1972 and Part IV of the Tennessee Occupational Safety and Health Plan. (as added by Ord. #03-08-A, Sept. 2003)

4-307. 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 Linden. (as added by Ord. #03-08-A, Sept. 2003)

CHAPTER 4

TRAVEL REIMBURSEMENT REGULATIONS

SECTION

- 4-401. Enforcement.
- 4-402. Travel policy.
- 4-403. Travel reimbursement rate schedule.
- 4-404. Administrative procedures.

4-401. Enforcement. The chief administrative officer (CAO) of the town or his or her designee shall be responsible for the enforcement of these travel regulations. (Ord. #93-1, July 1993)

4-402. 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 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 the 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 \$5 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 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 aren't ordinarily considered eligible expenses for reimbursement. (Ord. #93-1, July 1993)

4-403. Travel reimbursement rate schedules. Authorized travelers shall be reimbursed according to the federal travel regulation rates. The town'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. #93-1, July 1993)

4-404. 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.

This chapter shall take effect upon its final reading by the municipal governing body. It shall cover all travel and expenses occurring on or after July 1, 1993. (Ord. #93-1, July 1993)

CHAPTER 5

DRUG TESTING POLICY AND PROCEDURES

SECTION

4-501. Policy and purpose as to coverage.

4-502. Adoption of testing policy and procedures.

4-501. Policy and purpose as to coverage. It is hereby declared to be the policy and purpose of the Town of Linden to comply with any and all federal or state regulations, including those imposed by the federal Omnibus Transportation Employee Testing Act of 1991 (the "Act") and the U.S. Department of Transportation's Research and Special Programs Administrator, regulating substance abuse testing for those town employees specifically covered by such regulations. (as added by Ord. #96-3, § 1, Dec. 1996)

4-502. Adoption of testing policy and procedures. (1) The board of mayor and aldermen shall develop and adopt substance abuse testing policies and procedures in compliance with applicable federal and state regulations.

(2) In accordance with the provisions of paragraph (1) above, the following substance abuse testing policy and procedure, attached hereto,¹ covering certain employees in the town's gas utility department is hereby approved and adopted;

Town of Linden Drug Testing Policy and Procedures. (as added by Ord. #96-3, §§ 1 and 2, Dec. 1996)

¹A copy of the policy and procedures is available in the office of the recorder.

CHAPTER 6

ALCOHOL TESTING POLICY AND PROCEDURES

SECTION

4-601. Policy and purpose as to coverage.

4-602. Adoption of testing policy and procedures.

4-601. Policy and purpose as to coverage. It is hereby declared to be the policy and purpose of the Town of Linden to comply with any and all federal or state regulations, including those imposed by the federal Omnibus Transportation Employee Testing Act of 1991 (the "Act") and the U.S. Department of Transportation's Research and Special Programs Administrator, regulating substance abuse testing for those town employees specifically covered by such regulations. (as added by Ord. #96-4, § 1, Dec. 1996)

4-602. Adoption of testing policy and procedures. (1) The board of mayor and aldermen shall develop and adopt substance abuse testing policies and procedures in compliance with applicable federal and state regulations.

(2) In accordance with the provisions of paragraph (1) above, the following substance abuse testing policy and procedure, attached hereto,¹ covering certain employees in the town's gas utility department is hereby approved and adopted;

Town of Linden Gas Department Alcohol Testing Policy and Procedures.
(as added by Ord. #96-4, §§ 1 and 2, Dec. 1996)

¹A copy of the policy and procedures is available in the office of the recorder.