

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

1. SOCIAL SECURITY.
2. PERSONNEL REGULATIONS.
3. OCCUPATIONAL SAFETY AND HEALTH PROGRAM.
4. TRAVEL REIMBURSEMENT REGULATIONS.

CHAPTER 1**SOCIAL SECURITY****SECTION**

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- 4-102. Necessary agreements to be executed.
- 4-103. Withholdings from salaries or wages.
- 4-104. Appropriations for employer's contributions.
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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 Middleton, 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. (1980 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. (1980 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. (1980 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. (1980 Code, § 1-704)

4-105. Records and reports to be made. The recorder shall keep such records and make such reports as may be required by applicable state and federal laws or regulations. (1980 Code, § 1-705)

CHAPTER 2**PERSONNEL REGULATIONS****SECTION**

4-201. Personnel policies.

4-201. Personnel policies. The personnel policies of the City of Middleton shall be those policies adopted by the board of mayor and aldermen and contained in the personnel policy manual. (Sept. 27, 1999 Ord.)

CHAPTER 3

OCCUPATIONAL SAFETY AND HEALTH PROGRAM

SECTION

- 4-301. Creation and title.
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- 4-303. Coverage.
- 4-304. Standards authorized.
- 4-305. Variances from standards authorized.
- 4-306. Administration.
- 4-307. Funding the program.

4-301. Creation and title. There is hereby created an occupational safety and health program for the employees of the City of Middleton as follows. This chapter shall provide authority for establishing and administering the Occupational Safety and Health Program for the employees of the City of Middleton. (1980 Code, § 1-601)

4-302. Purpose. The City of Middleton, 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/or the Commissioner of Public Health of the State of Tennessee, their designated representatives, or persons within the Tennessee Department of Labor and/or the Tennessee Department of Public Health 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) 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. (1980 Code, § 1-602)

4-303. Coverage. The provisions of the occupational safety and health program for the employees of the City of Middleton shall apply to all employees of each administrative department, commission, board, division, or other agency of the City of Middleton whether part-time or full-time, seasonal or permanent. (1980 Code, § 1-603)

4-304. Standards authorized. The occupational safety and, health standards adopted by the City of Middleton 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 1972.¹ (1980 Code, § 1-604)

4-305. Variations from standards authorized. The City of Middleton may, upon written application to the Commissioner of Labor or the Commissioner of Public Health 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 Tennessee Code Annotated, title 50, chapter 5. Prior to requesting such temporary variance, the City of Middleton 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 City of Middleton shall be deemed sufficient notice to employees. (1980 Code, § 1-605)

4-306. Administration. For the purposes of this chapter, the city administrator and 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 the occupational safety and health program for the employees of the City of Middleton. 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. (1980 Code, § 1-606)

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 board of mayor and aldermen. (1980 Code, § 1-607)

¹Tennessee Code Annotated, title 50, chapter 5.

CHAPTER 4

TRAVEL REIMBURSEMENT REGULATIONS

SECTION

- 4-401. Enforcement.
- 4-402. Travel policy.
- 4-403. Travel reimbursement rate schedules.
- 4-404. Travel documentation.
- 4-405. Travel reconciliation.
- 4-406. Disciplinary action.

4-401. 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. # ____, Sept. 1999)

4-402. 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 aren't 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 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, phone calls, public carrier travel, conference fees, 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.

(9) Mileage and motel expenses incurred within the city are not ordinarily considered eligible expenses for reimbursement. (Ord. # ____, Sept. 1999)

4-403. Travel reimbursement rate schedules. Authorized travelers shall be reimbursed according to the state travel regulation rates in regard to mileage rates and per diem for meals. Hotel expenses shall be reimbursed at the actual expense of the hotel as shown on the hotel receipt.

The city's travel reimbursement 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. (Ord. # ____, Sept. 1999)

4-404. 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 reimbursement form with the necessary supporting documents and original receipts.

(5) 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 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. 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 (2) 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 won't 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.

Fines for traffic or parking violations won't be reimbursed by the city.

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

(c) Taxi fare, etc. 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.

(6) Lodging. Hotel expenses shall be reimbursed at the actual expense of the hotel as shown on the hotel receipt.

Original hotel receipts must be submitted with the reimbursement form. Photocopies are not acceptable.

(7) 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.

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:

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

(8) 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 five dollar (\$5.00) 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.

(9) 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 claims. (Ord. # ____, Sept. 1999)

4-405. 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 prepayments 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. # ____, Sept. 1999)

4-406. 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. # ____, Sept. 1999)