

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

1. SOCIAL SECURITY.
2. TRAVEL POLICY.
3. OCCUPATIONAL SAFETY AND HEALTH PROGRAM.

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 the city to provide for employees and officials of the city, 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 this policy, and for this purpose, the city shall take such action as may be required by applicable state and federal laws or regulations. (1973 Code, § 2-99)

4-102. Execution of agreements. The mayor is 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 this section. (1973 Code, § 2-100)

4-103. Deductions from salaries or wages. Withholdings from the salaries or wages of employees and officials for the purposes of the section are 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 those laws or regulations. (1973 Code, § 2-101)

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 funds shall be paid over to the state or federal agency designated by those laws or regulations. (1973 Code, § 2-102)

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. (1973 Code, § 2-103)

4-106. Personnel excluded from coverage. There is hereby excluded from this division any authority to make any agreement with respect to any position or any employee or official now covered or authorized to be covered by any other provision of this code or other city ordinance creating any retirement system for any employee or official of the city. There is further excluded from this division any authority to make any agreement with respect to any position, any employee or official, compensation for which or whom is on a fee basis, or any position, any employee or official not authorized to be covered by applicable state or federal laws or regulations. (1973 Code, § 2-104)

CHAPTER 2

TRAVEL POLICY

SECTION

- 4-201. Travel requests.
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- 4-203. Mileage.
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- 4-205. Parking.
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- 4-208. Air travel.
- 4-209. Phone call charges.
- 4-210. Conference or training registration.
- 4-211. City credit cards.
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4-201. Travel requests. An approved "authorization for travel" request form is required prior to travel. A "statement of travel expense claims" form must be filed within ten (10) days of the completion of the authorized travel. Expenses for travel required in the performance of duties and approved by the immediate supervisor and the city administrator, or the city administrator's designee, will be reimbursed in accordance with the rates hereinafter set forth. (Ord. #2006-3, April 2006)

4-202. Lodging. Lodging will be reimbursed at the actual expense of the room and room use tax, provided that the room is an economy, no frills room. Travelers should request a state rate if available at the hotel-motel. A tax exempt form should be given to the hotel-motel upon check-in and payment should be made either by a City of Newport check or by a City of Newport credit card in order to avoid paying state and local sales tax. (Motel occupancy tax is not exempt.) An original (not a copy) hotel-motel receipt is required for reimbursement. Employees are encouraged to stay at the location of the meeting for both individual convenience and safety. If a personal credit card is used, room sales tax will be charged by the hotel and will not be reimbursed to the employee. (Ord. #2006-3, April 2006)

4-203. Mileage. Employees are encouraged to reserve and use a city owned vehicle, if available, for all work related travel. Mileage will only be paid if a city vehicle is not available and the city administrator or designee approves use of a privately owned vehicle for travel. Mileage for personal vehicles will be reimbursed at the state rate in effect when the current year's budget is adopted.

If actual odometer mileage is not kept by the traveler, mileage will be estimated, using a computerized mapping program maintained in the finance department. Reimbursement rate for 2006-07 is forty-two cents (\$0.42) per mile. For longer trips, mileage will not be paid that exceeds the cost of air transportation and associated taxi services to the same location. (Ord. #2006-3, April 2006)

4-204. Meals. Due to IRS regulation, meal payment while in travel status must be handled differently in overnight travel payment verses same day travel meal reimbursement. Meals in same day travel status may be reimbursed, provided that the travel was official city business outside the City of Newport and a receipt was obtained for the meal. To obtain reimbursement, the employee or board member must complete a travel reimbursement request form and attach a copy of the meal receipt. The meal will be reimbursed up to the amount allowed in over-night travel and the reimbursement will be reported on the employee or board member's W-2 form as taxable income in accordance with IRS regulations.

If an employee or board member is in over-night travel status, a meal allowance will be paid, based on either the Level I or Level II state cost of living area of the travel destination. Out of state travel will be paid at the Level I rate. By IRS regulations, overnight travel meal allowances up to the amounts listed in the tables are not considered taxable income.

Level I locations are defined as:

Shelby County	Davidson County	Paris Landing State Park
Natchez Trace State Park	Pickwick State Park	Fall Creek Falls State Park
Montgomery Bell State Park	Gatlinburg	

Level II locations are all other locations in Tennessee. Reimbursement rates for 2006-07 are:

<u>Location</u>	<u>Breakfast</u>	<u>Lunch</u>	<u>Dinner</u>	<u>Incidentals</u>	<u>Full day</u>
Level I	\$8.00	\$10.00	\$17.00	\$3.00	\$38.00
Level II	\$6.00	\$8.00	\$14.00	\$3.00	\$31.00

Partial per diem will be paid based upon departure and return times as follows for over night trips:

<u>Meal</u>	<u>If depart prior to</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. (Ord. #2006-3A, Jan. 2007)

4-205. Parking. Parking will be reimbursed at the actual cost with receipt. Without receipt, maximum reimbursement for parking is eight dollars (\$8.00) per day. Valet parking will be at employee's expense. (Ord. #2006-3, April 2006)

4-206. Baggage and equipment handling fee. The maximum handling fee that will be reimbursed is six dollars (\$6.00) per hotel. (Ord. #2006-3, April 2006)

4-207. Automobile rentals. Automobile rentals are only authorized by the city administrator in unusual circumstances. If used in conjunction with air travel, it must be demonstrated that automobile rental is more economical to the city than using taxi or bus services and must be pre-approved by the city administrator. (Ord. #2006-3, April 2006)

4-208. Air travel. Air travel will be utilized when it is more economical to the city than providing a city vehicle. Air travel should be scheduled as far in advance as possible to get maximum use of early scheduling discounts. Any and all frequent flyer miles accumulated are the property of the city and will be applied to future official city travel. (Ord. #2006-3, April 2006)

4-209. Phone call charges. Only official business phone calls will be reimbursed by the city. Any and all personal phone calls are the responsibility of the individual making the call. (Ord. #2006-3, April 2006)

4-210. Conference or training registration. All registration fees, materials and supplies will be reimbursed provided they were listed on the travel request for pre-approved travel. Meals included in registration do not impact per diem rates. (Ord. #2006-3, April 2006)

4-211. City credit cards. If requested, city credit cards will be issued in accordance with the credit card policy for official travel. The credit card must be returned to finance and all travel documents filed for reimbursement within ten (10) days of completion of travel. (Ord. #2006-3, April 2006)

4-212. Special functions. The city administrator may approve payment of special functions, such as banquets and other work related social events, if they are requested in advance. Special function attendance does not affect per diem rate payment. (Ord. #2006-3, April 2006)

4-213. Disciplinary action. Violation of the travel rules or travel fraud can result in disciplinary action up to and including termination of employment for city employees, in addition to criminal prosecution. Violation of travel rules or travel fraud can result in removal from office and criminal prosecution of city officials. (Ord. #2006-3, April 2006)

CHAPTER 3

OCCUPATIONAL SAFETY AND HEALTH

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 chapter shall provide authority for establishing and administering the Occupational Safety and Health Program for the employees of the City of Newport. (Ord. #7-8-2003, July 2003)

4-302. Purpose. The City of Newport, 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. (Ord. #7-8-2003, July 2003)

4-303. Coverage. The provisions of the Occupational Safety and Health Program Plan for the employees of the City of Newport shall apply to all employees of each administrative department, commission, board, division, or other agency of the City of Newport whether part-time or full-time, seasonal or permanent. (Ord. #7-8-2003, July 2003)

4-304. Standards authorized. The occupational safety and health standards adopted by the City of Newport 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 (Ord. #7-8-2003, July 2003)

4-305. Variances from standards authorized. The City of Newport 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 City of Newport 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 Newport shall be deemed sufficient notice to employees. (Ord. #7-8-2003, July 2003)

4-306. Administration. For the purposes of this chapter, (Name of position) 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 City of Newport 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

¹State law reference

Tennessee Code Annotated, title 50, chapter 3.

Tennessee Occupational Safety and Health Act of 1972 and part IV of the Tennessee Occupational Safety and Health Plan. (Ord. #7-8-2003, July 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 City of Newport. (Ord. #7-8-2003, July 2003)