

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

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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 town to provide for all eligible employees and officials of the town, whether employed in connection with a governmental or proprietary function, the benefits of the system of federal old age and survivors insurance. In pursuance of said policy, and for that purpose, the town shall take such action as may be required by applicable state and federal laws or regulations. (1992 Code, § 4-101)

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. (1992 Code, § 4-102)

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. (1992 Code, § 4-103)

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. (1992 Code, § 4-104)

4-105. Records and reports. The recorder shall keep such records and make such reports as may be required by applicable state and federal laws or regulations. (1992 Code, § 4-105)

4-106. Exemption from coverage. There is hereby exempted from this chapter any authority to make any agreement with respect to any position, any employee or official not authorized to be covered by applicable state and federal laws or regulations. (1992 Code, § 4-106)

CHAPTER 2

PERSONNEL REGULATIONS

SECTION

- 4-201. Purpose.
- 4-202. Personnel rules and regulations.
- 4-203. Records.
- 4-204. Right to contract special services.
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4-201. Purpose. The purpose of this chapter is to establish a system of personnel administration in the Town of Surgoinsville that is based on merit and fitness. The system shall provide means to select, develop, and maintain an effective municipal work force through the impartial application of personnel policies and procedures free of personal and political considerations and regardless of race, sex, age, creed, national origin or handicapping condition. (1992 Code, § 4-201)

4-202. Personnel rules and regulations. The board of mayor and aldermen shall adopt by resolution a set of personnel rules and regulations. (Ord. #24-2002, Dec. 2002)

4-203. Records. The mayor, or his designee, shall maintain adequate records of the employment record of every employee as specified herein. (1992 Code, § 4-204)

4-204. Right to contract special services. The board of mayor and aldermen may direct the mayor to contract with any competent agency for the performance of such technical services in connection with the establishment of the personnel system or with its operation as may be deemed necessary. (1992 Code, § 4-205)

4-205. Discrimination. No person in the classified service, or seeking admission thereto, shall be employed, promoted, demoted, or discharged, or in any way favored or discriminated against because of political opinions or affiliations, or because of race, color, creed, national origin, sex, ancestry, age, or religious belief. (1992 Code, § 4-206)

4-206. Amendments. Amendments or revisions to the personnel rules and regulations may be recommended for adoption by the town administrator, the mayor, or any member of the board of mayor and aldermen. Such

amendments or revisions shall become effective after passage of an appropriate resolution. (Ord. #24-2002, Dec. 2002)

CHAPTER 3

SAFETY POLICY

SECTION

- 4-301. Authority/responsibility for safety.
- 4-302. Safety committee.
- 4-303. General safety rules.
- 4-304. New employee safety orientation.
- 4-305. Continuing safety education.
- 4-306. Maintaining a safe workplace.
- 4-307. Providing a healthful workplace.
- 4-308. Medical treatment for work-related injuries/illnesses.
- 4-309. Motor vehicle accident investigation procedures.

4-301. Authority/responsibility for safety. Basic safety responsibility is a function of management, supervisors, and the individual employee. Each individual employee has the responsibility to ensure that the safety requirements associated with their job are followed. If the safety requirements cannot be followed, each individual employee has the authority to not perform the assignment until his or her supervisor has provided a method for accomplishing the task safely.

(1) Management. (a) Responsibility. The mayor and department heads are responsible for providing a safe and healthful workplace free from recognized hazards which may cause serious injury. It is his/her responsibility to participate in safety activities; set the proper example for employees by following appropriate safety rules and procedures; encourage employees to follow safety rules and procedures; and effectively enforce safety rules and procedures.

(b) Authority. The mayor has the authority to provide a safe and healthful workplace by using town resources to do what is reasonable to properly protect people, property, and the environment.

(2) Department heads. (a) Responsibility. All department heads are responsible for assuring that their assigned employees perform their assignments in a safe manner by following the specified safety rules and procedures. They are to accomplish this by:

(i) Providing the necessary tools, equipment and facilities necessary to perform the job safely.

(ii) Providing the necessary rules and procedures for assigned tasks.

(iii) Educating and training employees concerning job safety rules and procedures.

(iv) Routinely inspecting workplaces to detect potential safety hazards so effective corrective action can be taken.

- (v) Enforcing safety rules and procedures.
- (vi) Complete all forms and notification for all accidents and near misses appropriately.
- (vii) Schedule accident review meetings within five (5) working days of any accidents. The safety director, appointed alderman, department heads and the employee involved in the accident are to attend.

(b) Authority. Each department head has the authority to assure that his/her assigned employees are provided the necessary tools, equipment, facilities, rules and procedures, education and training, to perform their job duties safely. They are authorized to routinely inspect their workplace and correct any defects observed. Each department head has the authority and is held accountable for enforcing safety rules and procedures.

(3) Employees. (a) Responsibility. All employees are responsible for performing their job duties in a safe manner by following the specified safety rules and procedures. Each employee must:

- (i) Not perform jobs unless he/she has been authorized to perform them and has been properly trained.
- (ii) Wear the prescribed personal protective equipment.
- (iii) Review each assignment prior to performing it to ensure it can be performed safely.
- (iv) Must not perform jobs unless they can be performed safely.

(b) Authority. Each employee has the responsibility and authority to follow the safety rules and procedures pertaining to his or her job. (Ord. #06-2007, May 2007)

4-302. Safety committee. The Town of Surgoinsville has established and maintains a safety program that is designed to protect people, property, the environment, and comply with all applicable federal laws This objective is accomplished, in part, through the use of a safety committee with representation from every department of town government. The safety committee is responsible for the following activities:

(1) Safety activities. To oversee the entire safety program and ensure that the program is pertinent, interesting, and effective.

(2) Rules and procedures. To assure that safety rules and procedures are maintained and effectively communicated to all department heads and employees.

(3) Education and training. To assure that existing and new employees are effectively trained to perform their assigned jobs in a safe manner.

(4) Inspections and audits. To assure that effective quarterly inspections and audits are conducted to achieve a safe and healthful work environment.

(5) Fire and emergency. To insure that effective fire and emergency procedures are established and maintained to protect personnel and property.

(6) Health and environment. To assure a safe and healthful environment where employees and others are properly protected from potential injuries and illnesses associated with chemicals, fumes, dusts, noise, ergonomic problems and other health and environmental hazards.

(7) Accident investigation. To assure that the basic causes of accidents are properly identified and effective control measures are taken to prevent recurrence.

(8) Housekeeping. To assure proper workplace housekeeping and orderliness so that there are no unnecessary things present and all necessary things are in the proper place. (Ord. #06-2007, May 2007)

4-303. General safety rules. The following general worksite safety rules pertain to the work performed at all town facilities and worksites and must be followed by all employees. Any exceptions must be approved by the department head or mayor. All general worksite safety rules are approved by the safety committee. Failure to follow these safety rules will warrant disciplinary action.

(1) Follow all safety rules and procedures applicable to the work being performed.

(2) Review jobs before performing them to assure that the job can be performed safely. If any doubt exists about job safety, do not perform the job until the department head provides a way to safely perform the job.

(3) Perform only those jobs and operate only equipment authorized by the department head.

(4) Wear the personal protective equipment prescribed within specific job/operating procedures and applicable safety rules.

(5) Inspect tools and equipment prior to use and report any defects to supervision for repair before using.

(6) Assure safety guards and devices on machinery and equipment are functioning properly before use.

(7) Promptly report all accidents, including injuries, near misses and non-injury accidents to supervision so prompt action can be taken to provide the necessary medical attention and prevent recurrence.

(8) Maintain a clean and orderly workplace by providing needed materials in assigned locations and removing all unnecessary items.

(9) Lift, push, pull and handle only those things you are physically capable of handling safely while following the prescribed procedure.

(10) Horseplay often results in injury and will not be tolerated. Prompt disciplinary action will be taken.

(11) Know the potential hazards associated with chemical substances and how to protect yourself before handling chemicals.

(12) Report any detected safety or health hazards promptly to the department head so effective corrective measures can be taken.

(13) Use of alcohol and nonprescription drugs on the job is strictly prohibited. Use of prescription drugs which may affect proper job performance must be reported to the department head.

(14) Lockout/tagout procedures shall be followed by all authorized employees to protect themselves from hazardous energy while servicing and maintaining equipment, machines and processes. (Ord. #06-2007, May 2007)

4-304. New employee safety orientation. All new employees must be properly trained to perform their assigned job safely prior to initial workplace exposure. The following new employee safety orientation training will be completed for each new employee.

(1) Ranking supervisor. The ranking supervisor will welcome the new employee to the department or office and explain the town's safety policy and inform the employee about the presence and purpose of the safety committee. Emphasis will be placed on the need to perform jobs safely each time they are performed. The new employee will be informed that good job performance depends on following the safety rules and procedures associated with the jobs. The new employee will be told that every job can and must be done safely.

(2) Safety program. The new employee's supervisor shall ensure that the safety, health and environmental items pertaining to the new employee's job are reviewed and discussed. As a minimum, the following information will be covered:

(a) Safety activities. Review and describe the purpose of the safety committee. Explain the employee participation in the program and the importance of employee involvement. Describe how the safety committee is responsible for coordinating the overall safety program designed to protect people, property, the environment, and comply with governmental regulations, as well as protecting against liability.

(b) Rules and procedures. Review the safety rules and procedures that apply to the new employee's task assignment. Explain each rule and validate that the new employee understands the rule.

(c) Education and training. Explain the importance of safety education and training to ensure a safe and healthful workplace. Emphasize that employees must not perform tasks, jobs, assignments, etc., for which they have not been trained and authorized to perform safely. Describe how routine safety meetings will be held with all employees to keep them properly informed concerning how to perform their assigned work safely. Also, encourage the new employee to report on the effectiveness of his/her safety orientation and safety meetings so that improvements can be made.

(d) Inspections. Describe the overall safety inspection program and its importance in assuring a safe and healthful workplace. Also.

describe each employee's responsibility for inspecting tools and equipment prior to use to ensure that the equipment can be used safely. Explain that defective tools and equipment must not be used until repaired. State that defective tools and equipment must be taken out of service until repaired.

(e) Health and environment. Describe the overall potential health hazards associated with their jobs including chemicals, dusts, fumes, vapors, noise, etc. Explain the town's hazard communication program including its purpose, the chemical inventory, material safety data sheets (MSDS), container labeling, protective measures, etc. Discuss the importance of employees following safe work practices when manually handling materials. State that proper lifting techniques must be followed and that help must be obtained when heavy loads are lifted. Also, explain any environmental hazards associated with operations and control measures for protecting the environment.

(f) Fire and emergency. Describe the proper action that must be taken when an emergency occurs. Explain the type of emergency situations which might occur and the proper action to take. Provide classroom and hands-on fire extinguisher training, if appropriate, and explain the limitations for using fire extinguishers (not for fighting structural fires). If workplace exposure warrants, explain the fire and explosion hazards associated with the use of flammable liquids, gases, etc.

(g) Accident investigation. Explain the procedure and need for reporting all accidents promptly, including injury or illness. Discuss that the purposes of accident investigations are to obtain the facts, determine basic causes, develop solutions, and recommend action to prevent recurrences. Emphasize that investigations are not to place blame, but only to discover the facts. Describe how employees are part of all accident investigations and are important to gathering pertinent information. Review the typical accidents occurring within the department and how they can be avoided. Tell the new employee that newly assigned employees are more apt to be injured on-the-job than other employees and that he or she must perform all work assignments with caution.

(h) Housekeeping. Explain how a clean and orderly workplace is usually a safe workplace. State that a good safety program cannot be achieved and maintained without good housekeeping and orderliness. Describe how to maintain good housekeeping and orderliness by keeping all necessary things in their assigned places and removing all unnecessary things from the workplace. State that a job has not been done right until the worksite has been cleaned up and returned to its normal orderly state. Ask the new employee to report housekeeping problems to supervision so that effective corrective action can be taken.

(3) New employee safety orientation checklist. The new employee orientation and training checklist is shown as Attachment A.¹ It is to be completed by the department head for each employee to assure proper safety orientation. (Ord. #06-2007, May 2007)

4-305. Continuing safety education. Safety education and training is a never-ending job which must be continued throughout employment. Through continuing safety education, employee safety awareness continuously improves and accident potential in the town's work-related activities continuously decreases. Types of continuing safety education include:

(1) Safety meetings. All employees are expected to participate in safety meetings. Safety meetings will be conducted by department, with the exception of administrative offices at town hall, which will be conducted by the mayor/recorder. Safety meetings are an opportunity to review specific accidents and cover the overall safety performance of the group. Discussion time must also be allotted to allow employees to air safety and health concerns.

(2) In-service training. The state commissions for both fire fighters and police officers mandate specific training for these uniformed services. Each of these departments shall present forty (40) hours of training that covers subject material related to either fire or police, as the case may be.

(3) Special training. Special safety, health and/or environmental education and training programs will be presented on an annual basis as determined by the safety committee. Such training may include back safety training, defensive driving, etc. (Ord. #06-2007, May 2007)

4-306. Maintaining a safe workplace. A safe and healthful workplace is maintained through the cooperative efforts of all supervisors and employees. Continuous efforts are necessary to improve safety awareness and behavior, and to assure a safe workplace. Activities aimed at maintaining a safe workplace include:

(1) Inspections, audits and reviews. Inspections and reviews conducted by supervisors and employees to detect safety hazards, safety defects and/or compliance with rules, procedures and regulations. Prompt corrective action concerning items detected helps achieve a safe and healthful workplace. Facility safety inspections, audits and reviews include:

(a) New or modified equipment. All new and/or modified equipment must be reviewed prior to placing the equipment in service. It shall be the supervisor's responsibility to see that the equipment is reviewed with the employee(s) who will operate the equipment. A written record of the review must be on file in the supervisor's office.

(b) General. General facility/worksite safety inspections are conducted periodically by supervisors and employees. Also, specific inspections are conducted by supervisors and employees in their assigned work areas.

¹Attachment A is available in the office of the recorder.

(i) Facility/worksites inspection: Facilities/worksites shall be inspected periodically by supervisors and employees. The procedure for conducting the inspections is as follows:

(A) Coordination. The safety committee is responsible for facilitating and assuring the performance of inspections at town facilities and worksites.

(B) Inspection. The amount of time to be allotted for each inspection will vary according to the complexity of the facility, equipment and/or jobsite procedures being inspected. The safety committee will assist departments in the design of inspection forms and checklists. Each inspection should last a minimum of thirty (30) minutes with special attention to assuring safe work practices and procedures.

(C) Follow-up. The supervisor of the area being inspected must receive a copy of the inspection to follow up on any deficiencies detected. The corrected items must be reported to the department head, safety director, and mayor. Prompt corrective action is necessary to assure a safe and healthful workplace.

(D) Specific inspections. Specific safety inspections which must be conducted throughout a facility or worksite on a routine basis include, but are not limited to:

- (1) Portable ladders.
- (2) Spray booths.
- (3) Vehicle-mounted platforms.
- (4) Overhead and gantry cranes.
- (5) Abrasive wheel machinery.
- (6) Welding and cutting operations.
- (7) Portable fire extinguishers.
- (8) Use and care of respirators.

(E) Inspection procedures. The safety inspection procedures specified by the equipment/machine manufacturers, by TOSHA, American National Standards Institute standards, and other relevant organizations must be followed as referred above.

(2) Personal responsibility for safety and health. Since job safety and health is so important to the safety and health of employees it is a vital aspect of all jobs. Each employee must consider job safety rules and procedures and safe work practices of utmost importance in performing assignments. When safety rules and procedures are not followed, jobs are not performed right, and job performance will be considered unsatisfactory. Failure to correct such problems may result in disciplinary action up to and including termination.

(3) Enforcement of safety rules and procedures. The objective of the safety and health program is that safety rules and procedures are known, understood and followed. Safety rules and procedures that are not known will not protect any employee. Once the rules and procedures are known and understood, the rules must be followed. Each employee's supervisor is responsible for assuring that his or her assigned employees follow applicable safety rules and procedures. Without proper enforcement, safety rules and procedures will be ineffective and injuries and illnesses will more likely result. Enforcement of safety rules and procedures should be done by supervision as a normal course of assuring that jobs are done right. When the necessary enforcement is done routinely and properly in a fair, but firm manner, and all employees understand that the rules and procedures must be followed, very little effort will be required. Employees who violate safety and health rules and procedures that have been established by the Town of Surgoinsville shall be subject to disciplinary action, up to and including dismissal. (Ord. #06-2007, May 2007)

4-307. Providing a healthful workplace. (1) Physical evaluations. Each employee offered employment with the Town of Surgoinsville will receive an initial physical evaluation. The specifics of the evaluation will depend on the nature of the job and the consulting physician's directions. As specified by OSHA standards and other applicable regulations, continuing physical evaluations and/or medical surveillance will be conducted for affected employees.

(2) Policy regarding alcohol and drugs. All town employees have received a copy of the Town of Surgoinsville's policy regarding alcohol and drugs. The policy provides for periodic random sampling for alcohol and drug testing for all of the town's employees. (Ord. #06-2007, May 2007)

4-308. Medical treatment for work-related injuries/illnesses. The following procedures are to be utilized for all on-the-job injuries and illnesses reported to supervision which requires medical treatment beyond first-aid:

(1) Accident investigation procedure. All accidents and/or incidents which caused or had the potential to cause injury, illness and/or damage to facilities, equipment, and property must be reported to supervision, at the earliest opportunity, so that the accident or incident can be investigated. It is very important that non-injury accidents be reported as well so that the cause of the accident may be determined. by identifying and addressing an incident's root cause(s), future accidents which may involve employee injury can be prevented. All employees must be instructed and trained concerning the importance of reporting non-injury incidents.

(2) Investigation. The immediate supervisor of the injured employee or the person responsible for the work area where an accident occurred is responsible for investigating the accident and completing the town's First Report

of Occupational Injury/Illness/Hazard. A copy of the report is included at the end of this manual.

Supervisors may more effectively determine the basic causes of the accident and arrive at better preventive strategies by talking to an employee knowledgeable about the work being performed at the time of the accident. All employees are expected to assist the supervisors, when called on, in conducting the investigation.

All accidents are investigated to determine the basic accident causes, so that effective control measures can be taken to prevent recurrence of that or similar accidents to the person involved or other persons performing similar tasks. Emphasis is placed on getting the accident facts and not on placing blame for the accident. Once the facts have been determined, the basic cause(s) can be identified, and recommendation made to prevent recurrence. Items which should be considered when conducting an accident investigation include, but are not limited to:

- (a) Caring for the injured.
- (b) Securing the area.
- (c) Obtaining accident description.
- (d) Recording sequence of events.
- (e) Recording witness interviews.
- (f) Recreating controlled accident situation.
- (g) Reviewing engineering controls.
- (h) Reviewing job procedures.
- (i) Reviewing safety rules.
- (j) Reviewing employee training.
- (k) Reviewing enforcement.
- (l) Reviewing supervisory controls.
- (m) Listing probable cause.
- (n) Determining most likely cause.
- (o) Developing possible controls.
- (p) Determining best control.
- (q) Assigning responsibility for follow-up.
- (r) Submitting accident investigation report.
- (s) Communicating investigation report.
- (t) Ensuring effective supervisory follow-up.

(3) First report of occupational injury/illness/hazard. The accident investigation report must be completed and forwarded to the safety coordinator within twenty-four (24) hours. All pertinent items on the report must be completed as specified. The safety coordinator should return all reports that are incomplete or not thorough in their causation and prevention determinations.

(4) Communication. Supervisors will communicate accident facts to the injured employee or to employees involved in non-injury accidents, as well as to other employees to keep them properly informed about workplace safety.

The injured employee's name should not be included in the communications to other employees.

(5) Follow-up. The department head of the department where the accident/incident occurred, and the supervisor preparing the accident report, are jointly responsible for ensuring that all accident investigation report recommendations are complied with and/or resolved.

(6) Medical panel. It shall be the responsibility of each department head to communicate with the town's medical panel for workers' compensation claims as part of the investigative process. The department head should make every effort to have employees back on the job as soon as possible. Light duty, including certain administrative duties, is to be encouraged to get the employees back on the job. Light duty assignments should be coordinated with the medical panel. (Ord. #06-2007, May 2007)

4-309. Motor vehicle accident investigation procedures.

(1) Vehicle accidents investigated. When a town employee has an accident in a town vehicle that causes injury to any person and/or damage to any vehicle, equipment or property, that employee must report it immediately to his/her supervisor before accomplishing any other work endeavor.

(2) Police notification. Any vehicle or equipment accident on a public street, in which an employee is involved, while working for the town, must be reported to the police or other appropriate law enforcement agency.

(3) Post-vehicular accident employee responsibilities. Employees shall stop whenever a police investigation of the accident is indicated; do not leave the scene or move the vehicle until directed to do so by the police. Employees shall not admit responsibility for an accident, offer to make any kind of settlement, or sign any statement at the scene of an accident.

If the accident involves damage to an unattended vehicle or a fixed object, reasonable steps shall be taken to locate and notify the owner. If the owner cannot be found, leave a notice in a conspicuous place on the vehicle or object, listing your name and address, and a brief description of the occurrence. (Ord. #06-2007, May 2007)

CHAPTER 4

OCCUPATIONAL SAFETY AND HEALTH PROGRAM

SECTION

4-401. Title.

4-402. Program director.

4-403. Program standards.

4-404. Effective date of plan.

4-405. Severability.

4-401. Title. This chapter shall be known as the "Occupational Safety and Health Program for the Employees of the Town of Surgoinsville." (1992 Code, § 4-301)

4-402. Program director. The Town of Surgoinsville hereby designates the Chief of Police hereinafter referred to as the "director," to establish a safety and health program in compliance with the requirements of the Tennessee Occupational Safety and Health Act of 1972 and he is hereby given the authority to implement a plan which shall encompass the issues and standards which have been promulgated by applicable state standards. (1992 Code, § 4-302)

4-403. Program standards. This plan shall be at least as effective as the federal or state standards on the same issues and shall include the following:

(1) The director or his authorized representatives shall have the right to enter at any reasonable time any establishment, construction site, plant or other area, workplace or environment where work is performed in the Town of Surgoinsville; and to inspect and investigate any such place of employment and all pertinent conditions, processes, machines, devices, equipment and materials therein, and to question privately any supervisor or employee.

(2) The director may issue subpoenas to require the attendance and testimony of witnesses and the production of evidence under oath for the purpose of confirming or supplementing his findings.

(3) The director shall provide for education and training of personnel for the administration of the program, and he shall provide for the education and training of all employees of the town to the extent that same is necessary for said employees to recognize and report safety and health problems as defined in the applicable standards.

(4) All employees shall be informed of the policies and the standards set forth by the Tennessee Occupational Safety and Health Act.

(5) All employees of the town shall be informed of safety hazards, exposure to toxic or harmful materials and imminent danger situations that may occur in their jobs.

(6) The director or his authorized representative shall upon any allegation of imminent danger immediately ascertain whether there is a reasonable basis for the complaint. He shall make a preliminary determination of whether or not the complaint appears to have merit. If such is the case he or his authorized representative shall report same to town commissioners.

(7) Any employee shall be given the right to participate in an investigation or inspection which involves a safety and/or health situation which concerns his work area.

(8) The director shall establish a safety and health training program designed to instruct each employee in the recognition and avoidance of unsafe conditions and the regulations applicable to his work environment.

(9) The director shall contact the Commissioner of Labor of the State of Tennessee by telephone in the event of the death of an employee involved in a work-related accident. This notification will be done as soon after the fatality as possible but not to exceed 48 hours.

(10) The director shall set up a procedure for requesting a variance from the Tennessee Department of Labor in the event an operation within the town does not meet the standards set by the Occupational Safety and Health Act and immediate action to alleviate the discrepancy is not possible.

(11) The director shall establish and maintain a system for collecting and reporting safety and health data required under the Tennessee Occupational Safety and Health Act.

(12) The director shall apply this program to employees of each administrative department, commission, board, division or other agency of the Town of Surgoinsville.

(13) The director shall make an annual report to the Commissioner of Labor for the State of Tennessee showing the accomplishments and progress of the Town of Surgoinsville in its Occupational Safety and Health Program.

(14) The director shall provide a means whereby any employee may submit a report of what he feels is a safety and/or health hazard to his immediate supervisor and the director without fear of jeopardizing his job or chances for future promotion. Such reports shall be preserved and the action thereon shall be noted on said reports and signed by the director or his designees.

(15) In implementing the plan the director shall adopt therein all the words and phrases designated as "definitions" in the Tennessee Occupational Safety and Health Act, promulgated regulations and standards thereunder.

(16) The director shall submit said plan to the Tennessee Department of Labor for approval on or before December 31, 1973. (1992 Code, § 4-303)

4-404. Effective date of plan. The plan, upon its approval by the Tennessee Department of Labor, shall become effective to the Town of Surgoinsville and at this time shall become a part of this chapter as fully and completely as if set out herein. (1992 Code, § 4-304)

4-405. Severability. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof. (1992 Code, § 4-305)

CHAPTER 5

TRAVEL REIMBURSEMENT REGULATIONS

SECTION

- 4-501. Purpose.
- 4-502. Enforcement.
- 4-503. Travel policy.
- 4-504. Travel reimbursement rate schedules.
- 4-505. Administrative procedures.

4-501. Purpose. The purpose of this chapter and referenced regulations is to bring the town into compliance with 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 town employees. It is the intent of this policy to assure fair and equitable treatment to all individuals traveling on town business at town expense. (Ord. #26-2002, Dec. 2002)

4-502. Enforcement. The town administrator of the town or his or her designee shall be responsible for the enforcement of these travel regulations. (Ord. #26-2002, Dec. 2002)

4-503. 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 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 town administrator. 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 town administrator 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 town administrator 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 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. #26-2002, Dec. 2002)

4-504. Travel reimbursement rate schedules. Authorized travelers shall be reimbursed according to the State of Tennessee travel regulation rates.

The town's travel reimbursement rates will automatically change when the state rates are adjusted.

The town may pay directly to the provider for expenses such as meals, lodging, and registration fees for conferences, conventions, seminars, and other education programs. (Ord. #26-2002, Dec. 2002)

4-505. 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 city recorder. (Ord. #26-2002, Dec. 2002)