

TITLE 4

MUNICIPAL PERSONNEL

CHAPTER

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CHAPTER 1

PERSONNEL POLICY

SECTION

4-101. Personnel rules and regulations.

4-101. Personnel rules and regulations.¹ The personnel rules and regulations for the Town of Trezevant are adopted herein as if set out verbatim.

¹The Personnel Rules and Regulations for the Town of Trezevant, and all amendments thereto, are available in the office of the recorder.

CHAPTER 2

SEXUAL HARASSMENT POLICY

SECTION

- 4-201. Purpose.
- 4-202. Prohibited actions.
- 4-203. Making sexual harassment complaints.
- 4-204. Reporting and investigating sexual harassment complaints.
- 4-205. Action on complaints of sexual harassment.
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4-201. Purpose. The municipality may be held liable for the actions of all employees with regard to sexual harassment and will not tolerate sexual harassment of its employees. The town will take immediate, positive steps to stop such harassment when it occurs. The town is responsible for acts of sexual harassment in the workplace when the town (or its agents or supervisory employees) knows or should have known of the conduct, unless it can be shown that the town took immediate and appropriate corrective action. The town may also be responsible for the acts of non-employees, with respect to sexual harassment of employees in the workplace, where the municipal government (or its agents or supervisory employees) knows or should have known of the conduct and failed to take immediate and appropriate corrective action.

This policy applies to all officers and employees of the Town of Trezevant, including but limited to full- and part-time employees, elected officials, permanent and temporary employees, employees covered or exempt from the personnel rules or regulations of the municipal government, and employees working under contract for the municipality. The following rules shall be strictly enforced. (2004 Code, § 4-201)

4-202. Prohibited actions. The following actions constitute an unlawful employment practice and are absolutely prohibited by the municipal government when they affect employment decisions, create a hostile job environment, cause distractions, or unreasonably interfere with work performance. They are:

- (1) Sexual harassment or unwelcome sexual advances;
- (2) Requests for sexual favors;
- (3) Verbal or physical conduct of a sexual nature in the form of pinching, grabbing, patting, or propositioning;
- (4) Explicit or implied job threats or promises in return for submission to sexual favors;
- (5) Inappropriate sex-oriented comments on appearance;
- (6) Embarrassing sex-oriented stories;

(7) Displaying sexually explicit or pornographic material, no matter how the material is displayed; and/or

(8) Sexual assault on the job by supervisors, fellow employees, or, on occasion, non-employees; and

(9) Sexual harassment includes conduct directed by men toward women, conduct directed by men toward men, conduct directed by women toward men, and conduct directed by women toward women. (2004 Code, § 4-202)

4-203. Making sexual harassment complaints. (1) An employee who feels he is subjected to sexual harassment should immediately contact a person (listed below) with whom the employee feels the most comfortable. Complaints may be made orally or in writing to:

- (a) The employee's immediate supervisor;
- (b) The employee's department head;
- (c) The town clerk;
- (d) The mayor;
- (e) The board of mayor and aldermen; and/or
- (f) The town attorney.

(2) Employees have the right to circumvent the employee chain-of-command when selecting the person to complain to about sexual harassment. The employee should be prepared to provide the following information:

- (a) His name, department, and position title;
- (b) The name of the person or people committing the sexual harassment, including their title(s), if known; and
- (c) The specific nature of the sexual harassment, how long it has gone on, any employment action (demotion, failure to promote, dismissal, refusal to hire, transfer, etc.) taken against the employee as a result of the harassment, or any other threats made against the employee as a result of the harassment. (2004 Code, § 4-203, modified)

4-204. Reporting and investigating sexual harassment complaints. The town attorney is the person the municipal government designates as the investigator of sexual harassment complaints against employees. In the event the sexual harassment complaint is against the town attorney, the investigator shall be a municipal employee appointed by the mayor and board.

When an allegation of sexual harassment is made by any employee, the person to whom the complaint is made shall:

(1) Immediately prepare a report of the complaint according to the preceding section and submit it to the mayor;

(2) Make and keep a written record of the investigation at the time the verbal interview is in progress, including notes on:

- (a) Verbal responses made to the investigator by the person complaining of sexual harassment;
 - (b) Witnesses interviewed during the investigation;
 - (c) The person against whom the complaint of sexual harassment was made; and
 - (d) Any other person contacted by the investigator in connection with the investigation.
- (3) Within ten (10) days of receiving the complaint, prepare and present the findings to the mayor in a report, which will include:
- (a) The written statement of the person complaining of sexual harassment;
 - (b) The written statements of witnesses;
 - (c) The written statement of the person against whom the complaint of sexual harassment was made; and
 - (d) All the investigator's notes connected to the investigation.
- (2004 Code, § 4-204, modified)

4-205. Action on complaints of sexual harassment. Upon receiving an investigation report of a sexual harassment complaint, the mayor shall immediately review the report. If the mayor determines that the report is not complete in some respect, he may question the person complaining of sexual harassment, the person against whom the complaint has been made, witnesses to the conduct in question, or any other person who may have knowledge about the harassment.

Based upon the report and his own investigation (where a separate investigation is made), the mayor shall, within a reasonable time, determine whether the conduct in question constitutes sexual harassment. In making that determination, the mayor shall look at the record as a whole and at the totality of circumstances, including the nature of the conduct, the context in which the alleged actions occurred, and the behavior of the person complaining. Whether sexual harassment took place will be determined on a case-by-case basis.

If the mayor determines that the harassment complaint is founded, he shall take immediate and appropriate disciplinary action against the guilty employee, consistent with his authority under the municipal charter, ordinances, resolutions, or rules governing his authority to discipline employees. If the mayor feels that the harassment warrants disciplinary action stronger than he is authorized to impose by the charter, ordinances, resolutions, or rules governing employee discipline, he shall make that determination known, along with the report of the investigation, to the governing body of the Town of Trezevant.

The disciplinary action shall be consistent with the nature and severity of the offense, the employee's rank, and other factors the governing body believes relate to fair and efficient administration of the municipal government. This includes, but is not limited to, the effect of the offense on employee morale,

public perception of the offense, and the light in which it casts the municipality. The disciplinary action may include demotion, suspension, dismissal, warning, or reprimand. Determining the level of disciplinary action shall also be made on a case-by-case basis. A written record shall be kept of imposed disciplinary actions, including verbal reprimands.

In all events, an employee found guilty of sexual harassment shall be warned not to retaliate in any way against the person making the complaint, witnesses, or any other person connected with the investigation.

In cases where sexual harassment is committed by a non-employee against a municipal government employee in the workplace, the mayor shall take whatever lawful action is necessary against the non-employee to bring the sexual harassment to an immediate end. (2004 Code, § 4-205)

4-206. Obligation of employees. Employees are not only encouraged to report instances of sexual harassment, they are obligated to report them. Employees are also obligated to cooperate in every harassment investigation. The obligation includes, but is not necessarily limited to, coming forward with evidence (both favorable and unfavorable) about a person accused of such conduct, fully and truthfully making written reports, or verbally answering such questions when required to do so by an investigator. Employees are also obligated to refrain from making bad faith accusations of sexual harassment.

Disciplinary action may be taken against employees who fail to report instances of sexual harassment, fail or refuse to cooperate in the sexual harassment investigation, or file a complaint of sexual harassment in bad faith. (2004 Code, § 4-206)

CHAPTER 3

DRUG-FREE WORKPLACE POLICY

SECTION

- 4-301. Purpose.
- 4-302. Definitions.
- 4-303. General rules.
- 4-304. Controlled substances.
- 4-305. Prior notice of testing policy.
- 4-306. Consent.
- 4-307. Job applicant testing.
- 4-308. Current employees testing.
- 4-309. Confirmation of test results.
- 4-310. Positive test results--job applicants.
- 4-311. Positive test results--current employees.
- 4-312. The right to a hearing.
- 4-313. Laboratory testing requirements.

4-301. Purpose. This policy is designed to be in accordance to the Drug-Free Workplace Act of 1988 (41 U.S.C. 8i, *et seq.*), Public Law 100-690, 100th Congress section 5152. The Act requires the town to adopt a written alcohol and drug policy which governs all municipal employees. This policy is also designed to be in accordance with the Omnibus Transportation Employee Testing Act of 1991 (49 U.S.C. 31301, *et seq.*, Public Law 102-143, Title V. The Act requires regular alcohol and drug testing in the aviation, motor carrier, rail, and transit industries in the interest of public safety. Additionally, the Federal Highway Administration (FHWA) has issued a rule in accordance with the mandates of this Act requiring alcohol and drug testing of persons required to have a commercial driver's license (CDL), including persons employed by local government agencies.

The Town of Trezevant has a legal responsibility and management obligation to provide a safe work environment, as well as having a paramount interest in protecting the public by ensuring that its employees have the physical stamina and emotional stability to perform their assigned duties. Employees must be free from drug or alcohol dependence, illegal drug use, or drug/alcohol abuse. The town and its employees may be subject to liability if the town fails to address this and ensure that employees can perform their duties without endangering themselves or the public.

There is sufficient evidence to conclude that using illegal drugs/alcohol, drug/alcohol dependence, and drug/alcohol abuse seriously impair an employee's performance and general physical and mental health. The illegal possession and use of drugs, alcohol, and/or narcotics by employees of the municipality is a crime in this jurisdiction and clearly unacceptable. Therefore, the Town of

Trezevant has adopted this written policy to ensure an employee's fitness for duty as a condition of employment, to see that drug tests are ordered as the result of reasonable suspicion by supervisory personnel and based on observed behavior or work performance, and to notify employees that testing is an employment requirement. (2004 Code, § 4-301, modified)

4-302. Definitions. (1) "Authorized substances" include only:

(a) Lawful over the counter drugs (excluding alcohol) in reasonable amounts; and

(b) Other lawful prescription medications, the possession of which has been approved by the drug coordinator or the employee's immediate supervisor.

(2) "Employees" are any persons who receive payment from the Town of Trezevant in exchange for labor or services.

(3) "Impaired" means under the influence of a substance such that the employee's motor senses (i.e., sight, hearing, balance, reaction, reflex) or judgment either are or may be reasonably presumed to be affected.

(4) "Possess" means to have either in or on an employee's person, personal effects, motor vehicles, tools, and area substantially entrusted to the control of the employee such as desks, files, and lockers.

(5) "Property" includes, but is not limited to, vehicles, desks, containers, files, and storage lockers.

(6) "Reasonable suspicion" means an articulated belief based on specific facts and reasonable inferences drawn from those facts that an employee is under the influence of drugs or alcohol.

(7) "Safety critical jobs" include all police department employees, all fire department personnel, and any employee operating any type of vehicle, machinery, or equipment.

(8) "Substance screening" means testing of blood, urine, breath, saliva, or otherwise reasonably deemed necessary to determine possession or impairment, and the completion of a substance use questionnaire.

(9) "Worksite" means any office, building, or property (including vehicles, parking lots) owned or operated by the employer, or any other worksite at which an employee is to perform for the employer. (2004 Code, § 4-302)

4-303. General rules. These are the policies as approved by the Town of Trezevant.

(1) It is unlawful to manufacture, distribute, dispense, possess, or use a controlled substance in the United States of America, the State of Tennessee and the Town of Trezevant, Tennessee.

(2) No employee will report for work or will work impaired by any substance, lawful or unlawful, except with the expressed approval of the employee's immediate supervisor; approval will be limited to lawful medications

and based strictly on assessment of the employee's ability to perform his regular or other assigned duties safely and efficiently.

(3) No employee at any work site will possess any quantity of any substance, drug or alcohol, lawful or unlawful, which in sufficient quantity could result in impaired performance.

(4) Any violation of this policy may result in disciplinary action, up to dismissal, until a thorough evaluation is completed, at which time, if it is concluded that the employee knowingly violated this policy, he will be terminated.

(5) Any person who has a problem of any type of chemical dependency, can secure his job if they inform their immediate supervisor of the said problem. The employee must inform his supervisor of the dependency prior to any actions as named in this policy. The employee must voluntarily admit the problem and be willing to seek help through professional rehabilitation services as recommended by the employer. If the employee fails to seek help or fails to progress on recovery, then his case will be evaluated for possible termination. If the employee recovers and becomes chemically free, he will be allowed to resume his job duty, without any loss in salary or promotions. Any employee who volunteers for treatment and assistance will have all records confidentially secured.

(6) All property belonging to the municipality is subject to inspection any time without notice, as there is not the expectation of privacy. Employees assigned lockers (that are locked by the employee) are also subject to inspection by the employee's supervisor after reasonable advance notice (unless waived by the mayor) and in the presence of the employee. Similarly, an employee's own car, lunch box, and like personal containers are subject to such inspections when brought onto any work site or town property. Refusal to submit to such an inspection will be treated as an act of insubordination subject to disciplinary action.

(7) Municipal government employees who have a reason to believe another employee is illegally using drugs or narcotics shall report the facts and circumstances immediately to the supervisor.

(8) The results of any program screening will be considered a medical report disseminated only in strict compliance with the town's occupational health/medicine information confidential policy.

(9) This program will be administered so as not to interfere with the rights of disabled applicants and employees, except to the extent any substance abuse handicap would directly interfere with job performance. (2004 Code, § 4-303, modified)

4-304. Controlled substances. When drug and alcohol screening is required under the provisions of this policy, a urinalysis test will be given to detect the presence of the controlled substances named below. (This list is not intended as an exhaustive inventory of every drug that can be detected.

Selecting drugs to be tested for will be based upon known abuse in the community and the ability of each drug to affect job performance.)

- (1) Alcohol (ethyl).
- (2) Amphetamines (e.g., speed).
- (3) Barbiturates (e.g., amobarbital, butabarbital, phenobarbital, secobarbital).
- (4) Cocaine.
- (5) Methaqualone (e.g., Quaalude).
- (6) Opiates (e.g., codeine, heroin, morphine, hydromorphone, hydrocodone).
- (7) Phencyclidine (PCP).
- (8) THC (Marijuana). (2004 Code, § 4-304)

4-305. Prior notice of testing policy. The Town of Trezevant shall provide written notice of its drug and alcohol testing policy to all employees and job applicants. The notice shall contain the following information:

- (1) The need for drug and alcohol testing;
- (2) The circumstances under which testing may be required;
- (3) The procedures for confirming an initial positive drug test result;
- (4) The consequences of a confirmed positive test result;
- (5) The consequences of refusing to undergo a drug and alcohol test;
- (6) The right to explain a positive test result and the appeals procedures available; and
- (7) The availability of drug abuse counseling and referral services. (2004 Code, § 4-305)

4-306. Consent. Before a drug and alcohol test is administered, employees and job applicants will be asked to sign a consent form authorizing the test and permitting release of test results to those municipal government officials with a need to know. The consent form shall provide space for employees and applicants to acknowledge that they have been notified of the town's drug testing policy.

The consent form shall also set forth the following information:

- (1) The procedure for confirming an initial positive test result;
- (2) The consequences of a confirmed positive test result;
- (3) The right to explain a confirmed positive test result and the appeals procedures available; and
- (4) The consequences of refusing to undergo a drug and alcohol test. (2004 Code, § 4-306)

4-307. Job applicant testing. (1) Prior to assuming any job, an applicant will be subject to substance screening in conjunction with a pre-employment physical.

(2) Refusal to submit to such screening will make it impossible to medically classify the applicant, eliminating any further action on the applicant's employment resulting in the denial of employment with the town. (2004 Code, § 4-307)

4-308. Current employees testing. The substance screening of employees will be the determination of the mayor and the employee's supervisor. The mayor may require a current town employee to undergo drug and alcohol testing if there is reasonable suspicion that the employee is under the influence of drugs or alcohol during working hours. Circumstances that constitute a basis for determining "reasonable suspicion" may include, but are not limited to:

- (1) A pattern of abnormal or erratic behavior;
- (2) Information provided by a reliable and credible source;
- (3) A work-related accident--any such screening will be under the circumstances below.

(a) Post accident/incident. Any employee involved in either a job-related accident or job-related incident involving the apparent violation of a safety rule or standard, which did or could have resulted in serious injury or property damage, will be subject to substance screening. Refusal to submit to such screening will be considered an act of insubordination, with attendant disciplinary and employment consequences.

(b) Safety critical jobs. Persons holding safety critical jobs will be subject to substance screening when there is reasonable evidence to suspect any employee has reported to work or is working impaired, he or she will be subject to substance screening. Refusal to such screening will be considered an act of insubordination, with attendant disciplinary and employment consequences.

(4) Direct observation of drug or alcohol use; and/or

(5) Presence of the physical symptoms of drug or alcohol use (i.e., glassy or bloodshot eyes, alcohol odor on breath, slurred speech, poor coordination and/or reflexes.)

Supervisors are required to detail in writing the specific facts, symptoms, or observations that formed the basis of their determination that reasonable suspicion existed to warrant testing an employee. This documentation shall be forwarded to the appropriate department head or designated drug coordinator. (2004 Code, § 4-308)

4-309. Confirmation of test results. (1) An employee or job applicant whose drug test yields a positive result shall be given a second test using a gas chromatography/mass spectrometry test. The second test shall use a portion of the same test sample withdrawn from the employee or applicant for use in the first test.

(2) If the second test confirms the positive result, the employee or applicant shall be notified of the results in writing by the appropriate department head or designated alternate. The letter of notification shall identify the particular substance found and its concentration level.

(3) An employee or applicant whose second test contradicts the original positive test results may, at the employee's or applicant's own expense, have a third test conducted on the same sample at a laboratory selected by the town. (2004 Code, § 4-309)

4-310. Positive test results--job applicants. Job applicants who have been given a conditional employment offer will be denied employment with the town if their initial positive test results have been confirmed. Applicants shall be informed in writing if they are rejected on the basis of a confirmed, positive drug test result. (2004 Code, § 4-310)

4-311. Positive test results--current employees. If a current employee's positive result has been confirmed, the employee is subject to disciplinary action up to and including termination. Factors to be considered in determining the appropriate disciplinary response include the employee's work history, length of employment, current job performance, and existence of past disciplinary actions. No disciplinary action may be taken against employees who voluntarily identify themselves as drug users, obtain counseling and rehabilitation sanctioned by the municipality, and thereafter refrain from violating the town's policy on drug and alcohol abuse. (2004 Code, § 4-311)

4-312. The right to a hearing. (1) In the event an employee is dismissed as a result of a positive test result, the employee may appeal the dismissal per the town's appeal procedures by submitting a written notice within ten (10) days with the town clerk of his intention to appeal the decision.

(2) After receipt of the notice, the board of mayor and aldermen shall set a time and place for a public hearing on the matter, to be held within twenty (20) days thereafter.

(3) Four votes of the board of mayor and aldermen shall be required to override the dismissal; and the action of the board of mayor and aldermen shall be a final determination of the matter. (2004 Code, § 4-312)

4-313. Laboratory testing requirements. All drug and alcohol testing of employees and applicants shall be conducted at medical facilities or laboratories selected by the town. To be considered as a testing site, a medical facility or laboratory must submit in writing a description of the procedures that will be used to maintain test samples and maintained by the town clerk. Factors to be considered by the municipal government in selecting a testing facility include:

- (1) Testing procedures that ensure privacy to employees and applicants consistent with the prevention of tampering;
- (2) Methods of analysis that ensure reliable test results, including the use of gas chromatography/mass spectrometry to confirm positive test results;
- (3) Chain-of-custody procedures that ensure proper identification, labeling, and handling of test samples; and
- (4) Retention and storage procedures that ensure reliable results on confirmatory test of original samples. (2004 Code, § 4-313)

CHAPTER 4

CIVIL RIGHTS POLICY

SECTION

4-401. Civil rights policy.

4-401. Civil rights policy. The Town of Trezevant selects, develops, and maintains a municipal work force through impartial personnel policies and procedures that are free of personal and political considerations and regardless of race, color, gender, age, creed, national origin, or religion. (2004 Code, § 4-401)

CHAPTER 5

OCCUPATIONAL SAFETY AND HEALTH PROGRAM

SECTION

- 4-501. Title.
- 4-502. Purpose.
- 4-503. Coverage.
- 4-504. Standards authorized.
- 4-505. Variances from standards authorized.
- 4-506. Administration.
- 4-507. Funding the program plan.

4-501. Title. This section shall be known as "The Occupational Safety and Health Program Plan" for the employees of Trezevant. (Ord. #091013, Feb. 2014)

4-502. Purpose. The Town of Trezevant, in electing to update the established program plan, will maintain an effective and comprehensive occupational safety and health program plan 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 work site to identify all hazards and potential hazards;
 - (c) Develop and maintain methods for preventing or controlling the existing or potential hazards; and
 - (d) Train managers, supervisors, and employees to understand and deal with work site hazards.
- (2) Acquire, maintain and require the use of safety equipment, personal protective equipment and devices reasonably necessary to protect employees;
- (3) Record, keep, preserve, and make available to the Commissioner of Labor and Workforce Development, or persons within the 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 Commissioner of Labor and Workforce Development with regard to the adequacy of the form and content of records;
- (5) Consult with the 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 plan, including the opportunity to make anonymous complaints concerning conditions or practices injurious to employee safety and health; and

(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 Plan. (Ord. #091013, Feb. 2014)

4-503. Coverage. The provisions of the occupational safety and health program plan for the employees of the Town of Trezevant shall apply to all employees of each administrative department, commission, board, division, or other agency whether part-time or full-time, seasonal or permanent. (Ord. #091013, Feb. 2014)

4-504. Standards authorized. The occupational safety and health standards adopted by the Town of Trezevant 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). (Ord. #091013, Feb. 2014)

4-505. Variances from standards authorized. Upon written application to the Commissioner of Labor and Workforce Development of the State of Tennessee, we may 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 and Health, Variances from Occupational Safety and Health Standards, Chapter 0800-01-02, as authorized by *Tennessee Code Annotated*, title 50. Prior to requesting such temporary variance, we will notify or serve notice to our 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 shall be deemed sufficient notice to employees. (Ord. #091013, Feb. 2014)

4-506. Administration. For the purposes of this chapter, Mary Jo Hall is designated as the Safety Director of Occupational Safety and Health to perform duties and to exercise powers assigned to plan, develop, and administer this program plan. The safety director shall develop a plan of operation for the program plan in accordance with Rules of Tennessee Department of Labor and Workforce Development Occupational Safety and Health, Safety and Health Provisions for the Public Sector, Chapter 0800-01-05, as authorized by *Tennessee Code Annotated*, title 50. (Ord. #091013, Feb. 2014, modified)

4-507. Funding the program plan. Sufficient funds for administering and staffing the program plan pursuant to this chapter shall be made available as authorized by the Town of Trezevant. (Ord. #091013, Feb. 2014)

CHAPTER 6

TRAVEL REIMBURSEMENT

SECTION

- 4-601. Purpose.
- 4-602. Enforcement.
- 4-603. Travel policy.
- 4-604. Travel reimbursement rate schedules.
- 4-605. Administrative procedures.

4-601. Purpose. (1) The purpose of this chapter and referenced regulations is to bring the town into compliance with *Tennessee Code Annotated*, § 6-54-901-907. This law 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."

(2) 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. #061416B, June 2016)

4-602. 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. #061416B, June 2016)

4-603. 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 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 are not 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 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 are not ordinarily considered eligible expenses for reimbursement. (Ord. #061416B, June 2016)

4-604. 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. #061416B, June 2016)

4-605. Administrative procedures. (1) 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.

(2) A copy of the administrative procedures is on file in the office of the town recorder. (Ord. #061416B, June 2016)