

TITLE 4

MUNICIPAL PERSONNEL

CHAPTER

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2. OCCUPATIONAL SAFETY AND HEALTH PROGRAM.

CHAPTER 1

TRAVEL REGULATIONS

SECTION

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4-101. Purpose. The purpose of this chapter and referenced regulations is to bring the city 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 official or employee of the municipality whose salary is set by charter or general law."

To provide consistent travel regulations and reimbursement, this policy is expanded to cover regular city employees. It is the intent of this policy to assure fair and equitable treatment to all individuals traveling on city business at city expense. (Ord. #11-98, Aug. 1998)

4-102. 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. #11-98, Aug. 1998)

4-103. Travel policy. (1) In the interpretation and application of this policy, 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, the employees of such boards and committees and all other municipal employees who are traveling on official municipal business and whose travel was authorized in accordance with this policy. "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 policy.

(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, use of a city credit card or advance billing directly to the city 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 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 will not be allowed.

(7) Claims of twenty five dollars (\$25.00) or more for travel expense reimbursement must be supported by the original paid receipt unless otherwise exempted in this policy.

(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) Milage and motel expenses incurred within the city are not ordinarily considered eligible expenses for reimbursement. (Ord. #11-98, Aug. 1998)

4-104. Travel reimbursement policy. Authorized travelers shall be reimbursed for ordinary and necessary expenses incurred while traveling on official city business, according to the federal travel regulation rates. The city'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. #11-98, Aug. 1998)

4-105. Travel requests. To insure reimbursement for official travel, an approved travel authorization form is required. Lack of pre-approval does not prohibit reimbursement, but pre-approval does assure reimbursement within the limits of the City Travel Policy. All costs associated with the travel should be reasonably estimated and shown on the travel request form. An approved request form is needed before advanced expenses are paid or travel advances are authorized. A copy of the conference program, if applicable, should be attached to the form. If the program is not available prior to the travel, submit it with the reimbursement form. (Ord. #11-98, Aug. 1998)

4-106. Travel documentation. It is the responsibility of the authorized traveler to:

- (1) Prepare and accurately describe the travel,
- (2) Note on the reimbursement form all direct payments and travel advances made by the city, and
- (3) Sign and file the reimbursement form with the necessary supporting documents and original receipts.

The reimbursement form should be filed with the finance department within ten (10) days of return or at the end of the month, whichever is more practical. (Ord. #11-98, Aug. 1998)

4-107. Transportation. (1) All potential costs should be considered when selecting the modes of transportation. For example, airline travel may be cheaper than automobile when time away from work and increased meal and lodging costs are considered. When time is important, or when the trip is so long that other modes of transportation are not cost-beneficial, air travel is encouraged.

(2) If the traveler goes outside the state by means other than air, the reimbursement will be limited to air fare at tourist or economy class, ordinary expenses during the meeting dates, and one day's meals and motel before and after the meeting. The traveler will be required to take annual leave for any additional time taken beyond the day before and the day after the meeting dates.

(3) Exceptions. When the traveler extends the trip with personal time to take advantage of discount fares, the reimbursement will be limited to the lesser of:

- (a) The actual expenses incurred including meals and lodging, or
- (b) The amount that would have been incurred for non-discounted fares using the least expensive rates available.

(4) All expenses and savings associated with extending the trip must be submitted with the expense reimbursement form.

(5) Air. (a) When possible, the traveler should make full use of discounts for advance airline reservations and advance registration. The traveler should request conference, government, or weekend rates, whichever is cheaper, when making lodging or rental car reservations. The city will pay for tourist or economy class air travel. The traveler should get the cheapest reasonable fare and take advantage of "Super Saver" or other discount fares. Airline travel can be paid by direct billing to the city.

(b) Mileage credits for frequent flyer programs accrue to the individual traveler. However, the city will not reimburse for additional expenses, such as circuitous routing, extended stays, layovers to schedule a particular carrier, upgrading from economy to first class, for travelers to accumulate additional mileage or for other personal reasons.

(c) The city will not reimburse travel by private aircraft unless authorized in advance by the CAO.

(6) Rail or bus. The city will pay for actual cost of ticket.

(7) Vehicles. Automobile transportation may be used when a common carrier cannot be scheduled, when it is more economical, when a common carrier is not practical, or when expenses can be reduced by two or more city employees traveling together.

(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 established by the standard internal revenue service mileage allowance. The miles for reimbursement shall be paid from origin to destination and back by the most direct route. Necessary vicinity travel related to the 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 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. In no event will mileage

reimbursement, plus vicinity travel and associated automobile costs, exceed the lowest reasonable available air fare and associated air fare travel costs.

Travelers will not 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.

(c) Rental cars. Use of a rental car is not permitted unless it is less expensive or otherwise more practical than public transportation. Approval of car rental is generally required in advance by the CAO. Always request the government or weekend rate, whichever is cheaper. Anyone who uses a rental car for out-of-state travel must obtain liability coverage from the vendor.

(d) Fines for traffic or parking violations will not be reimbursed by the city.

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

(f) Taxi, limousine, and other transportation fares. (i) When an individual travels by common carrier, reasonable fares will be allowed for necessary ground transportation. Bus or limousine service to and from airports should be used when available and practical. The traveler will be reimbursed for parking fees and mileage for travel to and from the local airport, provided such cost does not exceed normal taxi/limousine fares. Documentation of expenses is required.

(ii) Reasonable transportation fares between lodging quarters and meetings, conferences, or meals will be reimbursed. Original receipts are required for claims of five dollars (\$5.00) or more. Transportation costs incurred for personal purposes are not reimbursable.

(iii) 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. (Ord. #11-98, Aug. 1998)

4-108. Lodging. Authorized travelers shall be reimbursed for actual, reasonable and necessary expenses incurred for lodging in a publicly licensed lodging facility during official business travel requiring an overnight stay.

Authorized travelers sharing lodging shall report the expense on a pro-rated basis. Original lodging receipts must be submitted with the reimbursement form. (Ord. #11-98, Aug. 1998)

4-109. Meals and incidentals. Authorized travelers shall be reimbursed for the actual, reasonable and necessary expenses for meals consumed while on official city travel. If such expenses amount to less than twenty five dollars (\$25.00) per day, documentation will not be required. If the meals are included as a part of the conference or seminar charge, the authorized traveler shall not be reimbursed for costs incurred in eating elsewhere. Should an authorized traveler pay for the total cost of a meal shared with other authorized travelers, the total cost will be reimbursed to the paying traveler if the other travelers are identified on the original receipt. Original receipts for meals must be submitted with the reimbursement form. (Ord. #11-98, Aug. 1998)

4-110. Miscellaneous expenses. (1) Registration fees for approved conferences, conventions, seminars, meetings, and other educational programs will be allowed and, when applicable, will include the cost of official banquets, meals, lodging and registration fees. Registration fees should be specified on the original travel request form and can include a request for pre-registration fee payment.

(2) The traveler may be reimbursed for up to five dollars (\$5.00) per day for personal phone calls while on official travel without documentation as original receipt.

(3) An allowance up to four dollars (\$4.00) for hotel/motel check-in and baggage handling will be reimbursable without documentation or original receipts.

(4) Laundry, valet service, tips and gratuities are considered personal expenses and are not reimbursable.

(5) For travel outside the United States, all expenses claimed must be converted to U.S. dollars. The conversion rate and computation should be shown on each receipt. (Ord. #11-98, Aug. 1998)

4-111. Entertainment. (1) 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.

(2) To request reimbursement for authorized entertainment expenses the following must be included with the expense reimbursement form.

(a) Original receipts from the vendor (restaurant, caterer, ticket office, etc.). Reasonable tips and gratuities included on the receipt by the vendor are reimbursable.

(b) An explanation of the purpose of the entertainment and the number and identity of the persons or group entertained. (Ord. #11-98, Aug. 1998)

4-112. Travel reconciliation. (1) Within ten (10) days of return from travel, or by the end of the month, the traveler is expected to complete and file the expense reimbursement form. It must be certified by the traveler that the amount due is true and accurate. Original receipts documenting the expenses must be attached.

(2) If the city provided a travel advance or made advanced payment, the traveler should include that information on the expense reimbursement form. In the case of advances, the form should have a reconciliation summary, reflecting total claimed expenses with advances and city pre-payments 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.

(3) If the traveler received a travel advance that exceeds the expenses claimed, the traveler shall attach a check made payable to the city for that difference.

(4) The CAO will address special circumstances and issues not covered in this policy on a case-by-case basis. (Ord. #11-98, Aug. 1998)

4-113. 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. #11-98, Aug. 1998)

CHAPTER 2

OCCUPATIONAL SAFETY AND HEALTH PROGRAM¹

SECTION

- 4-201. Title.
- 4-202. Purpose.
- 4-203. Coverage.
- 4-204. Standards authorized.
- 4-205. Variances from standards authorized.
- 4-206. Administration.
- 4-207. Funding the program.

4-201. Title. This section shall be known as "The Occupational Safety and Health Program Plan" for the employees of the City of Piperton. (as added by Ord. #54-04, Jan. 2005, and replaced by Ord. #279-17, May 2017)

4-202. Purpose. The City of Piperton 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 worksite 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 worksite 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.

¹The Plan of Operation for the Occupational Safety and Health Program for the City of Piperton, including Appendices I through IV is included in the Appendix to this municipal code.

(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.

(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. (as added by Ord. #54-04, Jan. 2005, and replaced by Ord. #279-17, May 2017)

4-203. Coverage. The provisions of the occupational safety and health program plan for the employees of the City of Piperton shall apply to all employees of each administrative department, commission, board, division, or other agency whether part-time or full-time, seasonal or permanent. (as added by Ord. #54-04, Jan. 2005, and replaced by Ord. #279-17, May 2017)

4-204. Standards authorized. The occupational safety and health standards adopted by the City of Piperton 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 (as added by Ord. #54-04, Jan. 2005, and replaced by Ord. #279-17, May 2017)

4-205. 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.

¹State law reference

Tennessee Code Annotated, title 50, chapter 3.

The posting of notice on the main bulletin board shall be deemed sufficient notice to employees. (as added by Ord. #54-04, Jan. 2005, and replaced by Ord. #279-17, May 2017)

4-206. Administration. For the purposes of this chapter, Piperton's Fire Chief 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. (as added by Ord. #54-04, Jan. 2005, and replaced by Ord. #279-17, May 2017)

4-207. Funding the program. Sufficient funds for administering and staffing the program plan pursuant to this chapter shall be made available as authorized by the Piperton Board of Mayor and Commissioners. (as added by Ord. #54-04, Jan. 2005, and replaced by Ord. #279-17, May 2017)