

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

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

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

- 4-101. Policy and purpose as to coverage.
- 4-102. Necessary agreements to be executed.
- 4-103. Withholdings from salaries or wages.
- 4-104. Appropriations for employer's contributions.
- 4-105. Records and reports.
- 4-106. Exclusions.

**4-101. Policy and purpose as to coverage.** It is hereby declared to be the policy and purpose of the City of Sevierville, Tennessee, to extend, at the earliest date, to the employees and officials thereof not excluded by law or this chapter and whether employed in connection with a governmental or proprietary function, the benefits of the system of federal old age and survivors insurance. In pursuance of said policy, and for that purpose, the City shall take such action as may be required by applicable state and federal laws or regulations.<sup>1</sup> (1996 Code, § 4-101)

**4-102. Necessary agreements to be executed.** The Mayor of the City of Sevierville is hereby authorized and directed to execute all the necessary agreements and amendments thereto with the state executive director of old age

---

<sup>1</sup>See Ord. #392, Oct. 1980, which appropriates from the general fund of the City of Sevierville, Tennessee, such amounts to pay to the Old Age and Survivors Insurance Agency, State of Tennessee, any deficits that may arise in connection with the terms and provisions of an agreement made and entered into on March 1, 1966 between the State of Tennessee and the Sevierville Housing Authority, Sevierville, Tennessee. The agreements and Ord. #392 are on file in the Recorder's Office.

insurance, as agent or agency, to secure coverage of employees and officials as provided in the preceding section. (1996 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 § 4-101 hereof 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. (1996 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. (1996 Code, § 4-104)

**4-105. Records and reports.** The City shall keep such records and make such reports as may be required by applicable state and federal laws or regulations. (1996 Code, § 4-105)

**4-106. Exclusions.** There is hereby excluded from this chapter any authority to make any agreement with respect to any position or any employee or official not covered or authorized to be covered by any other ordinance creating any retirement system for any employee or official of the City.

There is further excluded from this chapter any authority to make any agreements with regard to emergency positions, fee based positions, and elective officials engaged in rendering legislative, executive, and judicial services.

There is further excluded from this chapter the services of an election worker and an election official if the remuneration paid for such services in a calendar year is less than one thousand dollars (\$1,000.00) on or after January 1, 1995, ending on or before December 31, 1999 and, the adjusted amount determined under section 218(c)(8)(B) of the Social Security Act for any calendar year, commencing on or after January 1, 2000, with respect to services performed during any such calendar year. This exclusion to be effective in and after a calendar year in which a state's modification is mailed, or delivered by other means, to the appropriate federal official. (1996 Code, § 4-106)

## CHAPTER 2

### PERSONNEL REGULATIONS<sup>1</sup>

#### SECTION

4-201. Rules and regulations.

4-202. Health insurance benefits for Board of Mayor and Aldermen.

**4-201. Rules and regulations.** The personnel rules and regulations, and all the contents therein, the same being incorporated herein by reference as if set forth verbatim, is hereby adopted as the rules and regulations concerning personnel of the City of Sevierville.<sup>2</sup> (1996 Code, § 4-201)

**4-202. Health insurance benefits for Board of Mayor and Aldermen.** Members of the Board of Mayor and Aldermen of the City of Sevierville shall be entitled to be enrolled in the City's health insurance program in the same way and manner as other City employees and will make premium payments and coverage choices in the way and manner available to all City employees, and that all of the foregoing. (Ord. #0-2007-017, Aug. 2007, modified)

---

<sup>1</sup>Charter reference

Personnel rules: art. VIII, § 3.

<sup>2</sup>The rules and regulations shall be amended from time to time by resolution and are on file in the City Recorder's Office.

## CHAPTER 3

### OCCUPATIONAL SAFETY AND HEALTH PROGRAM

#### SECTION

- 4-301. Program created.
- 4-302. Coverage.
- 4-303. Standards authorized.
- 4-304. Variances from standards authorized.
- 4-305. Administration.
- 4-306. Funding the program.
- 4-307. Severability.
- 4-308. Amendments.

**4-301. Program created.** There is hereby created an occupational safety and health program for the employees of the City of Sevierville as follows:

The City of Sevierville, in electing to update their established program will maintain an effective occupational safety and health program for its employees and shall:

(1) Provide a safe and healthful place and condition of employment that includes:

- (a) Top management commitment and employee involvement;
- (b) Continual analysis of worksite to identify all hazards and potential hazards;
- (c) Develop and maintain methods for preventing or controlling existing or potential hazards;
- (d) Train managers, supervisors and employees to understand and deal with worksite hazards.

(2) Acquire, maintain and require the use of safety equipment, personal protective equipment and devices reasonably necessary to protect employees.

(3) Make, keep, preserve and make available to the Commissioner of Labor and Workforce Development of the State of Tennessee, his designated representatives, or persons within the Tennessee Department of Labor and Workforce Development to whom such responsibilities have been delegated, adequate records of all occupational accidents and illnesses and personal injuries for proper evaluation and necessary corrective action as required.

(4) Consult with the State Commissioner of Labor and Workforce Development with regard to the adequacy of the form and content of records.

(5) Consult with the State Commissioner of Labor and Workforce Development, as appropriate, regarding safety and health problems which are considered to be unusual or peculiar and are such that they cannot be achieved under a standard promulgated by the state.

(6) Provide reasonable opportunity for the participation of employees in the effectuation of the objectives of this program, including the opportunity to make anonymous complaints concerning conditions or practices injurious to employee safety and health.

(7) Provide for education and training of personnel for the fair and efficient administration of occupational safety and health standards, and provide for education and notification of all employees of the existence of this program. (1996 Code, § 4-302, modified)

**4-302. Coverage.** The provisions of the occupational safety and health program plan for the employees of the City of Sevierville shall apply to all employees of each administrative department, commission, board, division, or other agency of the City of Sevierville, whether part-time or full-time, seasonal or permanent. (1996 Code, § 4-302)

**4-303. Standards authorized.** The occupational safety and health standards adopted by the City of Sevierville 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.<sup>1</sup> (1996 Code, § 4-303)

**4-304. Variances from standards authorized.** The City of Sevierville may, upon written application to the Commissioner of Labor and Workforce Development of the State of Tennessee, request an order granting a temporary variance from any approved standards. Applications for variances shall be in accordance with Rules of Tennessee Department of Labor and Workforce Development, Occupational Safety, chapter 0800-1-2, as authorized by Tennessee Code Annotated, title 50. Prior to requesting such temporary variance, the City of Sevierville shall notify or serve notice to employees, their designated representatives, or interested parties and present them with an opportunity for a hearing. The posting of notice on the main bulletin board as designated by the City of Sevierville shall be deemed sufficient notice to employees. (1996 Code, § 4-304)

**4-305. Administration.** For the purposes of this chapter, the City of Sevierville Risk Manager is designated as the Director of Occupational Safety and Health to perform duties and to exercise powers assigned so as to plan, develop, and administer the City of Sevierville Occupational Safety and Health Program under the review and approval of the City Administrator. The Director shall develop a plan of operation which shall be in accordance with Rules of

---

<sup>1</sup>State law reference

Tennessee Code Annotated, title 50, chapter 3.

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. (1996 Code, § 4-305, modified)

**4-306. Funding the program.** Sufficient funds for administering and staffing the program pursuant to this chapter shall be made available as authorized by the City Administrator. (1996 Code, § 4-306)

**4-307. Severability.** It is further ordained that if any section, subsection, sentence, clause, phrase, or portion of this chapter is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining positions.

**4-308. Amendments.** It is further ordained that this chapter shall take effect from and after the date it shall have been passed, properly signed, certified, and has met all other legal requirements, and as otherwise provided by law, the general welfare of the City of Sevierville requiring it.

## CHAPTER 4

### REIMBURSEMENT REGULATIONS

#### SECTION

- 4-401. Enforcement.
- 4-402. Travel policy.
- 4-403. Travel reimbursement rate schedules.
- 4-404. Administrative procedures.
- 4-405. Mobile communication devices.

**4-401. Enforcement.** The Chief Administrative Officer (CAO) of the City or his or her designee shall be responsible for the enforcement of these travel regulations. (1996 Code, § 4-401)

**4-402. Travel policy.**

(1) In the interpretation and application of this chapter, the term "traveler" or "authorized travel" means any elected or appointed municipal officer or employee, including members of City of Sevierville boards and committees appointed by the Board of Mayor and Aldermen and the employees of such boards and committees who are traveling on official City business and whose travel was authorized in accordance with this chapter. "Authorized traveler" shall not include the spouse, children, other relatives, friends, or companions accompanying the authorized traveler on City business, unless the person(s) otherwise qualifies as an authorized traveler under this chapter.

(2) Authorized travelers are entitled to reimbursement of certain expenditures incurred while traveling on official business for the City. Reimbursable expenses shall include expenses for transportation; lodging; meals; registration fees for conferences, conventions, and seminars; and other actual and necessary expenses related to official business as determined by the CAO. Under certain conditions, entertainment expenses may be eligible for reimbursement.

(3) Authorized travelers can request either a travel advance for the projected cost of authorized travel, or advance billing directly to the City for registration fees, air fares, meals, lodging, conferences, and similar expenses.

Travel advance requests 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 five dollars (\$5.00) or more for travel expense reimbursement must be supported by the original paid receipt for lodging, vehicle rental, phone calls, public carrier travel, conference fees, and other reimbursable costs.

(8) Any person attempting to defraud the City or misuse City travel funds is subject to legal action for recovery of fraudulent travel claims and/or advances.

(9) Mileage and motel expenses incurred within the City are not ordinarily considered eligible expenses for reimbursement. (1996 Code, § 4-402)

**4-403. Travel reimbursement rate schedules.** Authorized travelers shall be reimbursed according to the State of Tennessee travel regulation rates.

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

The City of Sevierville may pay directly to the provider for expenses such as meals, lodging, and registration fees for conferences, conventions, seminars, and other education programs. (1996 Code, § 4-403)

**4-404. Administrative procedures.** The City 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. (1996 Code, § 4-404)

**4-405. Mobile communication devices.** The City's Expense Reimbursement Policy is hereby amended to provide that those City employees, City officials and members of the Board of Mayor and Aldermen that are provided mobile communication devices for use in conducting City business may be reimbursed, with department head and City Administrator approval where appropriate, for use of their personal mobile communication devices for City business, in lieu of being provided a mobile communication device by the City. The City Administrator shall set a standard amount of reimbursement for each general type of mobile communication device. No City employee, City official or member of the Board of Mayor and Aldermen shall receive reimbursement for more than one (1) such device. The total cost of all such reimbursement shall not exceed the amount budgeted for such reimbursement by the City. (Ord. #2012-004, April 2012)