

TITLE 4

MUNICIPAL PERSONNEL

CHAPTER

1. SOCIAL SECURITY.
2. MISCELLANEOUS REGULATIONS--TOWN PERSONNEL.
3. OCCUPATIONAL SAFETY AND HEALTH PROGRAM.
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CHAPTER 1

SOCIAL SECURITY

SECTION

- 4-101. Policy and purpose as to coverage.
- 4-102. Mayor to execute agreements; records and reports; exclusions.

4-101. Policy and purpose as to coverage. It is hereby declared to be the policy and purpose of the Board of Mayor and Aldermen of the Town of Bell Buckle, Tennessee, to extend at the earliest date hereinafter set forth; to employees and officials thereof, not excluded by law or this changer, and whether employed in connection with a governmental or proprietary function, the benefits of the Federal System of Old-Age, Survivors Disability, Hospital Insurance as authorized by the Social Security Act and amendments thereto, including Public Law 734, 81st Congress. In pursuance of said policy, and for that purpose, the said Town of Bell Buckle shall take such action as may be required by applicable state and federal laws or regulations. (Ord. #02-002, May 2002)

4-102. Mayor to execute agreements; records and reports; exclusions. 1. Records and reports; exclusions. The Mayor of the Town of Bell Buckle is hereby authorized and directed to execute all the necessary agreements and amendments thereto with the Director of Old Age and Survivors Insurance Agency, State of Tennessee, as agent or agency, to provide coverage of employees and officials as provided in the preceding section.

2. The said Town of Bell Buckle shall keep such records and make such reports as may be required by applicable state or federal laws or regulations.

3. There is hereby excluded from this chapter any authority to make any agreement with respect to any position or any employee not authorized to be covered under federal or state laws or regulations.

4. The agreement does not apply to services performed after July 1, 1991, that were mandatorily covered under section 210(7)(F) of the Social Security Act. (Ord. #02-002, May 2002)

CHAPTER 2

MISCELLANEOUS REGULATIONS--TOWN PERSONNEL

SECTION

- 4-201. Business dealings.
- 4-202. Political activity.
- 4-203. Use of municipal time, facilities, etc.
- 4-204. Strikes and unions.

4-201. Business dealings. Except for the receipt of such compensation as may be lawfully provided for the performance of his municipal duties, it shall be unlawful for any municipal officer or employee to be privately interested in, or to profit, directly or indirectly, from business dealings with the town. (1996 Code, § 4-101)

4-202. Political activity. Employees shall enjoy the same rights of other citizens of Tennessee to be a candidate for any state or local political office (except for membership on the municipal governing body), the right to participate in political activities by supporting or opposing political parties, political candidates, and petitions to governmental entities. Provided, however, no employee may campaign on municipal time or in municipal uniform nor use municipal equipment or supplies in any campaign or election.

4-203. Use of municipal time, facilities, etc. No municipal officer or employee shall use or authorize the use of municipal time, facilities, equipment, or supplies for private gain or advantage to himself or any other private person or group. Provided, however, that this prohibition shall not apply where the board of mayor and aldermen has authorized the use of such time, facilities, equipment, or supplies, and the town is paid at such rates as are normally charged by private sources for comparable services. (1996 Code, § 4-104)

4-204. Strikes and unions. No municipal officer or employee shall participate in any strike against the town, nor shall he join, be a member of, or solicit any other municipal officer or employee to join any labor union which authorizes the use of strikes by government employees. (1996 Code, § 4-106)

CHAPTER 3

OCCUPATIONAL SAFETY AND HEALTH PROGRAM¹

SECTION

- 4-301. Title.
- 4-302. Purpose.
- 4-303. Coverage.
- 4-304. Standards authorized.
- 4-305. Variances from standards authorized.
- 4-306. Administration.
- 4-307. Funding the program.
- 4-308. Deleted.

4-301. Title. This section shall be known as "the occupational safety and health program plan" for the employees of the Town of Bell Buckle. (Ord. #06-001, May 2006, as replaced by Ord. #13-001, March 2013 *Ch1_11-10-20*, Ord. #17-01, Feb. 2017 *Ch1_11-10-20*, and Ord. #20-04, Nov. 2020 *Ch1_11-10-20*)

4-302. Purpose. The Town of Bell Buckle, 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

¹The Plan of Operation for the Bell Buckle Occupational Safety and Health Program is available in the office of the recorder.

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.

(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. #06-001, May 2006, as replaced by Ord. #13-001, March 2013 *Ch1_11-10-20*, Ord. #17-01, Feb. 2017 *Ch1_11-10-20*, and Ord. #20-04, Nov. 2020 *Ch1_11-10-20*)

4-303. Coverage. The provisions of the occupational safety and health program plan for the employees of the Town of Bell Buckle 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. #06-001, May 2006, as replaced by Ord. #13-001, March 2013 *Ch1_11-10-20*, Ord. #17-01, Feb. 2017 *Ch1_11-10-20*, and Ord. #20-04, Nov. 2020 *Ch1_11-10-20*)

4-304. Standards authorized. The occupational safety and health standards adopted by the board of mayor and aldermen 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. #06-001, May 2006, as replaced by Ord. #13-001, March 2013 *Ch1_11-10-20*, Ord. #17-01, Feb. 2017 *Ch1_11-10-20*, and Ord. #20-04, Nov. 2020 *Ch1_11-10-20*)

4-305. 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. #06-001, May 2006, as replaced by Ord. #13-001, March 2013 *Ch1_11-10-20*, Ord. #17-01, Feb. 2017 *Ch1_11-10-20*, and Ord. #20-04, Nov. 2020 *Ch1_11-10-20*)

4-306. Administration. For the purposes of this ordinance, the Police 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. (Ord. #06-001, May 2006, as replaced by Ord. #13-001, March 2013 *Ch1_11-10-20*, Ord. #17-01, Feb. 2017 *Ch1_11-10-20*, and Ord. #20-04, Nov. 2020 *Ch1_11-10-20*)

4-307. 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 Bell Buckle. (Ord. #06-001, May 2006, as replaced by Ord. #13-001, March 2013 *Ch1_11-10-20*, Ord. #17-01, Feb. 2017 *Ch1_11-10-20*, and Ord. #20-04, Nov. 2020 *Ch1_11-10-20*)

4-308. Deleted. (Ord. #06-001, May 2006, as deleted by Ord. #13-001, March 2013 *Ch1_11-10-20*)

CHAPTER 4

TRAVEL REIMBURSEMENT REGULATIONS

SECTION

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

4-401. 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. #98-001, June 1998)

4-402. Enforcement. The board of mayor and aldermen, or other designated person or body shall be responsible for the enforcement of these travel regulations. (Ord. #98-001, June 1998)

4-403. 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 board. 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 board 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 board may make exceptions for unusual circumstances.

Expenses considered excessive won't be allowed.

(7) Claims of \$5 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. #98-001, June 1998)

4-404. 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. #98-001, June 1998, as amended by Ord. #08-007, Sept. 2008)

4-405. 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 town recorder.

In accordance with the town's charter, this chapter shall take effect from and after its final passage and publication of its caption in a newspaper of general circulation with the Town of Bell Buckle. (Ord. #98-001, June 1998)