

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

1. SOCIAL SECURITY; CITY PERSONNEL.
2. OCCUPATIONAL SAFETY AND HEALTH PROGRAM.

CHAPTER 1**SOCIAL SECURITY; CITY PERSONNEL****SECTION**

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4-101. Policy and purpose as to coverage. It is hereby declared to be the policy and purpose of the City of South Pittsburg to provide for all eligible employees and officials of the city, 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.

There is hereby excluded from this chapter any authority to make any agreement with respect to any position or any employee or official now covered or authorized to be covered by any other ordinance creating any retirement system for any employee or official of the city. (2005 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. (2005 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. (2005 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. (2005 Code, § 4-104)

4-105. Records and reports to be made. The recorder shall keep such records and make such reports as may be required by applicable state and federal laws or regulations. (2005 Code, § 4-105)

CHAPTER 2

OCCUPATIONAL SAFETY AND HEALTH PROGRAM

SECTION

4-201. Establishment.

4-202. Title.

4-203. City administrator designated program director.

4-204. Program standards.

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4-201. Establishment. In compliance with Public Chapter 561 of the General Assembly of the State of Tennessee for the year 1972, the City of South Pittsburg, Tennessee, hereby establishes an "Occupational Safety and Health Program" for its employees. (2005 Code, § 4-201)

4-202. Title. This chapter shall be known as the "Occupational Safety and Health Program for the employees of the City of South Pittsburg." (2005 Code, § 4-202)

4-203. City administrator designated program director. The City of South Pittsburg hereby designates the city administrator, 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. (2005 Code, § 4-203)

4-204. 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 City of South Pittsburg, 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 city 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 city 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 take appropriate remedial action.

(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 forty-eight (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 city 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 City of South Pittsburg, Tennessee.

(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 City of South Pittsburg, Tennessee 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 November 1, 1973. (2005 Code, § 4-204)

4-205. Effective date of plan. Said plan, upon its approval by the Tennessee Department of Labor, shall become effective to the City of South Pittsburg, Tennessee, and at that time shall become a part of this chapter as fully and completely as if set out herein. (2005 Code, § 4-205)