

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

1. SOCIAL SECURITY.
2. OCCUPATIONAL SAFETY AND HEALTH PROGRAM.

**CHAPTER 1****SOCIAL SECURITY****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 Ripley, Tennessee, to extend, as of the dates hereinafter set out, 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 as authorized by the Federal Social Security Act, and as provided by *Tennessee Code Annotated*, title 8, chapter 38. In pursuance of said policy and for that purpose the city shall take such action as may be required by applicable federal or state laws or regulations. (1994 Code, § 4-101)

**4-102. Necessary agreements to be executed.** The mayor of the City of Ripley, Tennessee, 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. (1994 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. (1994 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. (1994 Code, § 4-104)

**4-105. Records and reports to be made.** The city shall keep such records and make such reports as may be required by applicable state and federal laws or regulations. (1994 Code, § 4-105)

**4-106. When effective for Ripley Light and Power Company personnel.** Effective January 1, 1952, the benefits of the system of Federal Old Age and Survivors Insurance are hereby authorized to be extended to include the services of those employees and officials of the Ripley Light and Power Company, a proprietary function of the City of Ripley, Tennessee, not excluded from said benefits by law or this chapter. (1994 Code, § 4-106)

**4-107. When effective for personnel generally.** Effective October 1, 1956, the benefits of the system of Federal Old Age and Survivors Insurance are hereby authorized to be extended to include the services of all employees and officials connected with all governmental and proprietary functions of the City of Ripley, Tennessee, except as set out in the preceding section and not excluded by law or this chapter. (1994 Code, § 4-107)

**4-108. Exclusions.** There is hereby excluded from this chapter any authority to make an agreement with respect to any position or any employee or official of the Ripley Light and Power Company authorized to be covered by a retirement system created by any other ordinance adopted on or prior to March 20, 1952.

There is hereby excluded from this chapter any authority to make any agreement with respect to any position or any employee or officials connected with any governmental or proprietary function of said city, except as set forth in this section, covered by a retirement system created by any other ordinance adapted on or prior to September 4, 1956. (1994 Code, § 4-108)

**4-109. When effective for fee basis employees.** Effective January 1, 1960, the benefits of the system of Federal Old Age and Survivors Insurance are authorized to be extended to include the employees and officials connected with all the governmental and proprietary functions of said city rendering service in positions the compensation for which is on a fee basis. (1994 Code, § 4-109)

## CHAPTER 2

### OCCUPATIONAL SAFETY AND HEALTH PROGRAM

#### 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 Ripley. (1994 Code, § 4-401)

**4-202. Purpose.** The City of Ripley, 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

(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.

(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. (1994 Code, § 4-402)

**4-203. Coverage.** The provisions of the occupational safety and health program plan for the employees of the City of Ripley shall apply to all employees of each administrative department, commission, board, division, or other agency whether part-time or full-time, seasonal or permanent. (1994 Code, § 4-403)

**4-204. Standards authorized.** The occupational safety and health standards adopted by the City of Ripley 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). (1994 Code, § 4-404)

**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 0800-1-2, 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. (1994 Code, § 4-405)

**4-206. Administration.** For the purposes of this chapter, City of Ripley Recorder, 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<sup>1</sup> 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

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<sup>1</sup>The "Plan of Operation for the Occupational Safety and Health Program for the Employees of the City of Ripley" has been added to this municipal code as appendix A.

0800-01-05, as authorized by *Tennessee Code Annotated*, title 50. (1994 Code, § 4-406)

**4-207. 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 City of Ripley. (1994 Code, § 4-407)