

TITLE 4

MUNICIPAL PERSONNEL

CHAPTER

1. [REPEALED.]
2. [REPEALED.]
3. [REPEALED.]
4. [REPEALED.]
5. OCCUPATIONAL SAFETY AND HEALTH PROGRAM.
6. WRITTEN HAZARD DETERMINATION PROGRAM.
7. WRITTEN HAZARD COMMUNICATION PROGRAM.
8. PERSONNEL POLICES.

CHAPTER 1

[REPEALED]

(as repealed by Ord. #2001-06, Sept. 2001)

CHAPTER 2

[REPEALED]

(as repealed by Ord. #2001-06, Sept. 2001)

CHAPTER 3

[REPEALED]

(as repealed by Ord. #2001-06, Sept. 2001)

CHAPTER 4

[REPEALED]

(as repealed by Ord. #2001-06, Sept. 2001)

CHAPTER 5

OCCUPATIONAL SAFETY AND HEALTH PROGRAM

SECTION

- 4-501. Title.
- 4-502. Purpose.
- 4-503. Coverage.
- 4-504. Standards authorized.
- 4-505. Variance from standards authorized.
- 4-506. Administration.
- 4-507. Funding the program.

4-501. Title. This chapter shall provide authority for establishing and administering the occupational safety and health program plan for the employees of the City of LaFollette, Tennessee. (1975 Code, § 1-1501, as replaced by Ord. #2003-07, Sept. 2001)

4-502. Purpose. The City of LaFollette, in electing to update their established program plan 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 committee and employee involvement;
- (b) Continually analyze the worksite to identify all hazards and potential hazards;
- (c) Develop and maintain methods for preventing or controlling existing and 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) 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. (1975 Code, § 1-1502, as replaced by Ord. #2003-07, Sept. 2001)

4-503. Coverage. The provisions of the occupational safety and health program plan for the employees of the City of LaFollette shall apply to all employees of each administrative department, commission, board, division, or other agency of the City of LaFollette whether part-time or full-time, seasonal or permanent. (1975 Code, § 1-1502, as replaced by Ord. #2003-07, Sept. 2001)

4-504. Standards authorized. The occupational safety and health standards adopted by the City of LaFollette 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). (1975 Code, § 1-1502, as replaced by Ord. #2003-07, Sept. 2001)

4-505. Variations from standards authorized. The City of LaFollette 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 Development of Labor and Workforce Development, Occupational Safety, chapter 08000-1-2, as authorized by Tennessee Code Annotated, title 50. Prior to requesting such temporary variance the City of LaFollette 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 LaFollette shall be deemed sufficient notice to employees. (1975 Code, § 1-1502, as replaced by Ord. #2003-07, Sept. 2001)

4-506. Administration. For the purpose of this chapter, \_\_\_\_\_ 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 director shall develop a plan of operation for the program and said plan shall become a part of this chapter when it satisfies all applicable sections of the Tennessee Occupational Safety and Health Act of 1972 and part IV of the

Tennessee Occupational Safety and Health Plan. (1975 Code, § 1-1503, as replaced by Ord. #2003-07, Sept. 2001)

4-507. Funding the program. Sufficient funds for administering and staffing the program pursuant to this chapter shall be made available as authorized by the \_\_\_\_\_ . (as added by Ord. #2003-07, Aug. 2003)

CHAPTER 6

WRITTEN HAZARD DETERMINATION PROGRAM

SECTION

4-601. Establishment and administration of program.

4-602. Evaluation of chemicals; used or produced, etc.

4-601. Establishment and administration of program. (1) A written hazard determination program is hereby established to evaluate chemicals used or produced by the City of LaFollette to determine if they are hazardous or not.

(2) The city administrator shall be responsible for the program.

(3) The fire chief shall be assigned to hazardous chemical evaluation.

(Ord. #592, Nov. 1997)

4-602. Evaluation of chemicals; used or produced, etc.

(1) For chemicals used Material Safety Data Sheets (MSDS) will be used to evaluate whether or not supplied chemicals are hazardous. Chemicals which are health hazards will be designated as such or listed in the hazardous ingredients section.

(2) For chemicals produced, such as intermediate products, welding fumes, carbon monoxide, and wood dust, MSDS's or equivalents will be produced internally or obtained from 1910 1200 Hazard Communication. (d) and (g).

(3) Chemicals for which there is scientifically valid evidence that it a combustible liquid, a compressed gas, explosive, flammable, an organic peroxide, an oxidizer, pyrophoric, unstable (reactive) or water-reactive are considered hazardous, and defined as physical hazards.

(4) Chemicals found in the following publications will automatically be considered as health hazards:

(a) 29 CFR 1910, Subpart Z. "Toxic and Hazardous Substances," (OSHA);

(b) "Threshold Limit Values and Biological Exposure Indices," (latest edition), American Conference of Governmental Industrial Hygienists (ACGIH); and for chemicals that are carcinogens or potential carcinogens.

(c) (i) National Toxicology Program (NTP), "Annual Report on Carcinogens," (latest edition);

(ii) International Agency for Research on Cancer (IARC), "Monographs," (latest edition);

(iii) 29 CFR 1910, Subpart Z, "Toxic and Hazardous Substances," Occupational Safety and Health Administrations.

(5) For other chemicals produced and/or used, statistically scientific evidence will be identified and evaluated in accordance with the criteria set



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forth in Appendices A and B of the Hazard Communication Standard. (Ord. #592, Nov. 1997)

## CHAPTER 7

WRITTEN HAZARD COMMUNICATION PROGRAM

## SECTION

4-701. Establishment of program.

4-702. Administration; communication and implementation.

4-701. Establishment of program. A written hazard communication program is hereby established to communicate information concerning the location, uses and dangers of hazardous chemicals to employees and citizens. (Ord. #593, Nov. 1997)

4-702. Administration; communication and implementation. The city administrator is responsible for the communication and implementation of the following requirements of the program to employees:

(1) Labels and other forms of warning. Labels and other forms of warning for each incoming hazardous chemical will be inspected for compliance with Section (f) of the Standard, and to insure that proper forms of warning are posted. For hazardous chemicals produced within the plant or workshop (such as carbon monoxide and welding products), warnings will be posted if the situation demands (a written justification).

(2) Material Safety Data Sheets (MSDS). MSDS for each hazardous chemical to which employees are or may be exposed, will be obtained and made readily available according to the requirements of Section (g) of the Standard. For new chemicals MSDS will be made available prior to use. For hazardous chemicals produced internally, a MSDS may be used or developed to satisfy the physical and health hazard communication requirements. All incoming MSDS will be checked for accuracy.

(3) Employee information and training. (a) Information and training as required by Section (h) will be provided to all employees at the time of initial assignment, whenever a new hazard is introduced into their work areas, or for any existing hazard.

(b) Required information will be obtained from sources which include those listed in Appendix C of the Standard.

(c) Employees will be trained to be able to recall fundamental health and physical hazards associated with the specific chemicals to which they are exposed.

(d) Training will utilize such aids and methods as recommended by TOSHA.

(4) Hazardous chemicals list. The hazardous chemicals list shall be based on a format recommended by TOSHA.

(5) Methods used to inform employees of the hazards of non-routine tasks. Employees involved in non-routine tasks (such as tank cleaning and

maintenance) will be informed of the hazards involved, and trained at specific training sessions so as to insure awareness of required information.

(6) Methods used to inform contractor employers. Contractors who may be exposed to hazardous chemicals will be informed both verbally and by means of an information sheet, as to hazards involved, at a meeting before any work is accomplished. (Ord. #593, Nov. 1997)

CHAPTER 8

PERSONNEL POLICIES

SECTION

4-801. Employee handbook and personnel policies.

4-801. Employee handbook and personnel policies.<sup>1</sup> The City of LaFollette Employee Handbook and Personnel Policies (and any amendments thereto) are adopted by reference herein as if copied verbatim. (as added by Ord. #2001-06, Sept. 2001)

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<sup>1</sup>A copy of the City of LaFollette Employee Handbook and Personnel Policies is of record in the office of the city recorder. It is available for review during regular business hours.