

TITLE 4

MUNICIPAL PERSONNEL¹

CHAPTER

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

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.
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- 4-105. Records and reports to be made.
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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 Bartlett, Tennessee, to extend at the earliest date, to 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 amendments thereto, including Public Law 734, 81st Congress. In pursuance of said policy, and for that purpose, the city shall take such action as may be required by applicable state or federal laws or regulations. (Ord. #57-1, April 1957)

4-102. Necessary agreements to be executed. The Mayor of the City of Bartlett, Tennessee, is hereby authorized and directed to execute all necessary agreements and amendments thereto with the state executive director of old age and survivors insurance, as agent or agency, to secure coverage of employees and officials as provided in the preceding section. (Ord. #57-1, April 1957)

4-103. Withholdings from salaries or wages. Withholdings from salaries or wages of employees and officials for the purpose provided in the first

¹Charter reference
Administration: article XI.

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. (Ord. #57-1, April 1957)

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; which shall be paid over to the state or federal agency designated by said laws or regulations. (Ord. #57-1, April 1957)

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. (Ord. #57-1, April 1957)

4-106. Emergency and fee basis employees. There is hereby excluded from this chapter any authority to make any agreement with respect to emergency and fee basis employees (full-time and part-time) or any employee or official not authorized to be covered under federal or state laws or regulations. Acting under § 4-102 herein contained, the mayor is hereby directed to amend the Social Security Agreement effective July 1, 1957 with the State of Tennessee so as to provide coverage in the system of federal old age and survivors insurance for emergency and fee basis employees as of April 1, 1962. (Ord. #62-2, May 1962)

CHAPTER 2

OCCUPATIONAL SAFETY AND HEALTH PROGRAM

SECTION

- 4-201. Title.
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- 4-203. Coverage.
- 4-204. Standards authorized.
- 4-205. Variances from standards authorized.
- 4-206. Administration.
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4-201. Title. This section shall be known as "The Occupational Safety and Health Program Plan" for the employees of The City of Bartlett. (Ord. #03-19, Nov. 2003, as replaced by Ord. #15-04, Aug. 2015)

4-202. Purpose. The City of Bartlett 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 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. #03-19, Nov. 2003, as replaced by Ord. #15-04, Aug. 2015)

4-203. Coverage. The provisions of the occupational safety and health program plan for the employees of the City of Bartlett shall apply to all employees of each administrative department, commission, board, division, or other agency, including the Bartlett City School District, whether part-time or full-time, seasonal or permanent. (Ord. #03-19, Nov. 2003, as replaced by Ord. #15-04, Aug. 2015)

4-204. Standards authorized. The occupational safety and health standards adopted by the City of Bartlett 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 1972.¹ (Ord. #03-19, Nov. 2003, as replaced by Ord. #15-04, Aug. 2015)

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 0800-01-02, 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. #03-19, Nov. 2003, as replaced by Ord. #15-04, Aug. 2015)

4-206. Administration. For the purposes of this chapter, the health and safety officer is designated as the safety officer to perform duties and to exercise powers assigned to plan, develop, and administer this program plan.

¹State law reference

Tennessee Code Annotated, title 50, chapter 3.

The health and safety officer 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. #03-19, Nov. 2003, as replaced by Ord. #15-04, Aug. 2015)

4-207. Funding the program. Sufficient funds for administering and staffing the program plan pursuant to this chapter shall be made available as authorized by the City of Bartlett. (Ord. #03-19, Nov. 2003, as replaced by Ord. #15-04, Aug. 2015)