

## TITLE 4

MUNICIPAL PERSONNEL<sup>1</sup>

## CHAPTER

1. SOCIAL SECURITY.
2. PERSONNEL REGULATIONS.
3. OCCUPATIONAL SAFETY AND HEALTH PROGRAM.

## CHAPTER 1

SOCIAL SECURITY<sup>2</sup>

## SECTION

- 4-101. Policy and purpose as to coverage.
- 4-102. Necessary agreements to be executed.
- 4-103. Withholdings from salaries or wages.
- 4-104. Appropriations for employer's contributions.
- 4-105. Records and reports.

4-101. Policy and purpose as to coverage. It is hereby declared to be the policy and purpose of this city 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. (1976 Code, § 1-701)

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. (1976 Code, § 1-702)

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,

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<sup>1</sup>Charter reference

Civil service provisions: art. XII.

<sup>2</sup>See also Ord. # 499, of record in the recorder's office, which creates a retirement system for regular employees of the city.

and shall be paid over to the state or federal agency designated by said laws or regulations. (1976 Code, § 1-703)

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. (1976 Code, § 1-704)

4-105. Records and reports. The recorder shall keep such records and make such reports as may be required by applicable state and federal laws or regulations. (1976 Code, § 1-705)

## CHAPTER 2

PERSONNEL REGULATIONS

## SECTION

4-201. Regulations provided by ordinance.

4-201. Regulations provided by ordinance. All personnel of the city shall subject to such policies and regulations as are set forth in Ordinance Number 535 and any amendments thereto.<sup>1</sup> (1976 Code, § 1-801)

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<sup>1</sup>Ordinance No. 535, and any amendment thereto, are published as separate document and are of record in the office of the city recorder.

## CHAPTER 3

OCCUPATIONAL SAFETY AND HEALTH PROGRAM

## SECTION

4-301. Basis of program.

4-302. Title.

4-303. Authority.

4-304. When effective.

4-301. Basis of program. In compliance with Public Chapter 561 of the General Assembly of the State of Tennessee for the year 1972 (title 50, chapter 3, T.C.A.), the City of Loudon hereby creates a safety and health program for employees of the City of Loudon, as follows. (1976 Code, § 1-901)

4-302. Title. This chapter shall be known as the "Occupational Safety and Health Program" for the employees of the City of Loudon. (1976 Code, § 1-902)

4-303. Authority. The City of Loudon hereby designates the city manager as "director" for all city departments, and the utility manager as "director" for all utility departments, to establish a safety and health program in compliance with the requirements of the Tennessee Occupational Safety and Health Act of 1972, and they are hereby given the authority to implement a plan for their respective departments which shall encompass the issues and standards which have been promulgated by applicable state 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 work area under the control of the City of Loudon, 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 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 the 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 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 immediately either eliminate the imminent danger or shall order the workers removed from the work place.

(7) Any employee shall be given the right to participate in any 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 city employees in the recognition and avoidance of unsafe conditions and the regulations applicable to their work environment.

(9) The director shall contact the Commissioner of Labor of the State of Tennessee in writing or 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, division or other agency of the City of Loudon.

(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 Loudon 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 16, 1973. (1976 Code, § 1-903)

4-304. When effective. Said plan upon its approval by the Tennessee Department of Labor shall become effective in the City of Loudon and at that time shall become a part of this chapter as fully and completely as if set out herein in full, the same being here adopted by reference. (1976 Code, § 1-904)