

TITLE 4

MUNICIPAL PERSONNEL

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CHAPTER 1

SOCIAL SECURITY

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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 Carthage, Tennessee, to provide for all eligible employees and officials thereof, 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 town shall take such action as may be required by applicable state and federal laws or regulations. (1986 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. (1986 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, and shall be paid over to the state or federal agency designated by said laws or regulations. (1986 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. (1986 Code, § 1-704)

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. (1986 Code, § 1-705)

CHAPTER 2

PERSONNEL RULES AND REGULATIONS

SECTION

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4-201. Applicability of chapter. This chapter shall apply to all full time and regular part time employees unless specifically exempt.

Full-time employees are individuals employed who work forty hours per week or more and have completed any prescribed probationary period.

Part-time employees are individuals who do not work on a daily basis and whose hours cannot exceed 24 hours per week unless approved by the mayor. Provided; however, police who work part time cannot work more than twenty hours per week. (Ord. #148, _____)

4-202. Hiring procedures. (1) Recruitment. The town will employ only capable and responsible personnel who are of good character and reputation.

(2) Application process. All persons seeking appointment or employment with the town shall complete an application form as provided. Applications for employment shall be accepted in the recorder's office during regular office hours.

(3) Pre-employment medical examinations. All job offers for police officers and sanitation workers are conditioned upon passing a pre-employment medical examination which will be paid for by the city. Pre-employment medical examinations shall not be conducted on job applicants who have not been made such a conditional job offer.

(4) Interviews. All appointments are subject to an interview with the mayor and/or appropriate department head.

(5) Appointments. All full time appointments to positions shall be made by the board of mayor and aldermen.

(6) Probation. Applicants appointed to positions are required to serve a probationary period as prescribed. An employee may be terminated during this period for any reason without respect or reference to the procedures set forth in this document, the charter or other ordinances.

(7) Promotions/demotions. The board of mayor and aldermen shall make promotions or demotions of employees.

(8) Nepotism. No close relative of any city employee shall be employed. Close relative being defined as the parents, spouse, children, grandchildren, brothers, sisters or children of brothers or sisters, uncles, aunts, nephews and nieces by blood, marriage or adoption and the spouse of any of the foregoing. (Ord. #148, _____, modified)

4-203. Salaries, etc. (1) Salaries. The board of mayor and aldermen shall set by ordinance/resolution all salaries paid by the town. Due consideration shall be given to duties performed, responsibilities, technical knowledge and skills required to perform the work satisfactorily, the labor market, and availability of persons having the desired qualifications.

(2) Hours of work. Wage employees (non-exempt). The board of mayor and aldermen shall establish the hours of work per week for each wage employee. Employees are expected to work eight hours for eight hours pay.

(a) Absenteeism. Employees unavoidably late or absent from work due to illness or other cause must notify their supervisor within the time frame established by each department (unless unusual circumstances prevent the employee from making proper notification). Such employees must explain the reason for the absence and, if possible, an anticipated time and date of return to work. Failure to notify one's supervisor of absences may result in disciplinary action. Employees found falsifying time sheets will be subject to disciplinary action up to and including dismissal. Any employee who is absent for three days without notifying the Mayor of South Carthage shall be considered to have resigned his/her employment with the town.

(b) Tardiness. Tardiness from work is costly to the Town of South Carthage. Wage employees are paid for their time and productivity. Habitual tardiness reduces the productivity of the tardy employee as well as the productivity of other employees. The Town of South Carthage will not tolerate unreasonable tardiness. Unreasonable tardiness is being late for work three times or more during the last six months, without giving a reasonable excuse to the supervisor or mayor for the tardiness.

(3) Pay periods. Pay periods shall be as designated by the board of mayor and aldermen.

(4) Payroll deductions. Payroll deductions shall be made in accordance with the law or signed authorization by the employee for other deductions. (Ord. #148, _____, modified, as amended by Ord. #02-239, Dec. 2002)

4-204. Benefits. (1) Eligibility. All full time employees are eligible for the following benefits.

(2) Holidays. Full time employees are allowed a day off on the following holidays:

New Year's Day	Veterans Day
Presidents Day	Thanksgiving Day
Memorial Day	Christmas Day, and day after Christmas
4 th of July	(if Christmas Day falls on a Saturday,
Labor Day	get Monday off)
Employee's Birthday	

Employees must be in a pay status on the work day before and on the work day after the holiday, unless otherwise excused in order to receive compensation for the holiday.

The police schedule of holidays shall be prescribed by the chief.

(3) Vacation leave. All full time employees who have worked for the town for at least five years shall be given ten days of vacation leave with pay per year. Employees with less than five years service shall be given five days vacation leave with pay per year. Such vacation leave shall be taken at a time approved by the mayor or such other person as designated. Unused leave cannot be accumulated but may be cashed in at the end of the year.

(4) Sick leave. All full time employees shall be entitled to earn one (1) day per month to cap at 36 days. At end of accumulation total, any extra day employee will be paid for at the end of that year earned.

(5) Voting. When elections are held in the state, leave for the purpose of voting shall be in accordance with Tennessee Code Annotated, § 2-1-106.

(6) Medical insurance coverage. (a) Health coverage is provided a follows: Full time employees are eligible for medical insurance coverage after completion of their respective probation period. Beginning June 1, 2004, the town will no longer be responsible for the entire premium, but will only pay a percentage of the premium. In January and June of each year, the town will determine what percentage of the health insurance premium for coverage it will pay. Because of the annual budget and bi-annually premium increases, percentage of the town's contribution to the premium payment, shall be determined by the mayor and aldermen, as the premium rates increase and as the budget will allow. This coverage is for the employee and eligible dependents as defined in the program specification.

During the probation period the town will pay one half (½) of the coverage for the employee and eligible dependents with the employee paying one half (½) of the coverage. The town will deduct employees cost as a payroll deduction. No part time employee is eligible for insurance coverage.

After termination of employment continuation of coverage shall be as provided by law.

(b) Employees of the Town of South Carthage, who are currently enrolled in the town's group family health insurance plan are entitled to choose one of two options with respect to health insurance:

- (i) Continue family health coverage under the town's group family health insurance plan, or
- (ii) Decline group family health coverage and receive a health insurance cash allowance equal to one half of the family

premium per month in lieu of the town's group family health insurance;

(c) Nothing in this section requires the Town of South Carthage to provide health insurance for its employees and their dependents. The health insurance cash allowance is entirely dependent upon the town's decision to provide health insurance as a fringe benefit and upon the town's annual budget.

(7) Insurance. Workers compensation insurance will be provided. Other insurance coverage may be provided as prescribed by the board of mayor and aldermen.

(8) Uniforms. Uniforms for police are provided.

(9) Funeral/bereavement leave. Full-time employees shall be allowed 2 days of leave with pay for the death in an employee's immediate family. Immediate family shall include spouse, parents, brothers, and sisters, and children. One day of leave with pay will be allowed for the death of a sister-in-law, brother-in-law, and grandparents. Employees wishing to attend services of other relatives and non-relatives must use annual leave for this purpose. (Ord. #148, _____, as amended by Ord. #02-244, Feb. 2003; Ord. #03-245, March 2003; and Ord. #04-257, March 2004)

4-205. Drug and alcohol policy. (1) Drugs to be tested for. When drug and alcohol screening is required under the provisions of this policy, a urinalysis test will be given to detect the presence of the following drug groups: (a) Alcohol (b) Amphetamines (c) Barbituates (d) Cocaine (e) Methaqualone (f) Opiates (g) Phencyclidine (h) THC (Marijuana).

(2) Job applicant testing. Applicants for the following classes will be required to undergo a drug and alcohol test upon an offer of employment and prior to final appointment; positions involving drug interdiction or positions requiring being with a firearm.

(3) Current employee testing. The city may require a current city employee to undergo drug and alcohol testing if there is reasonable suspicion that the employee is under the influence of drugs or alcohol during work hours. "Reasonable suspicion" is defined as an articulable belief based on specific facts and reasonable inferences drawn from those facts that an employee is under the influence of drugs or alcohol.

The specific facts, symptoms, or observations which formed the basis for determination that reasonable suspicion existed to warrant the testing of an employee shall be reduced to writing. This documentation shall be forwarded to the mayor.

(4) Random testing. Random drug testing may be required of law enforcement personnel, fire, rescue, positions requiring drug interdiction or safety sensitive position. Testing will be done on a random selection of dates and

employees tested. Testing may be ordered by the head of any department or the mayor.

(5) Post accident testing. Testing may be required following either vehicular or personal accidents. Testing will be done as soon as possible following the accident in accord with the town's prescribed procedures. If the employee is unconscious or rendered incoherent as a result of the accident, the testing will be performed after consultation with the attending physician. Testing may be ordered by the head of any department or the mayor.

(6) Prior notice of testing policy. The city shall provide written notice of its drug and alcohol testing policy to all employees and job applicants. The notice shall contain the following information:

- (a) The need for drug and alcohol testing;
- (b) The circumstances under which testing may be required;
- (c) The procedure for confirming an initial positive drug test result;
- (d) The consequences of a confirmed positive test result;
- (e) The consequences of refusing to undergo a drug and alcohol test;
- (f) The right to explain a positive test result and the appeal procedures available; and
- (g) The availability of drug abuse counseling and referral services.

(7) Consent. Before a drug and alcohol test is administered, employees and job applicants will be asked to sign a consent form authorizing the test and permitting release of test results to those city officials with a need to know. The consent form shall provide space for employees and applicants to acknowledge that they have been notified of the city's drug testing policy and to indicate current or recent use of prescription or over-the-counter medication.

The consent form shall also set forth the following information:

- (a) The procedure for confirming an initial positive test result;
- (b) The consequences of a confirmed positive test result;
- (c) The right to explain a confirmed positive test result and the appeal procedures available; and
- (d) The consequences of refusing to undergo a drug and alcohol test.

(8) Refusal to consent. A job applicant who refuses to consent to a drug and alcohol test will be denied employment with the city.

An employee who refuses to consent to a drug and alcohol test when reasonable suspicion of drug or alcohol use has been identified is subject to disciplinary action up to and including termination. The reason(s) for the refusal shall be considered in determining the appropriate disciplinary action.

(9) Confirmation of test results. An employee or job applicant whose drug test yields a positive result shall be given a second test using a gas chromatography/mass spectrometry (GC/MS) test. The second test shall use a

portion of the same test sample withdrawn from the employee or applicant for use in the first test.

If the second test confirms the positive test result, the employee or applicant shall be notified of the results in writing by the appropriate department head or designee. The letter of notification shall identify the particular substance found and its concentration level.

An employee or applicant whose second test confirms the original positive test result may, at the employee's or applicant's own expense, have a third test conducted on the same sample at a laboratory selected by the city.

(10) Consequences of a confirmed positive test result. Job applicants will be denied employment with the city if their initial positive test results have been confirmed.

If an employee's positive test results have been confirmed, the employee is subject to disciplinary action up to and including termination. Factors to be considered in determining the appropriate disciplinary response include the employee's work history, length of employment, current job performance, and the existence of past disciplinary actions.

(11) Right to a hearing. If an employee's positive test result has been confirmed, the employee is entitled to a hearing before the board of mayor and aldermen, before any disciplinary action may be taken by the city. The employee must make a written request for a hearing to the mayor within five (5) days of receipt by the employee of the confirmation test results. Employees may be represented by legal counsel.

(12) Confidentiality of test results. All information from an employee's or applicant's drug and alcohol test is confidential and only those with a need to know are to be informed of test results. Disclosure of test results to any other person, agency, or organization is prohibited unless written authorization is obtained from the employee or applicant. The results of a positive drug test shall not be released until the results are confirmed. The records of unconfirmed positive test results and negative test results shall be destroyed by the testing laboratory.

(13) Privacy in drug testing. Urine samples shall be provided in a private enclosure so that employees and applicants may not be viewed while providing the sample. The testing shall be concluded in accord with standards and procedures promulgated by the medical facility or laboratory selected by the city for such purposes.

(14) Laboratory testing requirements. All drug and alcohol testing of employees and applicants shall be conducted at medical facilities or laboratories selected by the city. Factors to be considered by the city in selecting a testing facility include:

- (a) Testing procedures which ensure privacy to employees and applicants consistent with the prevention of tampering;

(b) Methods of analysis which ensure reliable test results, including the use of gas chromatography/mass spectrometry to confirm positive test results;

(c) Chain-of-custody procedures which ensure proper identification, labeling, and handling of test samples; and

(d) Retention and storage procedures which ensure reliable results on confirmatory tests of original samples. (Ord. #148, _____, as amended by Ord. #182, _____)

4-206. Termination of employment. All employees, unless employed by written contract, are at will employees and can be terminated by the board of mayor and aldermen accordingly. However, if any statute, federal or state, provides for a discharge procedure same will be followed. (Ord. #148, _____)

CHAPTER 3

MISCELLANEOUS REGULATIONS

SECTION

- 4-301. Business dealings.
- 4-302. Acceptance of gratuities.
- 4-303. Outside employment.
- 4-304. Use of municipal time, facilities, etc.
- 4-305. Use of position.
- 4-306. Strikes and unions.

4-301. Business dealings. Except for the receipt of such compensation as may be lawfully provided for the performance of his municipal duties, it shall be unlawful for any municipal officer or employee to be privately interested in, or to profit, directly or indirectly, from business dealings with the municipality. (1986 Code, § 1-901)

4-302. Acceptance of gratuities. No town officer or employee shall accept any money or other consideration or favor from anyone other than the town for the performance of an act which he would be required or expected to perform in the regular course of his duties; nor shall any officer or employee accept, directly or indirectly, any gift, gratuity, or favor of any kind which might reasonably be interpreted as an attempt to influence his actions with respect to town business. (1986 Code, § 1-902)

4-303. Outside employment. No full-time officer or employee of the municipality shall accept any outside employment without written authorization from the mayor. The mayor shall not grant such authorization if the work is likely to interfere with the satisfactory performance of the officer's or employee's duties, or is incompatible with his municipal employment, or is likely to cast discredit upon or create embarrassment for the municipality. (1986 Code, § 1-903)

4-304. Use of municipal time, facilities, etc. No town officer or employee shall use or authorize the use of municipal time, facilities, equipment, or supplies for private gain or advantage to himself or any other private person or group. Provided, however, that this prohibition shall not apply where the governing body has authorized the use of such time, facilities, equipment, or supplies, and the municipality is paid at such rates as are normally charged by private sources for comparable services. (1986 Code, § 1-904)

4-305. Use of position. No town officer or employee shall make or attempt to make private purchases, for cash or otherwise, in the name of the

town, nor shall he otherwise use or attempt to use his position to secure unwarranted privileges or exemptions for himself or others. (1986 Code, § 1-905)

4-306. Strikes and unions. No town officer or employee shall participate in any strike against the town, nor shall he join, be a member of, or solicit any other municipal officer or employee to join any labor union which authorizes the use of strikes by government employees. (1986Code, § 1-906)

CHAPTER 4

INFECTIOUS DISEASE CONTROL POLICY

SECTION

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- 4-405. Policy statement.
- 4-406. General guidelines.
- 4-407. Hepatitis B vaccinations.
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- 4-413. Training high risk employees.
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- 4-416. Legal rights of victims of communicable diseases.

4-401. Purpose. It is the responsibility of the Town of South Carthage to provide employees a place of employment which is free from recognized hazards that may cause death or serious physical harm. In providing services to the citizens of South Carthage, employees may come in contact with life-threatening infectious diseases which can be transmitted through job related activities. It is important that both citizens and employees are protected from the transmission of disease just as it is equally important that neither is discriminated against because of basic misconceptions about various diseases and illnesses.

The purpose of this policy is to establish a comprehensive set of rules and regulations governing the prevention of discrimination and potential occupational exposure to Hepatitis B Virus (HBV), the Human Immunodeficiency Virus (HIV), and Tuberculosis (TB). (Ord. #154, June 1992, as replaced by Ord. #99-214, Dec. 1999)

4-402. Coverage. Occupational exposures may occur in many ways, including needle sticks, cut injuries or blood spills. Several classes of employees are assumed to be at high risk for blood borne infections due to their routinely increased exposure to infectious material from potentially infected individuals. Those high risk occupations include but are not limited to:

- (1) Paramedics and emergency medical technicians;
- (2) Occupational nurses;

- (3) Housekeeping and laundry workers;
- (4) Police and security personnel;
- (5) Firefighters;
- (6) Sanitation and landfill workers; and
- (7) Any other employee deemed to be at high risk per this policy and an exposure determination. (Ord. #154, June 1992, as replaced by Ord. #99-214, Dec. 1999)

4-403. Administration. This infection control policy shall be administered by the mayor or his/her designated representative who shall have the following duties and responsibility:

- (1) Exercise leadership in implementation and maintenance of an effective infection control policy subject to the provisions of this chapter, other ordinances, the city charter, and federal and state law relating to OSHA regulations;
- (2) Make an exposure determination for all employee positions to determine a possible exposure to blood or other potentially infectious materials;
- (3) Maintain records of all employees and incidents subject to the provisions of this chapter;
- (4) Conduct periodic inspections to determine compliance with the infection control policy by municipal employees;
- (5) Coordinate and document all relevant training activities in support of the infection control policy;
- (6) Prepare and recommend to the board of mayor and aldermen any amendments or changes to the infection control policy;
- (7) Identify any and all housekeeping operations involving substantial risk of direct exposure to potentially infectious materials and shall address the proper precautions to be taken while cleaning rooms and blood spills; and
- (8) Perform such other duties and exercise such other authority as may be prescribed by the board of mayor and aldermen. (Ord. #154, June 1992, as replaced by Ord. #99-214, Dec. 1999)

4-404. Definitions. (1) "Body fluid" - fluids that have been recognized by the Center for Disease Control as directly linked to the transmission of HIV and/or HBV and/or to which universal precautions apply: blood, semen, blood products, vaginal secretions, cerebrospinal fluid, synovial fluid, pericardial fluid, amniotic fluid, and concentrated HIV or HBV viruses.

(2) "Exposure" - the contact with blood or other potentially infectious materials to which universal precautions apply through contact with open wounds, non-intact skin, or mucous membranes during the performance of an individual's normal job duties.

(3) "Hepatitis B Virus (HBV)" - a serious blood-borne virus with potential for life-threatening complications. Possible complications include:

massive hepatic necrosis, cirrhosis of the liver, chronic active hepatitis, and hepatocellular carcinoma.

(4) "Human Immunodeficiency Virus (HIV)" - the virus that causes acquired immunodeficiency syndrome (AIDS). HIV is transmitted through sexual contact and exposure to infected blood or blood components and perinatally from mother to neonate.

(5) "Tuberculosis (TB)" - an acute or chronic communicable disease that usually affects the respiratory system, but may involve any system in the body.

(6) "Universal precautions" - refers to a system of infectious disease control which assumes that every direct contact with body fluid is infectious and requires every employee exposed to direct contact with potentially infectious materials to be protected as though such body fluid were HBV or HIV infected. (Ord. #154, June 1992, as replaced by Ord. #99-214, Dec. 1999)

4-405. Policy statement. All blood and other potentially infectious materials are infectious for several blood-borne pathogens. Some body fluids can also transmit infections. For this reason, the Center for Disease Control developed the strategy that everyone should always take particular care when there is a potential exposure. These precautions have been termed "universal precautions."

Universal precautions stress that all persons should be assumed to be infectious for HIV and/or other blood-borne pathogens. Universal precautions apply to blood, tissues, and other potentially infectious materials. Universal precautions also apply to semen, (although occupational risk or exposure is quite limited), vaginal secretions, and to cerebrospinal, synovial, pleural, peritoneal, pericardial and amniotic fluids. Universal precautions do not apply to feces, nasal secretions, human breast milk, sputum, saliva, sweat, tears, urine, and vomitus unless these substances contain visible blood. (Ord. #154, June 1992, as replaced by Ord. #99-214, Dec. 1999)

4-406. General guidelines. General guidelines which shall be used by everyone include:

(1) Think when responding to emergency calls and exercise common sense when there is potential exposure to blood or other potentially infectious materials which require universal precautions.

(2) Keep all open cuts and abrasions covered with adhesive bandages which repel liquids.

(3) Soap and water kill many bacteria and viruses on contact. If hands are contaminated with blood or other potentially infectious materials to which universal precautions apply, then wash immediately and thoroughly. Hands shall also be washed after gloves are removed even if the gloves appear to be intact. When soap and water or handwashing facilities are not available, then

use a waterless antiseptic hand cleaner according to the manufacturers recommendation for the product.

(4) All workers shall take precautions to prevent injuries caused by needles, scalpel blades, and other sharp instruments. To prevent needle stick injuries, needles shall not be recapped, purposely bent or broken by hand, removed from disposable syringes, or otherwise manipulated by hand. After they are used, disposal syringes and needles, scalpel blades and other sharp items shall be placed in puncture resistant containers for disposal. The puncture resistant container shall be located as close as practical to the use area.

(5) The city will provide gloves of appropriate material, quality and size for each affected employee. The gloves are to be worn when there is contact (or when there is a potential contact) with blood or other potentially infectious materials to which universal precautions apply:

(a) While handling an individual where exposure is possible;

(b) While cleaning or handling contaminated items or equipment;

(c) While cleaning up an area that has been contaminated with one of the above;

Gloves shall not be used if they are peeling, cracked, or discolored, or if they have punctures, tears, or other evidence of deterioration. Employees shall not wash or disinfect surgical or examination gloves for reuse.

(6) Resuscitation equipment shall be used when necessary. (No transmission of HBV or HIV infection during mouth-to-mouth resuscitation has been documented.) However, because of the risk of salivary transmission of other infectious diseases and the theoretical risk of HIV or HBV transmission during artificial resuscitation masks designed to isolated emergency response personnel from contact with a victim's blood and blood contaminated saliva, respiratory secretion, and vomitus are available to all personnel who provide or potentially provide emergency treatment.

(7) Masks or protective eyewear or face shields shall be worn during procedures that are likely to generate droplets of blood or other potentially infectious materials to prevent exposure to mucous membranes of the mouth, nose, and eyes. They are not required for routine care.

(8) Gowns, aprons, or lab coats shall be worn during procedures that are likely to generate splashes of blood or other potentially infectious materials.

(9) Areas and equipment contaminated with blood shall be cleaned as soon as possible. A household (chlorine) bleach solution (1 part chlorine to 10 parts water) shall be applied to the contaminated surface as a disinfectant leaving it on for a least 30 seconds. A solution must be changed and re-mixed every 24 hours to be effective.

(10) Contaminated clothing (or other articles) shall be handled carefully and washed as soon as possible. Laundry and dish washing cycles at 120° are adequate for decontamination.

(11) Place all disposable equipment (gloves, masks, gowns, etc...) in a clearly marked plastic bag. Place the bag in a second clearly marked bag (double bag). Seal and dispose of by placing in a designated "hazardous" dumpster. NOTE: Sharp objects must be placed in an impervious container and shall be properly disposed of.

(12) Tags shall be used as a means of preventing accidental injury or illness to employees who are exposed to hazardous or potentially hazardous conditions, equipment or operations which are out of the ordinary, unexpected or not readily apparent. Tags shall be used until such time as the identified hazard is eliminated or the hazardous operation is completed.

All required tags shall meet the following criteria:

(a) Tags shall contain a signal word and a major message. The signal word shall be "BIOHAZARD", or the biological hazard symbol. The major message shall indicate the specific hazardous condition or the instruction to be communicated to employees.

(b) The signal word shall be readable at a minimum distance of five (5) feet or such greater distance as warranted by the hazard.

(c) All employees shall be informed of the meaning of the various tags used throughout the workplace and what special precautions are necessary.

(13) Linen soiled with blood or other potentially infectious materials shall be handled as little as possible and with minimum agitation to prevent contamination of the person handling the line. All soiled linen shall be bagged at the location where it was used. It shall not be sorted or rinsed in the area. Soiled linen shall be placed and transported in bags that prevent leakage.

The employees responsible for transported soiled linen should always wear protective gloves to prevent possible contamination. After removing the gloves, hands or other skin surfaces shall be washed thoroughly and immediately after contact with potentially infectious materials.

(14) Whenever possible, disposable equipment shall be used to minimize and contain clean-up. (Ord. #154, June 1992, as replaced by Ord. #99-214, Dec. 1999)

4-407. Hepatitis B vaccinations. The City of South Carthage shall offer the appropriate Hepatitis B vaccination to employees at risk of exposure free of charge and in amounts and at times prescribed by standard medical practices. The vaccination shall be voluntarily administered. High risk employees who wish to take the HBV vaccination should notify their department head who shall make the appropriate arrangements through the Infectious Disease Control Coordinator. (Ord. #154, June 1992, as replaced by Ord. #99-214, Dec. 1999)

4-408. Reporting potential exposure. City employees shall observe the following procedures for reporting a job exposure incident that may put them

at risk for HIV or HBV infections (i.e. needle sticks, blood contact on broken skin, body fluid contact with eyes or mouth etc.):

(1) Notify the Infectious Disease Control Coordinator of the contact incident and details thereof.

(2) Complete the appropriate accident reports and any other specific form required.

(3) Arrangements will be made for the person to be seen by a physician as with any job-related injury.

Once an exposure has occurred, a blood sample should be drawn after consent is obtained from the individual from whom exposure occurred and tested for Hepatitis B surface antigen (HBsAg) and/or antibody to human immunodeficiency virus (HIV antibody). Testing of the source individual should be done at a location where appropriate pretest counseling is available. Post-test counseling and referral for treatment should also be provided. (Ord. #154, June 1992, as replaced by Ord. #99-214, Dec. 1999)

4-409. Hepatitis B virus post-exposure management. For an exposure to a source individual found to be positive for HBsAg, the worker who has not previously been given the hepatitis B vaccine should receive the vaccine series. A single dose of hepatitis B immune globulin (HBIG) is also recommended, if it can be given within seven (7) days of exposure.

For exposure from an HBsAg-positive source to workers who have previously received the vaccine, the exposed worker should be tested for antibodies to hepatitis B surface antigen (anti-HBs), and given one dose of vaccine and one dose of HBIG if the antibody level in the worker's blood sample is inadequate (i.e., 10 SRU by RIA, negative by EIA).

If the source individual is negative for HBsAg and the worker has not been vaccinated, this opportunity should be taken to provide the hepatitis B vaccine series. HBIG administration should be considered on an individual basis when the source individual is known or suspected to be at high risk of HBV infection. Management and treatment, if any, of previously vaccinated workers who receive an exposure from a source who refuses testing or is not identifiable should be individualized. (Ord. #154, June 1992, as replaced by Ord. #99-214, Dec. 1999)

4-410. Human immunodeficiency virus post-exposure management. For any exposure to a source individual who has AIDS, who is found to be positive for HIV infection, or who refuses testing, the worker should be counseled regarding the risk of infection and evaluated clinically and serologically for evidence of HIV infection as soon as possible after the exposure. The worker should be advised to report and seek medical evaluation for any acute febrile illness that occurs within 12 weeks after the exposure. Such an illness, particularly one characterized by fever, rash, or lymphadenopathy, may be indicative of recent HIV infection.

Following the initial test at the time of exposure, seronegative workers should be retested 6 weeks, 12 weeks, and 6 months after exposure to determine whether transmission has occurred. During this follow-up period (especially the first 6 - 12 weeks after exposure) exposed workers should follow the U.S. Public Health service recommendation for preventing transmission of HIV. These include refraining from blood donations and using appropriate protection during sexual intercourse. During all phases of follow-up, it is vital that worker confidentiality be protected.

If the source individual was tested and found to be seronegative, baseline testing of the exposed worker with follow-up testing 12 weeks later may be performed if desired by the worker or recommended by the health care provider. If the source individual cannot be identified, decisions regarding appropriate follow-up should be individualized. Serologic testing should be made available by the city to all workers who may be concerned they have been infected with HIV through an occupational exposure. (Ord. #154, June 1992, as replaced by Ord. #99-214, Dec. 1999)

4-411. Disability benefits. Entitlement to disability benefits and any other benefits available for employees who suffer from on-the-job injuries will be determined by the Tennessee Worker's Compensations Bureau in accordance with the provisions of T.C.A. 50-6-303. (Ord. #154, June 1992, as replaced by Ord. #99-214, Dec. 1999)

4-412. Training regular employees. On an annual basis all employees shall receive training and education on precautionary measures, epidemiology, modes of transmission and prevention of HIV/HBV infection and procedures to be used if they are exposed to needle sticks or potentially infectious material. They shall also be counseled regarding possible risks to the fetus from HIV/HBV and other associated infectious agents. (Ord. #154, June 1992, as replaced by Ord. #99-214, Dec. 1999)

4-413. Training high risk employees. In addition to the above, high risk employees shall also receive training regarding the location and proper use of personal protective equipment. They shall be trained concerning proper work practices and understand the concept of "universal precautions" as it applies to their work situation. They shall also be trained about the meaning of color coding and other methods used to designate contaminated material. Where tags are used, training shall cover precautions to be used in handling contaminated as per this policy. (Ord. #99-214, Dec. 1999)

4-414. Training new employees. During the new employee's orientation to his/her job, all new employees will be trained on the effects of infectious disease prior to putting them to work. (Ord. #154, June 1992, as replaced by Ord. #99-214, Dec. 1999)

4-415. Records and reports. (1) Reports. Occupational injury and illness records shall be maintained by the infectious disease control coordinator. Statistics shall be maintained on the OSHA-200 report. Only those work-related injuries that involve loss of consciousness, transfer to another job, restriction of work or motion, or medical treatment are required to be put on the OSHA-200.

(2) Needle sticks. Needle sticks, like any other puncture wound, are considered injuries for recordkeeping purposes due to the spontaneous nature of the event. Therefore, any needle stick requiring medical treatment (i.e. gamma globulin, hepatitis B immune globulin, hepatitis B vaccine, etc...) Shall be recorded.

(3) Prescription medication. The use of prescription medication (beyond a single dose for minor injury or discomfort) is considered medical treatment. Since these types of treatment are considered necessary, and must be administered by physician or licensed medical personnel, such injuries and must be reported.

(4) Employee interviews. Should the city be inspected by the U.S. Department of Labor Office of Health Compliance, the compliance safety and health officer may wish to interview employees. Employees are expected to cooperate fully with the compliance officers. (Ord. #154, June 1992, as replaced by Ord. #99-214, Dec. 1999)

4-416. Legal rights of victims of communicable diseases. Victims of communicable diseases have the legal right to expect, and municipal employees, including police and emergency service officers are duty bound to provide, the same level of service and enforcement as any other individual would receive.

(1) Officers assume that a certain degree of risk exists in law enforcement and emergency service work and accept those risks with their individual appointments. This holds true with any potential risks of contacting a communicable disease as surely as it does with the risks of confronting an armed criminal.

(2) Any officer who refuses to take proper action in regard to victims of a communicable disease, when appropriate protective equipment is available, shall be subject to disciplinary measures along civil and or, criminal prosecution.

(3) Whenever an officer mentions in a report that an individual has or may have a communicable disease, he shall write "contains confidential medical information" across the top margin of the first page of the report.

(4) The officer's supervisor shall ensure that the above statement is on all reports requiring that statement at the time the report is reviewed and initiated by the supervisor.

(5) The supervisor disseminating newspaper releases shall make certain the confidential information is not given out to the news media.

(6) All requests (including subpoenas) for copies of reports marked "contains confidential medical information" shall be referred to the city attorney when the incident involves an indictable or juvenile offense.

(7) Prior approval shall be obtained from the city attorney before advising a victim of sexual assault that the suspect has, or is suspected of having a communicable disease.

(8) All circumstance, not covered in this policy, that may arise concerning releasing confidential information regarding a victim, or suspected victim, of a communicable disease shall be referred directly to the appropriate department head or city attorney.

(9) Victims of a communicable disease and their families have a right to conduct their lives without fear of discrimination. An employee shall not make public, directly or indirectly, the identity of a victim or suspected victim of a communicable disease.

(10) Whenever an employee finds it necessary to notify another employee, police officer, firefighter, or health care provider that a victim has or is suspected of having a communicable disease, that information shall be conveyed in a dignified, discreet and confidential manner. The person to whom the information is being conveyed should be reminded that the information is confidential and that it should not be treated as public information.

(11) Any employee who disseminates confidential information in regard to a victim, or suspected victim of a communicable disease in violation of this policy shall be subject to disciplinary action and/or civil/and/or criminal prosecution. (Ord. #154, June 1992, as replaced by Ord. #99-214, Dec. 1999)

CHAPTER 5

OCCUPATIONAL SAFETY AND HEALTH PROGRAM

SECTION

4-501. Title.

4-502. Purpose.

4-503. Coverage.

4-504. Administration.

4-501. Title. This section shall provide authority for establishing and administering the Occupational Safety and Health Program for the employees of the Town of South Carthage. (as added by Ord. #99-234, Dec. 2001)

4-502. Purpose. The Town of South Carthage, in electing to establish and maintain an effective occupational safety and health program for its employees, shall:

- (1) Provide a safe and healthful place and condition of employment.
- (2) Make, keep, preserve, and make available to the Commissioner of Labor of the State of Tennessee, his designated representatives, or persons within the Tennessee Department of Labor 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.
- (3) 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. (as added by Ord. #99-234, Dec. 2001)

4-503. Coverage. The provisions of the occupational safety and health program for the employees of the Town of South Carthage shall apply to all employees of each administrative department, commission, board, division, or other agency of the Town of South Carthage whether part-time or full-time, seasonal or permanent.

(1) Standards authorized. The occupational safety and health standards adopted by the Town of South Carthage 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).

(2) Variances from standards authorized. The Town of South Carthage may, upon written application to the Commissioner of Labor 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 Department of Labor, Occupational Safety, Chapter 0800-1-2, as authorized by Tennessee Code Annotated, Title 50. Prior to requesting such temporary variance, the Town of South Carthage 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 Town of South Carthage shall be deemed sufficient notice to employees. (as added by Ord. #99-234, Dec. 2001)

4-504. Administration. (1) For the purposes of this chapter. Mayor Jimmy Wheeler 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 training and monitoring of the safety program. 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.

(2) Funding the program. Sufficient funds for administering and staffing the program pursuant to this chapter shall be made available as authorized by the Town of South Carthage. (as added by Ord. #99-234, Dec. 2001)