

TITLE 4

MUNICIPAL PERSONNEL

CHAPTER

1. SOCIAL SECURITY FOR OFFICERS AND EMPLOYEES.
2. PERSONNEL RULES AND REGULATIONS.
3. OCCUPATIONAL SAFETY AND HEALTH PROGRAM.

CHAPTER 1

SOCIAL SECURITY FOR OFFICERS AND EMPLOYEES

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 to be made.

4-101. Policy and purpose as to coverage. It is hereby declared to be the policy and purpose of this municipality to provide for all eligible employees and officials of the municipality, 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 municipality shall take such action as may be required by applicable state and federal laws or regulations. (1972 Code, § 1-901)

4-102. Necessary agreements to be executed.¹ 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

¹Ordinance No. 581, adopted on July 3, 1979, provides that: "The following sentence is hereby added to and made a part of an emergency ordinance Section 7 passed December 15, 1951: `Acting under the authority of Section 2 of said emergency ordinance the Mayor of the City of Athens is hereby directed to amend the social security agreement between the Old Age & Survivors Insurance Agency, State of Tennessee, and the City of Athens to exclude services of election officials and election workers if the remuneration paid in a calendar year is less than \$100.00 which is to be effective not earlier than the last day of the calendar quarter in which a modification to the Federal agreement excluding such service is submitted to the Federal Social Security Administration pursuant to provisions of Federal Law."

agent or agency, to secure coverage of employees and officials as provided in the preceding section as of January 1, 1951. (1972 Code, § 1-902)

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. (1972 Code, § 1-903)

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. (1972 Code, § 1-904)

4-105. Records and reports to be made. The municipality shall keep such records and make such reports as may be required by applicable state and federal laws or regulations. (1972 Code, § 1-905)

CHAPTER 2

PERSONNEL RULES AND REGULATIONS

SECTION

4-201. Personnel rules and regulations.

4-201. Personnel rules and regulations. All municipal officers and employees of the city except those operating under the jurisdiction of a school, utility, or other separate board or commission shall be governed by applicable provisions of the state law, the city's charter and code, and such rules and regulations as the city council may adopt by resolution. (1972 Code, § 1-1001)

CHAPTER 3

OCCUPATIONAL SAFETY AND HEALTH PROGRAM

SECTION

- 4-301. Title.
- 4-302. Purpose.
- 4-303. Coverage.
- 4-304. Standards authorized.
- 4-305. Variances from standards authorized.
- 4-306. Administration.
- 4-307. Funding the program.

4-301. Title. This section shall provide authority for establishing and administering the occupational safety and health program for the employees of the City of Athens, Tennessee. (1972 Code, § 1-1401, as replaced by Ord. #912, June 2003, and Ord. #989, July 2010)

4-302. Purpose. The City of Athens, Tennessee, in electing to update their established program plan will maintain an effective occupational safety and health program for its employees, 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 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) 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. (1972 Code, § 1-1402, as amended by Ord. #872, Dec. 2000, and replaced by Ord. #912, June 2003, and Ord. #989, July 2010)

4-303. Coverage. The provisions of the occupational safety and health program for the employees of the City of Athens, Tennessee shall apply to all employees of each administrative department, commission, board, division, or other agency of the City of Athens, Tennessee whether part-time or full-time, seasonal or permanent. These provisions exclude any employee, department, commission, board, division, or other agency of the City of Athens School System. (1972 Code, § 1-1403, as replaced by Ord. #912, June 2003, and Ord. #989, July 2010)

4-304. Standards authorized. The occupational safety and health standards adopted by the City of Athens, Tennessee 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). (as added by Ord. #912, June 2003, and replaced by Ord. #989, July 2010)

4-305. Variances from standards authorized. The City of Athens, Tennessee 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 Department of Labor and Workforce Development, Occupational Safety, chapter 0800-1-2, as authorized by Tennessee Code Annotated, title 50. Prior to requesting such temporary variance, the City of Athens, Tennessee 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 Athens, Tennessee shall be deemed sufficient notice to employees. (as added by Ord. #912, June 2003, and replaced by Ord. #989, July 2010)

4-306. Administration. For the purposes of this chapter, the city manager 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 City of Athens, Tennessee. 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. (as added by Ord. #912, June 2003, and replaced by Ord. #989, July 2010)

4-307. Funding the program. Sufficient funds for administering and staffing the program pursuant to this chapter shall be made available as authorized by the City of Athens, Tennessee. (as added by Ord. #912, June 2003, and replaced by Ord. #989, July 2010)