

TITLE 4

CHAPTER 4

OCCUPATIONAL SAFETY AND HEALTH PROGRAM

SECTION

- 4-401. Program created.
- 4-402. Title.
- 4-403. Purpose.
- 4-404. Coverage.
- 4-405. Standards authorized.
- 4-406. Variances from standards authorized.
- 4-407. Administration.
- 4-408. Funding the program.

4-401. Program created. There is hereby created an Occupational Safety and Health Program for the employees of the Town of Smyrna, as follows. (Ord. #02-21, July 2002)

4-402. Title. This chapter provides authority for establishing and administering the Occupational Safety and Health Program for the employees of the Town of Smyrna. (Ord. #02-21, July 2002)

4-403. Purpose. The Town of Smyrna, in electing to update the established Program Plan will maintain an effective and comprehensive Occupational Safety and Health Program Plan 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 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 of 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. #02-21, July 2002)

4-404. Coverage. The provisions of the Occupational Safety and Health Program Plan for the employees of the Town of Smyrna shall apply to all employees of each administrative department, commission, board, division, or other agency of the Town of Smyrna whether part-time or full-time, seasonal or permanent. (Ord. #02-21, July 2002)

4-405. Standards authorized. The Occupational Safety and Health standards adopted by the Town of Smyrna 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 1972¹. (Ord. #02-21, July 2002)

¹State law reference

Tennessee Code Annotated, § 50-3-601, et seq.

4-406. Variances from standards authorized. The Town of Smyrna 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 and Health, VARIANCES FROM OCCUPATIONAL SAFETY AND HEALTH STANDARDS, Chapter 0800-1-2-, as authorized by Tennessee Code Annotated, Title 50. Prior to requesting such temporary variance, the Town of Smyrna 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 Smyrna shall be deemed sufficient notice to employees. (Ord. #02-21, July 2002)

4-407. Administration. For the purpose of this chapter, Manager of Safety & Risk Management is designated as the Director of Occupational Safety and Health to perform duties and to exercise powers assigned to plan, develop, and administer this Program Plan. The Manager of Safety & Risk Management shall develop a plan of operation for the Program Plan and said plan shall become a part of this chapter when it satisfies all applicable sections of the 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 Codes Annotated, Title 50. (Ord. #02-21, July 2002)

4-408. Funding the program. Sufficient funds for administering and staffing the Program Plan pursuant to this chapter shall be made available as authorized by the Town Council of the Town of Smyrna. (Ord. #02-21, July 2002)