

CHAPTER 9

OCCUPATIONAL SAFETY AND HEALTH PROGRAM

SECTION

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1-901. Establishment. In compliance with Public Chapter 561 of the General Assembly of the State of Tennessee for the year 1972, the Board of Commissioners of the City of Paris hereby establishes the Occupational Safety and Health Program for the employees of the City of Paris.

1-902. Title. This section shall provide authority for establishing and administering the Occupational Safety and Health Program Plan for the employees of the City of Paris. (Revised 09/05/13, Ord. # 1161, 10/03/13)

1-903. Purpose. The City of Paris, in electing to update their established program plan, will maintain an effective occupational safety and health program 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 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.

Consult with the State Commissioner of Labor and Workforce Development with regard to the adequacy of the form and content of records.

- (4) 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.

- (5) Provide reasonable opportunity for the participation of employees in the effectuation of the conditions or practices injurious to employee safety and health.
- (6) Provide for education and training of personnel for the fair and efficient administration of occupational safety and health standards and provide for educational and notification of all employees of the existence of this program.

1-904. Coverage. The provisions of the Occupational Safety and Health Program Plan for the employees of the City of Paris shall apply to all employees of each administrative department, commission, board, division, or other agency of the City of Paris, whether part-time or full-time, seasonal or permanent.

1-905. Standards Authorized. The occupational safety and health standards adopted by the City of Paris 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 (T.C.A. Title 50, Chapter 3).

1-906. Variances from Standards Authorized. The City of Paris 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 T.C.A., Title 50. Prior to requesting such temporary variance, the City of Paris 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 Paris, shall be deemed sufficient notice to employees.

1-907. Administration. For the purposes of this Ordinance, Carl Holder, 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 Occupational Safety and Health Program for the employees of the City of Paris. The Director shall develop a plan of operation for the program and said plan shall become a part of this Ordinance 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.

1-908. Funding the Program. Sufficient funds for administering and staffing the program, pursuant to this Ordinance, shall be made available as authorized by the Board of Commissioners of the City of Paris.

1-909. Severability. If any section, sub-section, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions hereto. (Ord. #1018, 07/03/03.)