

JUSTIN HANSON
Mayor



TINA DUNN
Recorder-Treasurer

City of Covington

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THE MEETING OF THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF COVINGTON, TENNESSEE ON SEPTEMBER 8, 2020 AT 5:30 P.M.

1. Meeting to be called to order by Mayor Justin Hanson.
2. Invocation to be given by Alderwoman Johnetta Yarbrough.
3. Pledge of Allegiance to the Flag to be led by Alderwoman Minnie Bommer.
4. Minutes of the Preceding Meeting to be approved.
5. Report from Committees:
 - Minutes of the Beer Board Committee Meeting
 - Minutes of the General Welfare-Public Safety Committee Meeting
 - Minutes of the Public Works Committee Meeting
6. Additions to the Agenda.
7. Welcome to visitors and grievances from citizens.
8. Report from Mayor Justin Hanson:
 - Proclamation – Constitution Week
 - Proclamation – Suicide Prevention Awareness
9. Report from Recorder-Treasurer Tina Dunn:
10. Report from City Attorney Rachel Witherington:
11. Old Business:
12. New Business:
 - Ordinance 1733 (Fireworks) ready for approval on first reading
 - Ordinance 1734 (OSHA) ready for approval on first reading
 - Bills Over/Under \$1,000.00 ready for Board Approval

The Board of Mayor and Aldermen met virtually on August 25, 2020 at 5:33 p.m. with the following members present: Mayor Justin Hanson, Aldermen: Danny Wallace, Johnetta Yarbrough, Jeff Morris, Minnie Bommer, C H Sullivan, and Keith Phelps. Also present were Fire Chief Richard Griggs, Public Works Director David Gray, Personnel Director Tiny Rose, Building Official Lessie Fisher, Parks and Recreation Director Joe Mack, Police Chief Larry Lindsey, City Attorney Rachel Witherington, and Recorder-Treasurer Tina Dunn.

Meeting was called to order by Mayor Justin Hanson.

Invocation was given by Alderman Keith Phelps.

Pledge of Allegiance to the Flag was led by Alderman Jeff Morris.

Motion was made by Alderman Sullivan and seconded by Alderwoman Yarbrough that the Minutes of the Preceding Meeting be approved as distributed to the Board (See Attached).
Voting Aye: Sullivan, Morris, Bommer, Yarbrough, Phelps, Wallace
Motion passed.

Motion was made by Alderman Sullivan and seconded by Alderman Wallace that the Minutes of the Finance & Administration Committee Meeting be approved (See Attached).
Voting Aye: Sullivan, Morris, Bommer, Yarbrough, Phelps, Wallace
Motion passed.

Alderman Phelps reported the Fire Department was awarded the Assistance to Firefighters Grant (AFG) in the amount of \$125,714.29. The city is required for a 5% match in the amount of \$6,285.71. This grant will purchase two exhaust systems for both fire stations. This grant was approved at the previous General Welfare – Public Safety Committee Meeting. Due to a time frame of accepting the grant, he requested Board approval.

Motion was made by Alderman Phelps and seconded by Alderman Morris to approve the acceptance of the Assistance to Firefighters Grant (AFG) in the amount of \$125,714.20 with a match from the City of \$6,285.71.
Voting Aye: Sullivan, Morris, Bommer, Yarbrough, Phelps, Wallace
Motion passed.

Mayor Hanson recommended the reappointment of Bill Ray to the Covington Housing Authority Board for a four-year term.

Motion was made by Alderman Sullivan and seconded by Alderwoman Bommer to approve the reappointment of Bill Ray to the Covington Housing Authority Board.
Voting Aye: Sullivan, Morris, Bommer, Yarbrough, Phelps, Wallace
Motion passed.

Recorder-Treasurer Tina Dunn reported the sales tax collections received in August was \$364,603.00 which is an increase of \$51,500 or 16.5% for the month to date. This is an increase of \$200,000.00 or 5.3% for the year ending June, 2020 (See Attached).

Motion was made by Alderman Sullivan and seconded by Alderwoman Yarbrough to approve the report from Recorder-Treasurer Tina Dunn.

Voting Aye: Sullivan, Morris, Bommer, Yarbrough, Phelps, Wallace

Motion passed.

Attorney Witherington reported the Fireworks Ordinance will be submitted for approval on first reading at the September 8, 2020 Board Meeting. She requested the approval of virtual meetings for this Board contingent on the approval by Governor Lee to extend this order.

Motion was made by Alderman Sullivan and seconded by Alderwoman Bommer to approve virtual meetings for the Board of Mayor and Aldermen contingent on the approval by Governor Lee's for this extension.

Voting Aye: Sullivan, Morris, Bommer, Yarbrough, Phelps, Wallace

Motion passed.

The following bills over/under \$1000.00 were presented for approval:

REPUBLIC SERVICES	SANITATION	CONTRACTED SERVICES	\$ 86,708.57
A2H	WATER	PROFESSIONAL SERVICES	\$ 8,282.00
ABERNATHY MARINE	FIRE	BOAT MOTOR / ACCESSORIES / LABOR	\$ 6,662.93
AXON ENTERPRISE CO	POLICE	TASERS	\$ 3,960.00
BFI NORTH SHELBY LANDFILL	WWTP	SLUDGE DISPOSAL	\$ 2,644.21
BOB AUSTILL	STREET	REPAIRS	\$ 2,208.00
C & C EQUIPMENT RENTAL	PARKS/REC	BOOM LIFT RENTAL	\$ 1,705.88
CITY OF COVINGTON	ALL	GAS, WATER, SANITATION	\$ 5,068.48
CLIMER HEAVY EQUIP REPAIR	GAS	CYLINDER REPAIR / SEAL KIT	\$ 1,412.80
COCA COLA ENTERPRISES	PARKS/REC	CONCESSIONS	\$ 2,079.00
COV TIPTON CO CHAMBER	GENERAL	CONTRIBUTION	\$ 2,000.00
COVINGTON ELECTRIC	VARIOUS	ELECTRIC SERVICE	\$ 2,348.09
COVINGTON ELECTRIC	VARIOUS	ELECTRIC SERVICE	\$ 46,308.25
COVINGTON ELECTRIC	VARIOUS	ELECTRIC SERVICE	\$ 4,650.30
G & C SUPPLY CO INC	STREET	MATERIALS	\$ 1,017.84
GAME TIME	PARKS/REC	PLAYGROUND EQUIPMENT	\$ 2,907.31
GULF STATES ENGINEERING	SEWER	HWY 59 PUMP REPAIR	\$ 2,262.14
H T HACKNEY CO	PARKS/REC	CONCESSIONS	\$ 1,488.27
MAXWELLS PAINT & MAINT	WATER	BUILD WALL / PAINT 2 WALLS	\$ 2,000.00
MCKEE CONSTR/PLUMBING	PARKS/REC	WATER HEATER / MATERIAL / LABOR	\$ 6,300.00
MEAC	GAS	PURCHASED NATURAL GAS	\$ 21,018.00

MID SOUTH BUS CENTER	FIRE	OPTIFLEX FILTER / FACEPIECE	\$ 1,174.23
MID SOUTH SUPPLIERS INC	STREET	ROCK	\$ 2,059.53
MID SOUTH SUPPLIERS INC	SSA	ROCK	\$ 7,911.75
OWEN JENKINS DEDMON	GENERAL	GENERAL MATTERS	\$ 1,854.50
PARISH TRANS INC	POLICE	TRANSMISSION / MOTOR MOUNT	\$ 2,928.87
REBEL SERVICES INC	AIRPORT	EQUIP-FUEL MGMT SYSTEM	17,647.00
SOUTHWEST TN EMC	AIRPORT	ELECTRIC SERVICE	1,668.85
STURGIS WEB SERVICE	GENERAL	WEB SITE ONLINE PAYMENTS	\$ 1,050.00
SULLIVAN NATURAL GAS	GAS	REGULATOR / REPLACEMENT	\$ 1,658.08
TIPTON CO E911	GENERAL	1ST QUARTER USER FEES	\$ 40,681.79
VERIZON	VARIOUS	PHONE SERVICE	\$ 1,305.99
WALKERS COMM CUT & TRIM	WATER	TREE AND STUMP REMOVAL	\$ 2,400.00
YARD DOCTOR	CODES	PROPERTY MAINTENANCE	\$ 1,115.00
		TOTAL	\$ 296,487.66

Motion was made by Alderman Sullivan and seconded by Alderman Morris that the preceding bills over/under \$1000.00 be paid when properly approved.

Voting Aye: Sullivan, Morris, Bommer, Yarbrough, Phelps, Wallace

Motion passed.

There being no further business, the meeting adjourned at 6:05 p.m.

Attest:

Recorder-Treasurer

Mayor

The Beer Board of the City of Covington, Tennessee met virtually at City Hall on August 25, 2020 at 5:30 p.m. with the following members present: Mayor Justin Hanson Aldermen: Danny Wallace, Keith Phelps, Minnie Bommer, Johnetta Yarbrough, C H Sullivan, and Jeff Morris. Also present were Public Works Director David Gray, Building Official Lessie Fisher, Fire Chief Richard Griggs, Personnel Director Tiny Rose, Police Chief Larry Lindsey, Park and Recreation Director Joe Mack, Kelvyn Thomas, City Attorney Rachel Witherington, and Recorder-Treasurer Tina Dunn.

Meeting was called to order by Mayor Justin Hanson.

Public Hearing on Beer Permit for Kelvyn Augustus Thomas, dba Up Town BBQ, located at 100 North Main Street, for Class 1, On Premise Consumption was called to order.

Motion was made by Alderwoman Bommer and seconded by Alderman Sullivan that the Beer Permit is granted to Kelvyn Augustus Thomas, dba Up Town BBQ, located at 100 North Main Street, for Class 1, On Premise Consumption .

Voting Aye: Bommer, Yarbrough, Morris, Phelps, Wallace, and Sullivan
Motion passed.

There being no further business, the meeting adjourned at 5:33 p.m.

The General Welfare – Public Safety Committee met virtually on August 25, 2020 at 4:00 p.m. with the following members present: Chairman Alderman Keith Phelps, Mayor Justin Hanson, Alderwoman Johnetta Yarbrough, and Alderman C H Sullivan. Also present were: Police Chief Larry Lindsey, Fire Chief Richard Griggs, Alderman Danny Wallace, Alderman Jeff Morris, Public Works Director David Gray, Building Official Lessie Fisher, Assistant to the Mayor Rebecca Ray, and Recorder-Treasurer Tina Dunn.

Chairman Alderman Phelps called the meeting to order.

Police Chief Larry Lindsey reported seven certified applicants were interviewed for the open positions and four contingent offers were made. All have passed their psychological test and are awaiting appointments for their physicals. There were eleven non-certified applicants who have passed their physical fitness test and are in process of interviews. All new technology has been installed and is being utilized by the officers except Mobil CAD. The statistics for the month was presented along with the total calls. There were 7 arrests, 9 unsolved reports filed, and 1 injury report from fireworks. An update on the application for the grant for the construction of the police building was given. This grant is being forwarded to FEMA for final approval. If this is approved by FEMA, the city will work with TEMA once approved and funding is committed.

Motion was made by Alderman Sullivan and seconded by Alderwoman Yarbrough to accept the report from Police Chief Larry Lindsey.

Voting Aye: Sullivan, Phelps, Yarbrough, Hanson

Motion passed.

Fire Chief Richard Griggs reported the department was present at the parade celebrating Ms. Hattye Yarbrough's 99th birthday and the parade at Glendale Commons. There were 300 volunteer hours in the month of June. The run report was presented showing 223 calls from July 23rd to August 20th. The county coverage area collections to date is \$79,570.00. Captain Tommy Dunavant retired August 18, 2020 after 35 years of excellent service. Nick Tindall was promoted to Driver and volunteer fireman Sam Simmons was moved to a fulltime position. Chief Griggs reported the Fire Department was awarded the Assistance to Firefighters Grant (AFG) in the amount of \$125,714.29. The city is required for a 5% match in the amount of \$6,285.71 which is not included in the 2020-21 budget. Motor and Accessories for the boat are being installed and completion date is estimated for 9/4/2020. Ordinance 1522 to establish occupational safety and health program was presented for review. The organizational charts have been updated and the safety director was changed to Jason Jenkins. The USDA Grant has been finalized and completed. The policy was presented with the requested sick leave accumulation and use was presented for approval. This would allow the accumulation of 24 hours per month and employees would be charged for 24 hours for each occurrence. At the current time, the 56-hour employees' sick time is accumulated at sixteen hours per month and they are charged sixteen hours per occurrence. Chief Griggs requested the approval of a donation of surplus items that the Fire Department is not allowed to have in service to Mr. Bob Trotter for the formation of a foreign fire department.

Motion was made by Alderman Sullivan and seconded by Alderwoman Yarbrough to approve to accept the Assistance to Firefighters Grant (AFG) in the amount of \$125,714.29 amending the budget to include the city match of \$6,285.71.

Voting Aye: Sullivan, Phelps, Yarbrough, Hanson

Motion passed.

Motion was made by Alderman Phelps and seconded by Alderman Yarbrough to send the updates for the ordinance to establish occupational safety and health program to the Board of Mayor and Aldermen for approval.

Voting Aye: Sullivan, Phelps, Yarbrough, Hanson

Motion passed.

Motion was made by Mayor Hanson and seconded by Alderwoman Yarbrough to approve the sick leave accumulation and use to 24 hours in the Fire Department Handbook policy.

Voting Aye: Sullivan, Phelps, Yarbrough, Hanson

Motion passed.

Motion was made by Alderman Sullivan and seconded by Alderman Phelps to approve the donation of items to Mr. Bob Trotter for a formation of a foreign fire department with the inclusion of a hold harmless letter.

Voting Aye: Sullivan, Phelps, Yarbrough, Hanson

Motion passed.

Motion was made by Mayor Hanson and seconded by Alderwoman Yarbrough to accept the report from Fire Chief Richard Griggs.

Voting Aye: Sullivan, Phelps, Yarbrough, Hanson

Motion passed.

There being no further business, the meeting adjourned at 4:38 p.m.

The Public Works Committee met virtually on September 1, 2020 at 4:00 p.m. with the following members present: Chairman Alderman Jeff Morris, Alderman Danny Wallace, and Alderwoman Minnie Bommer. Also present were Public Works Director David Gray, Building Official Lessie Fisher, Alderwoman Johnetta Yarbrough, Alderman C H Sullivan, Assistant to the Mayor Rebecca Ray, Utilities Manager Calvin Johnson, and Recorder-Treasurer Tina Dunn.

Chairman Alderman Jeff Morris called meeting to order.

Public Works Director David Gray began discussion on the issues with Republic Sanitation Services. Republic Representative Gerry Burke said he is aware of the issues and is working to correct the problems. He is being reactive to correct the problems the city has encountered. There is discussion with an audit on the number of carts. Director Gray began discussion on level billing. At the present time research is still ongoing. He has discovered there is both level and budget billing. With some customer accounts, we are seeing large credits after the month of settlement. There will be more research and brought back for discussion at the next meeting. The bids for the 2019 Site Development Grant Rialto Industrial Park Improvements for the water line replacement was presented. It is recommended that Rose Construction Company be awarded the contract in the amount of \$373,725.00. The hump policy was presented for review. There is a request for speed humps on Erwin Lane. Speed humps are not allowed on collective streets. Information will be brought back to the next meeting. Director Gray reported the gas fund will have a deficit of approximately \$421,000.00 due to the purchase of the property at Rialto Industrial Park for industrial development. Before this purchase, the gas fund had a gain of approximately \$98,000.00. This purchase of land was approved by the comptroller's office to be purchased from the gas fund.

Motion was made by Alderman Morris and seconded by Alderwoman Bommer to approve the bid from Rose Construction in the amount of \$373,725.00 for the 2019 Site Development Grant Rialto Park Improvements for the water line replacement.

Voting Aye: Bommer, Wallace, Morris

Motion passed.

Motion was made by Alderman Morris and seconded by Alderman Wallace to accept the report from Public Works Director David Gray.

Voting Aye: Bommer, Wallace, Morris

Motion passed.

Building Official Lessie Fisher reported the sign ordinance will need to be updated for the number of days a sign is allowed. This is due to the time needed for both the general and primary election. The codes department has been organizing documents for the city properties and placing these documents in one central location for easy access. Director Fisher reported there has been work with the police department and the judge concerning animal control. Progress has been moving forward with these cases. Due to the death of Delores Hayes, there is a vacancy in the Planning Commission and Historic Zoning Commission. Alderwoman Bommer suggested Louise McBride to fill these positions.

Robin Sealy approached the committee concerning the ongoing issue of dogs barking creating a disturbance near her residence on Wilcox Ave. There was a question whether this is considered an animal control problem or a noise nuisance problem. Director Fisher will research with Attorney Witherington or MTAS to review the animal control ordinance.

Motion was made by Alderwoman Bommer and seconded by Alderman Wallace s to approve the report from Building Official Fisher.

Voting Aye: Bommer, Wallace, Morris

Motion passed.

There being no further business, the meeting adjourned at 4:55 p.m.



PROCLAMATION

TO RECOGNIZE THE ANNIVERSARY OF THE DRAFTING OF THE CONSTITUTION OF THE UNITED STATES OF AMERICA

WHEREAS, September 17, 2020, marks the two-hundred and thirty-third anniversary of the drafting of the Constitution of the United States of America by the Constitutional Convention; and

WEHEREAS, It is fitting and proper to accord official recognition to this magnificent document and its memorable anniversary; and to the patriotic celebrations which will commemorate the occasion; and

WHEREAS, Public Law 915 guarantees the issuing of a Proclamation each year by the President of the United States of America designating September 17th through September 23rd as Constitution Week; and

NOW, THEREFORE I, JUSTIN M. HANSON, by virtue of the authority vested in me as Mayor of the City of Covington in the State of Tennessee do hereby proclaim the week of September 17th through September 23rd, 2020 as

CONSTITUTION WEEK

AND ask our citizens to reaffirm the ideals of the Framers of the Constitution had in 1787 by vigilantly protecting the freedoms guaranteed to us through this guardian of our liberties, remembering that lost rights may never be regained.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of Covington, Tennessee to be affixed. This the 17th September 2020.

Justin M. Hanson, Mayor

Tina C. Dunn, Recorder-Treasurer



PROCLAMATION

Recognizing Suicide Prevention Awareness Month and Tennessee Suicide Prevention Network's 20th Anniversary

WHEREAS, suicide is one of the most disruptive and tragic events a family and a community can experience, with more than 1100 lives lost in Tennessee each year and an estimated 25 attempted suicides for each suicide death; and

WHEREAS, suicide is the 9th-leading cause of all deaths in Tennessee, the second-leading cause of death among youth ages of 10 to 24, and the first leading cause for children ages 10-17; and

WHEREAS, more than three lives a day are lost to suicide in Tennessee, which means we lose 22 Tennesseans each week and 97 people per month. Tennessee veterans, active-duty military, and National Guardsmen face a disproportionate risk as compared to the general population, with more dying from suicide than combat; and

WHEREAS, public awareness of this tragic problem is the key to preventing further suffering and loss of life; and the risk for human self-destruction can be reduced through awareness, education and treatment as the highest risk for suicide is among the survivors of those who died by suicide or those who have attempted suicide; and

WHEREAS, suicide prevention has been declared a state priority by the Governor; and the Tennessee Legislature has declared teen suicide prevention as a state priority in partnership with the Tennessee Suicide Prevention Network to implement the Tennessee Strategy for Suicide Prevention; and

WHEREAS, 2020 marks Tennessee Suicide Prevention Network's 20th year of dedicated efforts to reach every Tennessean in every county; and

NOW, THEREFORE, I, JUSTIN M. HANSON, Mayor of City of Covington, do hereby proclaim September 2020, as

SUICIDE PREVENTION AWARENESS MONTH

in the City of Covington, Tennessee, and do urge all citizens to work to prevent suicide and to raise awareness and tolerance around all people affected by this tragedy. This the 8th day of September 2020.

Justin M. Hanson, Mayor

Tina C. Dunn, Recorder-Treasurer

ORDINANCE 1733

AN ORDINANCE TO DELETE IN ITS ENTIREY THE TEXT OF THE COVINGTON MUNICIPAL CODE, (FIRE PROTECTION AND FIREWORKS) TITLE 7, CHAPTER 4 AND ORDINANCE NO 1696 AND REPLACE IT WITH THE FOLLOWING.

WHEREAS, the Board of Mayor and Alderman has deemed it necessary, for the purpose of promoting the health, safety, prosperity, morals, and general welfare of the City, to amend The Covington Municipal Code by discontinuing the sale and discharge of all fireworks, except by organizations that hire licensed professionals to conduct displays and,

WHEREAS, the Board of Mayor and Alderman have discussed and reviewed the above stated proposed deletion and replacement; and,

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMAN OF THE CITY OF COVINGTON:

SECTION 1. That Title 7, Chapter 4, and Ordinance Number 1696 shall be deleted in their entirety and replaced with the following:

7-401. Definitions.

- a) "Fireworks" means any composition or device for the purpose of producing a visible or an auditable effect by combustion, deflagration, or detonation and which also meets the definition of Tennessee law.

7-402. Prohibition. The sale or manufacture of fireworks within the corporate limits of the City of Covington is prohibited.

7-403. Discharge of Fireworks. The discharge of fireworks within the corporate limits of the City of Covington is prohibited except as specifically set forth hereinbelow.

- a) The discharge of fireworks within the corporate limits of the City of Covington shall be limited to persons, businesses, or organizations that:
 - i. Hire a pyrotechnic professional who is licensed as an "exhibitor" or certified as an "outdoor fireworks display operator" by the State Fire Marshal to conduct fireworks displays (See generally *Tennessee Code Annotated* § 68-104, Part 2);
 - ii. Hire a pyrotechnic professional who has a permit or federal explosives license from the Bureau of Alcohol, Tobacco, Firearms and Explosives to conduct fireworks displays (See generally 27 CFR Part 555);
 - iii. Hire a pyrotechnic professional who has any other acceptable license, certificate, or training which would provide them with specific expertise the Special Events Committee, Covington Fire Chief or his designee, and Board of Mayor and Aldermen find acceptable to minimize the risk of harm posed to the public and demonstrate to the Committee, Fire Department and Board

- of Mayor and Aldermen the event will comply with all applicable safety standards as determined by the Covington Fire Chief or his designee;
- iv. Appear(s) before the Special Events Committee to request a permit and the Special Events Committee, Covington Fire Chief or his designee, and the Board of Mayor and Aldermen specifically determine that the event will detonate consumer fireworks¹ only and the applicant adequately demonstrates to the Committee, Fire Department and Board of Mayor and Aldermen the event will comply with all applicable safety standards as determined by the Covington Fire Chief or his designee;
- b) Permit Required. Permits for the discharge of fireworks within the corporate limits of the City of Covington shall be issued by the Board of Mayor and Aldermen. Prior to the discharge of any fireworks, either "public displays" (as defined herein) or for private events, the person, business, or organization conducting the fireworks event shall first appear before the City of Covington Special Events Committee and present their application for review.
- i. The application for a permit shall include, among other information, name, age and contact information of the applicant, date and time of the event, the type of fireworks that will be used in the event (either consumer fireworks¹ or display fireworks²), the approximate number of fireworks detonated in the event, who will be responsible for detonating the fireworks, where the event will be held, permission from the owner of the property where the event will be held, where spectators will be during the event, the number of spectators expected, the closest structures to the location of the event, and what safety measures will be in place in the event of an accident.
- ii. The Special Events Committee will recommend either approval or denial of a permit for the discharge of fireworks to the Board of Mayor and Aldermen. The Special Events Committee may also recommend a

¹ Consumer Fireworks are defined as any small firework device designed to produce visible effects by combustion and which comply with the construction, chemical composition, and labeling regulations of the U.S. Consumer Product Safety Commission, as set forth in 16 CFR. parts 1500 and 1507, some small devices designed to produce audible effects are included, such as whistling devices, ground devices containing 50 mg or less of explosive materials, aerial devices containing 130 mg or less of explosive materials, those classified as fireworks UN0336, and UN0337 by the U.S. Department of Transportation at 49 CFR 172.101, and/or as may be defined in *Tennessee Code Annotated* § 68-104-101. It does not mean fused set pieces containing components which together exceed 50 mg of salute powder.

² Display fireworks are defined as large fireworks designed primarily to produce visible or audible effects by combustion, deflagration, or detonation salutes containing more than 2 grains (130 mg) of flash powder, aerial shells containing more than 40 grams of pyrotechnic compositions (including any break charge and visible/audible effect composition but exclusive of lift charge), other display pieces which exceed the limits of explosive materials for classification as "consumer fireworks," and/or as may be defined in *Tennessee Code Annotated* § 68-104-101 and § 68-104-202. They also include fused set pieces containing components which together exceed 50 mg of flash powder. Display fireworks are classified as fireworks UN0333, UN0334 or UN0335 by the Department of Transportation 49 CFR 172.101. Display fireworks also require any person using them, in any way, to have an ATF explosives license or permit for the activity under applicable regulations found in 27 CFR, part 555.

conditional approval of the application upon certain other safety measures being met.

- iii. The Board of Mayor and Aldermen has final authority on approving or denying a permit for the discharge of fireworks, and a permit issued by the Board of Mayor and Aldermen is required before any discharge of fireworks is allowed within the corporate limits of the City of Covington.
 - iv. Before any application for a permit can be approved the applicant must provide proof to the Special Events Committee and the Board of Mayor and Aldermen proof of general liability insurance to cover the potential liability for bodily injury and property damage in the minimum amount of one million dollars (\$1,000,000) for the fireworks event.
 - i. The Board of Mayor and Alderman shall have the discretion to waive the general liability insurance requirement as a condition of issuing a permit if, in its sole discretion, the burden on the applicant in providing the insurance outweighs the overall risk of harm posed to the general public. In considering a request for a waiver of insurance coverage the Board of Mayor and Aldermen shall consider the number of fireworks detonated at the event, the proximity of other structures to the location of the fireworks event, and the number of spectators expected at the event. The Special Events Committee shall recommend either approval or denial of the insurance waiver request after its review of the application.
 - v. If the event will be a "public display" of fireworks, as defined in *Tennessee Code Annotated* § 68-104-211, then the applicant must provide proof of compliance with the provisions set forth in *Tennessee Code Annotated* § 68-104-211 and provide a copy of the permit from the State Fire Marshall, once received.
- c) 7-404. Violations and Penalties.
- i. Any person(s) found guilty of violating the terms of this chapter are subject to a \$50.00 fine for each occurrence. Each firework detonated in violation of the terms of this ordinance shall constitute a separate occurrence.
 - ii. If the City of Covington Police Chief and/or City of Covington Fire Chief have probable cause to believe that any person, business or organization has not obtained the proper permit(s) from the City of Covington Board of Mayor and Aldermen and/or the State Fire Marshal, then the Police Chief and/or Fire Chief shall stop the discharge of the fireworks, and confiscate any remaining undetonated fireworks.

- iii. Any person detonating fireworks within the corporate limits of the City of Covington in violation of this chapter shall be cited to court, and any remaining undetonated fireworks shall be confiscated.
- iv. Minors in possession of fireworks, Parental Liability. It is unlawful for any minor child under the age of sixteen (16) to be in possession of fireworks within the corporate limits of the City of Covington. In the event any minor child under the age of sixteen (16) is found to have possession of fireworks, as defined by this chapter, then the fireworks shall be confiscated and the minor's parent shall be held responsible and cited to court under this chapter.
 - i. For purposes of this section, "possession" means having or holding physical dominion and control over the object.

SECTION 2. BE IT FURTHER ORDAINED that this Ordinance shall become effective immediately upon its passage after third and final reading, this ordinance shall take effect from and after its passage, the welfare of the City requiring it.

Passed First Reading _____

Passed Second Reading _____

Public Hearing _____

Passed Third Reading _____

Mayor

Recorder-Treasurer

ORDINANCE 1734

ORDINANCE TO ESTABLISH AN UPDATED OCCUPATIONAL SAFETY AND HEALTH PROGRAM PLAN, DEVISE RULES AND REGULATIONS, AND TO PROVIDE FOR A SAFETY DIRECTOR AND THE IMPLEMENTATION OF SUCH PROGRAM PLAN

WHEREAS, in compliance with Public Chapter 561 of the General Assembly of the State of Tennessee for the year 1972, the City of Covington hereby updates the Occupational Safety and Health Program Plan for our employees.

WHEREAS, due to various changes in subsequent years, it has become necessary to amend the program plan to comply with more recent state requirements.

NOW, THEREFORE, BE IT ORDAINED BY the City of Covington, Tennessee that there be and is hereby amended as follows:

SECTION 1.

TITLE: This section shall be known as "The Occupational Safety and Health Program Plan" for the employees of the City of Covington.

PURPOSE:

The City of Covington in electing to update the established Program Plan will maintain an effective and comprehensive Occupational Safety and Health Program Plan for its employees and shall:

- 1) Provide a safe and healthy 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 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.

COVERAGE:

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

STANDARDS AUTHORIZED:

The Occupational Safety and Health standards adopted by the the City of Covington 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).

VARIANCES FROM STANDARDS AUTHORIZED:

Upon written application to the Commissioner of Labor and Workforce Development of the State of Tennessee, we may 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 0800-01-02, as authorized by T.C.A., Title 50. Prior to requesting such temporary variance, we will notify or serve notice to our 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 shall be deemed sufficient notice to employees.

ADMINISTRATION:

For the purposes of this ordinance, Jason L. Jenkins Inspector for the City of Covington is designated as the Safety Director of Occupational Safety and Health to perform duties and to exercise powers assigned to plan, develop, and administer this Program Plan. The Safety Director shall develop a plan of operation for the Program Plan in accordance with 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 T.C.A., Title 50.

FUNDING THE PROGRAM PLAN:

Sufficient funds for administering and staffing the Program Plan pursuant to this ordinance shall be made available as authorized by the the City of Covington.

SEVERABILITY:

SECTION 2. BE IT FURTHER ORDAINED that 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 hereof.

AMENDMENTS, ETC:

SECTION 3. BE IT FURTHER ORDAINED that this ordinance shall take effect from and after the date it shall have been passed by the Board of Mayor & Alderman, properly signed, certified, and has met all other legal requirements of the Ordinance, and as otherwise provided by law, the general welfare of the City of Covington requiring it.

Mayor

Date

Recorder/Treasurer

Date

Passed First Reading

Passed Second Reading

Passed Third Reading

PLAN OF OPERATION FOR THE OCCUPATIONAL SAFETY AND HEALTH
PROGRAM PLAN FOR THE EMPLOYEES OF The City of Covington

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1. PURPOSE AND COVERAGE

The purpose of this plan is to provide guidelines and procedures for implementing the Occupational Safety and Health Program Plan for the employees of The City of Covington.

This plan is applicable to all employees, part-time or full-time, seasonal or permanent.

The City of Covington in electing to update and maintain an effective Occupational Safety and Health Program Plan for its employees,

- a. Provide a safe and healthful place and condition of employment.
- b. Require the use of safety equipment, personal protective equipment, and other devices where reasonably necessary to protect employees.
- c. Make, keep, preserve, and make available to the Commissioner of Labor and Workforce Development, his designated representatives, or persons within the Department of Labor and Workforce Development to whom such responsibilities have been delegated, including the Safety Director of the Division of Occupational Safety and Health, adequate records of all occupational accidents and illnesses and personal injuries for proper evaluation and necessary corrective action as required.
- d. Consult with the Commissioner of Labor and Workforce Development or his designated representative with regard to the adequacy of the form and content of such records.
- e. Consult with the Commissioner of Labor and Workforce Development regarding safety and health problems which are considered to be unusual or peculiar and are such that they cannot be resolved under an occupational safety and health standard promulgated by the State.
- f. Assist the Commissioner of Labor and Workforce Development or his monitoring activities to determine Program Plan effectiveness and compliance with the occupational safety and health standards.
- g. Make a report to the Commissioner of Labor and Workforce Development annually, or as may otherwise be required, including information on occupational accidents, injuries, and illnesses and accomplishments and progress made toward achieving the goals of the Occupational Safety and Health Program Plan.
- h. Provide reasonable opportunity for and encourage 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 which may be injurious to employees' safety and health.

II. DEFINITIONS

For the purposes of this Program Plan, the following definitions apply:

- a. COMMISSIONER OF LABOR and Workforce Development means the chief executive officer of the Tennessee Department of Labor and Workforce Development. This includes any person appointed, designated, or deputized to perform the duties or to exercise the powers assigned to the Commissioner of Labor and Workforce Development.
- b. EMPLOYER means the City of Covington and includes each administrative department, board, commission, division, or other agency of the City of Covington.
- c. SAFETY DIRECTOR OF OCCUPATIONAL SAFETY AND HEALTH or SAFETY DIRECTOR means the person designated by the establishing ordinance, or executive order to perform duties or to exercise powers assigned so as to plan, develop, and administer the Occupational Safety and Health Program Plan for the employees of the City of Covington.
- d. INSPECTOR(S) means the individual(s) appointed or designated by the Safety Director of Occupational Safety and Health to conduct inspections provided for herein. If no such compliance inspector(s) is appointed, inspections shall be conducted by the Safety Director of Occupational Safety and Health.
- e. APPOINTING AUTHORITY means any official or group of officials of the employer having legally designated powers

of appointment, employment, or removal there from for a specific department, board, commission, division, or other agency of this employer.

- f. EMPLOYEE means any person performing services for this employer and listed on the payroll of this employer, either as part-time, full-time, seasonal, or permanent. It also includes any persons normally classified as □volunteers□ provided such persons received remuneration of any kind for their services. This definition shall not include independent contractors, their agents, servants, and employees.
- g. PERSON means one or more individuals, partnerships, associations, corporations, business trusts, or legal representatives of any organized group of persons.
- h. STANDARD means an occupational safety and health standard promulgated by the Commissioner of Labor and Workforce Development in accordance with Section VI (6) of the Tennessee Occupational Safety and Health Act of 1972 which requires conditions or the adoption or the use of one or more practices, means, methods, operations, or processes or the use of equipment or personal protective equipment necessary or appropriate to provide safe and healthful conditions and places of employment.
- i. IMMINENT DANGER means any conditions or practices in any place of employment which are such that a hazard exists which could reasonably be expected to cause death or serious physical harm immediately or before the imminence of such hazard can be eliminated through normal compliance enforcement procedures.
- j. ESTABLISHMENT or WORKSITE means a single physical location under the control of this employer where business is conducted, services are rendered, or industrial type operations are performed.
- k. SERIOUS INJURY or HARM means that type of harm that would cause permanent or prolonged impairment of the body in that:
 - 1. A part of the body would be permanently removed (e.g., amputation of an arm, leg, finger(s); loss of an eye) or rendered functionally useless or substantially reduced in efficiency on or off the job (e.g., leg shattered so severely that mobility would be permanently reduced), or
 - 2. A part of an internal body system would be inhibited in its normal performance or function to such a degree as to shorten life or cause reduction in physical or mental efficiency (e.g., lung impairment causing shortness of breath).

On the other hand, simple fractures, cuts, bruises, concussions, or similar injuries would not fit either of these categories and would not constitute serious physical harm.

- l. ACT or TOSH Act shall mean the Tennessee Occupational Safety and Health Act of 1972.
- m. GOVERNING BODY means the County Quarterly Court, Board of Aldermen, Board of Commissioners, City or Town Council, Board of Governors, etc., whichever may be applicable to the local government, government agency, or utility to which this plan applies.
- n. CHIEF EXECUTIVE OFFICER means the chief administrative official, County Judge, County Chairman, County Mayor, Mayor, City Manager, General Manager, etc., as may be applicable.

III. EMPLOYERS RIGHTS AND DUTIES

Rights and duties of the employer shall include, but are not limited to, the following provisions:

- a. Employer shall furnish to each employee conditions of employment and a place of employment free from recognized hazards that are causing or are likely to cause death or serious injury or harm to employees.
- b. Employer shall comply with occupational safety and health standards and regulations promulgated pursuant to Section VI (6) of the Tennessee Occupational Safety and Health Act of 1972.
- c. Employer shall refrain from and unreasonable restraint on the right of the Commissioner of Labor and Workforce Development to inspect the employers place(s) of business. Employer shall assist the Commissioner of Labor and Workforce Development in the performance of their monitoring duties by supplying or by making available information, personnel, or aids reasonably necessary to the effective conduct of the monitoring activity.
- d. Employer is entitled to participate in the development of standards by submission of comments on proposed

standards, participation in hearing on proposed standards, or by requesting the development of standards on a given issue under Section 6 of the Tennessee Occupational Safety and Health Act of 1972.

- e. Employer is entitled to request an order granting a variance from an occupational safety and health standard.
- f. Employer is entitled to protection of its legally privileged communication.
- g. Employer shall inspect all worksites to insure the provisions of this Program Plan are complied with and carried out.
- h. Employer shall notify and inform any employee who has been or is being exposed in a biologically significant manner to harmful agents or material in excess of the applicable standard and of corrective action being taken.
- i. Employer shall notify all employees of their rights and duties under this Program Plan.

IV. EMPLOYEES RIGHTS AND DUTIES

Rights and duties of employees shall include, but are not limited to, the following provisions:

- a. Each employee shall comply with occupational safety and health act standards and all rules, regulations, and orders issued pursuant to this Program Plan and the Tennessee Occupational Safety and Health Act of 1972 which are applicable to his or her own actions and conduct.
- b. Each employee shall be notified by the placing of a notice upon bulletin boards, or other places of common passage, of any application for a permanent or temporary order granting the employer a variance from any provision of the TOSH Act or any standard or regulation promulgated under the Act.
- c. Each employee shall be given the opportunity to participate in any hearing which concerns an application by the employer for a variance from a standard or regulation promulgated under the Act.
- d. Any employee who may be adversely affected by a standard or variance issued pursuant to the Act or this Program Plan may file a petition with the Commissioner of Labor and Workforce Development or whoever is responsible for the promulgation of the standard or the granting of the variance.
- e. Any employee who has been exposed or is being exposed to toxic materials or harmful physical agents in concentrations or at levels in excess of that provided for by any applicable standard shall be provided by the employer with information on any significant hazards to which they are or have been exposed, relevant symptoms, and proper conditions for safe use or exposure. Employees shall also be informed of corrective action being taken.
- f. Subject to regulations issued pursuant to this Program Plan, any employee or authorized representative of employees shall be given the right to request an inspection and to consult with the Safety Director or Inspector at the time of the physical inspection of the worksite.
- g. Any employee may bring to the attention of the Safety Director any violation or suspected violations of the standards or any other health or safety hazards.
- h. No employee shall be discharged or discriminated against because such employee has filed any complaint or instituted or caused to be instituted any proceeding or inspection under or relating to this Program Plan.
- i. Any employee who believes that he or she has been discriminated against or discharged in violation of subsection (h) of this section may file a complaint alleging such discrimination with the Safety Director. Such employee may also, within thirty (30) days after such violation occurs, file a complaint with the Commissioner of Labor and Workforce Development alleging such discrimination.
- j. Nothing in this or any other provisions of this Program Plan shall be deemed to authorize or require any employee to undergo medical examination, immunization, or treatment for those who object thereto on religious grounds, except where such is necessary for the protection of the health or safety of others or when a medical examination may be reasonably required for performance of a specific job.
- k. Employees shall report any accident, injury, or illness resulting from their job, however minor it may seem to be, to their supervisor or the Safety Director within twenty-four (24) hours after the occurrence.

V. ADMINISTRATION

2. The Safety Director of Occupational Safety and Health is designated to perform duties or to exercise powers assigned so as to administer this Occupational Safety and Health Program Plan.
 1. The Safety Director may designate person or persons as he deems necessary to carry out his powers, duties, and responsibilities under this Program Plan.
 2. The Safety Director may delegate the power to make inspections, provided procedures employed are as effective as those employed by the Safety Director.
 3. The Safety Director shall employ measures to coordinate, to the extent possible, activities of all departments to promote efficiency and to minimize any inconveniences under this Program Plan.
 4. The Safety Director may request qualified technical personnel from any department or section of government to assist him in making compliance inspections, accident investigations, or as he may otherwise deem necessary and appropriate in order to carry out his duties under this Program Plan.
 5. The Safety Director shall prepare the report to the Commissioner of Labor and Workforce Development required by subsection (g) of Section 1 of this plan.
 6. The Safety Director shall make or cause to be made periodic and follow-up inspections of all facilities and worksites where employees of this employer are employed. He shall make recommendations to correct any hazards or exposures observed. He shall make or cause to be made any inspections required by complaints submitted by employees or inspections requested by employees.
 7. The Safety Director shall assist any officials of the employer in the investigation of occupational accidents or illnesses.
 8. The Safety Director shall maintain or cause to be maintained records required under Section VIII of this plan.
 9. **The Safety Director shall, in the eventuality that there is a fatality or an accident resulting in the hospitalization of three or more employees, insure that the Commissioner of Labor and Workforce Development receives notification of the occurrence within eight (8) hours. All work-related inpatient hospitalizations, amputations, and loss of an eye must be reported to TOSHA within 24 hours.**
- b. The administrative or operational head of each department, division, board, or other agency of this employer shall be responsible for the implementation of this Occupational Safety and Health Program Plan within their respective areas.
 1. The administrative or operational head shall follow the directions of the Safety Director on all issues involving occupational safety and health of employees as set forth in this plan.
 2. The administrative or operational head shall comply with all abatement orders issued in accordance with the provisions of this plan or request a review of the order with the Safety Director within the abatement period.
 3. The administrative or operational head should make periodic safety surveys of the establishment under his jurisdiction to become aware of hazards or standards violations that may exist and make an attempt to immediately correct such hazards or violations.
 4. The administrative or operational head shall investigate all occupational accidents, injuries, or illnesses reported to him. He shall report such accidents, injuries, or illnesses to the Safety Director along with his findings and/or recommendations in accordance with APPENDIX IV of this plan.

VI. STANDARDS AUTHORIZED

The standards adopted under this Program Plan are the applicable standards developed and promulgated under Section VI (6) of the Tennessee Occupational Safety and Health Act of 1972. Additional standards may be promulgated by the governing body of this employer as that body may deem necessary for the safety and health of employees. Note: 29 CFR 1910 General Industry Regulations; 29 CFR 1926 Construction Industry Regulations; and the Rules of Tennessee Department of Labor and Workforce Development Occupational Safety and Health, CHAPTER 0800-01-1 through CHAPTER 0800-01-11 are the standards and rules invoked.

VII. VARIANCE PROCEDURE

The Safety Director may apply for a variance as a result of a complaint from an employee or of his knowledge of certain hazards or exposures. The Safety Director should definitely believe that a variance is needed before the application for a variance is submitted to the Commissioner of Labor and Workforce Development.

The procedure for applying for a variance to the adopted safety and health standards is as follows:

3. The application for a variance shall be prepared in writing and shall contain:
 1. A specification of the standard or portion thereof from which the variance is sought.
 2. A detailed statement of the reason(s) why the employer is unable to comply with the standard supported by representations by qualified personnel having first-hand knowledge of the facts represented.
 3. A statement of the steps employer has taken and will take (with specific date) to protect employees against the hazard covered by the standard.
 4. A statement of when the employer expects to comply and what steps have or will be taken (with dates specified) to come into compliance with the standard.
 5. A certification that the employer has informed employees, their authorized representative(s), and/or interested parties by giving them a copy of the request, posting a statement summarizing the application (to include the location of a copy available for examination) at the places where employee notices are normally posted and by other appropriate means. The certification shall contain a description of the means actually used to inform employees and that employees have been informed of their right to petition the Commissioner of Labor and Workforce Development for a hearing.
- b. The application for a variance should be sent to the Commissioner of Labor and Workforce Development by registered or certified mail.
- c. The Commissioner of Labor and Workforce Development will review the application for a variance and may deny the request or issue an order granting the variance. An order granting a variance shall be issued only if it has been established that:
 1. The employer:
 - i. Is unable to comply with the standard by the effective date because of unavailability of professional or technical personnel or materials and equipment required or necessary construction or alteration of facilities or technology.
 - ii. Has taken all available steps to safeguard employees against the hazard(s) covered by the standard.
 - iii. Has as effective Program Plan for coming into compliance with the standard as quickly as possible.
 2. The employee is engaged in an experimental Program Plan as described in subsection (b), section 13 of the Act.
- d. A variance may be granted for a period of no longer than is required to achieve compliance or one (1) year, whichever is shorter.
- e. Upon receipt of an application for an order granting a variance, the Commissioner to whom such application is addressed may issue an interim order granting such a variance for the purpose of permitting time for an orderly consideration of such application. No such interim order may be effective for longer than one hundred eighty (180) days.
- f. The order or interim order granting a variance shall be posted at the worksite and employees notified of such order by the same means used to inform them of the application for said variance (see subsection (a)(5) of this section).

VIII. RECORDKEEPING AND REPORTING

Recording and reporting of all occupational accident, injuries, and illnesses shall be in accordance with instructions and on forms prescribed in the booklet. You can get a copy of the Forms for Recordkeeping from the internet. Go to www.osha.gov and click on Recordkeeping Forms located on the home page.

The position responsible for recordkeeping is shown on the SAFETY AND HEALTH ORGANIZATIONAL CHART, Appendix IV to this plan.

Details of how reports of occupational accidents, injuries, and illnesses will reach the recordkeeper are specified by ACCIDENT REPORTING PROCEDURES, Appendix IV to this plan. The Rule of Tennessee Department of Labor and Workforce Development Occupational Safety and Health, OCCUPATIONAL SAFETY AND HEALTH RECORD-KEEPING AND REPORTING, CHAPTER 0800-01-03, as authorized by T.C.A., Title 50.

IX. EMPLOYEE COMPLAINT PROCEDURE

If any employee feels that he is assigned to work in conditions which might affect his health, safety, or general welfare at the present time or at any time in the future, he should report the condition to the Safety Director of Occupational Safety and Health.

- a. The complaint should be in the form of a letter and give details on the condition(s) and how the employee believes it affects or will affect his health, safety, or general welfare. The employee should sign the letter but need not do so if he wishes to remain anonymous (see subsection (h) of Section 1 of this plan).
- b. Upon receipt of the complaint letter, the Safety Director will evaluate the condition(s) and institute any corrective action, if warranted. Within ten (10) working days following the receipt of the complaint, the Safety Director will answer the complaint in writing stating whether or not the complaint is deemed to be valid and if no, why not, what action has been or will be taken to correct or abate the condition(s), and giving a designated time period for correction or abatement. Answers to anonymous complaints will be posted upon bulletin boards or other places of common passage where the anonymous complaint may be reasonably expected to be seen by the complainant for a period of three (3) working days.
- c. If the complainant finds the reply not satisfactory because it was held to be invalid, the corrective action is felt to be insufficient, or the time period for correction is felt to be too long, he may forward a letter to the Chief Executive Officer or to the governing body explaining the condition(s) cited in his original complaint and why he believes the answer to be inappropriate or insufficient.
- d. The Chief Executive Officer or a representative of the governing body will evaluate the complaint and will begin to take action to correct or abate the condition(s) through arbitration or administrative sanctions or may find the complaint to be invalid. An answer will be sent to the complainant within ten (10) working days following receipt of the complaint or the next regularly scheduled meeting of the governing body following receipt of the complaint explaining decisions made and action taken or to be taken.
- e. After the above steps have been followed and the complainant is still not satisfied with the results, he may then file a complaint with the Commissioner of Labor and Workforce Development. Any complaint filed with the Commissioner of Labor and Workforce Development in such cases shall include copies of all related correspondence with the Safety Director and the Chief Executive Officer or the representative of the governing body.
- f. Copies of all complaint and answers thereto will be filed by the Safety Director who shall make them available to the Commissioner of Labor and Workforce Development or his designated representative upon request.

X. EDUCATION AND TRAINING

4. Safety Director and/or Compliance Inspector(s):

1. Arrangements will be made for the Safety Director and/or Compliance Inspector(s) to attend training seminars, workshops, etc., conducted by the State of Tennessee or other agencies. A list of Seminars can be obtained.

5. Access will be made to reference materials such as 29 CFR 1910 General Industry Regulations; 29 CFR 1926 Construction Industry Regulations; The Rules of Tennessee Department of Labor and Workforce Development Occupational Safety and Health, and other equipment/supplies, deemed necessary for use in conducting compliance inspections, conducting local training, wiring technical reports, and informing officials, supervisors, and employees of the existence of safety and health hazards will be furnished.

b. All Employees (including supervisory personnel):

A suitable safety and health training program for employees will be established. This program will, as a minimum:

1. Instruct each employee in the recognition and avoidance of hazards or unsafe conditions and of standards and regulations applicable to the employees work environment to control or eliminate any hazards, unsafe conditions, or other exposures to occupational illness or injury.
 2. Instruct employees who are required to handle or use poisons, acids, caustics, toxicants, flammable liquids, or gases including explosives, and other harmful substances in the proper handling procedures and use of such items and make them aware of the personal protective measures, person hygiene, etc., which may be required.
 3. Instruct employees who may be exposed to environments where harmful plants or animals are present, of the hazards of the environment, how to best avoid injury or exposure, and the first aid procedures to be followed in the event of injury or exposure.
 4. Instruct all employees of the common deadly hazards and how to avoid them, such as Falls; Equipment Turnover; Electrocution; Struck by/Caught In; Trench Cave In; Heat Stress and Drowning.
 5. Instruct employees on hazards and dangers of confined or enclosed spaces.
6. Confined or enclosed space means space having a limited means of egress and which is subject to the accumulation of toxic or flammable contaminants or has an oxygen deficient atmosphere. Confined or enclosed spaces include, but are not limited to, storage tanks, boilers, ventilation or exhaust ducts, sewers, underground utility accesses, tunnels, pipelines, and open top spaces more than four feet (4) in depth such as pits, tubs, vaults, and vessels.
- ii. Employees will be given general instruction on hazards involved, precautions to be taken, and on use of personal protective and emergency equipment required. They shall also be instructed on all specific standards or regulations that apply to work in dangerous or potentially dangerous areas.
 - iii. The immediate supervisor of any employee who must perform work in a confined or enclosed space shall be responsible for instructing employees on danger of hazards which may be present, precautions to be taken, and use of personal protective and emergency equipment, immediately prior to their entry into such an area and shall require use of appropriate personal protective equipment.

XI. GENERAL INSPECTION PROCEDURES

It is the intention of the governing body and responsible officials to have an Occupational Safety and Health Program Plan that will insure the welfare of employees. In order to be aware of hazards, periodic inspections must be performed. These inspections will enable the finding of hazards or unsafe conditions or operations that will need correction in order to maintain safe and healthful worksites. Inspections made on a pre-designated basis may not yield the desired results. Inspections will be conducted, therefore, on a random basis at intervals not to exceed thirty (30) calendar days.

- a. In order to carry out the purposes of this Ordinance, the Safety Director and/or Compliance Inspector(s), if appointed,

is authorized:

1. To enter at any reasonable time, any establishment, facility, or worksite where work is being performed by an employee when such establishment, facility, or worksite is under the jurisdiction of the employer and;
 2. To inspect and investigate during regular working hours and at other reasonable times, within reasonable limits, and in a reasonable manner, any such place of employment and all pertinent conditions, processes, structures, machines, apparatus, devices, equipment, and materials therein, and to question privately any supervisor, operator, agent, or employee working therein.
- b. If an imminent danger situation is found, alleged, or otherwise brought to the attention of the Safety Director or Inspector during a routine inspection, he shall immediately inspect the imminent danger situation in accordance with Section XII of this plan before inspecting the remaining portions of the establishment, facility, or worksite.
- c. An administrative representative of the employer and a representative authorized by the employees shall be given an opportunity to consult with and/or to accompany the Safety Director or Inspector during the physical inspection of any worksite for the purpose of aiding such inspection.
- d. The right of accompaniment may be denied any person whose conduct interferes with a full and orderly inspection.
- e. The conduct of the inspection shall be such as to preclude unreasonable disruptions of the operation(s) of the workplace.
- f. Interviews of employees during the course of the inspection may be made when such interviews are considered essential to investigative techniques.
- g. Advance Notice of Inspections.
1. Generally, advance notice of inspections will not be given as this precludes the opportunity to make minor or temporary adjustments in an attempt to create misleading impression of conditions in an establishment.
 2. There may be occasions when advance notice of inspections will be necessary in order to conduct an effective inspection or investigation. When advance notice of inspection is given, employees or their authorized representative(s) will also be given notice of the inspection.
- h. The Safety Director need not personally make an inspection of each and every worksite once every thirty (30) days. He may delegate the responsibility for such inspections to supervisors or other personnel provided:
1. Inspections conducted by supervisors or other personnel are at least as effective as those made by the Safety Director.
 2. Records are made of the inspections, any discrepancies found and corrective actions taken. This information is forwarded to the Safety Director.
7. The Safety Director shall maintain records of inspections to include identification of worksite inspected, date of inspection, description of violations of standards or other unsafe conditions or practices found, and corrective action taken toward abatement. Those inspection records shall be subject to review by the Commissioner of Labor and Workforce Development or his authorized representative.

XII. IMMINENT DANGER PROCEDURES

8. Any discovery, any allegation, or any report of imminent danger shall be handled in accordance with the following procedures:

1. The Safety Director shall immediately be informed of the alleged imminent danger situation and he shall immediately ascertain whether there is a reasonable basis for the allegation.
2. If the alleged imminent danger situation is determined to have merit by the Safety Director, he shall make or cause to be made an immediate inspection of the alleged imminent danger location.
3. As soon as it is concluded from such inspection that conditions or practices exist which constitutes an imminent danger, the Safety Director or Compliance Inspector shall attempt to have the danger corrected. All employees at the location shall be informed of the danger and the supervisor or person in charge of the worksite shall be requested to remove employees from the area, if deemed necessary.
4. The administrative or operational head of the workplace in which the imminent danger exists, or his authorized representative, shall be responsible for determining the manner in which the imminent danger situation will be abated. This shall be done in cooperation with the Safety Director or Compliance Inspector and to the mutual satisfaction of all parties involved.
5. The imminent danger shall be deemed abated if:
 - i. The imminence of the danger has been eliminated by removal of employees from the area of danger.
 - ii. Conditions or practices which resulted in the imminent danger have been eliminated or corrected to the point where an unsafe condition or practice no longer exists.
6. A written report shall be made by or to the Safety Director describing in detail the imminent danger and its abatement. This report will be maintained by the Safety Director in accordance with subsection (i) of Section XI of this plan.

b. Refusal to Abate.

1. Any refusal to abate an imminent danger situation shall be reported to the Safety Director and Chief Executive Officer immediately.
2. The Safety Director and/or Chief Executive Officer shall take whatever action may be necessary to achieve abatement.

XIII. ABATEMENT ORDERS AND HEARINGS

9. Whenever, as a result of an inspection or investigation, the Safety Director or Compliance Inspector(s) finds that a worksite is not in compliance with the standards, rules or regulations pursuant to this plan and is unable to negotiate abatement with the administrative or operational head of the worksite within a reasonable period of time, the Safety Director shall:
 1. Issue an abatement order to the head of the worksite.
 2. Post or cause to be posted, a copy of the abatement order at or near each location referred to in the abatement order.
- b. Abatement orders shall contain the following information:
 1. The standard, rule, or regulation which was found to violated.
 2. A description of the nature and location of the violation.
 3. A description of what is required to abate or correct the violation.
 4. A reasonable period of time during which the violation must be abated or corrected.
- c. At any time within ten (10) days after receipt of an abatement order, anyone affected by the order may advise the

Safety Director in writing of any objections to the terms and conditions of the order. Upon receipt of such objections, the Safety Director shall act promptly to hold a hearing with all interested and/or responsible parties in an effort to resolve any objections. Following such hearing, the Safety Director shall, within three (3) working days, issue an abatement order and such subsequent order shall be binding on all parties and shall be final.

XIV. PENALTIES

- a. No civil or criminal penalties shall be issued against any official, employee, or any other person for failure to comply with safety and health standards or any rules or regulations issued pursuant to this Program Plan.
- b. Any employee, regardless of status, who willfully and/or repeatedly violates, or causes to be violated, any safety and health standard, rule, or regulation or any abatement order shall be subject to disciplinary action by the appointing authority. It shall be the duty of the appointing authority to administer discipline by taking action in one of the following ways as appropriate and warranted:
 1. Oral reprimand.
 2. Written reprimand.
 3. Suspension for three (3) or more working days.
 4. Termination of employment.

XV. CONFIDENTIALITY OF PRIVILEGED INFORMATION

All information obtained by or reported to the Safety Director pursuant to this plan of operation or the legislation (ordinance, or executive order) enabling this Occupational Safety and Health Program Plan which contains or might reveal information which is otherwise privileged shall be considered confidential. Such information may be disclosed to other officials or employees concerned with carrying out this Program Plan or when relevant in any proceeding under this Program Plan. Such information may also be disclosed to the Commissioner of Labor and Workforce Development or their authorized representatives in carrying out their duties under the Tennessee Occupational Safety and Health Act of 1972.

XVI. DISCRIMINATION INVESTIGATIONS AND SANCTIONS

The Rule of Tennessee Department of Labor and Workforce Development Occupational Safety and Health, DISCRIMINATION AGAINST EMPLOYEES EXERCISING RIGHTS UNDER THE OCCUPATIONAL SAFETY AND HEALTH ACT OF 1972 0800-01-08, as authorized by T.C.A., Title 50. The agency agrees that any employee who believes they have been discriminated against or discharged in violation of Tenn. Code Ann § 50-3-409 can file a complaint with their agency/safety Safety Director within 30 days, after the alleged discrimination occurred. Also, the agency agrees the employee has a right to file their complaint with the Commissioner of Labor and Workforce Development within the same 30 day period. The Commissioner of Labor and Workforce Development may investigate such complaints, make recommendations, and/or issue a written notification of a violation.

XVII. COMPLIANCE WITH OTHER LAWS NOT EXCUSED

- a. Compliance with any other law, statute, ordinance, or executive order, which regulates safety and health in employment and places of employment, shall not excuse the employer, the employee, or any other person from compliance with the provisions of this Program Plan.
- b. Compliance with any provisions of this Program Plan or any standard, rule, regulation, or order issued pursuant to this

Program Plan shall not excuse the employer, the employee, or any other person from compliance with the law, statute, ordinance, or executive order, as applicable, regulating and promoting safety and health unless such law, statute, ordinance, or executive order, as applicable, is specifically repealed.

Occupational Safety and Health and Date

Signature:
Safety Director,

APPENDIX – I WORK LOCATIONS
(ORGANIZATIONAL CHART)

Airport - 3 employees

169 Airport PKWY Dr.

Covington, TN 38019

901-476-1392

City Hall - 8 employees

200 W. Washington Ave.

Covington, TN 38019

901-476-9613

Codes Compliance - 5 employees

200 W. Washington Ave.

Covington, TN 38019

901-476-7191 ext. 146

Covington Electric System- 18 employees

1469 S. Main St.

Covington, TN 38019

901-476-7104

Fire Department- 26 full time employees 3 part time

101 Tennessee Ave.

Covington, TN 38019

901-476-2578

Police Department - 41 employees

211 S. Main ST.

Covington, TN 38019

901-476-5282

Public Works - 19 employees

300 S. College St.

Covington, TN 38019

901-476-0583

Utility Billing - 2 employees

200 W. Washington Ave

Covington, TN 38019

901-476-9613

Street / Sanitations - 27 employees

410 E. Ripley St.

Covington, TN 38019

901-476-6793

Maintenance Shop - 3 employees

410 E. Ripley St.

Covington, TN 38019

901-476-6793

Water Plant - 4 employees

298 Witherington Dr.

Covington, TN 38019

901-476-

Park & Recreation - 6 full time employees 17 part time

790 Burt Johnston Ave.

Covington, TN 38019

901-476-3734

Tipton Museum - 3 employees

751 Burt Johnston Ave.

Covington, TN 38019

901-476-0242

TOTAL NUMBER OF Full time EMPLOYEES: 168 & Part time Employees 21

APPENDIX – II NOTICE TO ALL EMPLOYEES

NOTICE TO ALL EMPLOYEES OF THE CITY OF COVINGTON.

The Tennessee Occupational Safety and Health Act of 1972 provide job safety and health protection for Tennessee workers through the promotion of safe and healthful working conditions. Under a plan reviewed by the Tennessee Department of Labor and Workforce Development, this government, as an employer, is responsible for administering the Act to its employees. Safety and health standards are the same as State standards and jobsite inspections will be conducted to insure compliance with the Act.

Employees shall be furnished conditions of employment and a place of employment free from recognized hazards that are causing or are likely to cause death or serious injury or harm to employees.

Each employee shall comply with occupational safety and health standards and all rules, regulations, and orders issued pursuant to this Program Plan which are applicable to his or her own actions and conduct.

Each employee shall be notified by the placing upon bulletin boards or other places of common passage of any application for a temporary variance from any standard or regulation.

Each employee shall be given the opportunity to participate in any hearing which concerns an application for a variance from a standard.

Any employee who may be adversely affected by a standard or variance issued pursuant to this Program Plan may file a petition with the Safety Director or the PERSONNEL DIRECTOR.

Any employee who has been exposed or is being exposed to toxic materials or harmful physical agents in concentrations or at levels in excess of that provided for by an applicable standard shall be notified by the employer and informed of such exposure and corrective action being taken.

Subject to regulations issued pursuant to this Program Plan, any employee or authorized representative(s) of employees shall be given the right to request an inspection.

No employee shall be discharged or discriminated against because such employee has filed any complaint or instituted or caused to be instituted any proceedings or inspection under, or relating to, this Program Plan.

Any employee who believes he or she has been discriminated against or discharged in violation of these sections may, within thirty (30) days after such violation occurs, have an opportunity to appear in a hearing before the Personnel Director for assistance in obtaining relief or to file a complaint with the Commissioner of Labor and Workforce Development alleging such discrimination.

A copy of the Occupational Safety and Health Program Plan for the Employees of COVINGTON is available for inspection by any employee at City Hall and the Safety Directors office during regular office hours.

Signature: MAYOR AND DATE

APPENDIX – III PROGRAM PLAN BUDGET

(Either answer questions 1-11 or fill in the statement below)

1. Prorated portion of wages, salaries, etc., for program administration and support.
2. Office space and office supplies.
3. Safety and health educational materials and support for education and training.
4. Safety devices for personnel safety and health.
5. Equipment modifications.
6. Equipment additions (facilities)
7. Protective clothing and equipment (personnel)
8. Safety and health instruments
9. Funding for projects to correct hazardous conditions.
10. Reserve fund for the Program Plan.
11. Contingencies and miscellaneous,

TOTAL ESTIMATED PROGRAM PLAN FUNDING,
ESTIMATE OF TOTAL BUDGET FOR:

OR Use This Statement:

STATEMENT OF FINANCIAL RESOURCE AVAILABILITY

Be assured that the City of Covington has sufficient financial resources available or will make sufficient financial resources available as may be required in order to administer and staff its Occupational Safety and Health Program Plan and to comply with standards.

APPENDIX – IV ACCIDENT REPORTING PROCEDURES

- (1-15) Employees shall report all accidents, injuries, or illnesses directly to the Safety Director as soon as possible, but not later than twenty-four (24) hours after the occurrence. Such reports may be verbal or in writing. All fatalities or accidents involving the hospitalization of three (3) or more employees shall be reported to the Safety Director and/or record keeper immediately, either by telephone or verbally, and will be followed by a written report within four (4) hours after their occurrence. The Safety Director will insure completion of required reports and records in accordance with Section VIII of the basic plan.
- (16-50) Employees shall report all accidents, injuries, or illnesses to their supervisor as soon as possible, but not later than two (2) hours after the occurrence. All fatalities or accidents involving the hospitalization of three (3) or more employees shall be reported to the Safety Director and/or record keeper immediately, either by telephone or verbally, and will be followed by a written report within four (4) hours after their occurrence. The supervisor will investigate the accident or illness, complete an accident report, and forward the accident report to the Safety Director and/or record keeper within twenty-four (24) hours of the time the accident or injury occurred or the time of the first report of the illness.
- (51-250) Employees shall report all accidents, injuries, or illnesses to their supervisors as soon as possible, but not later than two (2) hours after the occurrence. The supervisor will provide the Safety Director and/or record keeper with the name of the injured or ill employee and a brief description of the accident or illness by telephone as soon as possible, but not later than four (4) hours, after the accident or injury occurred or the time of the first report of the illness. All fatalities or accidents involving the hospitalization of three (3) or more employees shall be reported to the Safety Director and/or record keeper immediately, either by telephone or verbally, and will be followed by a written report within four (4) hours after their occurrence. The supervisor will then make a thorough investigation of the accident or illness (with the assistance of the Safety Director or Compliance Inspector, if necessary) and will complete a written report on the accident or illness and forward it to the Safety Director within seventy-two (72) hours after the accident, injury, or first report of illness and will provide one (1) copy of the written report to the recordkeeper.
- (251-Plus) Employees shall report all accidents, injuries, or illnesses to their supervisors as soon as possible, but not later than two (2) hours after their occurrence. The supervisor will provide the administrative head of the department with a verbal or telephone report of the accident as soon as possible, but not later than four (4) hours, after the accident. If the accident involves loss of consciousness, a fatality, broken bones, severed body member, or third degree burns, the Safety Director will be notified by telephone immediately and will be given the name of the injured, a description of the injury, and a brief description of how the accident occurred. The supervisor will then make a thorough investigation of the accident or illness (with the assistance of the Safety Director or Compliance Inspector, if necessary) and will complete a written report on the accident or illness and forward it to the Safety Director within seventy-two (72) hours after the accident, injury, or first report of illness and will provide one (1) copy of the written report to the record keeper.

Since Workers Compensation Form 6A or OSHA NO. 301 Form must be completed; all reports submitted in writing to the person responsible for recordkeeping shall include the following information as a minimum:

10. Accident location, if different from employer's mailing address and state whether accident occurred on premises owned or operated by employer.
11. Name, social security number, home address, age, sex, and occupation (regular job title) of injured or ill employee.
12. Title of the department or division in which the injured or ill employee is normally employed.
13. Specific description of what the employee was doing when injured.

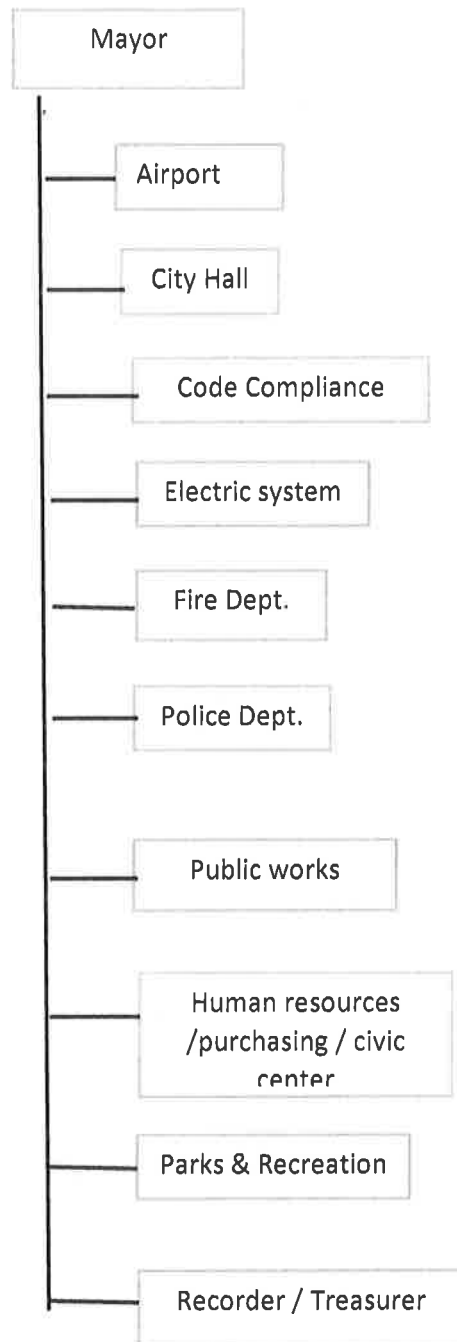
14. Specific description of how the accident occurred.
15. A description of the injury or illness in detail and the part of the body affected.
16. Name of the object or substance which directly injured the employee.
17. Date and time of injury or diagnosis of illness.
18. Name and address of physician, if applicable.
10. If employee was hospitalized, name and address of hospital.
11. Date of report.

NOTE: A procedure such as one of those listed above or similar information is necessary to satisfy Item Number 4 listed under PROGRAM PLAN in Section V. ADMINISTRATION, Part b of the Tennessee Occupational Safety and Health Plan. This information may be submitted in flow chart form instead of in narrative form if desired. These procedures may be modified in any way to fit local situations as they have been prepared as a guide only.

The four (4) procedures listed above are based upon the size of the work force and relative complexity of the organization. The approximate size of the organization for which each procedure is suggested is indicated in parenthesis in the left hand margin at the beginning, i.e., (1-15), (16-50), (51-250), and (251 Plus), and the figures relate to the total number of employees including the Chief Executive Officer but excluding the governing body (County Court, City Council, Board of Directors, etc.).

Generally, the more simple an accident reporting procedure is, the more effective it is. Please select the one procedure listed above, or prepare a similar procedure or flow chart, which most nearly fits what will be the most effective for your local situation. Note also that the specific information listed for written reports applies to all three of the procedures listed for those organizations with sixteen (16) or more employees.

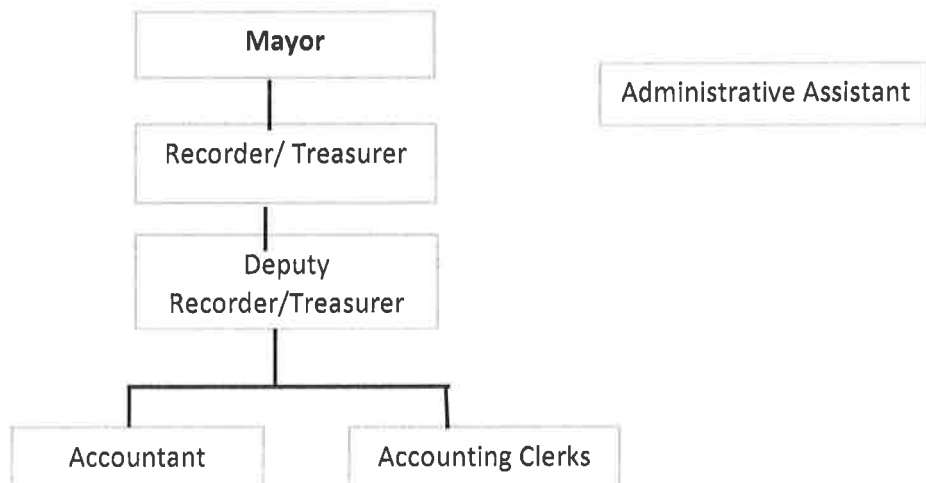
City of Covington Organizational Chart



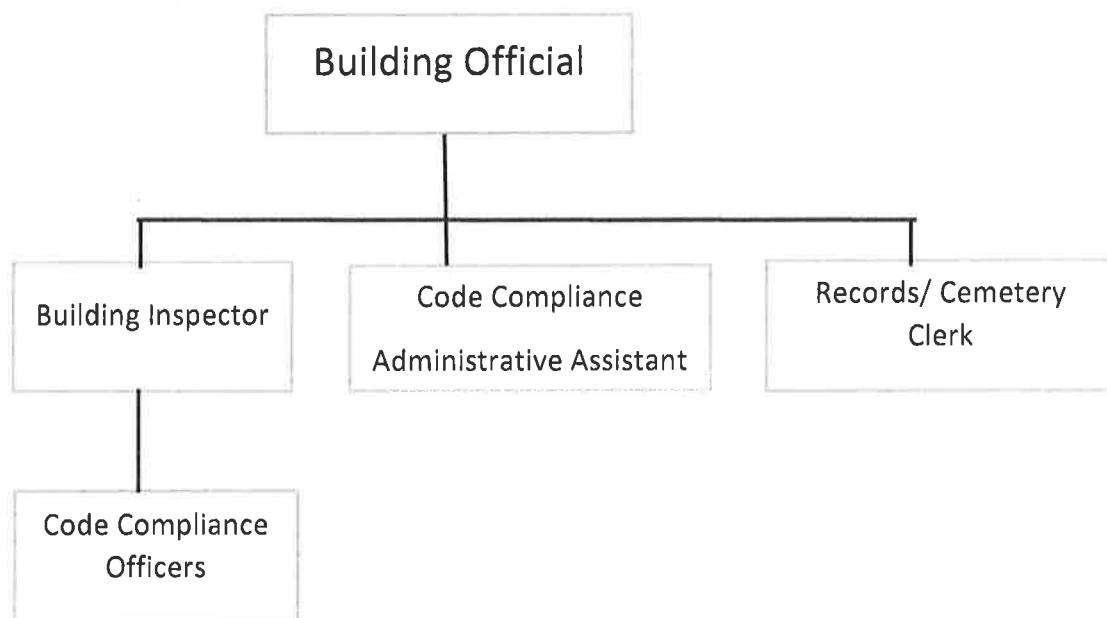
Covington Municipal Airport



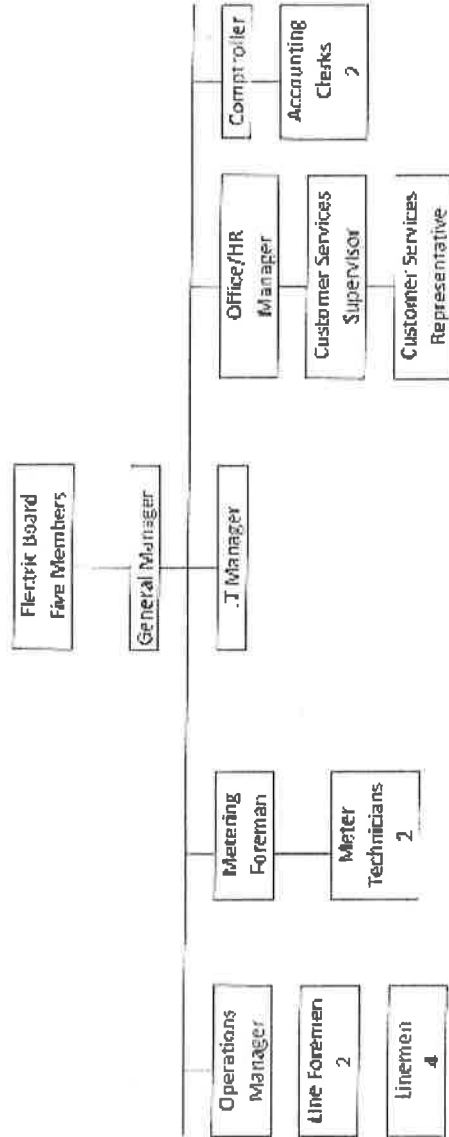
Covington City Hall



Code Compliance Department

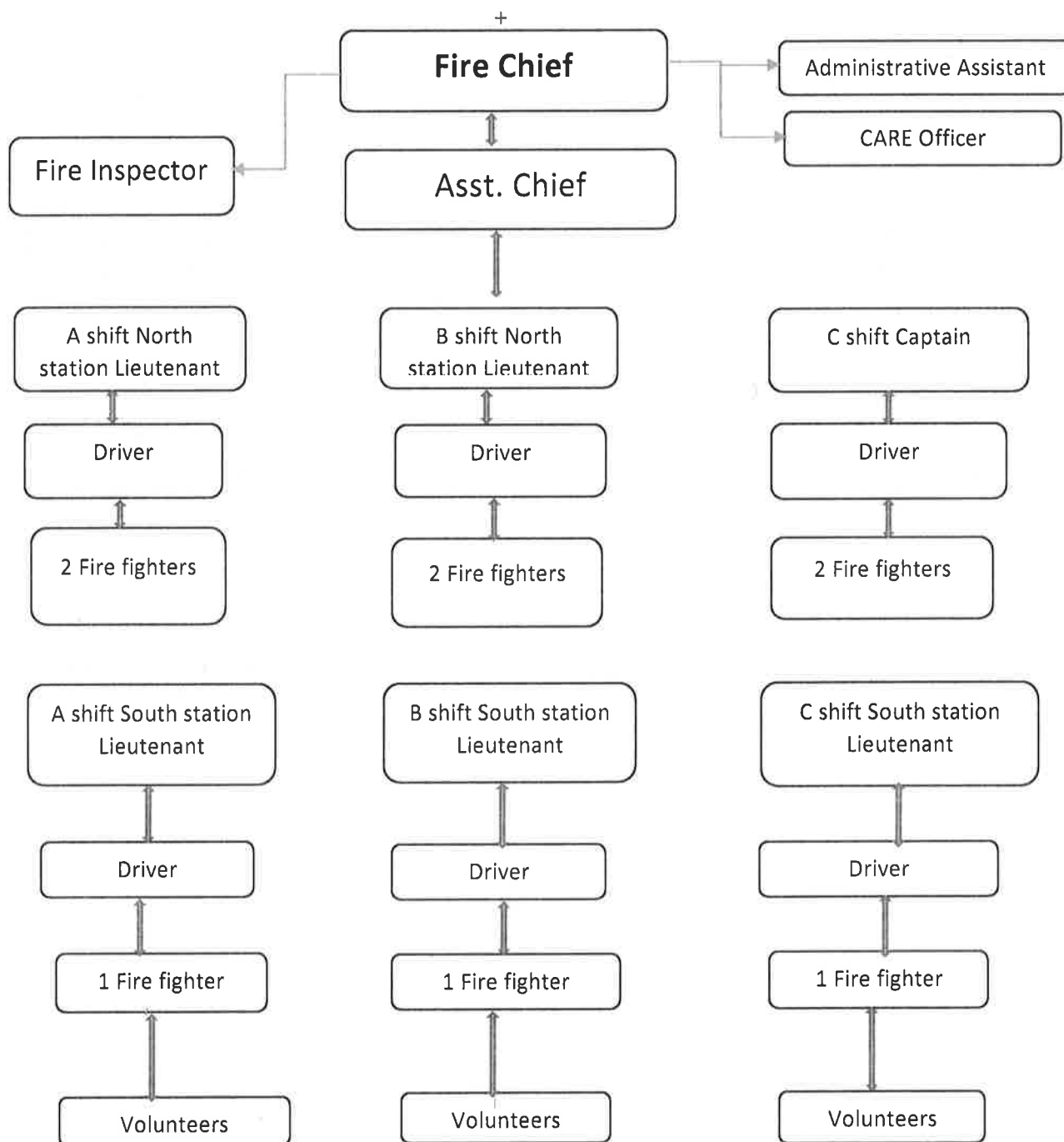


Covington Electric



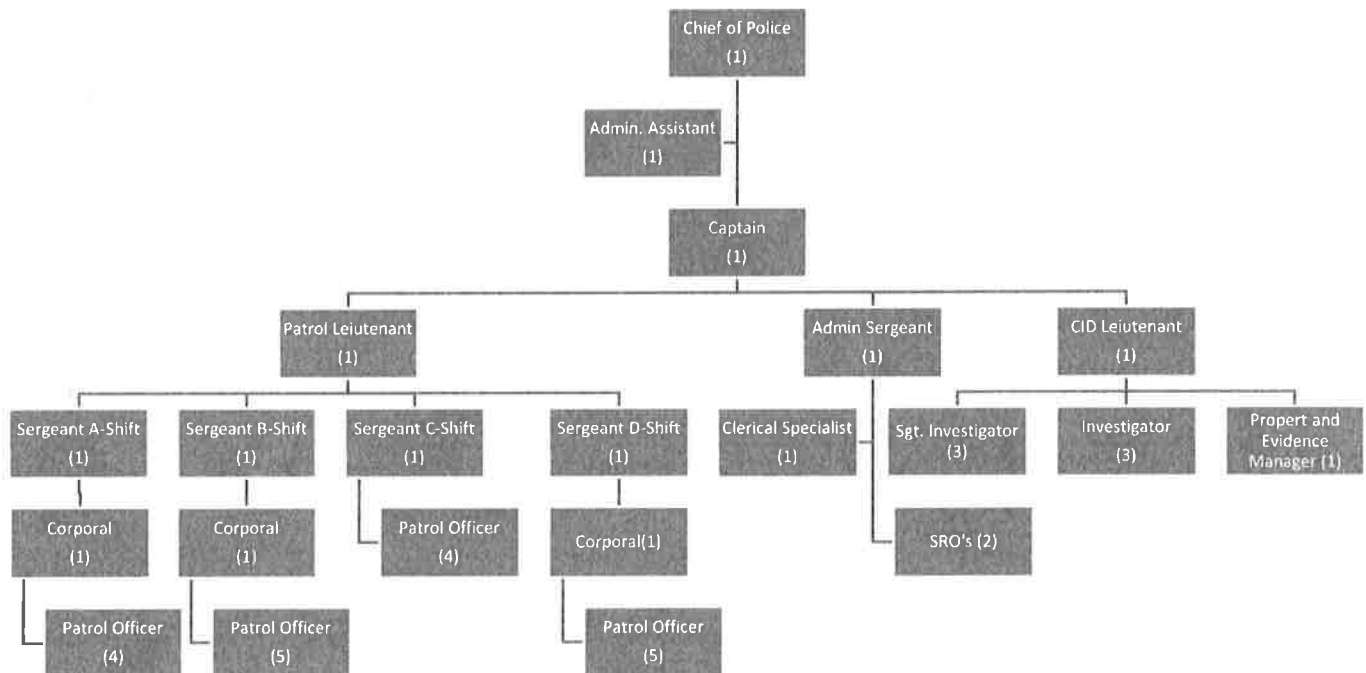
18 employees total

Covington Fire Department

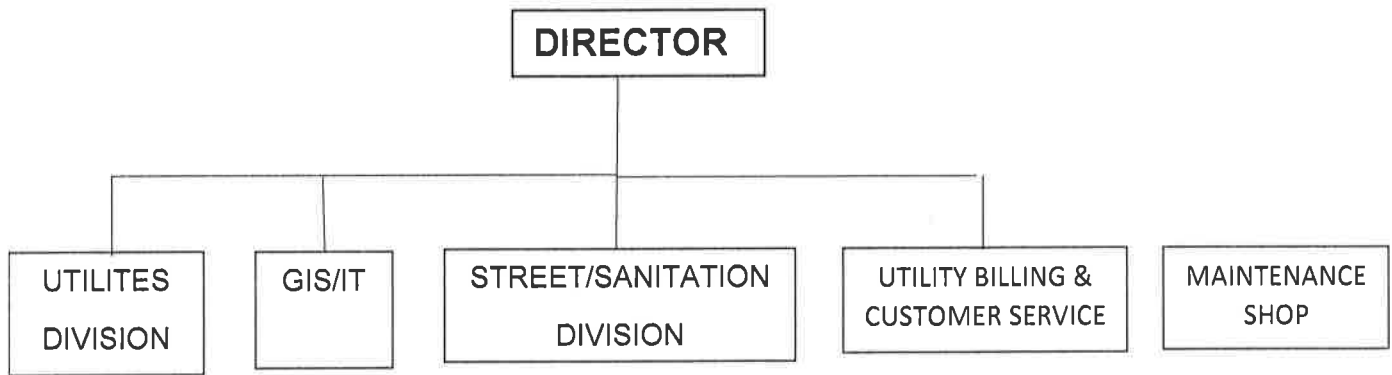


COVINGTON POLICE DEPARTMENT

Flow Chart



COVINGTON PUBLIC WORKS



UTILITIES DIVISION

UTILITY MANAGER

WWTP
SUPERVISOR

UTILITIES
SUPERVISOR

ADMINISTRATIV
E
ASSISTANT

WATER PLANT
SUPERVISOR

UTILITY
SERVICE
TECHNICIANS
(2)

WWTP
OPERATOR
S

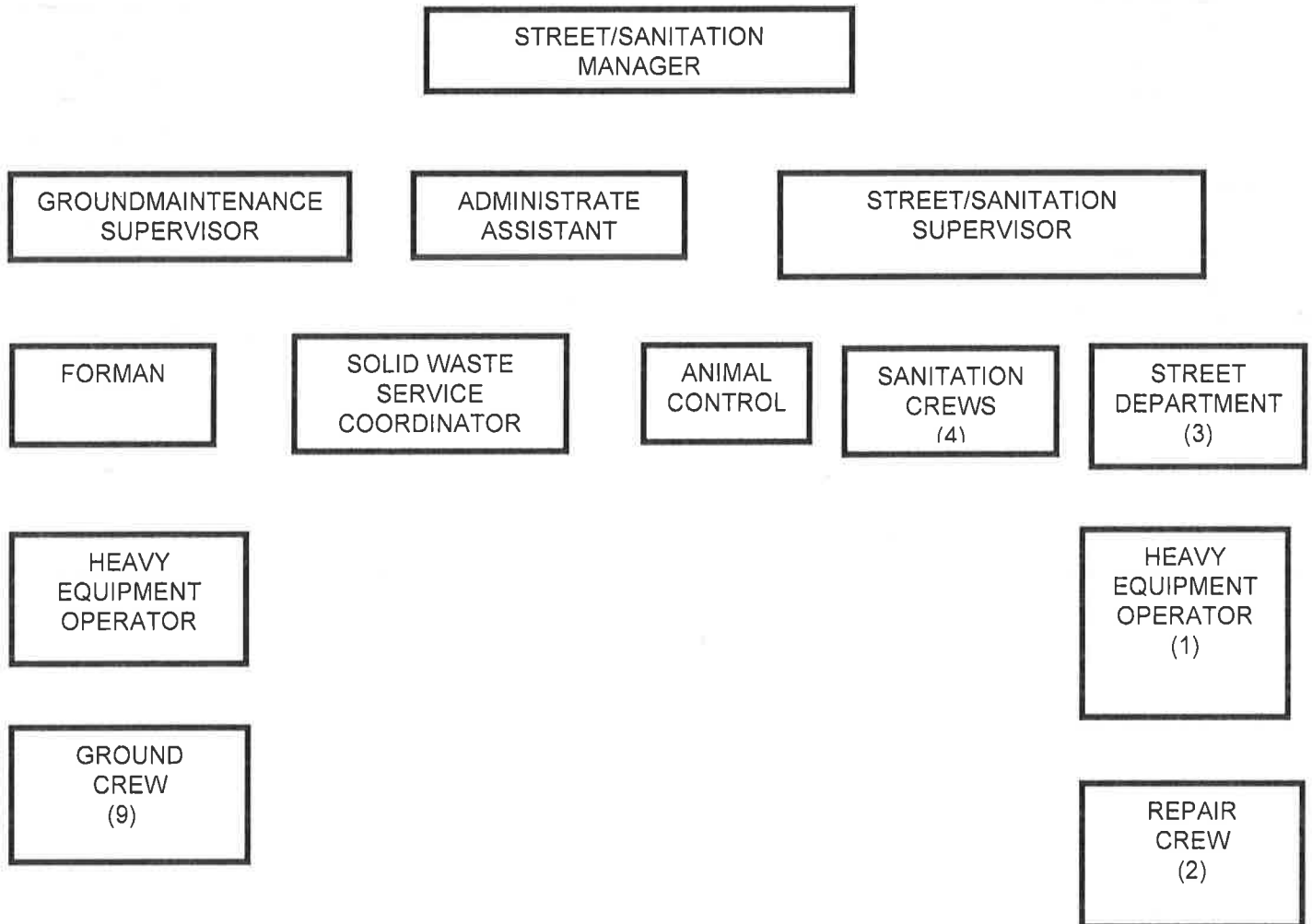
UTILITY
REPAIRMAN
(10)

WATER
PLANT
OPERATOR
(1)

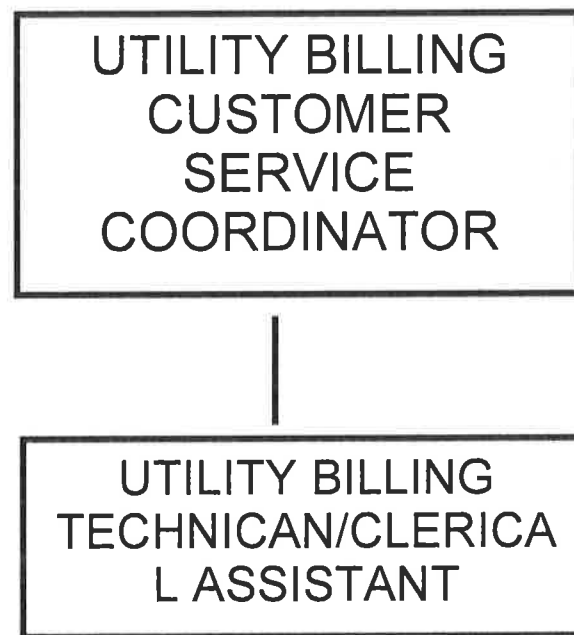
METER
READER
(2)

TRAINEE
(1)

STREETS & SANITATION



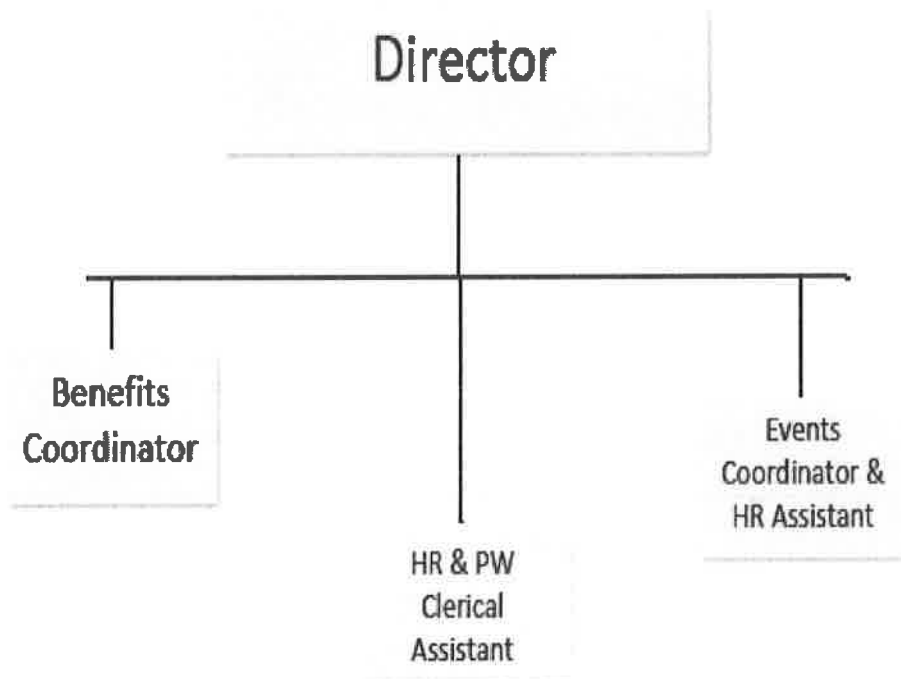
UTILITY BILLING/CUSTOMER SERVICE DIVISION



Maintenance Division

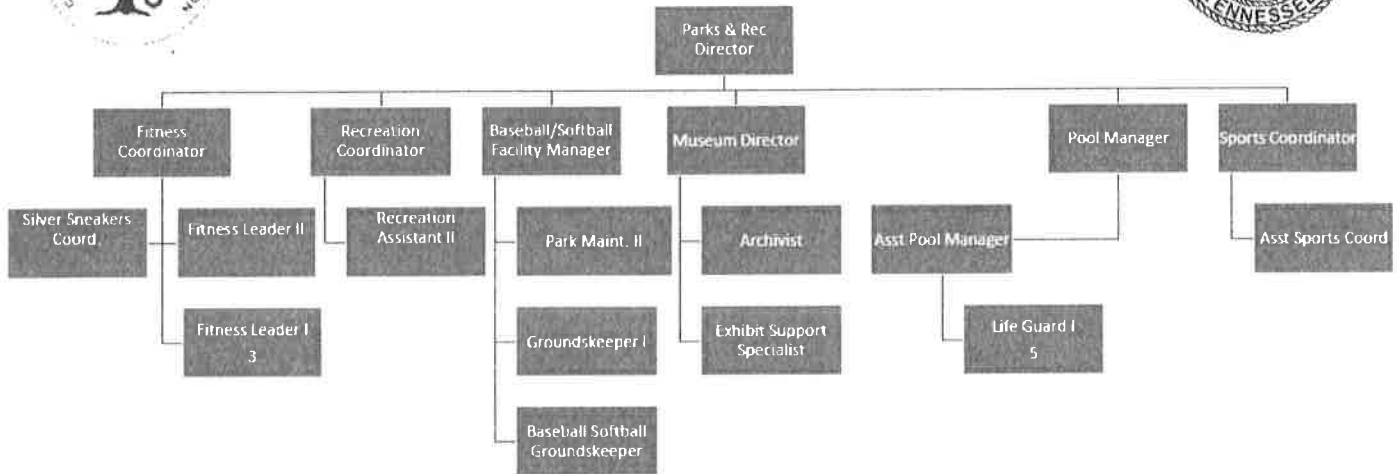


Human Resource and Purchasing Department





City of Covington Parks & Recreation Department Organizational Chart



Work Location - Name	Address	Contact Person	Phone #	# Employees
Covington Airport	169 Airport Pkwy Dr.	Robbin Anderson	901-476-1392	3
City Hall	200 W. Washington Ave.	Justin Hanson	901-476-9613	8
Code Compliance	200 W. Washington Ave.	Lessie Fisher	901-476-7191 Ext 146	5
Covington Electric Systems	1469 S. Main ST.	Tim Sallee	901-476-7104	18
Covington Fire Department	101 Tennessee Ave	Richard Griggs	901-476-2578	29
Covington Police Department	211 S Main St.	Larry Lindsey	901-476-5282	41
Public Works	300 S College	David Gray	901-476-9613	23
Utility Billing	200 W. Washington Ave.	Calvin Johnson	901-476-9613	2
Street / Sanitations	410 E. Ripley St.	James Dowell	901-476-6793	27
Maintenance Shop	410 E. Ripley St.	Brad Kenny	9001-476-6973	3

Covington Civic Center	100 W. Washington Ave	Tiny Rose	901-475-7139	4
Covington Sportsplex	790 Bert Johnston	Joseph Mack	901-476-3734	26
TOTAL				189

	Full Time	Part Time
Airport	3	0
City Hall	8	0
Code Compliance	5	0
Electric System	18	0
Fire Dept.	26	3
Police Dept.	41	0
Public Works	55	0
Human Resources/ Purchasing / Civic Center	3	1
Park & Recreations	9	17
Total	168	21

Signature Page

Adopted By the Board of Mayor & Alderman of the City of Covington, TN

This ____ day of _____, 2020

Jason L. Jenkins, Safety Director

Date _____

Justin Hanson, Mayor

Date _____

Tina Dunn, Recorder/Treasure

Date _____

Note: A copy of the Occupational Safety and Health Program for the employees of the City of Covington is available for inspection by any employee at City Hall or the Office of the Safety Director during regular business hours

COVINGTON PARKS & RECREATION EXPOSURE CONTROL PLAN



PURPOSE

To provide a comprehensive infection control program which maximizes protection of employees in the Parks and Recreation Department from exposure to blood and OPIM (Other Potential Infectious Material). The Exposure Control Plan must be reviewed/updated within 365 days (annually) of the previous evaluation or whenever necessary to reflect changes to the plan. Annual Review/Update by September 30th each calendar year.

The information contained in this plan is not considered a substitute for the OSH Act or any provision of the OSHA standards. It is intended to be a general guideline and should not be considered definitive or complete for compliance with OSHA requirements for 1910.1030. The OSHA standard should be consulted in its entirety for specific compliance requirements. This Exposure Control Plan is available and accessible to all employees without any restrictions.

COLLATERAL DUTY

Although Parks and Recreation Staff are not exposed daily to blood or OPIM, this plan will cover employees who are required to render first aid in the event of an emergency or respond to situations where exposure to blood or OPIM is likely.

Covington Parks and Recreation Department is responsible for determining who may be exposed to blood and OPIM (Other Potentially Infectious Material).

EXPOSURE DETERMINATION

Job Classifications where SOME of the employees have collateral exposure.

JOB TITLE	DEPARTMENT/LOCATION	TASK/PROCEDURES
1. Fitness Coordinator	Covington Sportsplex	1 st Aid
2. Fitness Leader	Covington Sportsplex	1 st Aid/Handling Laundry
3. Recreation Coordinator	Parks/Ballfields/Sportsplex	1 st Aid
4. Recreation Assistant	Parks/Ballfields/Sportsplex	1 st Aid/Handling Laundry
5. Sports Coordinator	Ballfields/Parks/Gym	1 st Aid
6. B/S Facility Manager	Ballfields/Parks	1 st Aid/ Garbage Pickup
7. B/S Groundskeeper	Ballfields/Parks	Garbage Pickup
8. Park Maint. Worker	Ballfields/Parks	1 st Aid/Garbage Pickup
9. Groundskeeper	Parks	1 st Aid/Garbage Pickup
10. Pool Manager	Covington Aquatics Center	1 st Aid
11. Life Guard	Covington Aquatics Center	1 st Aid
12. Museum Director	Museum	1 st Aid/Handling Laundry
13. Archivist	Museum	1 st Aid/Handling Laundry
13. Exhibit Support Spec.	Museum	1 st Aid/Handling Laundry

METHODS OF COMPLIANCE

All employees covered under this plan through collateral exposures will utilize Universal Precautions/Standard Precautions.

Hand washing facilities are readily accessible to employees with collateral exposure.

PERSONAL PROTECTIVE EQUIPMENT

PPE (Personal Protective Equipment) will be provided free of charge to any employee exposed to blood or OPIM. PPE provided will include the following:

1. Gloves.
2. Eye Protection.

Training on the proper use of the PPE will be provided by the Covington Parks and Recreation Director. Employees can obtain the PPE by requesting it through their supervisor.

All employees who wear PPE are to remove all contaminated PPE prior to leaving the work area and dispose of the PPE properly. Employees will wash hands immediately or as soon as possible after removing gloves or other PPE.

LAUNDRY

The following contaminated laundry may articles are laundered in this facility.

1. Dirty gym and pool towels and museum painting smocks only. All other contaminated laundry is to be disposed of. Soiled (dirty) laundry is only to be handled with appropriate PPE and handled as little as possible to prevent agitation.

All contaminated laundry bags are color coded (red/orange) or labeled to ensure that the employer cleaning the articles is aware of the hazard.

HEPATITIS B VACCINATION

Covington Park and Recreation Director will ensure training is provided on the safety, benefits, method of administration, and availability. The information will be completed within 10 working days of the initial assignment unless the series has previously been given. If an employee initially declines the series but later decided to accept the series; the employer will provide the series at that time. Employees who decline the Hepatitis B Vaccination will sign the Appendix A in the back of this plan. The Hepatitis B Vaccination series will be provided to collateral first aid responders as soon as possible following an exposure incident.

POST EXPOSURE EVALUATION AND FOLLOW UP

Should an exposure incident occur, contact Covington Parks and Recreation Director at the following number (901) 476-3734. Immediately clean the wound, flush eyes or other mucous membrane, etc. A confidential medical evaluation will be conducted by a PLHCP (Physician or other Licensed Health Care Professional) at Baptist Tipton Hospital. The following things will be completed following an exposure incident.

1. Document the route of exposure and how the incident occurred.
2. Provide the 1910.1030 standard to the treating PLHCP.
3. Provide relevant medical records (HBV records, etc.)
3. Identify and document the source individual (person's blood or OPIM) if possible. (Unless the employer can establish that identification is infeasible or prohibited by state or local law).
4. If the source individual is already known to be HIV, HBV, HCV positive then no new testing is required.
5. After consent is obtained, collect the exposed employee's blood as soon as possible and test for HBV and HIV serological status.
6. Provide the exposed employee with the source individual's test results and with information about applicable disclosure laws and regulations concerning the identity and infectious status of the source individual.
7. If the employee does not give consent to have HIV serological testing done at the current time; collect the blood for a baseline and preserve the blood for at least 90 days. If the exposed employee later decides to test the baseline sample, perform the testing as soon as possible.
8. Baptist Tipton Hospital will ensure a written opinion is provided for Hepatitis B vaccinations and for post exposure follow ups.
9. Baptist Tipton Hospital will ensure that the medical written opinion is provided within 15 days following the completion of the post exposure follow up.
10. City of Covington Fire Department will ensure that post exposure counseling is conducted with the exposed employee.
11. City of Covington Fire Department will investigate all exposure incidents to determine the following:
 - Were safer medical devices being used at the time of the incident.
 - Were work practices being followed.
 - Where the exposure incident occurred.

- Was training provided that could have prevented the exposure incident.
- Job or procedure being performed at the time of the exposure incident.
- Type of device being used when the exposure occurred.
- Route of exposure
- PPE worn when exposure incident occurred

City of Covington Fire Department will provide the investigation results and any solutions that could prevent future exposure incidents.

TRAINING

Employees identified in the Exposure Determination section of this plan will be trained annually. Training will be provided during working hours and free to employees.

Training should include the following:

- Epidemiology and symptoms of bloodborne diseases.
- Modes of transmission.
- Employer's policies and procedures dealing with bloodborne Pathogens
- How to obtain a copy of the Employer's Exposure Control Plan
- Hepatitis B Vaccination
- Personal Protective Equipment (PPE)
- Follow up policies and procedures.
- Exposure incident procedures

Training records will contain the following:

- Date of the training
- Contents or summary of the material covered
- Name and qualifications of the person conducting the training.
- Name and job title of the employee attending training.

The training records will be maintained for three years.

MEDICAL RECORDS

City of Covington Human Resources Department is responsible for maintaining records for employees exposed to blood or OPIM. Medical records are maintained in accordance with 29 CFR 1910.1020. The confidential medical records are kept in the City of Covington Human Resources Department for the duration of employment plus 30 years.

Medical records are provided within 15 days to employees or anyone having written consent from an employee. To request your medical records send your request to City of Covington Human Resources Department.

Appendix A

Hepatitis B Vaccination Declination Statement

I understand that due to my occupational exposure to blood and other potentially infectious materials I may be at risk of acquiring hepatitis B virus (HBV) infection. I have been given the opportunity to be vaccinated with hepatitis B vaccine, at no charge to myself. However, I decline hepatitis the hepatitis B vaccination at this time. I understand that by declining the vaccine, I continue to be at risk of acquiring hepatitis B, a serious disease. If in the future I continue to have occupational exposure to blood or other potentially infectious materials and want to be vaccinated with the hepatitis B vaccine, I can receive the vaccination series at no charge to me.

Signature _____

Date _____

Written Opinion for Hepatitis B Vaccination

As required by the bloodborne pathogen standard:

Hepatitis B vaccination is _____ is not _____ recommended for _____.

The employee named above is scheduled to receive the Hepatitis B Vaccination on the following dates:

DATE

First of three shots: _____

Second of three shots: _____

Third of three shots: _____

Signature of Health Care Provider

Date

Printed name of Health Care Provider

This form is to be returned to the employer, and a copy provided to the employee, within 15 days.

All other medical information is CONFIDENTIAL.

FIVE BASIC QUESTIONS

These five basic questions will be asked employees by a TOSHA inspector when determining if a facility is in compliance with the training section of the Bloodborne Pathogen Standard, 29 CFR 1910.1030:

Q. 1. What does "Universal Precautions" mean?

Q. 2. What do you do when there is a blood spill?

- a. personal protection
- b. clean-up and disposal
- c. disinfection (apply hazard communication standard)

Q. 3. What do you do with contaminated sharps and laundry?

Q. 4. Have you been offered the hepatitis vaccination free of charge?

Q. 5. Where is the "Exposure Control Plan", has it been explained to you, and have you been trained?

Covington Parks and Recreation Hazard Communication Program

The Parks and Recreation Director is responsible for the communication and implementation of the Hazard Communication Program for Parks and Recreation Department employees.

A. Labels and other forms of warning

Labels and other forms of warning for each incoming hazardous chemical will be inspected for compliance with Section (f) of the standard to ensure that proper forms of warning are posted. For hazardous chemicals produced within the facility (such as carbon monoxide and welding products), warnings must be posted.

1. The GHS labeling system we will use is as described in 29 CFR 1910.1200 with each label to include the product identifier, signal word, hazard statement(s), pictograms, precautionary statement(s), and name, address, and telephone number of the responsible party.
2. The Pool Manager, Baseball/Softball Facility Manager, Museum Director and Fitness Coordinator are responsible for ensuring that all incoming containers of chemicals are properly labeled.
3. Each person is responsible for reporting unlabeled containers to the Director of Parks and Recreation.

B. Safety Data Sheets (SDS)

SDS for each hazardous chemical to which employees are or may be exposed will be obtained and made readily available according to the requirements of section (g) of the standard. For new chemicals, SDSs will be made available prior to use.

C. Employee Information and Training

1. Information and training as required by Section (h) will be provided to all employees at the time of initial assignment for existing hazards, whenever a new hazard is introduced into their work area, and when new information about the hazards of a chemical is found. Additionally, the Tennessee Hazardous Chemical Right-to-Know Law requires **annual refresher training**.
2. Included in the training will be the health, physical, simple asphyxiation, combustible dust and pyrophoric gas hazards of the chemical in the work area.
3. Included in the training will be hazards not otherwise classified of the chemicals in the work

area

4. Included in the training will be an explanation of the labels received on shipped containers and the workplace labeling system used
5. Included in the training will be safety data sheet information, including the order of information
6. Employees will be trained to be able to verbally recall fundamental hazards associated with the specific chemicals to which they are exposed.

D. Hazardous Chemicals List

The Parks and Recreation Department will maintain an alphabetized list with all hazardous materials used in the department and an overall SDS file for each material.

E. Multi-Employer Activity

Other employers who have employees in our facilities who may be exposed to hazardous chemicals will be provided access to the written hazard communication program. They will be shown the SDSs for the chemicals to which they may be exposed and will be informed of any precautionary measures, such as signs and procedures, necessary to protect them during normal operating conditions or in the event of foreseeable emergencies. The labeling system we use will be explained.

Our employees who work in other employer worksites must be afforded the same requirements as in the preceding paragraph before beginning work.

F. Non-Routine Tasks

Periodically, employees are required to perform non-routine tasks which are hazardous. Some examples of non-routine tasks are: Prior to starting work on such projects, each affected employee will be given information by the safety manager about the hazardous chemicals he or she may encounter during such activity. This information will include specific chemical hazards, protective and safety measures the employee can use, and steps the company is taking to reduce the hazards, including ventilation, respirators, the presence of another employee (buddy systems), and emergency procedures.

Other examples of non-routine tasks are:

- Cleaning of the dip tank in the cleaning department
- Emptying the bag house
- Painting the floors and walls

WORKPLACE CHEMICAL LIST FORM

EMPLOYER NAME _____

MAILING ADDRESS _____

WORKPLACE LOCATION _____
(Not P.O. Box)

IDENTIFICATION _____
(If any)

COUNTY _____

TYPE OF BUSINESS _____

**FEDERAL EMPLOYER'S
IDENTIFICATION NUMBER**

		-								
--	--	---	--	--	--	--	--	--	--	--

PRIMARY
SIC CODE

--	--	--	--

**NO. OF
EMPLOYEES**

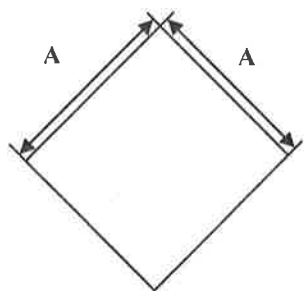
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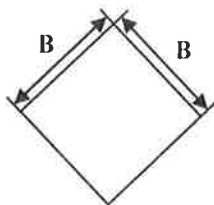
N FPA 704M INFORMATION

Identification of Health Hazard Color Code: Blue		Identification of Flammability Color Code: RED		Identification of Reactivity (Stability) Color Code: YELLOW	
Signal	Type of Possible Injury	Susceptibility of Materials to Burning		Susceptibility to Release of Energy	
		Signal		Signal	
4	Materials that on very short exposure could cause death or major residual injury	4	Materials that will rapidly or completely vaporize at atmospheric pressure and normal ambient temperature, or that are readily dispersed in air and that will burn readily.	4	Materials that in themselves are readily capable of detonation or of explosive decomposition or reaction at normal temperatures and pressures.
3	Materials that on short exposure could cause serious temporary or residual injury.	3	Liquids and solids that can be ignited under almost all ambient temperature conditions.	3	Materials that in themselves are capable of detonation or explosive decomposition or reaction but require a strong initiating source or which must be heated under confinement before initiation or which react explosively with water.
2	Materials that on intense or continued but not chronic exposure could cause temporary incapacitation or possible residual injury.	2	Materials that must be moderately heated or exposed to relatively high ambient temperatures before ignition can occur.	2	Materials that readily undergo violent chemical change at elevated temperatures and pressures or which react violently with water or which may form explosive mixtures with water.
1	Materials that on exposure would cause irritation but only minor residual injury.	1	Materials that must be preheated before ignition can occur.	1	Materials that in themselves are normally stable, but which can become unstable at elevated temperatures and pressures.
0	Materials that on exposure under fire conditions would offer no hazard beyond that of ordinary combustible material.	0	Materials that will not burn.	0	Materials that in themselves are normally stable, even under fire exposure conditions, and which are not reactive with water.

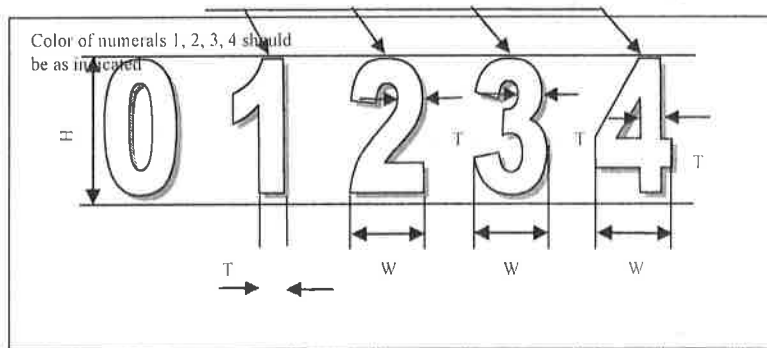


When painted (use same dimensions for

signal or placard)



When made from adhesive-backed plastic (one for each numeral, three necessary for each complete signal)



Minimum Dimensions of White Background for Signals (White Background is Optional)

Size of Signals	W	T	A	B
1	0.7	5/32	2 1/2	1 1/4
2	1.4	5/16	5	2 1/2
3	2.1	15/32	7 1/2	3 1/4
4	2.8	5/8	10	5
6	4.2	15/16	15	7 1/2



HEALTH HAZARD

- ▶ Carcinogen
- ▶ Mutagenicity
- ▶ Reproductive Toxicity
- ▶ Respiratory Sensitizer
- ▶ Target Organ Toxicity
- ▶ Aspiration Toxicity

On all container labels:

Frame must be red

Hazard symbol must be black

Background must be white



ACUTE TOXICITY (POISON)



FLAMMABLE

- ▶ Flammables
- ▶ Pyrophorics
- ▶ Self-Heating
- ▶ Emits Flammable Gas
- ▶ Self Reactives
- ▶ Organic Peroxides



FLAME OVER CIRCLE

- ▶ Oxidizers



CORROSION

- ▶ Skin Corrosion/ Burns
- ▶ Eye Damage
- ▶ Corrosive to Metals



GAS CYLINDER

- ▶ Gases Under Pressure



EXPLODING BOMB

- ▶ Explosives
- ▶ Self-Reactives
- ▶ Organic Peroxides



EXCLAMATION MARK

- ▶ Irritant (skin and eye)
- ▶ Skin Sensitizer

- ▶ Acute Toxicity-low
- ▶ Narcotic Effects
- ▶ Respiratory Tract Irritant
- ▶ Hazardous to Ozone Layer (-non-mandatory)



ENVIRONMENTAL (NON-MANDATORY)

- ▶ Aquatic Toxicity

9-8-2020

[illegible]