

THE TOWN OF FOREST HEIGHTS
RESOLUTION 01-13

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF FOREST HEIGHTS (THE "TOWN") ADOPTING A TOWN SAFETY POLICY

Introduced By: Mayor Jacqueline Goodall

WHEREAS, The MOSH Act (state law) covers every Maryland employer in a business, trade, commercial or industrial activity, who has one or more employees, including State and local governments; and

WHEREAS, Congress passed the Occupational Safety and Health Act of 1970 (federal law), requiring employers to provide workplaces free from recognized hazards; and

WHEREAS, pursuant to Section 2.5 of the Town Ordinance Code, the Town Council may, from time to time, by resolution issue such rules and regulations governing the use of Town property by officers, employees, and volunteers as it deems appropriate.

WHEREAS, the Mayor and Town Council further finds that it is in the best interest of the Town to adopt, support and promote a Town Safety Program Policy.

NOW THEREFORE BE IT RESOLVED, that the Town Council hereby approves and adopts the following:

SAFETY PROGRAM POLICY

SECTION I - STATEMENT

The Town of Forest Heights considers the safety of its employees a major responsibility of the Town government. Constant endeavor shall be made to provide safe working habits and conditions. It is recognized that accident control can only be successful when adequate stimulation comes from top management, adequate coordination and advice comes from staff members, Supervisors accept safety responsibilities, and when employees participate in the elimination of unnecessary injuries.

The keys to our safety program are:

1. All employees being charged with the responsibility for making safety a daily concern. Everyone, regardless of his or her position in the organization, must accept this responsibility.
2. The designation of an employee in a position of authority as the Safety Officer.
3. Support from management and supervisory personnel in the prevention of accidents and the implementation of this policy.

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4. The establishment of the Safety Steering Committee composed of representatives from various departments of this municipality.
5. Safety meetings are encouraged to be held by department, offices and units of Town government, (i.e., Public Works, Police and Administration) on an as needed basis.
6. Supervisors shall conduct periodic safety meetings, and training with employees.
7. Investigations of all incidents to determine causes of the incidents and remedial actions required to prevent recurrence.
8. Supervisors being responsible for the safe condition of assigned equipment and materials, good housekeeping practices and safe working conditions. Supervisors along with line personnel should conduct regularly scheduled inspections of their work places to identify hazards. Corrective actions shall be initiated to control unsafe acts, conditions or procedures.
9. Accident prevention principles being incorporated in new-employee orientation training and being a part of on-going formal and informal training programs for ALL employees. Supervisors will train employees to use safe work practices.
10. The department heads, with the assistance of the Safety Officer, analyzing hazardous working conditions and developing standard operating procedures to ensure that the hazardous conditions are minimized and that safe work practices are used.
11. Use of personal protective equipment by employees to reduce the probability of injury according to guidelines established by the Town.
12. The establishment and support of safety disciplines and safety incentive programs and policies.

SECTION II – SAFETY ORGANIZATION AND RESPONSIBILITIES

A. Mayor and Council

The Mayor and Council support a Town-wide safety program in personnel policies and making the necessary budget appropriations to implement this program.

B. Town Administrator

The Town Administrator, though the Safety Committee, is responsible for overall management and administration of a comprehensive safety program and shall promulgate rules and regulations, with advice from the Safety Committee, to implement it.

C. The Safety Officer

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The Safety Officer/Public Works Supervisor is responsible for the implementation and operation of this safety program to include training, loss control, accident and insurance follow up, and vehicle and building safety. The Safety Officer will represent the Town Administrator in all safety matters and can stop a work operation temporarily when serious injury or property damage is possible. The Safety Officer also:

1. Evaluates compliance with the program within offices and departments.
2. Inspects facilities to detect existing or potential accident and health hazards and recommends corrective or preventive measures where indicated. All inspections will be documented with follow-up inspections performed until a hazard or violation has been corrected.
3. Consults with departments on design and use of equipment, shops, and safety standards; by contacting each department at least semi-annually to evaluate each unit's safety program and recommend improvements.
4. Assists the Risk Management Specialist in providing technical guidance and direction to personnel and all levels of management in the implementation of the safety policy.
5. Participates in the investigation of accidents and injuries and assists in the preparation of reports and evidence for the Town's use.
6. Attends staff meetings to promote maximum understanding of the program objectives.
7. Provides the Safety Committee with information concerning all available accident prevention resources.
8. Trains supervisors in accident investigation, safety inspection and training techniques.
9. Ensures that all necessary evidence is collected and prepared for the Safety Committee to review accidents.
10. Conducts safety surveys on a regular basis.
11. The Safety Officer shall have the authority to shut down a Town job site should he feel it necessary to protect life and property until such time as the situation may be reviewed with the relevant Department Heads.

D. Safety Steering Committee

The committee will function as an advisory body to develop and recommend to the Town Administrator matters of policy and procedure affecting administration of the Town of Forest Heights' Safety Program. Membership will be composed of the Safety Officer, who is the chairman, the Risk Management Specialist and representatives of the various operating departments or units as follows:

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Safety Officer – 1 person
Town Hall (Admin/Clerk/Treasurer) - 1 person,
Public Works - 1 person in addition to the Safety Officer,
Police Department - 1 person,
Risk Management Specialist – 1 person (any employee, collateral duty)
Councilman - 1 person
Town resident – 1 person (appointed by the Mayor)

The Town Administrator in cooperation with the respective department head or supervisor shall be responsible for making appointments to this committee from the respective departments and offices. The Safety Officer shall be the chairman of the committee.

The Committee is responsible for:

1. Planning and recommending policies and procedures affecting the development and administration of an aggressive accident prevention program.
2. Reviewing statistical data, records and reports of safety matters to determine the effectiveness of the program.
3. Recommending, publishing and revising a Town-wide safety manual.
4. Developing, implementing, and administering safety awareness and incentive programs.
5. Serving as the accident review board by reviewing investigation reports, meeting with the employee and his or her immediate supervisor to gather additional information and preventability of the accident.
6. Providing technical guidance and direction to personnel and all levels of management in the implementation of the safety policy.
7. Coordinating safety problems with the safety representatives, and other safety organizations including environmental health agencies.
8. Inquiring into hazardous jobs when prescribed safety precautions are being enforced.
9. Maintaining complete records on accidents and publicizing information which will inform management and employees of trends which call for strong corrective measures. Supplying data needed to formulate and evaluate safety program objectives.

E. Risk Management Specialist

The Risk Management Specialist shall be appointed by the Town Administrator as a collateral duty and is responsible for the recording, designing forms, reporting and distribution of the

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safety related forms required by our insurance carrier, the Safety Committee, Safety Officer and Federal and State governmental agencies. The Risk Management Specialist works in conjunction with the Safety Officer in implementing and conducting an aggressive safety program.

F. Department Heads

Each Department Head is designated as responsible to the Town Administrator and Safety Officer for employee safety. The Department Head has supervisory responsibility for all safety functions and activities within their department. Therefore, each Department Head will:

1. Appoint and establish representatives as needed to administer the safety program.
2. Hold each supervisor accountable for the enforcement of approved safety procedures for their employees.
3. Provide leadership by setting a proper example for all employees; be responsible for successfully operating the department/division's safety program and completing the department's safety objectives.
4. Call upon the Risk Management Specialist or Safety Officer for any assistance needed in promoting aggressive and effective safety program actions; implement safety policies and programs prescribed.
5. Develop policies and procedures and ensure they are complied with by all personnel under their direction.
6. See that all employees are trained or retrained in the accepted methods.
7. Provide personal protective equipment and instruction when necessary and follow up on the equipment's proper use.
8. Require monthly employee safety meetings to review accidents, analyze their causes, and promote free discussion of hazardous work problems and possible solution.
9. Encourage safety suggestions and written comments from employees and adopt those that are feasible.
10. Require accidents to be promptly reported, thoroughly investigated by supervisory personnel, and properly recorded.
11. Ensure that prompt, corrective action is taken where unsafe conditions are recognized or unsafe acts are observed.
12. Ensure that all employees are physically and mentally capable of performing their tasks.

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G. Supervisors or Senior Departmental Employees

Supervisors and senior departmental employees (i.e., second most senior departmental employee or as otherwise designated by the department head) will have responsibility for departmental operation of the Safety Program, and will be responsible to their Department Head. Supervisors should:

1. Assume full responsibility for safe and healthful working conditions within their area.
2. Accept responsibility for evaluation each employee's performance of duties pertaining to accident prevention.
3. Ensure all safety policies, procedures, and regulations are fully implemented for maximum efficiency of each job.
4. Enforce work policies and procedures by administering disciplinary action against those who fail to conform, and giving prompt recognition to those who perform well.
5. Ensure that employees are fully trained for the job they are assigned to do and that they are familiar with Town safety rules and regulations.
6. Ensure that periodic safety training classes are conducted for all employees.
7. Inspect all tools and equipment at frequent intervals and keep them in a safe and serviceable condition, as well as working conditions and procedures.
8. Instruct all employees about the reporting of all accidents and the necessity of receiving first aid treatment, even in the case of minor injury.
9. Promptly investigate all accidents and complete the required reports.
10. Ensure all employees are physically qualified to perform their work.
11. Set a positive example by performing tasks in a safe manner and requiring subordinates to work safely.

H. Employees

Employees will be required, as a condition of employment, to exercise care in the course of their work to prevent injuries to themselves and their fellow workers. Employees are required to:

1. Report all unsafe conditions and unsafe acts to their supervisors.

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2. Follow prescribed procedures during an emergency and report all accidents/injuries to their supervisors as soon as practical.
3. Participate in all required safety and occupational health training and be certain they understand instructions completely before starting to work.
4. Know how and where needed medical attention may be obtained.
5. Promptly report all work related injuries, vehicle accidents, property damage and injuries to visitors to his or her supervisor.
6. Each employee is responsible for compliance with all safety directives and procedures.
7. Serve on the safety committee or inspection team when appointed or elected.
8. Know locations of and understand all safety material or policies provided within their department and the Town.

SECTION III – APPLICABLE REGULATIONS

The MOSH Act (state law) covers every Maryland employer in a business, trade, commercial or industrial activity, who has one or more employees, including State and local governments. Congress passed the Occupational Safety and Health Act of 1970 (federal law), requiring employers to provide workplaces free from recognized hazards. Since 1971, the Division of Labor and Industry of DLLR has been the agency responsible for Maryland's Occupational Safety and Health Plan.

The Maryland Occupational Safety and Health program, known as MOSH, is the state's OSHA program. MOSH strives to ensure that Maryland workplaces are safe and healthful through the use of enforcement, training, and consultation strategies. Safety and health requirements designed to assure safe and healthful workplaces are set out in the law and in standards, which are legally enforceable regulations governing conditions, practices, or operations. Maryland has adopted the Federal Occupational Safety and Health Standards contained in Title 29 Code of Federal Regulations, Part 1910 for General Industry, Part 1926 for Construction, and Part 1928 for Agriculture. Consequently, Maryland employers are not subject to dual sets of standards. In addition to the federal standards, MOSH has adopted several regulations unique to Maryland.

Under an agreement with the Federal Occupational Safety and Health Administration (OSHA), MOSH promotes occupational safety and health in workplaces across Maryland. In addition to adopting many of the federal standards for General Industry (29 CFR 1910), Construction (29 CFR 1926), and Agriculture (29 CFR 1928), MOSH has supplemented the OSHA standards with several requirements unique to Maryland. The following listing sets out these Maryland-specific provisions (For further information about MOSH-Specific requirements, please call MOSH Consultation Services at 410-527-4472. Copies of the law and regulations are available from

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MOSH Training and Education at the telephone numbers that follow: (410-527-2091 or 410-527-2092, FAX: 410-527-4490));

Labor and Employment Article, Annotated Code of Maryland

Title 5. Occupational Safety and Health.

- Subtitle 1. Definitions; General Provisions.
- Subtitle 2. Administration and Enforcement.
- Subtitle 3. Regulations.
- Subtitle 4. Access to Information About Hazardous and Toxic Substances.
- Subtitle 5. Training of Power Equipment Operators.
- Subtitle 6. Miscellaneous Provisions:
 - Asbestos protective clothing
 - Work in confined spaces
 - Work in manholes
 - Discrimination against employee

Title 6. High Voltage Lines.

Code of Maryland Regulations (COMAR)

09.12.20 Occupational Safety and Health
09.12.21 Employee Injury and Illness Records and Reports
09.12.22 Personally Identifiable Employee Medical Information
09.12.23 Prohibition on Smoking in an Enclosed Workplace
09.12.24 MOSH Consultation Education and Training Program
09.12.25 MOSH Fall Protection in Steel Erection
09.12.26 Crane Safety
09.12.31 Federal Standards—Incorporation by Reference (includes adoption of provisions in 29 CFR 1910, 1926 and 1928)
09.12.33 MOSH Regulations for Access to Information About Hazardous and Toxic Substances
09.12.35 MOSH Standard for Confined Spaces
09.12.36 MOSH Standard for Field Sanitation
09.12.38 General Industry Standard for Personnel Platforms Suspended from Cranes, Derricks and Hoists

MOSH Amendments to OSHA Standards

29 CFR 1910.146 Permit-Required Confined Spaces
29 CFR 1910.1048 Occupational Exposure to Formaldehyde
29 CFR 1926.62 Lead in Construction Work
29 CFR 1926.550 Cranes and Derricks
29 CFR 1926.652 Excavations. Requirements for Protective Systems.
29 CFR 1926, Subpart R Steel Erection

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BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately upon its passage.

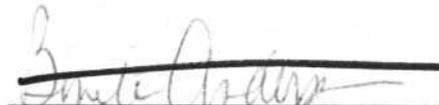
PASSED this 17th day of April 2013.

APPROVED: By Resolution of the Town Council of The Town of Forest Heights, Maryland

<u>ROLL CALL VOTE</u>	<u>YEA/NAY/ABSTAIN/ABSENT</u>
GOODALL	<u>YEA</u>
KENNEDY II	<u>ABSENT</u>
STONER	<u>YEA</u>
BARNES	<u>ABSENT</u>
MUHAMMAD	<u>YEA</u>
SMITH-BARNES	<u>ABSENT</u>
MANN	<u>YEA</u>

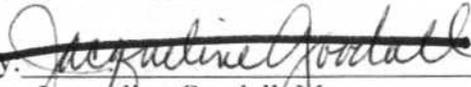
I HEREBY CERTIFY that the above Resolution No. 01-13 was passed by the required yea and nay votes of the Mayor and Council of the Town of Forest Heights on the 17th day of April, 2013.

ATTEST:

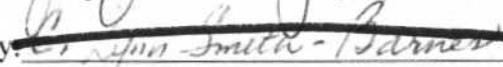


Bonita C. Anderson, Town Clerk

THE MAYOR AND COUNCIL OF THE
TOWN OF FOREST HEIGHTS

By: 

Jacqueline Goodall, Mayor

By: 

C. Lynn Smith-Barnes, Council President