

**City of Hendersonville
Tennessee**

**Safety Policy
Handbook**

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SAFETY PROGRAM AND INSPECTIONS

To ensure that all City employees are provided with a safe and accident-free work environment and that employees utilize safe work practices and accident prevention techniques, the following policy supplements and amplifies existing City rules and regulations and is effective immediately.

- 1.) It is the responsibility of each Department Head and Supervisor to ensure that their employees (1) work under healthy and safe conditions and (2) are provided with adequate guidance and direction toward this end.
- 2.) It is the responsibility of each employee to endeavor to perform their job using acceptable, safe, and hazard-free work methods.
- 3.) It is the duty and responsibility of every employee to notify his or her Supervisor of any and all unsafe working condition or practices of which they may be aware.
- 4.) It is understood that all volunteers, employee groups, court violators, and like persons performing volunteer and non-volunteer work with the City are considered under this policy the same as regular City employees.
- 5.) There is hereby created a Safety Committee composed of representatives from the Public Works, Fire, Police, Parks, Personnel, and Codes Departments and responsible to the Mayor for the accomplishment of their assigned responsibilities.
 - a. The permanent Safety Committee Chairperson will be the Safety Director. Other committee members shall be appointed by the Mayor, shall serve a minimum term of one (1) year, and may be reappointed as deemed appropriate by the Mayor
 - b. A Safety Committee representative or its designee may conduct random inspections (and unannounced inspections as needed) of all city facilities and operations for the purpose of identifying and correcting unsafe working conditions and practices in accordance with applicable federal, state, and local regulations.
 - c. All safety hazards, violations, or unsafe conditions identified by the Safety Committee shall be documented and reported to the appropriate Supervisor and/or Department Head and a copy to the Mayor.
 - d. Safety hazards, unsafe working conditions, or violations considered to be of a serious nature or of immense danger shall be corrected immediately. If the condition cannot be corrected immediately, operations affected by that condition are to be suspended until it is corrected of until acceptable, safe, alternate procedures or facilities are utilized. Under NO circumstances shall employees be required nor permitted to continue to work under serious or dangerous conditions.
 - e. Conditions of less than a serious nature (and where the potential for accidents, unsafe conditions, or practices exists or may exist) shall be corrected as soon as possible, but no longer than ten (10) days. Again, employees shall not be required nor permitted to continue to work under conditions where there is a threat to their health or safety.
 - f. Conditions requiring more than ten (10) days to correct must be reported to the Safety Director and the Mayor

- g. Department Heads shall notify that Safety Committee of the correction of all hazards, violations, and all safety discrepancies as soon as possible.
- h. The Safety Director, Safety Committee, or a Safety Committee representative shall make inspections as necessary to ensure that all corrections have in fact been accomplished as indicated within specified time limits.
- i. The Safety Committee shall notify the Mayor of (1) all unsafe conditions, hazards, or violations of a serious nature or of immense danger, (2) all uncorrected discrepancies, (3) all repeated violations or discrepancies, and (4) the existence of areas of special concern or potential where corrective action, training, or other measures appear to be important or necessary.
- j. The Safety Committee shall develop and carry out such periodic and special training and instruction procedures as they may deem necessary in cooperation with the Department Heads.
- k. It is the responsibility of each Supervisor and Department Head to work with and provide assistance to the Safety Committee in the performance of its assigned duties and to practice and demand safety on the job at all times.

11/23/15

Date



Mayor

HAZARD COMMUNICATION PROGRAM

In compliance with 29 CFR 1910.1200 and Tennessee's Hazardous Chemical Right to Know Law, the City of Hendersonville, Tennessee has developed and implemented this Hazard Communication Program.

Purpose of HazComm Program

The purpose of this program is to convey information regarding hazardous chemicals, hazardous chemical lists, Safety Data Sheets (SDSs), container labeling, and employee training.

The program applies to City operations where employees may be exposed to hazardous substances under normal working conditions or in an emergency. *Copies of this written program should be placed in the front of each SDS binders.* This program and SDSs must be readily available to employees, their designated representatives, and OSHA/TOSHA representatives.

Administration of Program

Department Directors and the Personnel office will be responsible for the implementation and administration of the program. The Personnel official will review and update this program as necessary.

Under this program, employees will be informed of the contents of the HazComm standards, the hazardous properties of the chemicals, safe handling procedures, and protection measures including proper Personal Protective Equipment (PPE) when handling certain chemicals.

I. Labeling of Primary and Secondary Containers of Hazardous Materials

It is the policy of the City of Hendersonville that no container of hazardous materials will be issued or used unless the information on the label is verified and presents the proper information. The information must contain the following:

- The chemical to be used must be clearly labeled as to the contents of the container
- The correct hazard warnings must be properly indicated
- The label will contain the name of the manufacturer as listed.
- The address of the manufacturer will be kept in the master SDS binder.

Immediate Supervisors are responsible to ensure that hazardous materials used by city employees are appropriately labeled.

Secondary Containers

All Secondary Containers will be labeled clearly and correctly prior to their use. If copies of the manufacturer's original label are not available, HMIS or NFPA Diamond 704 labels will be used.

II. Safety Data Sheets (SDSs)

Copies of the Safety Data Sheets (SDSs) for all hazardous materials in the workplace that employees could be exposed to will be provided in each of the following locations:

- City Hall
- Public Works Maintenance Shop
- Police Department
- Parks Maintenance Building
- Road Department
- All Fire Stations

Department Directors are responsible for acquiring and maintaining the Safety Data Sheet binder for each location. Public Works will be responsible for the system at City Hall. This will encompass all current

chemicals and all new chemicals being introduced or generated in the workplace. All hazardous chemicals shall have a Safety Data Sheet.

Vendors shall furnish all Safety Data sheets with each order of chemicals delivered to the City of Hendersonville. Containers shall be affixed with HMIS, NFPA 701 or other comparable labels that meet the labeling requirements of 29 CFR 1919.1200(f) upon delivery. If labels cannot be affixed prior to delivery, the vendor shall supply the appropriate labels for the City personnel to place on the containers.

No hazardous chemical may be put into use without an accompanying Safety Data Sheet on file and the chemical listed on the master list. Department Heads are responsible for seeing that this is done. It is recommended that a copy of the SDS be carried with an employee while a product is being used for quick reference. The original is to remain in the Master Copy of the SDS binder.

III. Employee Training

New Hire Training

New employees (including Part-Time and Temporary employees) will receive initial training from their Supervisor/Department Head regarding the Hazard Communication Program before they begin work involving the use of chemicals. This training is to be documented and kept with other training documents for reference. Training records and documents should be easily accessible and available.

Annual Re-Training

Current Employees will receive ANNUAL re-training regarding the Hazard Communication Program and the department SDS binders. This training is also to be documented and kept with other training documents for reference.

When new products that fall under the guidelines of this program are introduced into the work environment, employees will receive the Safety Data Sheets and training associated with the chemical before it is put into use. This training shall include:

- The purpose the material is used for.
- The hazards associated with this material
- Routes of exposure
- Proper and safe working procedures
- Emergency Action
- First Aid
- Proper Personal Protective Equipment (PPE) to use when handling product

Training Logs

Each facility shall maintain its own SDS Training Logs. Training Logs shall be easily accessible and kept organized. These are subject to inspection by the Personnel official and/or OSHA/TOSHA representatives. It is not necessary to train all employees about all chemicals. Only train employees on chemicals located in the areas in which they employees actually work and/or any chemicals that the employee may use in a normal work environment or an emergency.

Training Logs should contain:

- Trainer's Name
- Training Topic
- Date
- Location
- Who attended (need employee's signature)
- Any other relevant information you feel necessary

All employees should know where to locate the departmental SDS binder and how to use it. It is strongly recommended for a departmental representative to go through your SDS binder, take out the SDS for each hazardous material, and highlight the important information for quick and easy access in case of an emergency (Product Name, Emergency Phone #, First Aid Measures, Handling and Storage, etc.), and return the SDS to the binder.

Helpful OSHA Information

As of June 15, 2015, SDSs must be designed to use consistent headings in a specified 16-section format.

By June 1, 2016, all employers must update existing Hazard Communication Programs (if needed) to reflect the new chemical label design and 16-section SDS format.

11/23/15
Date



Mayor

SEVERE WEATHER POLICY

In order to clarify the position of the City relating to closing of City Hall due to severe weather and the responsibility of employees to report to work under such conditions and to establish a uniform method for treating absences and lateness due to severe weather, the following policy is effective immediately:

- I. In the event of severe weather, every City employee is to make every attempt to report to work as usual.
- II. If local weather conditions make it impossible for an employee to report to work he/she is expected to notify his/her supervisor in the same manner used for any other absence. The day will be charged as an annual leave day, compensatory leave day or, if the employee has no accumulated leave, as a day without pay or, with approval of the supervisor, made up at some future date.
- III. If an employee is unavoidably late due to severe weather conditions the employee will not lose paid time unless the delay is longer than one (1) hour. Delays of longer than one (1) hour but less than one—half (1/2) day may be charged to annual or compensatory leave, taken without pay, or may be made up with the approval of the department head.
- IV. If weather conditions become progressively worse during the course of any work day all employees will be expected to finish out their work schedule unless contrary instructions are received from the Mayor.

12/29/89
Date

Montie Davis
Mayor

INFECTION DISEASE CONTROL POLICY

Law-enforcement, fire and medical response personnel are exposed to a range of work place conditions through which they may potentially become exposed on the job to human immunodeficiency virus (HIV) and hepatitis B virus (HBV) and other Bloodborne Pathogens. Of particular concern are exposures to blood and other potentially infectious materials. These can occur at crime scenes where blood is involved, and puncture wounds or needle sticks resulting from searches of suspects clothing, body cavities etc., contaminated evidence handling, biting, attacks with sharp objects, hand to hand combat and others, motor vehicle and other accidents and medical assistance calls.

The Exposure Control Plan includes:

- Determination of Personnel with reasonably anticipated exposure;
- Implementation of various controls such as Universal Precautions, work practices and engineering controls, personal protective equipment, and housekeeping practices;
- Hepatitis B vaccination and proper medical follow-up after a blood exposure;
- Communication of hazards through labels and training;
- Recordkeeping;
- Maintenance of Training and Medical Records

Program Administration

- The Fire Chief, the Police Chief and the Human Resources Manager or their respective designees are responsible for the implementation of the ECP. They will maintain, review and update the program at least annually or whenever a new or modified task is added. Their telephone numbers are: Police Chief 264-5304, Fire Chief 822-1119 and Human Resources Manager at 264-5314. The written plan is located on the City's Web Site, www.hvilletn.org in the Employee Access section. The login *and* password are: "employee". Once logged in, go to Employees Only Section, then Administrative Policy, Safety, Number Three.
- Those employees who are determined to have occupational exposure to blood or other potentially infectious materials (OPIM) must comply with the procedures and work practices outlined in this ECP.
- These individuals listed will maintain and provide all necessary personal protective equipment (PPE), evidence and sharps containers, labels and red bags, disinfectants. For the Fire Department, this individual is Training Officer Westley Patrick, Station 2, 615-822-1119. For the Police Department, this individual is Sgt. Scott West, located at the police station, 615-822-1111.
- The Personnel Department is responsible to ensure that all medical actions are performed as required and all medical records are maintained. Their telephone number is 264-5314. Hepatitis vaccines and record keeping are the responsibility of designated Police and Fire Department Personnel. In the Police Department, that individual is Lt. Larry Daniel (822-1111). In the Fire Department, that individual is Sharon Guisinger (822-1119).
- These individuals are responsible for training, records of training and for ensuring the accessibility of the ECP in their respective departments: Lt. Larry Daniel, Police Department (822-1111). Westley Patrick (822-1119).

Police and Fire Department Personnel Exposure Determination:

The following Departmental job titles in the Hendersonville Police and Fire Departments is a list where **all employees with that title** have been identified as having a potential occupational exposure to Bloodborne Pathogens.

<u>Police</u>	<u>Fire</u>
Police Officer	Firefighter
Master Patrol Officer	Senior Firefighter
Police Corporal	Fire Captain
Criminal Investigator	Division Chiefs
Police Sergeant	
Police Lieutenant	

The following Departmental job titles are a list where there may be some occupational exposures based on occasional involvements in crime scenes, investigations, accidents and/or fire scenes.

<u>Police</u>	<u>Fire</u>
Captain	Investigator
Chief	Marshal
Animal Control	Chief

A. Universal Precautions

Police and Fire Department Personnel will use **universal** precautions. Universal Precautions is an infection control method that requires employees to assume that all human blood and specified body fluids are infectious for HIV, HBV, HCV and other blood borne pathogens. The specified body fluids are referred to as other potentially infectious materials (OPIM). OPIM can be the following human body fluids: semen, vaginal secretions, cerebrospinal, synovial, pleural, pericardial, and peritoneal fluids, amniotic fluid which surrounds a fetus, any body fluid that is visibly contaminated with blood (e.g. saliva, sweat, tears, vomit, urine, feces, nasal secretions), and all body fluids in situations where it is difficult or impossible to differentiate between body fluids, and any unfixed tissue (severed limbs, fingers, etc.)

B. Exposure Control Plan

Employees covered by the blood borne pathogens standard will receive an explanation of this ECP during their initial training session. It will also be reviewed in their annual refresher training. All employees will have an opportunity to review this plan at any time during their work shifts. A copy of this plan will be made available free of charge and within 15 days of the request.

C. Engineering Controls and Work Practices

- 1) **Hand washing** is required immediately after the removal of gloves or any other task where there is potential contact with blood or OPIM. Personnel will wash their hands with soap and water. Antiseptic towelettes will be used in the field. They must use soap and water to rewash as soon as possible.
- 2) Contaminated sharps will be handled carefully and personnel will use gloves. When items will be used as evidence (knives, needles, razors, etc.) they will be placed in puncture and leak-proof **sharps containers** or puncture and leak-proof evidence containers. They will be red containers, or labeled with a biohazard symbol and the word "biohazard".
- 3) In the Police Department, sharps containers in the office or patrol cars will be inspected and

maintained or replaced by the officers operating the vehicle. Sgt. Scott West will provide replacements and periodic monitoring to ensure compliance. In the Fire Department, the Fire fighter in charge of the particular apparatus or response vehicle is responsible for inspection and maintenance. Fire Chief Scotty Bush will provide replacements and periodic monitoring to ensure compliance.

- 4) Eating, drinking, smoking, applying cosmetics, and handling contact lenses are prohibited in any area where there is a likelihood of exposure involving blood or OPIM.
- 5) Equipment (cars, flashlights) or work surfaces that become contaminated will be cleaned and disinfected daily or as often as needed. Blood spills will be cleaned and disinfected using either a hospital disinfectant that is EPA approved or "tuberculocidal" or a solution of bleach mixed fresh daily 1:10-1:100 with water. Neoprene utility gloves shall be worn when decontaminating environmental surfaces or cleaning contaminated equipment. Anything that cannot be disinfected will be labeled as a biohazard so it will be apparent.
- 6) Designated first aid areas shall not be in any area where food or drink is prepared or present (e.g. kitchen).
- 7) Police field personnel shall use flashlights and long-handled mirrors when searching beneath car seats or other areas where contaminated sharps (broken glass, needles, knives, etc.) may be hidden.
- 8) Personnel should use great caution in searching the clothing of suspects. Individual discretion, based on the circumstances at hand, should determine if a suspect or prisoner should empty his/her own pockets.
- 9) If searching a purse, carefully empty contents directly from the purse, by turning it upside down over a table.
- 10) To avoid tearing gloves, use evidence tape instead of metal staples to seal evidence.
- 11) Intact skin which has been splashed with blood or OPIM will be washed with soap and water immediately.
- 12) Where needles are used for the medical treatment of patients (IV ports), sharps container will be used for the disposal of contaminated needles.

D. Engineering Controls

- 1) Antiseptic towelettes are available for all field personnel in the exposure control kits in all emergency response vehicles. Hand washing facilities are located at all the stations.
- 2) Leak-proof, puncture resistant containers will be used to collect sharp evidence (bloody glass, needles, knives, razors, etc.).
- 3) Red bags with the biohazard symbol will be used for all contaminated evidence and contaminated protective clothing used by Police Department personnel.
- 4) Regulated waste will be stored and disposed of in red bags.
- 5) A metal locker labeled with the biohazard symbol will be used to store blood soaked evidence.

E. Personal Protective Equipment (PPE)

PPE will be provided at no cost to employees. Training will be provided by Lt. Larry Daniel or designee (Police Department), Westley Patrick or designee (Fire Department) in the use of the appropriate PPE for the tasks or procedures employees will perform.

- 1) Disposable gloves, in appropriate sizes, will be provided at the following locations:

Field Kits- Patrol Units; Fire Engines, Rescue Equipment and Ambulances.

First Aid Stations- Fire Halls, Police Station and annexes.

- 2) The Field Kits will contain:

- Gloves
- Protective clothing (overalls, aprons, boots, or shoe covers)
- Eye and face protection (Face shield & masks)
- Pocket mask resuscitator for CPR
- Red bags for regulated waste
- Puncture-proof container for holding contaminated and potentially contaminated sharps.
- Antiseptic towelettes or antiseptic waterless hand cleaner.
- Biohazard labels

- 3) All personnel who use PPE must observe the following precautions:

- Hypoallergenic gloves, glove liners, powder less gloves, or other similar alternatives shall be readily accessible to Fire and Police Department Personnel who are allergic to the gloves normally provided.
- Gloves shall be replaced as soon as practical when contaminated or as soon as feasible if they are torn, punctured, or when their ability to function as a barrier is compromised.
- Patient care gloves (those used to protect from contact with blood) will not be washed or decontaminated for re-use.
- Pocket mouth-to-mouth resuscitation devices (or similar devices) designed to isolate first-aid response personnel from direct contact with fluids will be provided and used. They will be examined and maintained, or replaced, on a scheduled basis.
- Personnel will remove garments, if they are contaminated with blood or OPIMs immediately or as soon as feasible.
- All personal protective equipment will be removed prior to leaving the work area (e.g., contaminated clothing, personal protective equipment, or other items shall not be taken home).
- Contaminated protective equipment will be placed in red bags for storing until they can be washed, decontaminated or discarded.

F. Housekeeping

When a blood or body fluid spill occurs, one of the following disinfecting techniques shall be used:

- 1) A hospital-type disinfectant with an EPA approval number and "tuberculocidal" when used at the recommended dilutions and for the recommended contact times.
- 2) A solution of 5.25% sodium hypochlorite (household bleach) diluted between 1:10 and 1:100 with water. This solution must be prepared fresh for each day of required use.

Neoprene or other rubber-type utility type gloves shall be worn when decontaminating environmental surfaces or cleaning equipment.

If an accident involves the breakage of glassware or other sharp objects, sharp items will not be picked up directly with the hands. Sharp materials which are contaminated will be cleaned up using mechanical means. (e.g. forceps, tongs, dust pan or shovel and broom). Any items contaminated with blood must be disposed of properly.

Sharp objects will be disposed of in sharps containers. Sharps containers used in the field are closable, leak proof, puncture resistant, and are properly labeled with the biohazard symbol. The sharps containers will not be overloaded. They will be closed when moved from one location to another or when they are disposed of as regulated waste.

Contaminated laundry will be handled by the employee whose clothing was contaminated. The following conditions will be met:

- Contaminated laundry will be bagged where it is generated;
- Handle laundry as little as possible, with as little agitation as possible;
- Place wet contaminated laundry (blood-soaked) in leak-proof red bags;
- Personnel who have contact with contaminated laundry will wear protective gloves. If necessary, other protective equipment shall be worn;
- Fire Personnel are to take their contaminated laundry to the basement of Station One to be laundered in the decontamination washing machine. Station One is located at 179 Luna Lane;
- Police Personnel are to take their contaminated laundry to Hendersonville Hospital's bio-hazard waste room for disposal. Or, the laundry may be laundered using appropriate means. Water temperature should be at a minimum of 120 degrees if using a washing machine.

Regulated waste will be disposed of in red bags. "Regulated Waste" means liquid or semi-liquid blood or other potentially infectious materials; contaminated items that would release blood or other potentially infectious materials in a liquid or semi-liquid state if compressed; items that are caked with dried blood or other potentially infectious materials and are capable of releasing these materials during handling; contaminated sharps; and pathological and microbiological wastes containing blood or other potentially infectious materials.

Infectious waste and contaminated materials shall be disposed of as quickly as possible after contamination. Such materials will be disposed of at the bio-hazard waste room at Hendersonville Hospital. The bio hazard waste room is located at the northwest corner of the hospital at the loading dock. The room is identified by a bio-hazard waste symbol on the door.

All bio-hazard red bags are to be double bagged and tied and placed into a red barrel. Red bags cannot be stacked higher than the top of the barrel. The barrel lid must fit tightly on the barrel.

G. Hepatitis B Vaccinations

- 1) Fire and Police Department Personnel will be offered the hepatitis B vaccine and vaccination series after training is conducted and within 10 days of employment. It will be free of charge.
- 2) The vaccinations will be given by Sumner County Health Department. Employees will be provided a form (HEALTH CARE PROFESSIONAL'S WRITTEN OPINION FOR HEPATITIS B VACCINATION) to take with them to obtain the health care professional's written opinion. A copy of the form is included in the written program on page 10.
- 3) The recommendations of the U.S. Public Health Service guidelines will be followed. Employees who have ongoing contact with blood, such as patrol officers and first responders, are to be tested for antibody to Hepatitis B surface antigen (titer test), one to two months after the completion of the three-dose vaccination series. Employees who do not respond to the primary vaccination series

must be revaccinated with a second three-dose vaccine series and retested, unless they are HbsAg-positive (infected). Non-responders must be medically evaluated.

- 4) Every police and fire department employee determined to be at risk of exposure to hepatitis who declines the vaccination must sign a declination form. A copy of the declination statement is included in the written exposure control plan on page 11.

H. Post Exposure Evaluation and Follow up

An *exposure incident* is specific eye, mouth, other mucous membrane, non-intact skin (cut, rash, etc.), or parenteral contact (sharps stick) with blood or O.P.I.M. which result from the performance of job duties (such as response to an accident or assault). Police and Fire Department Personnel should immediately report exposure incidents to Personnel at the following phone number 264.5314.

- 1) If the exposure occurs during non- business hours for the City's administrative offices the following procedures should be followed: if there is a high probability of HIV exposure, employees should avail themselves of immediate treatment at the Hendersonville Hospital Emergency Room and then follow up with a report that can be placed in the Personnel Night Drop box which is located at the northwest corner of City Hall, 101 Maple Drive North. If there is not a high probability of HIV exposure or the exposure is thought to be of another pathogen, employees should contact Personnel on the next day that the administrative offices are open for follow up medical evaluation.
- 2) Each exposure incident will be evaluated to determine what caused the incident. This will include evaluation of work procedures used, policies, and failures of control and engineering controls.
- 3) Each exposure incident will initiate a medical evaluation and follow-up by a health care professional as well as for timely testing of the source individual's blood for HIV and HBV. The medical evaluation and follow-up will be performed by physicians on the City's workers comp panel of providers. The employee will be provided a form (HEALTH CARE PROFESSIONAL'S WRITTEN OPINION FOR POST-EXPOSURE EVALUATION and BLOODBORNE PATHOGEN EXPOSURE EVALUATION FORM) that they will take with them to get the health care professional's written opinion for post-exposure evaluation. The HEALTH CARE PROFESSIONAL'S WRITTEN OPINION FOR POST-EXPOSURE EVALUATION is included in the ECP on page 12. The BLOODBORNE PATHOGEN EXPOSURE EVALUATION FORM is included in the BCP on pages 13 and 14. All reports will be treated in the strictest confidence.
- 4) At the time of the exposure incident, the exposed employee will be offered evaluation by a health care professional licensed to perform the evaluation. In Tennessee, physicians and nurse practitioners are licensed to provide these follow-ups. They must be provided according to recommendations of the U. S. Public Health Service. The Police and Fire Department will provide the health care professional with:
 - A copy of the Bloodborne Pathogen standard;
 - A description of the employee's job duties as they relate to the incident;
 - A report of the specific exposure (accident report), including route of exposure;
 - Relevant employee medical records, including hepatitis B vaccination status;
 - Results of the source individual's blood testing, if available;
 - We require (See Bloodborne Pathogen Exposure Evaluation Form) the medical evaluation and follow-up record to contain:
 - Documentation of the route(s) of exposure and how the exposure occurred;
 - The identity of the source individual if feasible and not prohibited by law;

- We will attempt to obtain the consent of the source individual to test their blood as soon as possible to determine if they are infected with HIV or HBV and to document the source's blood test results.

NOTE: Blood cannot be drawn with intent of specifically testing for HIV or HBV without written consent. If consent is not obtained, the employer must show that legally required consent could not be obtained. Where consent is not required by law, the source individual's blood, if available, should be tested and the results documented.

- If the source is known to be infectious for HIV or HBV, testing need not be repeated to determine the known infectivity.
- The exposed employee will be provided with the test results and information about applicable disclosure laws and regulations concerning the source identity and infection status.
- Following the post-exposure evaluation, the health care professional shall provide a written opinion to the employer (See HEALTH CARE PROFESSIONAL'S WRITTEN OPINION FOR POST-EXPOSURE EVALUATION form). This opinion is limited to a statement that the employee has been informed of the results of the evaluation and told of the need, if any, for further evaluation or treatment. All other findings are confidential.

I. Communication of Hazards to Police and Fire Department Personnel

- 1) All persons with a potential for exposure will be trained on general explanations of the modes of transmission, symptoms and warning signs relating to possible exposure, and procedures to follow if exposure occurs.
- 2) Training is free of charge at initial assignment during working hours. Refresher training will be provided at least annually. Additional training will be instituted if existing tasks are modified or new tasks are required which affect any Police or Fire Department Personnel's exposure.
- 3) Training will be conducted by Westley Patrick, Fire Department and Lt. Larry Daniel, Police Department.
- 4) Training will include:
 - Appropriate methods for recognizing tasks which may involve exposure to blood or OPIMs;
 - The use and limitations of practices which would reduce exposure;
 - Work practices and personal protective equipment;
 - Information on the use, location, and decontamination and/or disposal of personal protective equipment and clothing;
 - An accessible copy of the standard and an explanation of its text;
 - A general explanation of the epidemiology, transmission, and symptoms of bloodborne diseases;
 - An explanation of the plan and how to get a copy;
 - Information on the HBV vaccine;
 - Actions to take in the event of an exposure incident;
 - Proper cleaning procedures; and
 - The Labeling system (red bags and containers with the biohazard symbol).

- 5) All employees affected by this policy in the Police and Fire Departments will be able to answer five basic questions when asked by a TOSHA inspector. They are:
- What does "universal precautions" mean*
 - What do you do when there is a blood spill*
 - personal protection;
 - clean-up and disposal;
 - Disinfection (apply hazard communication standard).
 - What do you do with contaminated laundry*
 - Have you been offered the hepatitis vaccination free of charge*
 - Where is the "Exposure Control Plan", has it been explained to you and have you been trained*

J. Record Keeping

The Personnel Department will keep two types of employee-related records required by the Bloodborne Pathogens standard:

MEDICAL

- 1) A confidential medical record **for each employee** with potential for exposure is maintained in the employees' files. Employee medical records shall be maintained for at least the duration of employment plus 30 years, and will be maintained in accordance to TOSHA's rules governing access to employee exposure and medical records, 1910.20(e).
- 2) Medical records are kept confidential. Access to medical records will be provided when the request is in writing and the employee releases the records for review.
- 3) The medical records include the following information:
 - a. Employee's name and social security number;
 - b. Employee's hepatitis B vaccination status, including dates of all hepatitis B vaccinations and any medical records related to the employee's ability to receive vaccinations;
 - c. Results of examinations, medical testing, and post-exposure evaluation and follow-up procedures;
 - d. The employer's copy of the health care professional's written opinion; and
 - e. A copy of information provided the health care professional.

OSHA RECORDKEEPING

An exposure incident is evaluated to determine if the case meets OSHA's Recordkeeping Requirements (29 CFR 1904). This determination and the recording activities are done by the Personnel Department.

SHARPS INJURY LOG

In addition to the 1904 Recordkeeping Requirements, all percutaneous injuries from contaminated sharps are also recorded in the Sharps Injury Log. All incidences must include at least:

- the date of the injury;
- the type and brand of the device involved;
- the department or work area where the incident occurred;
- an explanation of how the incident occurred.

This log is reviewed at least annually as part of the annual evaluation of the program and is maintained for at least five years following the end of the calendar year that they cover. If a copy is requested by anyone, it must have any personal identifiers removed from the report.

TRAINING

- 1) Using the form on page 15, the Police and Fire Departments will maintain and keep accurate training records for 3 years and to include the following:
 - a. Training dates;
 - b. Content or a summary of the training;
 - c. Names and qualifications of trainer(s); and
 - d. Names and job titles of trainees.

- 2) Training records will be maintained for a minimum of three (3) years from the date on which the training occurred.

- 3) Employee training records will be provided upon request to the employee or the employee's authorized representative within fifteen (15) working days.

10/12/15
Date


Mayor

Revised: May, 2007
May, 2012
October, 2013

BLOODBORNE PATHOGEN EXPOSURE EVALUATION FORM

(To be sent at the time a health evaluation is needed. Form to be completed and kept by health care provider only. Information on this form is confidential. **DO NOT SEND THIS FORM TO THE EMPLOYER.**)

Employee Name: _____ Today's Date: _____

Social Security #: _____ Date of Birth: _____

Home Telephone #: _____

Job Title: _____

Date of Exposure: _____

Description of employee's job duty when incident occurred:

Source of exposure:

Route of entry: _____

Medical records included: Yes No

To be completed by the Health Care Professional: (Circle response and complete explanation as appropriate)

Yes No Blood of source individual has been tested and consent of individual as applicable.
If no, please explain and/or indicate if HIV and/or HBV is already known.

Yes No Results of source individual's testing is conveyed to employee.

Explain: _____

Yes No Employee informed of applicable laws and regulations concerning disclosure of the identity and infectious status of the source.

Explain: _____

Yes No Exposed employee's blood collected and tested with obtained consent.

Explain: _____

Yes No If employee declines HIV testing, blood stored for 90 days for exposure incident.

Explain: _____

Yes No Post-exposure prophylaxis initiated if medically indicated.

Explain: _____

Yes No Hepatitis B vaccination is indicated. Elaborate on treatment given:

Status of Employee Vaccination:

Vaccination	Date	Type	Lot #	Site	Administered by

Yes No Employee informed of results of evaluation.

Explain: _____

Yes No Employee has been informed of any health conditions resulting from exposure to blood or other potentially infectious materials which require further evaluation or treatment.

Explain: _____

Assessment/Observations/Plan:

Action:

_____ Confidential post-exposure evaluation entered into employee's individual health record.

_____ Copy of health care professional's written opinion for post-exposure evaluation completed and sent to employer.

_____ Copy of health care professional's written opinion for post-exposure evaluation given to employee.

NOTE: All findings shall remain confidential.

HARASSMENT and/or DISCRIMINATION

To ensure that the City of Hendersonville provides a workplace free of harassment and/or discrimination, whether that is in the form of sexual, racial, or religious in nature or is related to anyone's gender, national origin, age, or disability, this policy is effective immediately:

- I. Employees are to refrain from any activity, verbal, visual or physical that would create an unwelcome or hostile environment towards any City employee or anyone with whom they come in contact as a result of their employment with the City of Hendersonville.
- II. Employees are to refrain from any actions that would constitute harassment. Unwelcome sexual advances, requests for sexual favors or other verbal, visual or physical conduct of a harassing nature will constitute harassment when a person involved feels compelled to submit to that misconduct in order to keep his/her position, to receive appropriate pay, or to benefit from certain employment decisions. If this type of misconduct interferes with an employee's work or creates an intimidating, hostile, or offensive work environment, it may also be considered harassment.
- III. The City of Hendersonville expects that everyone will act responsibly to establish a pleasant and friendly work environment. However, if an employee feels he/she has been subjected to any form of harassment and/or discrimination, the employee should firmly and clearly tell the person engaging in the conduct, that it is unwelcome, offensive and should stop at once. The employee should also report any discrimination and/or harassment complaints either to the Human Resources Manager or the City Attorney.
- IV. Supervisors who become aware of any situations that may be considered harassment are responsible for reporting the situation to either Human Resources or the City Attorney. Failure to appropriately handle and/or report any situation that should be addressed may result in disciplinary action, including up to termination.
- V. The City of Hendersonville will conduct its investigation in as confidential a manner as possible. A timely resolution of each complaint will be reached and communicated to the complainant and other parties involved as appropriate. Appropriate disciplinary action, up to and including termination, will be taken, if warranted.
- VI. Retaliation against an employee for filing a complaint or participating in an investigation is strictly prohibited. Appropriate disciplinary action, up to and including termination, will be taken, if warranted.
- VII. Any employee who knowingly makes a false claim of harassment and/or discrimination will be subject to disciplinary action, up to and including termination.

4/27/04

Date


Jim Fuqua, Mayor

**TITLE VI COMPLIANCE POLICY
OF THE CIVIL RIGHTS ACT**

The following shall be the policy of the City of Hendersonville in compliance with Title VI of the Civil Rights Act.

1. Title VI Coordinator:

The Mayor shall appoint a Title VI Coordinator whose responsibilities shall include training, public information, and compliance with the provisions of Title VI. The coordinator shall receive training in Title VI.

2. Training

It shall be the responsibility of the Title VI Coordinator to ensure that employees have received Title VI training. This training shall consist of viewing of the video presentation *Understanding and Abiding by Title VI of the Civil Rights Act, Civil Rights Division of the U.S. Department of Justice*.

3. Posters and Public Information

Posters in Spanish and English shall be displayed in City of Hendersonville facilities frequented by the public. Title VI poster language shall be included on the City’s web site and on channel three, the local public television access channel.

4. Contracts:

The City Attorney shall ensure that all City of Hendersonville contracts contain the following: *It is the policy of the City of Hendersonville not to discriminate on the basis of race, color, national origin, age, sex or disability in its hiring and employment practices, or in admission to, access to, or operation of its programs, services and activities. With regard to all aspects of this contract, contractor certifies and warrants it will comply with this policy.*

5. Monitor ethnicity and gender on those who are awarded bid contracts:

In addition to the above sample assurance language, all bid documents shall contain the following:

For Title VI compliance, we ask for voluntary disclosure of the following information:

- Gender: _____ *Male*
 _____ *Female*
- Race: _____ *Black/African American*
 _____ *American Indian and Alaskan Native*
 _____ *Asian*
 _____ *Caucasian*
 _____ *Hispanic*
 _____ *Native Hawaiian/other Pacific Islander*
 _____ *Other (please specify) _____*

This information, if provided, must be given to the City Recorder who shall maintain records of those ethnic and gender groups who are awarded bids on projects.

6. Governing Boards and Commissions

To the degree that it is possible, non-elected boards, councils and committees that are an integral part of planning or implementing the programs or activities of the City of Hendersonville shall reflect the racial/ethnic composition of the community.

7. Complaint and Hearing System

It is the general policy of the City of Hendersonville to investigate all written administrative complaints that have apparent Title VI discrimination merit. To be considered valid, a complaint must be complete or properly pleaded and adhere to the following:

1. The complaint must be in writing
2. The complaint must include the address, phone number and signature of the complaining party
3. The complaint must include the department, entity or individual(s) against whom the complaint has been made.
4. The complaint must be submitted within 180 days of the alleged discrimination.
5. The complaint must describe the discriminatory acts that are in violation of Title VI.
6. The complaint must be given to the Title VI Compliance Officer.

Failure to follow the above requirements shall render a complaint void.

Complaint Procedures

Step One: Determine if complaint is complete and properly pleaded

The Title VI officer will make a determination to accept, reject or refer a complaint within seven (7) calendar days of acknowledgement of its receipt. The Mayor and City Attorney shall be copied on all correspondence to the complainant.

Step Two: Notification

The Title VI officer, upon making a determination that the complaint states a valid claim and is properly pleaded, shall notify the complainant, the Mayor, the City Attorney and the department, entity or individual(s) against whom the complaint has been made as well as the TDOT Title VI Compliance Officer.

Step Three: Investigation

The City of Hendersonville Title VI officer will initiate an investigation on a valid complaint by first contacting the complainant by telephone within three (3) working days of determination that the complaint is valid. The complainant will be informed that they have a right to have a witness or representative present during the interview and may submit any relevant documentation. Should the complainant wish to have legal representation during the interview, the City Attorney shall be present.

The department, entity or individual(s) against whom the complaint has been made will be given the opportunity to respond to all allegations.

The investigating officer will determine which witnesses will be contacted and questioned.

Step Four: Preliminary Report

Within thirty (30) calendar days, a preliminary investigative report shall be prepared and sent to the Mayor, the City Attorney, the complainant and the department, entity or individual(s) against whom the complaint has been made with a copy provided to the TDOT Title VI compliance officer. All parties involved will have an opportunity to rebut. This rebuttal shall be made within fifteen (15) calendar days of the issuance of the preliminary report. Failure to submit a rebuttal within the 15 day deadline shall be deemed a waiver of right of future rebuttal.

Step Five: Final Report

Within 60 days of verification that a valid and properly pleaded complaint has been received, a final report shall be issued to the Mayor, the City Attorney, the complainant and the department, entity or individual(s) against whom the complaint has been made, and the TDOT Title VI officer.

The final report will include a summary of the investigation, the recommended actions if warranted and a time frame for correction.

Step Six: Right of Appeal

Should the complainant disagree with the findings of the final report, they shall be advised of their right of appeal to the City of Hendersonville Board of Mayor and Aldermen.

8. Log of Complaints

The Title VI Compliance Officer will maintain a log of all complaints received. The log shall specify date complaint received, name, address and phone number of complainant, brief description of the complaint, whether the complaint was deemed to be a “valid” complaint, date of preliminary report, date of final report, resolution and deadline for compliance.

9. Limited English Proficiency (LEP) Procedures

It is the general policy of the City of Hendersonville to not discriminate against anyone with limited English proficiency (LEP) who participates in our programs and/or services.

In order to reasonably accommodate those individuals with LEP, the following steps will be taken:

- A. Employees will have access to “I Speak” cards.
- B. Once language proficiency is determined, employees are to follow departmental policy in providing assistance.
- C. If the situation is an emergency, contact 911 and language assistance will be provided to the extent available.
- D. If the situation is a non-emergency, employees should follow the guidance of their supervisor. The supervisor may elect to utilize a document translation service, having the individual bring an English speaking individual to assist, or use of a language line service.

1/21/10
Date


Mayor

VIOLENCE IN THE WORKPLACE

POLICY STATEMENT AND PURPOSE

To adopt a Zero Tolerance Policy for workplace violence with reference to City of Hendersonville employees including supervisors and executives. Consistent with the policy, acts or threats of physical violence including intimidation, harassment and/or coercion which may occur between City of Hendersonville employees and/or family members or citizens and which occur on City property or while acting in the capacity as a representative of the City of Hendersonville will not be tolerated.

DEFINITIONS

Internal: employee toward employee.

External: employee to non-employee/non-family member party or non-employee/non-family member/outside party toward employee.

Domestic: employee toward employee family member or family member toward employee

Harassment: behavior and/or any communication designed or intended to intimidate, menace or frighten another person.

- A. Physical harassment: any physical assault including, but not limited to hitting, pushing, pinching, kicking, holding, impeding or blocking the movement of another person
- B. Verbal harassment: verbal threats toward persons or property, the use of vulgar or profane language toward others, disparaging or derogatory comments or slurs, offensive sexual flirtations and propositions, verbal intimidation, exaggerated criticism and name calling.

Threat: the verbal, physical or written expression of a present or future intent to cause physical or mental harm to an individual or his/her family, friends, associates or property and without regard to whether the expression is contingent, conditional or future.

Physical Attack: an unwanted and/or hostile physical contact such as, but not limited to hitting, fighting, pushing, shoving or the throwing of objects.

Property Damage: any behavior that contributes to the destruction and/or damage of private and/or City property.

Workplace Surveys - questionnaire or survey distributed to employees to identify the potential for violent incidents and to identify or confirm the need for improved security measures.

Workplace Violence: acts or threats of violence include conduct against persons or property that is sufficiently severe offensive or intimidating to alter the employment conditions at the City of Hendersonville or to create a hostile, abusive or intimidating work environment. These include all threats or acts of violence occurring on City of Hendersonville property, regardless of the relationship between the parties involved in the incident and all threats of acts of violence not occurring on City property but involving someone who is acting in the capacity as a representative of the City of Hendersonville

APPLICATION OF PROHIBITION

The City of Hendersonville's prohibition against threats and acts of violence applies to all persons involved in the City's operations, including but not limited to City personnel, contract and temporary workers and anyone else on City property. Violations of this policy by any individual on City property will be followed by policy procedures or legal action as appropriate. Violations of this policy by a City employee may lead to disciplinary action (up to and including termination, as provided in the City Personnel Rules and Regulations).

CARRYING OF FIREARMS

City of Hendersonville employees or visitors are prohibited from possessing any firearms within any City owned building or City owned vehicle unless the employee's job description specifically requires the carrying or possession of a firearm. This policy shall not apply to employees with current carry permits issued by the State of Tennessee unless otherwise posted (i.e. police building, City Hall). Notwithstanding this provision, former certified Police Officers with at least five (5) years' experience and having a valid carry permit are allowed to carry a firearm in City Hall. All current gun permits held by City employees will be on file with the Mayor's office and must be updated upon renewal. Violators of this policy are subject to disciplinary action and/or arrest.

PROHIBITED ITEMS ON CITY PROPERTY

Under no circumstances, except as may be required by the job or other lawful means, are the following items permitted on City property:

- Any type of firearm except as noted above, (including working and non-working) with the intent to go armed.
- Switchblade knives or knives with a blade longer than four inches.
- Explosives (including blasting caps).
- Other objects or substances carried for the purpose of injuring or intimidating.

RESPONSIBILITY

- It is the responsibility of each department head of the City of Hendersonville to make their employees aware of the City's Violence in the Workplace Policy.
- It is the responsibility of each supervisor to ensure that all employees are allowed to work in an environment that is free from the threat of workplace violence.
- It is the responsibility of each employee to ensure that conduct is professional and to adhere to the guidelines in this policy.

EMPLOYEE OBLIGATIONS

Every employee of the City of Hendersonville is obligated to report incidents of threats or acts of physical violence which may affect anyone on City property. This report will be made to either a supervisor or department head who in turn will notify the Mayor's office.

Employees involved in domestic situations which may lead to angry individuals visiting City property with the intent to do harm will notify their supervisor or department head. Any employee who obtains a restraining order against any individual will notify their supervisor or department head within 24 hours. Any employee who has had a police department respond to a domestic situation will notify their supervisor or department head within 24 hours. If the employee feels it necessary, the supervisor or department head will notify the Police Department.

Employees who know of individuals who are involved in any type of dispute with the City are to notify the Mayor's office and the Mayor's office shall disseminate the information to other City employees as appropriate. Employees who are concerned about fellow employees who are exhibiting signs of unusual hostility or unusual resentment toward a supervisor, co-worker, City official or a City policy will advise their supervisor or department head.

Employees who make false and/or malicious allegations of workplace violence will be subject to disciplinary action and/or arrest as outlined in the Progressive Discipline Chain as per the City of Hendersonville Personnel Rules and Regulations. This violation is considered a violation of this policy.

NON-RETALIATION

This policy prohibits retaliation in any form against an employee who brings a valid complaint of violence, intimidation or harassment. Invalid complaints may be subject to disciplinary action as per the City of Hendersonville Personnel Rules and Regulations.

CONFIDENTIALITY

Confidentiality shall be maintained on a need to know basis for any personal situation involving a City employee. Confidentiality of records of domestic violence victims and witnesses with protection orders will follow TCA 10-7-504 and subsequent amendments to require utilities and allow municipalities to treat as confidential the home and work addresses, telephone numbers, Social Security number, and other information that could be used to locate an individual who has presented a valid protection order or document to the records custodian of the utility or municipality during regular business hours. The person must request that the information be treated as confidential. The protection order is presumed in effect if on its face it has not expired. The custodian must place the document in a file containing, in alphabetical order, all protection documents. Identifying information remains confidential until the person requesting confidentiality notifies the custodian in

person that the information no longer needs to be confidential. After receiving this notification the custodian must remove the protection document from the file. Before removing the document, however, the custodian must verify the identity of the requester.

TRAINING AND EDUCATION

The City of Hendersonville will provide on-going opportunities on an as needed basis for employees to be trained in the risk factors associated with workplace violence and proper handling of emergency situations in order to minimize the risks of violent incidents.

Employees, regardless of their level of risk, should be taught:

- Techniques for recognizing the potential for violence
- Procedures, policies and work environment arrangements developed to control risk to workers
- Proper use of security hardware etc.
- Appropriate response to incidents of violence, including emergency and hostage situations
- How to obtain medical assistance and follow-up
- Procedures for reporting, investigating and documenting incidents of violence
- Travel safety, off-site workers
- Cash handling procedures
- Workplace safety
- Conflict resolution

Effective training should:

- Be given on company time
- Use easily understood terminology
- Be given in language spoken by the employee
- Provide sufficient time for questions and answers
- Be conducted by trainers knowledgeable or qualified in their field of expertise
- Be conducted before taking a new job assignment, annually or when laws or procedures change

Workers with job tasks or locations that place them at higher risk for violent incidents should be provided specialized training in addition to above topics.

Managers and supervisors should undergo training outlined above plus additional training enabling them to recognize potentially hazardous situations. They should also be trained to ensure that employees are not placed in assignments that compromise safety and in methods and procedures which will reduce the security hazards. They should be trained to behave compassionately towards co-workers when an incident does occur.

WORKPLACE SURVEY: Questionnaires should be reviewed, updated and distributed as needed or at least once within a twenty-four month period of time. Results should be analyzed and used to revise and improve the overall content and implementation of the Workplace Violence Program.

12/11/15

Date



Jeff Joofen

Mayor

**VEHICLE ACCIDENTS AND DAMAGE
TO CITY VEHICLES**

In order to ensure that all accidents involving damage to City owned vehicles are reported and reported promptly, the following policy is effective immediate:

- I. It shall be the responsibility of every employee driving a City vehicle that may be involved in an accident, regardless of its magnitude, to:
 - A. Stop the vehicle, call an ambulance if necessary, and render assistance if capable.
 - B. Call the police to investigate.
 - C. Report the accident to his/her supervisor as soon as possible after the above actions are completed.
 - D. If the accident occurs on an interstate or controlled access roadway (such as Vietnam Veterans Boulevard) the vehicle may be moved to the shoulder to insure the safety of the driver and/or the public. T.C.A. 55-10-117.

Supervisors shall be responsible for notifying their department heads and the Finance Director of every accident and the extent of damage to any vehicle assigned to their department within one (1) working day of the accident or damage. The Finance Director shall promptly notify the City's insurance carrier and the Vehicle Accident Review Board.

- II. It shall be the responsibility of every employee who damages or discovers damage to a City vehicle to immediately report that damage regardless of the magnitude, to his/her supervisor. Supervisors shall be responsible for notifying their department head and the Finance Director of that damage within one (1) working day. The Finance Director shall report all damages to the Vehicle Accident Review Board.
- III. Employees or supervisors failing to report damage or accidents involving City vehicles in accordance with this policy may be subject to disciplinary action.
- IV. Repairs to City vehicles will not be accomplished nor will payment be made to any vendor for any vehicle repairs unless and until the Director of Finance and the Vehicle Accident Review Board are properly notified of those damages to the vehicle as required herein.
- V. Department heads are charged with the responsibility of enforcing this policy and ensuring that all of their employees are thoroughly familiar with its provisions.

December 1, 1983
Date

Raper
City Manager

VEHICLE ACCIDENT/INCIDENT REVIEW BOARD

For the purpose of this policy, a ‘vehicle’ includes any motorized apparatus used by the City to conduct official business. In an effort to reduce and minimize the number, frequency, and severity of accidents/incidents, and the resultant damage involving City-owned vehicles, and the liability created for the business use of personal-owned vehicles, and to establish a uniform policy and procedure governing the reporting, investigation and analysis of all accidents/incidents, the following is effective immediately:

- I. A Vehicle Accident/Incident Review Board is hereby created. The Board shall consist of supervisory representatives of Police, Public Works, Fire, Parks, and Personnel.
- II. Per Resolution #2016-16, this Board shall be combined with the Safety Incentive Program Board. The Chairperson shall be the City’s Safety Director.
- III. It is the responsibility of the Board to review the facts surrounding an accident/incident, to determine if the accident/incident was preventable or non-preventable, to ensure fair and impartial determinations are fixed regarding the responsibility for such events, and to recommend corrective action, administrative procedure changes, and approve disciplinary action.
- IV. The Vehicle Accident/Incident Review Board is authorized to question the operator of any vehicle used to conduct city business involved in any accidents/incidents, or any other City employee, and to assist them in carrying out their responsibilities. Police reports, department rules and regulations, and any other City reports may also be used while conducting its investigation.
- V. The vehicle operator will have an opportunity to appear before the Board to present any pertinent information concerning the accident/incident along with his/her side of the event and request the attendance of any pertinent witnesses. Requests for witnesses shall be submitted to the Chairman at least a week prior to the hearing. The Chairman shall use discretion as to the number of witnesses called and the relevance of witness’ testimony.
- VI. For each accident/incident investigated, the Board shall find:
 - A. The applicable facts and circumstances,
 - B. Preventability or non-preventability,
 - C. Recommendations for avoiding recurrences,
 - D. Recommendations for disciplinary action, if appropriate, and
 - E. Recommendations for general vehicle or driving policies or procedures
- VII. The Board shall adopt a general guide for recommending disciplinary action based upon factors such as the employee’s driving record, number of preventative accidents and the circumstances affecting the incident. The Board may recommend, after a thorough investigation, one or more of the following actions:
 - A. No action required,
 - B. Physical driver examination,
 - C. Driver testing and safety classes,
 - D. Verbal reprimand,
 - E. Written reprimand,
 - F. Suspension without pay,
 - G. Dismissal,
 - H. Combination of the above, and
 - I. Any other action the Board feels is in the best interest of or conducive to the proper operation of the City.

- VIII. The majority of the Board may vote to ask the departmental representative on the Board to excuse himself from any discussion or deliberation involving an employee under his supervision.
- A. The Board shall make a recommendation “by majority vote of the Board” to the driver’s Department Head of any disciplinary action or preventative measures which it feels may be justified and appropriate. The department head shall report back to the Board within thirty (30) days on what actions have been taken regarding the Board’s recommendations.
 - B. Department Heads must request reconsideration of the Board’s recommendations or findings when, in his or her opinion, the evidence or circumstances of any particular case (involving one of his or her employees) show the recommendation is not appropriate or justified, or when alternative action is deemed to be in the best interests of the parties concerned.
 - C. A request for reconsideration by the Board must be filed by the department head within thirty (30) days of the date of receipt of the Board’s initial findings and recommendations. The Board shall then reconsider the facts of the incident as presented by the department head within two (2) weeks.
 - D. If after the reconsideration of the case by the Board the Department Head does not concur or agree with the Board’s findings and/or recommendations, the department head shall act as he or she deems proper and fitting with regard to the case and the employee involved therein. However, the department head shall prepare and submit to the Mayor a detailed written justification and explanation of the reasons for modifying, varying or otherwise not complying with the recommendations of the Board. A copy of this report shall be transmitted to the Board and to the applicable employee’s record.
- IX. Employees shall have the right to follow prescribed grievance or disciplinary appeals in accordance with the applicable provisions of the City’s Personnel Rules and Regulations.
- X. Minutes shall be kept of each meeting and distributed to each Board member in addition to the Department Head whose employee is involved.
- XI. The Board’s findings and recommendations, records of disciplinary action, and all other pertinent or relative documentation, shall become a part of the applicable employee’s permanent file.

August 5, 2016

Date



Mayor

May 13, 1996 1st Revision

**INVESTIGATION OF TRAFFIC ACCIDENTS
INVOLVING CITY VEHICLES**

In order to provide for the proper, impartial and timely investigation of all traffic accidents involving City owned vehicles and in order to ensure that the City is protected from the appearance of any partiality in the conduct of these investigations by law enforcement officers, the following is effective immediately:

I. Minor Traffic Accidents

- A. Definition: A minor traffic accident is one involving a motorized vehicle owned by the City of Hendersonville or driven by an employee in the scope of his employment and which incurs slight or very minor property damage and no apparent personal injury.
- B. Minor traffic accidents may be investigated by the Hendersonville Police Dept.

II. Major Traffic Accidents

- A. Definition: A major traffic accident is one involving either a motorized vehicle owned by the City of Hendersonville or driven by an employee in the scope of his employment and which incurs substantial property damage and/or personal injury to either a City of Hendersonville vehicle or employee, or a private citizen or vehicle.
- B. Major traffic accidents shall be investigated by the Tennessee Highway Patrol unless over-riding circumstances prevent the THP from performing the investigation in a timely manner.
- C. Should an accident occur where the Tennessee Highway Patrol cannot perform an investigation in a timely manner, the Mayor, Police Chief, Police Captain or Police Lieutenant on duty shall make the decision to not require an investigation by the THP. This determination shall be fully documented in writing.

III. Accidents Involving Police Vehicles

Accidents involving Police vehicles, regardless of severity, may require an investigation by the Tennessee Highway Patrol when, in the opinion of the Chief of Police or the ranking on-duty police officer, such an investigation may be in the best interests of the parties concerned.

IV. Application

This Policy shall pertain to accidents occurring both on public property and private property.

V. Enforcement

The Hendersonville Police Department is charged with the responsibility of enforcing this policy and ensuring that its employees are thoroughly familiar with its provisions.

3/25/81

Date

Louis W. Oliver III

City Manager

SEAT BELT POLICY

To establish a uniform seat belt use policy for all City employees to ensure the safety of City employees and to comply with Tennessee State Law, this policy is effective immediately.

I. Seat Belt Use

All city employees and all passengers in City owned vehicles or in privately owned vehicles on official city business shall wear seat belts before the vehicle moves, as required by law with the following exceptions:

- A. Special use vehicles operated by Public Works Department and Parks Department exempt by State Law.
- B. Public Works personnel making house-to-house limb pickup or frequent road repair. However, seat belts must be worn to and from work locations and the garage.

II. Seat Belt Achievement Award Recognition

Hendersonville is enrolled in a National Awards Program which is sponsored by the National Highway Traffic Safety Administration in cooperation with the Tennessee Highway Traffic Administration.

- A. Hendersonville police officers will observe City facilities and compile statistical information on the number of employees who use their seat belts as they arrive to and depart from City facilities.
- B. 100% usage by City employees will make the City eligible for an award from the National Highway Traffic Safety Administration.

1/26/93

Date

R. J. Hank Thompson

Mayor

EMERGENCY NOTIFICATION SYSTEM

The purpose of this policy is to provide a guideline of the use of the Emergency Notification System for the notification and alerting of employees and the public of emergencies and optional general non-emergencies as needed to ensure public safety and keep residents informed. The notifications may be sent using telephone messages, text message, email, and may be displayed on a mobile app.

POLICY STATEMENT

It shall be the policy of the City of Hendersonville to notify the employees, residents, and businesses within the City in a timely and efficient manner. The City strongly encourages all community members to be a part of this initiative in order to receive prompt and valuable information.

INTRA-DEPARTMENTAL NOTIFICATIONS:

Call groups and administrators will be established on a department-by-department basis as determined by the Department Head:

1. It shall be up to the individual Department Head to establish his/her own internal policies regarding notification procedures. An example of Intra-Departmental Notifications would be call outs.
2. The system shall not be used for personal use. Examples would include but not be limited to items for sale, personal gatherings, etc.
3. Individual departments should establish a key person(s) to receive notifications to handle public inquiries.
4. City Employees using personal phones for Intra-Departmental notifications will not be reimbursed by the City for charges incurred.

PUBLIC NOTIFICATIONS:

1. Department Heads shall authorize which personnel are given access to this resident notification system.
2. Examples of Public Notifications this includes emergency and general notifications are listed in Attachment A. This non-exclusive listing reflects the types of conditions for which either full or limited (directed only toward specific affected areas) notification may be warranted depending on the particular circumstances presented.
3. Priority Public Notifications and time sensitive notifications
 - a. Whenever a priority notification is deemed warranted, appropriate, and necessary in light of known information and circumstances presented, the Notification System will be activated in a reasonable timeframe, taking into account the need to:
 - i. ensure the accuracy and integrity of the informational content of the notification;
 - ii. avoid unduly alarming the public; and
 - iii. balance the urgency of the situation when the time of day that such conditions are encountered.
 - b. In an emergency situation, any one of the following people can authorize a priority notification:
 - i. Police Dispatch/Supervisors
 - ii. Police Administration
 - iii. Fire Administration
 - iv. Mayor, or his designee
 - v. City Information Technology Manager
4. Notification Cancellations
 - a. A notification can be canceled at any time. However, since the system notifies all residents within 20 minutes, a cancellation must be activated within a small timeframe after initiation.

5. The Phone Numbers that will be used to call residents will be:
 - a. 1 (866)419-5000 or Emergency Comm – for Emergency notifications
 - b. 1 (855) 969-4636 or ECN Community – for General notifications
 - c. 1 (800) 566-9780 or Emergency Comm – for CodeRED emergency weather alerts

DISCLAIMER

The City of Hendersonville does not operate/manage Public Utilities; and therefore, is not in control of notifications related to utilities. As we are notified, we will generate notifications as appropriate according to this policy.

December 11, 2014
Date


Mayor

CodeRED ALERTS		
ALERT TYPE (General/Emergency)	DETAIL OF ALERT	NOTIFICATION TYPE (Call/Text/eMail/Mobile App)
Emergency	Abduction	Call - Text - eMail - Mobile App
Emergency	Missing Person/Child	Call - Text - eMail - Mobile App
Emergency	Terrorist Threat/Homeland Security Alert	Call - Text - eMail - Mobile App
Emergency	Traffic Emergency (tanker fire, train derailment, etc.)	Call - Text - eMail - Mobile App
Emergency	Utility Emergency - Life Threatening	Call - Text - eMail - Mobile App
Emergency	Public Health - Declared Health ER	Call - Text - eMail - Mobile App
Emergency	Lake/River Water Contamination	Call - Text - eMail - Mobile App
Emergency	Evacuations	Call - Text - eMail - Mobile App
Emergency	Fire Emergency - Life Threatening	Call - Text - eMail - Mobile App
General	Trash Pickup Cancelled	Call - Text - eMail
General	Road/Lane Closures (non-emergency)	
	<i>Major Artery closed more than 20 min.</i>	Text - eMail
	<i>IF State Route (above)</i>	Text - eMail - Mobile App
	<i>Residential Road closed over an hour</i>	Text - eMail
General	Utility - Non-Life Threatening	Call - Text - eMail - Mobile App
General	Confirmed Serial Crime	Call - Text - eMail - If Public Venue then add Mobile App
General	Fire Notification - Non-Life Threatening	Text - eMail

TORNADO POLICY (City Hall)

To ensure the safety of City Hall staff and visitors in the event of a Tornado Warning, the following policy shall be in effect. A Tornado Warning is defined as a warning issued by the National Weather Service when a tornado has actually been sighted in the immediate area or indicated by radar.

1. Notification

If threatening weather is in the area, the weather radios located in each department shall be monitored by individuals in those departments. The first person to become aware of threatening weather should notify individuals in City Hall.

Conference Room #2 has been designated as the safe zone.

All employees shall become familiar with its location in the Executive end of the building.

2. Alerting all areas of the building

Each department will be responsible for ensuring that all their staff has been notified and directed to the safe zone (Conference Room #2).

3. All visitors and staff will move to the designated safe zone.

It will be mandatory for all city employees present in the building to assemble in Conference Room #2 as soon as possible after the warning is issued. Visitors should also be encouraged to do the same. If it is not possible to get to this area, individuals should seek shelter in an interior office without windows.

4. Emergency Supplies

The following emergency supplies shall be maintained for ready access in close proximity to Conference Room #2:

- Flashlights and spare batteries
- Storm weather radio and spare batteries
- First aid kit
- Bottled water and cups

The Executive Office shall be responsible for maintaining these supplies.

5. Notification upon entering the building

Signs are to be placed on the inside, facing the outside of the main entrance doors and the two side entrance doors located at the Codes and Parks Departments, advising the public and entering employees that a tornado warning is in effect and directing them to the safe zone. The Executive Office will be responsible for posting the signs at the main doors and the Codes and Parks Departments will be responsible for the doors at their locations.

6. All Clear

No one is to leave the safe zone or other shelter areas until an "All Clear" has been issued by the National Weather Service.

7. Employees who are not at City Hall at the time the warning is issued are to seek appropriate shelter.

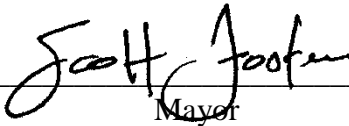
If in a vehicle or mobile home structure, employees should get out immediately and hurry to the basement or inner corridor of a sturdy structure or go to a ditch or low lying area and lie flat. Getting under a highway overpass is not a recommended option. Employees should not attempt to return to City Hall if they are away at the time of the warning until an all clear has been issued. If roadways are blocked or traffic is a concern, employees should use their judgment as to whether they should return to

City Hall after the all clear has been issued. Depending on circumstances, employees may be given an excused absence if they are sent home early or cannot return to City Hall.

8. If there is time, employees should shut down computers and put away loose paperwork on their desks.
9. Each department at City Hall should have a procedure for notifying employees on reporting for work, etc. in the event there is structural damage sustained.
10. Communicating the Plan
Supervisors are responsible for giving new employees a copy of this policy and making sure that it is understood. Any temporary employee should also be briefed on the procedures.

8/1/06

Date



Mayor

SMOKING and TOBACCO POLICY

The following regulations shall constitute the official policy regarding smoking in all City-owned or occupied buildings and vehicles:

1. The use of all tobacco products including but not limited to cigarettes, cigars, smokeless tobacco products, e-cigarettes and hookah pens are not allowed within the enclosed areas on the company premises, including buildings and vehicles owned, leased, or operated by the City of Hendersonville with no exception to common work areas, classrooms, conference, or meeting rooms, elevators, stairwells, hallways, restrooms, break rooms, garages, warehouses, or all other enclosed facilities.
2. Tobacco use is prohibited in all outdoor places where employees are required for occupational duties, including work areas, construction sites, temporary offices, trailers, restrooms, vehicles, and parking lots.
3. Smoking shall be in designated outdoor smoking areas at least 25 feet from the worksite entrances and building air intake ducts with appropriate disposal containers available. Disposal containers must be cleaned regularly.
4. Employees are to be informed of this policy and signs are to be clearly-posted.
5. Smoking cessation materials and treatment options are available to employees who want to quit tobacco usage from the Human Resources Department.
6. Violation of this policy will result in disciplinary action.

4/2/15

Date



Mayor

FIRE PROCEDURES (City Hall)

To ensure the rapid, safe and effective evacuation of City Hall and the immediate notification of emergency response firefighting personnel in case of fire or suspected fire, the following policy and procedures are effective immediately.

1. Alarm System

The building is equipped with a fire suppression system along with both audible and visible alarms. If you suspect fire and the alarm has not already been activated, to activate the alarm system, pull one of the fire pull station boxes which are located at or near each designated exit door.

Locations of Pull Stations:

Front door in Main Lobby
Rear exit door in corridor outside court room
Rear exit door in Finance Department.
Side exit door in Parks Department
Side exit door in Codes Department
Side exit door in Main Break Room
Court Room

2. Checking all areas of the building

The building is equipped with an audible and visible alarm system that when activated will alert all people in the building of the need to evacuate. However, each department should still assign an individual to ensure that their department and surrounding areas have in fact been evacuated.

3. Evacuation Procedures

Evacuation maps are posted throughout the building and departmental personnel should be familiar with these maps. In the event of alarm activation, employees should quickly evacuate the building in the safest manner possible. All office doors should be shut. City Hall personnel should assume responsibility for assisting visitors from the building. Precautions should be taken to ensure that no visitors inadvertently enter the building during or after the evacuation process.

All individuals evacuating the building should meet in the East Side Parking Lot (Maple Drive North). Each department shall make a quick check of their personnel, and any unaccounted for person along with their last known location shall be reported to emergency response personnel.

Locations of Evacuation Maps:

Each Department
Court Room
Main Lobby

4. The Buddy System

Since there are a number of employees at City Hall whose work assignments frequently take them away from the premises, departments will be assigned “buddy departments” who will be responsible for notifying each other and assisting with the assigned responsibilities as well as accounting for missing individuals. These “buddies” are assigned as follows:

Executive Offices / Economic Development
Parks / Codes
Planning / Public Works
Human Resources / Finance

5. Fire Drills
Fire drills will be conducted by the Fire Department at least once a year.
6. Communicating the Plan
Supervisors are responsible for ensuring that new employees are given a copy of this policy and that they understand the locations and procedures described. Any temporary employees should also be briefed on the procedures.
7. Public Meetings
At every public meeting involving a large attendance (more than 50 individuals), an announcement shall be made as to the location of fire exits. Regardless of the size of the meeting, any staff members who are present shall assume responsibility for notification, building search, and evacuation procedures.
8. Your Personal Safety First
If conditions are such that a building search and other procedures would compromise your immediate safety, leave the building at once.
9. Fire Extinguishers
Every supervisor should ensure that all employees are familiar with the locations and operation of the fire extinguishers in City Hall. Employees should receive periodic training in the operation of fire extinguishers.

Fire Extinguishers Locations:

- Main Lobby
- Main Break Room
- Main Corridor (2)
- Codes, Finance, Parks, Personnel and Public Works Departments
- Exit Corridor outside Court Room

8/1/06
Date


Mayor

ACTIVE SHOOTER POLICY

INTRODUCTORY DISCUSSION:

An active shooter emergency involves one or more persons, using a firearm or weapon, engaging in a random or systematic shooting or killing spree. While the vast majority of shootings in this country are over in a matter of minutes, involving persons known to one another, and are confined to a particular area, the active shooter incident does not follow this template. This type of incident can last for minutes or hours, range over a large and constantly changing area, and threaten everyone within close proximity of the shooter(s).

Persons may or may not receive advance warning of an active shooter. A witness, personal observation or the sound of gunshots may be the only alert you receive, leaving little time to react. The sound of gunshots, unlike special effects in movies and television, may sound muffled and make a “pop, pop, pop” noise. It is reasonable to assume that a series of such noises are gunshots and you should begin to take necessary precautions.

Traditional response to this type of incident has been to shelter in place and wait for the police to arrive. While this type of response is not completely wrong, case studies of several active shooter incidents have shown that using only this response has resulted in an increase in casualties. City Hall has adopted the “ALICE” response plan to assist you in your response should this type of incident occur.

PURPOSE:

The purpose of this policy is to assist employees in responding to active shooter events, to maximize survivability and to deal with the aftermath of the event. It is important to recognize that there is no definitive way to handle every situation that may arise; this policy should be used as an “in general” guide so that employees better understand their options.

POLICY:

“ALICE” is an acronym for 5 steps you can utilize in order to increase your chances of surviving a surprise attack by an active shooter. It is important to remember that the “ALICE” response does not follow a set of actions you “shall, must, will” do when confronted with an active shooter. Your survival is paramount in this situation. You may use only one or two parts of the response plan or you may have to utilize all five.

ACTIONS TAKEN:

1. **Alert-** Can be anything.
 - Gunfire
 - Witness
 - PA Announcement
 - Phone alert

2. **Lockdown-** This is a semi-secure starting point from which to make survival decisions. If you decide to not evacuate secure the room.
 - Lock the door.
 - Cover any windows in the door if possible.
 - Tie down the door, if possible, using belts, purse straps, shoe laces, etc.
 - Barricade the door with anything available (desks, chairs, etc.)
 - Look for alternate escape routes (windows, other doors).
 - Call 911
 - Move out of the doorway in case gunfire comes through it.
 - Silence or place cell phones on vibrate.
 - Once secured, do not open the door for anyone. Police will enter the room when the situation is over.
 - Gather weapons (coffee cups, chairs, books, pens, etc.) and mentally prepare to defend yourself or others as a last resort.
 - Be prepared to surprise the active shooter should they enter the room.

3. **Inform-** Using any means necessary to pass on real time information.
 - Given in plain language.
 - Can be derived from 911 calls, video surveillance, etc.
 - Who, what, where, when and how information.
 - Can be given by, PA Announcements or word of mouth.

Upon discovery of an active shooter, and once in a secure location, notify law enforcement by whatever means possible. Try your best to inform the officers of the following:

- a) Description of the individual(s)
- b) Number and types of weapons (if known)
- c) Suspect(s) location and direction of travel
- d) Location of any victims if known

4. **Counter-** This is the use of simple, proactive techniques should you be confronted by the active shooter. Above all else “use common sense”. If your only option is to confront the active shooter in order to stay alive, you have that right.
 - Anything can be used as a weapon.
 - Throw things at the shooters head to disrupt their aim.
 - Grab the shooters limbs and head and take them to the ground.
 - This is your decision to fight (bite, kick, scratch, gouge eyes, etc.)
 - If you have control of the shooter call 911 and tell the police where you are and listen to their commands when officers arrive on scene.

5. **Evacuate-** Remove yourself from the danger zone as quickly as possible.
 - Decide if you can safely evacuate.
 - Run in a zigzag pattern as fast as you can.
 - Do not stop running until you are far away from the area.
 - Do not be concerned with personal belongings, move quickly.
 - Break out windows and attempt to quickly clear glass from the frame
 - Do not attempt to drive from the area.

Once you are clear of the scene, City Hall employees should gather in the Lowe’s parking lot for further instructions and updates. Do not return to City Hall until advised to do so.

AFTERMATH:

Once the crime scene has been released by law enforcement, clean up and safe removal of possible bio-hazards and substances including blood borne pathogens must take place. Public Works will be the responsible point of contact to coordinating the clean-up operations.

The Mayors’ office and the IT department shall be responsible for developing an action plan in order for the continued operation of City Hall during which time the building may be closed and/or considered a crime scene. This plan should be attached to this policy as an appendix at such time of its implementation. The specific location should be identified as a place where all departments of City Hall may be able to carry out their duties. Non-emergency functions of City Hall may be suspended at the direction of the Mayor during the time the building may be identified as a crime scene or for cleanup purposes.

Life Services EAP shall be brought in to assist with trauma debriefing or employee concerns.

SPECIFIC CONSIDERATIONS:

- Responding police will have their weapons drawn and ready for use. They do not know exactly who the shooter is and will probably point weapons at you. Just remain calm and follow any directions they may give you. You may be asked questions, patted down, and given orders to exit certain ways.
- Responding police are there to stop the active shooter as soon as possible. They will bypass injured people and will not help you escape. Only after the shooter is stopped will they begin to provide other assistance.
- If you come into possession of a weapon, do NOT, carry or brandish it! Police may think you are the active shooter.
- Be prepared to provide basic first aid. Think outside the box. Tampons and other products can be used to stop blood loss. Shoes laces and belts can be used to secure tourniquets, etc. Remember it may be several minutes until you can safely move an injured person. The actions you take immediately to treat them may save their life.
- If you are in lockdown for a long period of time, give consideration to issues such as bathroom use, keeping people calm, etc.
- Discuss beforehand with staff in your office or workplace where you will meet up should you have to evacuate and make it a place easily accessible and far away from the scene.
- Talk to your co-workers beforehand to know if they have any special skills. You may have current or ex-military personnel, medically trained persons, or even people trained in martial arts that can provide assistance in this type of incident.
- Consider setting up offices to make it harder for an Active Shooter to enter and acquire targets.

REVIEW PROCESS:

The Safety Committee shall conduct an annual review of this policy and shall make suggestions as needed regarding any necessary revisions.

9/2/15
Date



Mayor

ALCOHOL, PRESCRIPTION & ILLEGAL DRUGS POLICY

It is the policy of the City of Hendersonville to maintain a workplace that is free from the effects of drug and alcohol abuse. To ensure that employees comply with this policy, the City of Hendersonville will pursue all reasonable and lawful means to enforce this policy. All employees are included under this general policy, although there are specific provisions which apply to certain employee groups in addition to the general rules.

This organization encourages employees to voluntarily seek help with drug and alcohol problems.

21.1 It is prohibited for any employee to sell, distribute, use, manufacture or possess illegal controlled substances on or off duty. There is an exception granted for those involved in undercover or other law enforcement operations in which certain of the above activities may be a requirement of the performance of police duties. However in no case are any police employees including undercover agents allowed to use illegal controlled substances.

21.2 It is prohibited for any employee to use alcohol or legal drugs in a manner that might interfere with the employee's performance of duties.

21.3 This policy authorizes testing of an employee who has been involved in a critical incident as defined by this policy, and testing of an employee when there exists a reasonable suspicion that the employee has engaged or is engaging in prohibited conduct under this policy.

21.4 Any employee found in violation of these provisions is subject to disciplinary action up to and including dismissal in accordance with the Personnel Rules and Regulations.

21.5 Post Offer Pre-Employment Screening - Drug screening is part of the required post offer, pre-employment evaluation process for all employees except for those classified as seasonal or temporary. No potential employee, except for seasonal or temporary, shall be hired without passing the drug evaluation. Depending on the work assignment of a seasonal or temporary employee, the department head may request a post offer, pre-employment evaluation for a particular group of positions. Specifically, these positions could involve work near children or on with machines or other potentially dangerous equipment. Specimen falsification or refusal to submit to drug screening will be grounds for permanent disqualification from employment with the City of Hendersonville.

21.5 Photo Identification required - An applicant or employee must carry and present a current photo ID to appropriate personnel prior to any testing referenced in this policy.

21.6 Property of City of Hendersonville Subject to Inspection - All City of Hendersonville property may be subject to inspection at any time without notice. There shall be no expectation of privacy in such property. Property includes, but is not limited to vehicles, desks, containers, equipment, and lockers.

21.7 Prescription Drugs - Nothing in this policy prevents employees from taking drugs prescribed specifically for them by a licensed medical practitioner or using over the counter medications. However, employees are required to be aware of the side effects of such which may interfere with the employee's safe performance of duties and shall notify the proper supervisory personnel before going on duty if there are any concerns or questions. Prescription and over-the-counter drugs are not prohibited when taken in standard dosage and/or according to a physician's prescription. Any employee taking prescribed or over-the-counter medications will be responsible for consulting the prescribing physician and/or pharmacist to determine whether the medication may interfere with safe performance of his/her job. If the use of a medication could compromise the safety of the employee, fellow employees or the public, it is the employee's responsibility to use appropriate personnel procedures (e.g. call in sick, use leave, request change of duty, and notify supervisor).

21.8 Notification of Convictions - A court conviction of a city employee for the use, manufacture, and/or sale of illegal drugs will constitute grounds for dismissal. Employees are required to notify their department head of any criminal charges pending. Failure to do so, regardless of the outcome of the charges, shall be grounds for disciplinary action which may include termination.

21.9 Reasonable Suspicion Testing - An employee is subject to reasonable suspicion testing when a trained supervisor concludes that there exists a reasonable suspicion that an employee has engaged or is engaging in conduct prohibited under this policy. Supervisors must document these conclusions and obtain another supervisor or a management superior to witness and confirm reasonable suspicion. Should the supervisors agree the situation meets the standard of reasonable suspicion, the employee shall submit to a controlled substances and/or alcohol test. Personnel shall be notified as soon as possible and copies of the documentation provided to Personnel. No employee shall be allowed to drive or perform any health or safety function when suspected of being impaired until the required follow up drug and/or alcohol test reports that the employee is qualified to work.

21.10 Post Critical Incident Testing - Alcohol and controlled substances tests will be conducted in the following instances:

- **Serious Accident** - After an accident involving an employee, which results in: (1) a fatality; (2) bodily injury which requires immediate medical treatment away from the scene of the accident, or (3) where one or more vehicles incur disabling damage requiring the vehicle(s) to be towed away from the scene. Tests should be done as soon as practical after the accident although there should be no delay in any medical treatment required. Controlled substances and/or alcohol tests should be completed within two hours of the accident.
- **Discharge of Firearm** - Any employee commissioned to carry a firearm as part of official duties shall be required to submit to drug testing after any discharge of the firearm involving death or personal injury, and shall be required to report to the collection site as soon as possible following the incident or as directed by his supervisor.
- **Use of Force** - An employee may be ordered to test at any time force is used that is reasonably calculated to produce death or serious bodily injury.

21.11 Drug Testing - To ensure the accuracy and fairness of our testing program, all testing will be conducted according to Substance Abuse and Mental Health Services Administration guidelines where applicable and will include a screening test, a confirmation test; the opportunity for a split sample; review by a Medical Review Officer, including the opportunity for employees who test positive to provide a legitimate medical explanation for the positive result and a documented chain of custody. Testing for the presence of the metabolites of drugs will be conducted by the analysis of urine.

The minimum substances that will be tested for: Amphetamines, Cannabinoids (THC); cocaine, Opiates, Phencyclidine , PCP, and illegal steroids; testing may be requested for other illegal controlled substances and their metabolites if there is reason to believe these are used.

21.12 Alcohol Testing - Testing for the presence of alcohol will be conducted by analysis of breath and/or blood as circumstances warrant. A screening test is conducted first and a result 0.04g/dl or greater is considered positive. While not considered a positive test, a CDL holder or an employee in a safety sensitive position shall be removed from driving and/or performing a safety sensitive function with an alcohol concentration of 0.020 to 0.039g/dL, and is subject to retesting, may be referred to the EAP and may be subject to disciplinary action. As a general rule or guideline, employees in Safety Sensitive positions should refrain from alcohol use at least eight (8) hours prior to reporting to duty.

21.13 Return to Work and Follow Up - Employees with a confirmed positive test for controlled substances or alcohol may be referred to the Employee Assistance Program for evaluation. If allowed to return to work, the employee must complete the following requirements:

- Sign a return-to-work agreement on a form approved by the City Attorney.
- Be recommended by the Employee Assistance Program or other appropriate counselor to return to work
- Submit to a return-to-work test with confirmed negative results prior to return to work
- Comply with the terms of the Return-to-Work Agreement

Failure to comply with the Return-to-Work Agreement will subject an employee to disciplinary action.

21.14 Operating a City Vehicle - No City employee shall be allowed to operate a City-owned vehicle following a positive test in violation of this policy for a minimum period of 90 calendar days after presenting a negative Return to Work test as required by a Return-to-Work Agreement.

Any employee whose driver's license is suspended due to a DUI or other conviction, even if the employee is granted a restricted license, shall not be allowed to operate a City owned vehicle for a minimum period of 90 calendar days, after presenting a negative Return-To-Work test. A Return-To-Work Agreement is also required in such cases. If the employee is required to hold a CDL, or if driving is an essential function of the position, or if the employee is in a safety-sensitive position, nothing in this policy shall prevent appropriate disciplinary action from taking place.

Any employee, who drives as an essential function of the job, should be disciplined up to and including termination for receiving a suspended or revoked license, for any offense, to include an administrative suspension or revocation by the state.

21.15 Random Testing - Random testing shall occur only in the following types of employment: CDL and safety-sensitive positions.

21.16 CDL Positions - Employees in safety-sensitive positions that require a CDL are subject to random testing for controlled substances and alcohol. This testing is in accordance with the Omnibus Transportation Employee Act of 1991 and meets the requirements established by the U.S. Department of Transportation.

21.17 Safety Sensitive Positions - Non-CDL employees in safety-sensitive positions are also subject to random testing for controlled substances and/or alcohol. A safety-sensitive position is defined as one in which incapacity due to drug or alcohol impairment could result in direct or significant risk of injury to the employee, others or the environment. The positions include those listed on the current Public Safety Pay Table:

- | | |
|---|---|
| A. Fire fighter (certified and non-certified) | L. Park Ranger |
| B. Senior fire fighter | M. Police Officer (certified and non-certified) |
| C. Fire Captain | N. Master Police Officer |
| D. Fire Inspector | O. Police Corpora |
| E. Fire Marshall | P. Park Ranger Supervising Officer |
| F. Division Chief | Q. Criminal Investigator |
| G. Fire Chief | R. Police Sergeant |
| H. Communications Officer | S. Police Lt. |
| I. TAC/Communications Officer | T. Police Captain |
| J. Training Officer-Communications | U. Police Chief |
| K. Animal Control Officer | |

Any positions which are added or modified on the Public Safety Pay Table subsequent to the adoption of this policy are specifically on the list of positions considered as safety-sensitive.

