

ORDINANCE NO. C.S. 1112

AN ORDINANCE AMENDING PROVISIONS OF CHAPTER 2.36 RELATED TO THE SAFETY BOARD AND CHAPTER 2.60 RELATED TO THE COUNTY SAFETY PROGRAM

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS, STATE OF CALIFORNIA, ORDAINS AS FOLLOWS:

Section 1. Section 2.36.010 of the Stanislaus County Code is amended to read as follows:

"To assure that the Board of Supervisors' safety policies and programs are implemented in compliance with the California Occupational Safety and Health Act (Labor Code, section 6300 et seq.), a Safety Board is established which shall review and promote a safety program in the offices, agencies and departments of the County and generally oversee the safe functioning of County operations."

Section 2. Section 2.36.020 of the Stanislaus County Code is amended to read as follows:

"The Board of Supervisors shall establish the membership of the Safety Board by resolution. The secretary of the Safety Board shall be the Risk Manager or his/her designee, who shall also coordinate the day-to-day activities and functions of the county safety program. The Safety Board shall elect a chairperson from among its own members who shall serve for one year or until a successor is elected."

Section 3. Section 2.36.030 of the Stanislaus County Code is amended to read as follows:

"It shall be the duty of the Safety Board to establish and periodically review a program to promote safety within County offices, departments and agencies. The Safety Program may include the following:

- A. Safety training programs for all employees;
- B. Incentive awards and contests for employees;
- C. Dissemination of safety literature of employees;

D. Placement of safety posters, hazard signs and other safety notices in and about the county's work areas;

E. Entering of multi-county and other contests on behalf of the county;

F. Joining appropriate safety organizations to remain aware of current safety trends and to utilize the resources available."

Section 4. Section 2.36.040 of the Stanislaus County Code is amended to read as follows:

"The Safety Board shall meet at least quarterly to transact business and fulfill the duties set forth in this Chapter. If a member of the Safety Board is unable to attend a regularly scheduled meeting, an alternate designated by that member shall attend the scheduled meeting on behalf of the member. The Safety Board shall have the authority to require employees, employee supervisors, and department heads to appear before it, if necessary, for the purposes of ascertaining facts and the causes of any accident occurring to a County employee on the job or any other accident occurring on county property."

Section 5. Section 2.36.060 of the Stanislaus County Code is amended to read as follows:

"The Safety Board shall review and recommend to the Board of Supervisors for adoption ordinances and general safety orders applying to all county employees."

Section 6. Section 2.36.080 of the Stanislaus County Code is repealed.

Section 7. Section 2.36.100 of the Stanislaus County Code is amended to read as follows:

"The Safety Board shall establish the number and groupings of Safety Committees needed and assign and reassign departments to safety committees based on the assumption that as many departments as possible should have representation on a safety committee."

Section 8. Section 2.36.110 of the Stanislaus County Code is amended to read as follows:

"The Safety Board shall have oversight of all Safety Committees."

Section 9. Section 2.60.010 of the Stanislaus County Code is amended to read as follows:

"The purposes of this Chapter are to establish a safety program in the offices, departments and agencies of the County and to assign responsibility for implementation of the safety program. The safety program and responsibilities are established pursuant to the California Occupational Safety and Health Act (Labor Code, section 6300 et seq.) For the purpose of this Chapter, the word employees shall include officers, employees and volunteers."

Section 10. Section 2.60.020 of the Stanislaus County Code is amended to read as follows:

"The following duties and responsibilities apply to County employees, employee supervisors, volunteers, and department heads:

A. It shall be the duty of all county employees who are personally involved in any on-the-job accident to immediately report that accident and all the details surrounding that accident, in writing, to their immediate supervisor, on forms authorized by the Chief Executive Office-Risk Management Division. If the employee is incapacitated because of injury due to the accident, the employee's supervisor shall immediately prepare the accident report on the employee's behalf.

B. It shall be the duty of all County supervisors to perform an investigation of all accidents reported from their subordinate employees by ascertaining the facts surrounding the accident, investigating the cause or causes of the accident and reporting such information, on forms authorized by the Chief Executive Office-Risk Management Division, for department head review.

C. It shall be the duty of all County supervisors to ensure that all accidents or illnesses concerning employees in their respective departments are promptly reported to the Chief Executive Office-Risk Management Division within twenty-four hours after occurrence of an accident or illness. In case of serious injury or death of an employee on the job, the Safety Officer in the Chief Executive Office-Risk Management Division shall be notified as soon as practicable by the first responder, person in charge of scene or department representative.

D. It shall be the duty of all department heads to ensure a safe working place and a healthful environment within the jurisdiction of their respective departments, and shall:

1. Require the departments' supervisory personnel to make

periodic safety inspections in and about their work areas and immediately correct any unsafe conditions found to exist;

2. Ensure that all tasks performed and those methods used in operating and handling tools and equipment within the department are done in the safest way possible;

3. Identify jobs and tasks performed within the department which require personal protective equipment or other safety devices, and ensure that such equipment or devices are purchased and used by employees. The entire cost of such equipment or device is a charge against the County, except in the categories of safety footwear and safety prescription lenses, in which case the County shall reimburse the employee only for the safety features added at rates set by Board of Supervisors' resolution and based on review and recommendation of the Safety Board; and

4. Attend, and require department personnel and volunteers to attend, safety-oriented training conducted by the Safety Committees or Chief Executive Office-Risk Management Division to allow the personnel or volunteer to safely perform their work assignments."

Section 11. Section 2.60.030 of the Stanislaus County Code is amended to read as follows:

"Department heads shall appoint a department representative as a member of the Safety Committee for that department. Each Safety Committee shall have a minimum of four members, at least half of which shall be non-supervisory employees."

Section 12. Section 2.60.040 of the Stanislaus County Code is amended to read as follows:

"Duties of a Safety Committee shall be as follows:

A. To meet at least quarterly;

B. To receive and discuss reports of all occupational and vehicular accidents occurring within its own area of jurisdiction and to determine, through investigation if required, ways to prevent similar accidents from reoccurring;

C. Each committee member shall bring to the attention of the Safety Committee any unsafe conditions and/or work procedures existing within the member's own work area and any other unsafe conditions of which the member is aware. The committee shall then make recommendations to the affected department head(s) to correct any unsafe condition or work procedure;

D. To keep written records of meetings;

E. To review and recommend to affected department head(s) changes, additions and deletions to department safety rules and regulations;

F. To request the Safety Board to consider any matter outside the jurisdiction or above the authority of the Safety Committees."

Section 13. Section 2.60.050 of the Stanislaus County Code is amended to read as follows:

"The Safety Officer in the Chief Executive Office-Risk Management Division shall monitor the day-to-day activities of the County safety program, may act as secretary to the Safety Board, and act as advisor to and attend meetings of area Safety Committees. The Safety Officer shall also:

A. Coordinate safety training, safety contests and incentive awards programs;

B. Attend such meetings and conferences of safety organizations and safety councils as may be helpful in furthering the County safety program and keep the Safety Board informed about current safety trends and recommendations, and monitoring changes in safety laws and regulations;

C. Act as the County representative designated to accompany any Safety Compliance Officer from the California Occupational Safety and Health Administration on an official inspection of the County work areas. The Risk Manager shall appoint alternate representative(s) who shall assume this function in the absence of the Safety Officer;

D. Recommend and monitor the purchase, use and care of personal protective equipment and other safety devices used by County employees."

Section 14. Section 2.60.060 of the Stanislaus County Code is amended to read as follows:

"All mechanical, electrical and motorized equipment, and other safety equipment, purchased by the County shall meet the minimum safety standards set forth in the California Occupational Safety and Health Act and regulations promulgated by the California Occupational Safety and Health Administration."

Section 15. Section 2.60.070 is added to Chapter 2.60 of the Stanislaus County Code to read as follows:

2.60.70 Accident Reporting.

"The Risk Manager shall review and implement proper, efficient and reasonable accident reporting procedures, and report forms which comply with the California Occupational Safety and Health Act of 1973."

Section 16. This ordinance shall take effect thirty (30) days from the date of its passage and before the expiration of fifteen (15) days after its passage it shall be published once, with the names of the members voting for and against the same, in the Modesto Bee, a newspaper published in the County of Stanislaus, State of California.

Upon motion of Supervisor Chiesa, seconded by Supervisor De Martini, the foregoing resolution was passed and adopted at a regular meeting of the Board of Supervisors of the County of Stanislaus, State of California, the 20th day of December, 2011, by the following called vote:

AYES: Supervisors: O'Brien, Chiesa, Withrow, De Martini and Chairman Monteith

NOES: Supervisors: None

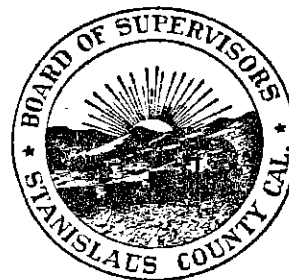
ABSENT: Supervisors: None



Dick Monteith, Chair of the Board of Supervisors of the County of Stanislaus, State of California

ATTEST:
Christine Ferraro Tallman
Clerk of the Board of Supervisors of the County of Stanislaus, State of California

By Elizabeth King
Deputy



APPROVED AS TO FORM:
John P. Doering
County Counsel

By John P. Doering
John P. Doering

STANISLAUS COUNTY ORDINANCE C.S. 1112

Upon motion of Supervisor Chiesa, seconded by Supervisor DeMartini, Ordinance C.S. 1112 was passed and adopted at a regular meeting of the Board of Supervisors of the County of Stanislaus, State of California, this 20th day of December 2011, by the following called vote:

AYES: SUPERVISORS: O'Brien, Chiesa, Withrow, DeMartini and Chairman Monteith
NOES: None
ABSENT: None
ABSTAINING: None

Ordinance C.S. 1112 amends Chapter 2.36 of the Stanislaus County Code relating to the Stanislaus County Safety Board and Chapter 2.60 related to the County Safety Program. The changes make technical and conforming changes to operation and implementation of the County safety program.

NOTICE IS FURTHER GIVEN that a full copy of the ordinance is available for review in the Clerk of the Board Office, 1010 10th Street, Suite 6700, Modesto, CA. For further information, contact Jody Hayes in the Stanislaus County Chief Executive Office – Risk Management Division, at (209) 525-5710 or at 1010 10th Street, Suite 5900, Modesto, CA 95354.

BY ORDER OF THE BOARD OF SUPERVISORS

DATED: December 20, 2011

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk
of the Board of Supervisors
of the County of Stanislaus,
State of California

BY: 
Elizabeth A. King, Assistant Clerk

**DECLARATION OF PUBLICATION
(C.C.P. S2015.5)**

**COUNTY OF STANISLAUS
STATE OF CALIFORNIA**

I am a citizen of the United States and a resident Of the County aforesaid; I am over the age of Eighteen years, and not a party to or interested In the above entitle matter. I am a printer and Principal clerk of the publisher of **THE MODESTO BEE**, printed in the City of **MODESTO**, County of **STANISLAUS**, State of California, daily, for which said newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of **STANISLAUS**, State of California, Under the date of **February 25, 1951, Action No. 46453**; that the notice of which the annexed is a printed copy, has been published in each issue there of on the following dates, to wit:

Dec 27, 2011

I certify (or declare) under penalty of perjury
That the foregoing is true and correct and that
This declaration was executed at

MODESTO, California on

December 28th, 2011

(By Electronic Facsimile Signature)

Marie Dieckmann

STANISLAUS COUNTY
ORDINANCE C.S. 1112

Upon motion of Supervisor Chiesa, seconded by Supervisor DeMartini, Ordinance C.S. 1112 was passed and adopted at a regular meeting of the Board of Supervisors of the County of Stanislaus, State of California, this 20th day of December 2011, by the following called vote: AYES: SUPERVISORS: O'Brien, Chiesa, Withrow, DeMartini and Chairman Monteith; NOES: None; ABSENT: None; ABSTAINING: None.

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BY ORDER OF THE BOARD OF SUPERVISORS. DATED: December 20, 2011. ATTEST: Christine Ferrara Tallman, Clerk of the Board of Supervisors of the County of Stanislaus, State of California; BY: Elizabeth A. King, Assistant Clerk. Pub Dates Dec 27 2011