



Metropolitan Nashville and Davidson County, TN

Legislation Details (With Text)

File #: BL2021-753

Type: Bill (Ordinance) **Status:** Passed

File created: 5/19/2021 **In control:** Metropolitan Council

On agenda: 7/6/2021 **Final action:** 7/6/2021

Title: An ordinance amending Chapter 2.40 of the Metropolitan Code to transfer the Employee Safety Program from the Department of Law to the Department of Human Resources.

Sponsors: John Rutherford

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Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
7/7/2021	1	Mayor	approved	
7/6/2021	1	Metropolitan Council	passed on third reading	
6/15/2021	1	Metropolitan Council	passed on second reading	
6/15/2021	1	Personnel, Public Information, Human Relations, and Veterans Committee	approved	
6/1/2021	1	Metropolitan Council	passed on first reading	

An ordinance amending Chapter 2.40 of the Metropolitan Code to transfer the Employee Safety Program from the Department of Law to the Department of Human Resources.

WHEREAS, pursuant to BL2006-1232 a division of employee safety was created for the purpose of directing and overseeing the central employee safety program of the metropolitan government; and,

WHEREAS, the division of employee safety was placed in the Department of Law to be under the direction and control of the Director of Law; and,

WHEREAS, employee safety is a personnel issue and is better suited to be placed in the Department of Human Resources and to be under the direction and control of the Director of Human Resources.

NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. That Section 2.40.210 of the Metropolitan Code of Laws is amended by deleting the current language in its entirety and replacing it with the following:

2.40.210 - There shall be a division of employee safety in the Department of Human Resources. The division of employee safety shall be under the direction and control of the Director of Human Resources.

Section 2. That Section 2.40.220 of the Metropolitan Code of Laws is amended by deleting the current language in its entirety and replacing it with the following:

2.40.220 - The Director of Human Resources shall have the authority within budgetary guidelines to appoint all employees to the division of employee safety. All clerical positions shall be civil service positions. All professional positions shall be non-civil service positions if so stated in the ordinance creating the position,

otherwise such positions shall be civil service positions.

Section 3. That Section 2.40.260 of the Metropolitan Code of Laws is amended by deleting the current language in its entirety and replacing it with the following:

2.40.260 - The Director of Human Resources will make safety reports and recommendations, including the progress in improved safety in the workplace, to the Metropolitan Mayor.

Section 4. That this Ordinance shall take effect from and after its passage, the welfare of the Metropolitan Government of Nashville and Davidson County requiring it.

Analysis

This ordinance shifts the employee safety program from the Department of Law to Metro Human Resources (HR). The employee safety division was created by BL2006-1232 to oversee the central employee safety program for Metro. The responsibilities of the division of employee safety include working with departments to develop safety plans, maintaining required safety records, and investigating injury-on-duty (IOD) claims for purposes of determining the cause of the injury and preventing such injuries in the future. Funding for this division was removed during the recession-era budget cuts. The responsibility was then delegated to Metro HR, but no funding for the division has been provided through FY2021. A 2017 audit conducted by the Metro Internal Auditor recommended enhancements to the employee safety program, but the operational recommendations have not been implemented due to a lack of adequate funding.

The Mayor's proposed FY2022 operating budget does include \$253,500 for the employee safety division as part of Metro HR. This ordinance, and the associated budget funding, would enable Metro to further implement the previous audit recommendations.