

Executive Order No. 65

TO: All Departments/Agencies Under the Mayor

FROM: Michael B. Hancock, Mayor

DATE: December 16, 2022

SUBJECT: Occupational Safety and Health Program

Purpose: This Executive Order establishes the Occupational Safety and Health Program to which all Departments/Agencies under the Mayor shall adhere. In order to provide a safe and healthy work environment for City and County of Denver (City) employees and because of the statutory requirement to provide Workers' Compensation benefits, for which the City is self-insured and self-administered, this program establishes workplace safety standards to keep employees safe on the job and to minimize Workers' Compensation costs. This Executive Order shall supersede the Executive Order No. 65 dated June 20, 2008.

1.0 **Applicable Authority:** The applicable authority for this Executive Order No. 65 is Section 2.2.10 of the 2002 Revised Charter, International Fire Code, and the National Fire Protection Association.

2.0 Definitions

- 2.1. Occupational Safety and Health – a multidisciplinary field concerned with the safety, health, and welfare of people at work.
- 2.2. Occupational Safety and Health Administration (OSHA) – an agency of the United States Federal Government under the Department of Labor with the responsibility of ensuring safety at work and a healthy work environment.
- 2.3. Occupational Safety and Health Professional – A person who has been accredited through appropriate procedures to a profession related to occupational safety and health services according to the Office of Human Resources job classification.
- 2.4. Occupational Safety and Health Program – The over-arching, Citywide program developed, implemented, and administered by Risk Management to prevent workplace injuries and illnesses. Department/Agency specific workplace safety programs would also fall under this definition.
- 2.5. Occupational Safety and Health Representative – Any person, other than an Occupational Safety and Health Professional, who is assigned safety responsibility by a department or agency of the City.
- 2.6. Safety and Health Management System - A proactive, collaborative process to identify and correct workplace hazards including those that may cause injury/illness and property damage, as well as preventing vehicle accidents.

3.0 **General:**

- 3.1. As a local government in the state of Colorado, the City does not fall directly under the regulations of OSHA or the provisions of the Occupational Safety and Health Act. However, the City recognizes the OSHA Standards provide a minimum standard of safety requirements that must be met by the Occupational Safety and Health Program for all City employees and contractors. This comprehensive framework of safety considerations, along with the City's expertise, knowledge, and judgement, will be used in the formulation and execution of its Occupational Safety and Health Management System. The Risk Management and Workers' Compensation Division (Risk Management) within the Department of

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Finance, in conjunction with each Department/Agency, shall have the responsibility for ensuring citywide compliance with the Occupation Safety and Health Standards enacted under this Executive Order.

- 3.2. The City considers employee safety one of its top priorities. Department/Agency managers and directors shall give safety top-level management attention. While accomplishing and achieving the City's operational goals and objectives, Department/Agency Executive Directors will exercise prudent judgement in carrying out this Executive Order.

4.0 **Policy:**

- 4.1. The City is committed to maintaining a safe and healthy work environment. It is the City's goal to provide places of employment and facilities that minimize hazards that are likely to causes death or harm to employees or the public, or to cause damage to City property including vehicles.
 - a. Risk Management, in conjunction with Departments/Agencies, shall establish an Occupational Safety and Health Management System and Standards within which specific Department/Agency safety policies, goals, objectives, and targets are developed to minimize hazards and reduce injuries in their operations. OSHA standards, as well as other national, state, local, and industry safety standards, such as Department of Homeland Security emergency preparedness programs and local fire code emergency evacuation, equipment and training requirements, may be utilized as guidelines. Standards will be included as a Memorandum to this Executive Order and shall note which trainings are required as a condition of employment.
 - b. All Safety and Health Management policies, standards, and procedures developed by Risk Management shall be posted on the City's internal and external websites, Risk Management and Workers' Compensation Division pages.
 - c. Trainings applicable to this Executive Order may be required upon hire, annually, or as determined by Department/Agency management and documented in Memorandum B to this Executive Order. Required trainings shall include, but not be limited to: defensive driving, active shooter awareness, emergency evacuation, Standard Response Protocols, and Workers' Compensation overview.
 - d. Failure to comply with this Executive Order and the related Occupational Safety and Health Standards, policies, procedures, rules, and requirements developed by authority of this Executive Order may subject City employee(s) to discipline up to and including appropriate discipline as set forth in Career Service Rule 16.
 - e. Any failure to comply with City safety rules or willful failure to use safety devices may subject injured employees to a reduction in workers' compensation benefits.

5.0 **Responsibilities of Department/Agency Executive Directors:** Department/Agency Executive Directors shall:

- 5.1. Furnish employees with work and places of employment free from recognized hazards that may cause death or serious physical harm.
- 5.2. Develop and implement Department/Agency-specific occupational safety and health policies, procedures, and plans in accordance with the Occupational Safety and Health Management System and Standards set forth in this Executive Order and any implementing memoranda.

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- 5.3. Require continuous review and improvements to the Occupational Health and Safety Management Program to enhance performance and ensure the program remains relevant and agency appropriate.
- 5.4. Execute the Occupational Health and Safety Program as a framework for setting and reviewing health and safety goals, objectives, and targets which will be documented, implemented, and maintained.
- 5.5. Purchase, maintain, and require the use of personal protective equipment, approved safety equipment and other appropriate devices necessary to protect employees.
- 5.6. Ensure all employees participate in required trainings.
- 5.7. Each Department/Agency shall have an Occupational Safety and Health Professional or Occupational Safety and Health Representative. The Occupational Safety and Health Professional or Occupational Safety and Health Representative shall have sufficient knowledge and training to develop, implement and administer Departments/Agencies specific safety programs. Such individuals shall be empowered to enforce all requirements of the Occupational Health and Safety Management Program.
 - a. Departments/Agencies with more than 250 employees and/or significant hazard exposures (as identified by a Job Hazard Analysis) must appoint an Occupational Safety Health Professional(s) as classified by the Career Service classification system, who shall exercise delegated authority to direct, develop, implement, manage, and evaluate the safety program contained in the department or agency safety program.
 - b. Departments/Agencies without an Occupational Safety and Health Professionals as required under subsection 5.5(a) above, shall designate an employee and an alternate to serve as Occupational Safety and Health Representative, in addition to other duties.
 - (1) The Occupational Safety and Health Representative shall work directly with Risk Management to implement the departmental safety program.

6.0 **Responsibilities of First Line Supervisors:** First line supervisors shall:

- 6.1. Ensure that safe work practices are an integral part of daily operations for all employees under their supervision.
- 6.2. Review work activities on an ongoing basis to identify potential hazards. This is accomplished with the assistance of the Department/Agency Occupational Safety and Health Professional or Occupational Safety and Health Representative.
- 6.3. Ensure that each employee is qualified and trained to safely perform their assigned work.
- 6.4. Ensure that each employee uses safety equipment, personal protective equipment, and other devices required by the agency.
- 6.5. Complete the Supervisor's Report of Accident or Incident to Risk Management within five (5) working days following notification of an accident or incident.
- 6.6. Ensure employee compliance with safety rules through training, counseling, and progressive discipline.

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7.0 **Responsibility of Each Employee:** Employees shall:

- 7.1. Comply with health and safety standards, rules, regulations, and orders issued by their Department/Agency.
- 7.2. Use safety equipment, personal protective equipment, and other devices provided or required by the agency.
- 7.3. Participate in all required trainings.
- 7.4. Report unsafe and unhealthy working conditions to appropriate supervisors, managers, or the City's Risk Management Office.

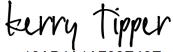
8.0 **Responsibilities of Risk Management:** Risk Management shall:

- 8.1. Develop and establish a citywide Occupational Safety and Health Management System, which shall be submitted to Department/Agency safety officers for review and comment prior to adoption.
 - 8.1.1. Oversee the publication and communication of standards, trainings and other programs under the Occupational Safety and Health Management System.
- 8.2. Monitor citywide compliance with the City's Occupational Safety and Health Management System.
- 8.3. Review the effectiveness of the Safety and Health Management System with the appropriate Safety Professional or Safety Representative of all Departments/Agencies.
- 8.4. Serve as the safety advisor/consultant for all Departments/Agencies.
- 8.5. Assist in the development, implementation, maintenance and evaluation of Department/Agency policies and programs.
- 8.6. Facilitate the development of safety training programs.
- 8.7. Collect and provide statistical information to Occupational Safety and Health Professionals or Representatives and Department/Agency Executive Directors regarding occupational injuries and illnesses attributed to their respective Departments/Agencies.


9.0 **Memorandum Attachments:** Additional procedure(s) for implementing this Executive Order may be defined by Memoranda attached to this Executive Order, which shall become a part of the Executive Order. The Director of Risk Management and Workers Compensation shall have the authority to issue all Standards and trainings relative to this Executive Order.

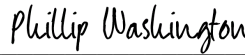
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Approved for Legality:


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Kelly Tipper
City Attorney for the City and County
of Denver


Approved:

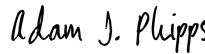
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