

**ORDINANCE NO. 64
SAFETY ORDINANCE**

**AN ORDINANCE OF THE BOARD OF DIRECTORS OF
THE INLAND EMPIRE UTILITIES AGENCY*
ESTABLISHING AND SETTING FORTH THE SAFETY
AND HEALTH POLICIES GOVERNING EMPLOYEES OF
THE AGENCY**

BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE INLAND EMPIRE UTILITIES AGENCY* AS FOLLOWS:

Section 1. ADOPTION OF SAFETY AND TRAINING POLICIES

The following regulations are hereby adopted and shall constitute the Agency's safety and training policies governing all employees of the Inland Empire Utilities Agency*.

These General Policies are not to be considered as all-inclusive. The Agency's safety and training policies may be expanded, supplemented, and modified from time to time by the Chief Executive Officer/General Manager, to conform to the most recent State or Federal safety/training legislation, or Agency requirements. Minor administrative modifications not requiring a rewriting of this Ordinance will be included in the Agency's Safety Program, developed by the Human Resources Department.

Section 2. IMPLEMENTATION OF POLICIES

It shall be the duty of the Chief Executive Officer/General Manager, Executive Managers, Department Managers, Supervisors, and all others in authority to execute the provisions of this ordinance.

Section 3. DEFINITIONS

For the purpose of this Ordinance, words and phrases utilized are defined as follows: In all places in the regulations where the words "shall" or "must" are used, compliance therewith is mandatory. Where the words "may" or "should" are used, compliance is desirable. The term "incident" refers to any accident, property loss, injury or death of an employee or member of the public, or safety violation. "Manager" or "management" refers to the Chief Executive Officer/General Manager, Executive Managers, Department Managers, and Supervisors. The Agency's Safety Administrator is the Chief Executive Officer/General Manager.

Section 4. GENERAL SAFETY POLICY STATEMENT

Every employee of the Inland Empire Utilities Agency* is entitled to a safe and healthful work environment. It is the intent of the Agency to do everything humanly possible to provide this environment; and in the process, comply with all laws, rules, and regulations of Federal, State, and Local governments regarding safe work practices, and reduce the Agency's exposure to employee injuries, public liability, or property damage losses. The policies set forth in this Ordinance provide a foundation for the Agency's Safety Program and Injury and Illness Prevention Program (IIPP). The accountability of employees is fundamental to the basic goals of an effective safety program. The Agency's management shall direct the enforcement of safety regulations with emphasis on "proactive" incident prevention rather than "after-the-fact" incident investigation. Incident investigations shall seek to determine reasons for failings rather than an accounting of the failures themselves. However, it should also be noted that employee negligence shall be the grounds for, and subject to disciplinary action up to and including termination. The overall safety program shall offer opportunities for employees to improve safety performance through training, constructive criticism, and employer-employee counseling.

Section 5. GENERAL TRAINING POLICY STATEMENT

The Board of Directors recognizes the importance of the Agency's employees, and understands that their skills, knowledge, and training are essential to the safe operation of the Agency. Safety training shall be accomplished by developing safe work procedures, by teaching the procedures effectively, by insisting that they be followed, and by teaching employees the facts about accident causes and preventive practices.

The safety of every employee of the Agency is of vital importance. Therefore, this statement of policy is being issued to emphasize the need for every Manager and every employee to accept full responsibility for safety training, and to perform their assigned duties in a manner consistent with all Federal, State, Local government, and Agency training requirements.

Section 6. MANAGEMENT'S AND EMPLOYEE'S RESPONSIBILITIES

A. AGENCY- WIDE MANAGEMENT RESPONSIBILITY

The Board of Directors and the Chief Executive Officer/General Manager recognize and firmly believe in the need for continued development of safe working conditions, and that it is management's responsibility to assure, so far as possible, that the Agency provides an effective operation, which is injury and illness free.

B. EXECUTIVE MANAGERS'/DEPARTMENT MANAGERS' RESPONSIBILITIES

The primary responsibility for providing an effective incident-free work environment rests with each Department. Each Executive and Department Manager must ensure that the Safety Program will reach and affect every employee within his/her area(s) of responsibility. This shall be accomplished by:

1. Encouraging employees to advise management on matters pertaining to safety and working conditions.
2. Establishing channels of communication for the distribution of safety and loss prevention information through the medium of at least monthly meetings with supervisors, lead workers, and/or designated employees.
3. Investigating all work and traffic incidents with an emphasis on prevention measures.
4. Detecting and correcting unsafe working conditions and practices before an incident occurs.
5. Directing the training of employees in proper work procedures and the Agency's Safety Program.
6. Assuring that each employee is aware of, understands, and follows the safe work practices pertaining to his/her work responsibilities.
7. Encouraging suggestions, discussing matters of safety and loss prevention, and answering all suggestions and questions clearly and promptly.
8. Completing proper reports on all incidents.
9. Keeping informed of new developments that affect the Department's and/or employees' safety.

C. SUPERVISORS' RESPONSIBILITIES

All Supervisors, with guidance from his/her respective Department Manager, are responsible for accomplishing work in the safest possible manner. The Supervisor is the individual who most influences the actions of his/her workers, and must ensure that they comply with safe work practices.

1. Supervisors are responsible for the enforcement of safety rules and safe work practices among employees under his/her direct supervision.

2. Supervisors are responsible for familiarizing employees with the hazards of the job to which they are assigned, and for providing instruction in the safe methods of performing work responsibilities. Supervisors are also responsible for taking appropriate action on all Safety Violations which they become aware of or personally witness, regardless of their area of responsibility.
3. Supervisors shall make regular observations of employees who work under their supervision to assure that employees are working in a safe manner, and in accordance with the safe practices covering the specific work being performed.
4. At the end of each shift, supervisors shall inspect those work areas under their control for fire or other hazards, and ensure that said work areas are left in a safe condition.
5. Supervisors shall ensure that employees are not assigned to work in unsafe conditions or where they have not received appropriate training for the tools, and/or equipment they will be required to use.
6. Supervisors are responsible for implementing corrective action and eliminating any unsafe working conditions.

D. EMPLOYEES' RESPONSIBILITIES

All employees are required, as a condition of employment, to follow safe work practices, to observe the Agency's safety rules and practices, to follow the instructions of their supervisor and lead worker, and to participate in Agency provided training. In the event that an unsafe condition develops, it shall be reported immediately to the employee's supervisor. The employee is responsible for his/her own safety and shall do everything possible to safeguard themselves and other employees. Any safety condition/action, which is not corrected by the supervisor, should be reported to higher authorities for resolution. In accordance with the California Labor Code, no employee will be discharged, or otherwise discriminated against, for reporting unsafe conditions or refusing to work in conditions that violate the Labor Codes, or Cal/OSHA regulations. Any unsafe conditions/actions must be promptly reported by employees to their immediate Supervisor or Department Manager.

E. SAFETY OFFICER'S RESPONSIBILITIES

Under the general direction of the Agency's Chief Executive Officer/General Manager and the Manager of Human Resources, the Safety Officer will plan, organize, and administer an effective safety program, including:

1. Consulting and advising the Executive Safety Committee, the Safety and Health Committee, Executive Managers, Department Managers, Supervisors, and lead workers, regarding State and Federal safety and health regulations.
2. Recommending, supervising, and directing safety training programs to augment Departmental safety training as an integral part of employee training.
3. Directing investigations of incidents and reported unsafe working conditions, and establishing effective methods by which corrective actions will prevent recurrence of similar incidents, or eliminating unsafe conditions or work practices.
4. Inspecting facilities and job sites for safety compliance and directing the immediate cessation of work in instances where conditions or work practices exist which may lead to serious injury. Such authority shall be undertaken in conjunction with the Agency's Chief Executive Officer/General Manager and/or the Manager of Human Resources.
5. Coordinating the Agency's security policies for Agency facilities and equipment with the Manager of General Services and the Manager of Human Resources.
6. Conducting monthly Safety and Health Committee meetings.

Section 7. SAFETY COMMITTEES

Safety Committees are an integral part of the communication channels necessary for involvement of all levels of management and supervision in the Injury and Illness Prevention Program. In general terms, the safety committee should monitor the Agency's Safety Program and recommend or take actions which will enhance safety efforts of the Agency.

A. EXECUTIVE SAFETY COMMITTEE (ESC)

1. Committee Members of the Executive Safety Committee shall be appointed by the Chief Executive Officer/General Manager. The Executive Safety Committee shall consider and approve safety policies and procedures which have, or could have, substantial impact on other Agency policies and practices.
2. The Executive Safety Committee shall be responsible to:
 - a. Establish and amend Agency safety policies and regulations to conform with the most recent State and Federal regulations or Agency requirements.
 - b. Authorize changes in operating procedures to provide a safe working environment.
 - c. Review incidents and working conditions referred by the Safety Officer, or other managers, authorize corrective actions necessary to prevent future incidents, and/or to remedy unsafe conditions.
 - d. Review recommendations presented by the Agency's Safety and Health Committee, and direct appropriate action by the Manager of Human Resources and/or other managers.
 - e. The Committee shall meet on a regular basis, as necessary, in order to fulfill the duties and obligations required of the Executive Safety Committee.

B. SAFETY AND HEALTH COMMITTEE (SHC)

1. Safety and Health Committee Members shall be appointed by the Chief Executive Officer/General Manager. The Committee shall consist of at least eleven (11), but no more than twenty-one (21) members. The Committee shall consist of representatives from the Agency's Management Team, Supervisors, each bargaining unit, unrepresented employees, and each Agency facility.
2. The Safety and Health Committee shall be responsible to:
 - a. Review results of periodic work site inspections.

- b. Review investigations of reported incidents and/or unsafe working conditions conducted since the last meeting, including the causes, recommendations, and actions taken to prevent recurrence, and/or to correct conditions. Where appropriate, submit additional suggestions to the ESC, or conduct its own investigation to assist in remedial solutions.
- c. Evaluate employee safety suggestions and submit recommendations, as appropriate, to the ESC.
- d. The SHC will meet at least monthly, or more frequently if deemed necessary by the Chairperson.
- e. Forward any issue which requires resolution beyond the scope of the SHC to the ESC for review and/or action.

Section 8. SAFETY ORIENTATION

The Agency's safety policy will be reviewed with all new and transferred employees by their respective supervisor during the employee's first workweek. Additional Safety Orientations will be presented to new employees within thirty (30) workdays of employment with the Agency. This initial safety training shall be documented and shall be included in the employee's training records.

Section 9. DEVELOPMENT OF POLICIES AND PROCEDURES

With the approval of the Chief Executive Officer/General Manager, the Manager of Human Resources may develop those policies and procedures necessary to implement this Ordinance.

Section 10. SEVERABILITY

If any section, subsection, subdivision, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional or otherwise invalid, such invalidity shall not effect the validity of the entire ordinance or any of the remaining portions thereof. The Inland Empire Utilities Agency's Board of Directors hereby declares that they would have passed this ordinance, and each section, subsection, subdivision, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses or phrases are declared unconstitutional or otherwise invalid.

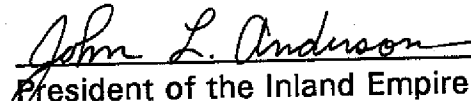
Section 11. REPEAL

Ordinance No. 60 is hereby repealed in its entirety upon the passage of Ordinance No. 64.

Section 12. EFFECTIVE DATE


This Ordinance shall become effective upon its passage.

ADOPTED this 16 day of September, 1998.



President of the Inland Empire Utilities
Agency* and of the Board of Directors
thereof

ATTEST:




Secretary of the Inland Empire
Utilities Agency* and of the Board of
Directors thereof

* A Municipal Water District

STATE OF CALIFORNIA)
)SS
COUNTY OF SAN BERNARDINO)

I, Terry Catlin, Secretary of the Inland Empire Utilities Agency, DO
HEREBY CERTIFY that the foregoing Ordinance being No. 64, was adopted at a
regular meeting on September 16, 1998, of said Agency by the following vote:

AYES: Dunihue, Catlin, Borba, Anderson
NOYES: None
ABSTAIN: None
ABSENT: Troxel


Secretary

(SEAL)