

Ordinance No. 483-2020

By Council Members Zone and Kelley
(by departmental request)

AN EMERGENCY ORDINANCE

To amend Section 393.05 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No 2704-B-83, passed March 4, 1985, relating to hazard determination and communication program.

WHEREAS, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLEVELAND:

Section 1. That Section 393.05 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 2704-B-83, passed March 4, 1985, is amended to read as follows:

Section 393.05 Hazard Determination and Communication Program

(a) Every employer manufacturing, using, or storing hazardous chemicals in the workplace shall post a sign in the form as follows this subsection at the location or locations where notices to employees are normally posted to inform employees that they or their designated representatives have a right to information from the employer regarding the toxic or hazardous effects of the chemicals and the circumstances under which these effects may be produced. Such sign shall emphasize that any reports to the Fire Division of apparent violations shall remain confidential:

<p>NOTICE TO EMPLOYEES YOU HAVE A RIGHT TO KNOW</p> <p>Your employer must inform you of the chemical name and health hazards of the hazardous chemicals in your workplace.</p> <p>Learn all you can about hazardous chemicals on your job. For information, contact:</p> <p>_____</p> <p>(name of company representative)</p> <p>_____</p> <p>(location and phone number)</p> <p>If your employer fails to train or inform you about hazardous chemicals in your workplace, please notify:</p> <p>Cleveland Fire Department, Fire Prevention Bureau; 621-1230 <u>216-664-6664</u>.</p> <p>All reports will remain confidential.</p>

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(b) Each employer shall develop and implement a hazard communication program for its workplace which meets criteria specified in Sections 393.06 through 393.09 for labels and placards, material safety data sheets, employees information and training, and hazardous chemical lists. The employer may rely on an existing hazard communication program to comply with this section provided it meets the criteria specified in Sections 393.06 through 393.09.

(c) Each employer shall develop and post in each work area a list of all hazardous or toxic chemicals in that work area, identified by chemical name, unless otherwise provided under the trade secret provisions of Section 393.17.

Section 2. That existing Section 393.05 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 2704-B-83, passed March 4, 1985, is repealed.

Section 3. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

NK:nl
6/3/2020
FOR: Director McGrath

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REPORT
after second Reading

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READ FIRST TIME on JUNE 3, 2020
and referred to DIRECTORS of Finance, Law;
COMMITTEES on Safety, Finance

REPORTS

CITY CLERK

READ SECOND TIME

CITY CLERK

READ THIRD TIME

PRESIDENT

CITY CLERK

APPROVED

MAYOR

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PASSAGE RECOMMENDED BY
COMMITTEE ON
SAFETY

FILED WITH COMMITTEE

PASSAGE RECOMMENDED BY
COMMITTEE ON
FINANCE

FILED WITH COMMITTEE
