SAFETY IN THE WORKPLACE

D0138 89

STATE OF COLORADO

EXECUTIVE CHAMBERS
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Roy Romer
Governor

EXECUTIVE ORDER

SAFETY IN THE WORKPLACE

WHEREAS, injuries and illnesses in state workplaces impose a substantial burden upon the public employee in terms of personal tragedy and increased medical costs, and to the public employer in terms of lost efficiency and production, economic costs of retraining and replacement of injured and ill employees, lost production, workers' compensation payments, and health insurance costs; and

WHEREAS, the public employees of the State of Colorado deserve a workplace free from recognized hazards which cause death or harm; and

WHEREAS, it is appropriate for the State of Colorado to provide every state employee safe working conditions to the greatest extent possible;

WHEREAS, employees must be encouraged to report safety hazards; and,

WHEREAS, the state should undertake to promptly investigate and correct safety deficiencies; and

WHEREAS, on May 30, 1989, I issued Executive Order D0122 89, giving a directive to all executive branch departments concerning the implementation of the revised Worker's Compensation Insurance Program to be administered by the Division of Risk Management, the provisions of which are reaffirmed and incorporated into this Executive Order by this reference;

NOW THEREFORE, I, Roy Romer, Governor of the State of Colorado, under the authority vested in me under the constitution and laws of the State of Colorado, ORDER:

1. The State of Colorado will attempt to provide a safe and healthful workplace to its employees, free from recognized hazards that are causing or are likely to cause death or serious physical harm to its employees;

2. The Governor's cabinet level safety committee ("Cabinet Safety Committee") having been established in Executive Order D0122 89 shall include the executive directors of all departments and shall meet periodically to review and evaluate the progress made in the implementation of this Executive Order and Executive Order D0122 89.

3. As directed in Executive Order D0122 89, each executive director and/or chief executive officer of a higher education institution shall establish a safety committee, ("Safety Committee") for the agency. The purpose of the Safety Committee will be to establish agency safety policies and procedures; to review the efficiency of such policies and procedures during the course of the year; and to evaluate and coordinate with the state Risk Manager's Office recommended changes and actions necessary to have the safest possible work environment. Each of these safety committees should have the executive director or college/university president as its chief member and the participation of employees and/or employee representatives. The purpose of establishing such committees is to ensure that issues affecting employee safety will be dealt with at the highest organizational levels.

4. The Division of Risk Management and the Safety Committee established by each executive director or president of each institution shall establish reasonable occupational safety health standards that protect the health and safety of state employees. The Division of Risk Management and the Safety Committee shall request assistance including information and materials from the Occupational Safety and Health Administration on employee safety in the workplace. The Division of Risk Management and the Health Safety Committee shall determine what parts, if any, of the relevant Occupational Safety and Health Standards might be used as guidelines in establishing the occupational and safety health rules for the agency. Each agency shall report on its progress in implementing the provisions of this paragraph and the remainder of this Executive Order to the Governor no later than January 31, 1990.

5. The Office of Risk Management working with the executive directors of the respective agencies is directed to establish procedures to ensure that all health and safety concerns identified by employees are brought to the immediate attention of the department head or president of an institution, are promptly and thoroughly investigated, and unsafe conditions are corrected as soon as possible.

6. Employees shall be protected against retaliation for filing complaints and testifying with respect to health and safety issues. Classified employees are protected under State Personnel Board Rule 1-4-3(e). All employees are protected under the Whistleblower Act, C.R.S. 24-50.5-101 et seq. Any complaint regarding such retaliation shall be investigated by the Department of Personnel.

7. The Department of Administration's Division of Risk Management will be in charge of the overall coordination of this Executive Order. The Division shall make quarterly reports to the Office of State Planning and Budgeting (OSPB) concerning the Division's discharge of its policy and fiscal responsibilities under this Executive Order and Executive Order D0122 89.

8. Copies of this Executive Order shall be distributed to all state departments and agencies and shall be displayed in prominent locations in their offices and facilities, particularly those locations in which employees notices are generally posted.

Given under my hand and the Executive Seal of the State of Colorado, this 29th day of July, 1989.

Roy Romer
Governor