

UE STEWARD

FIRST LINE OF DEFENSE

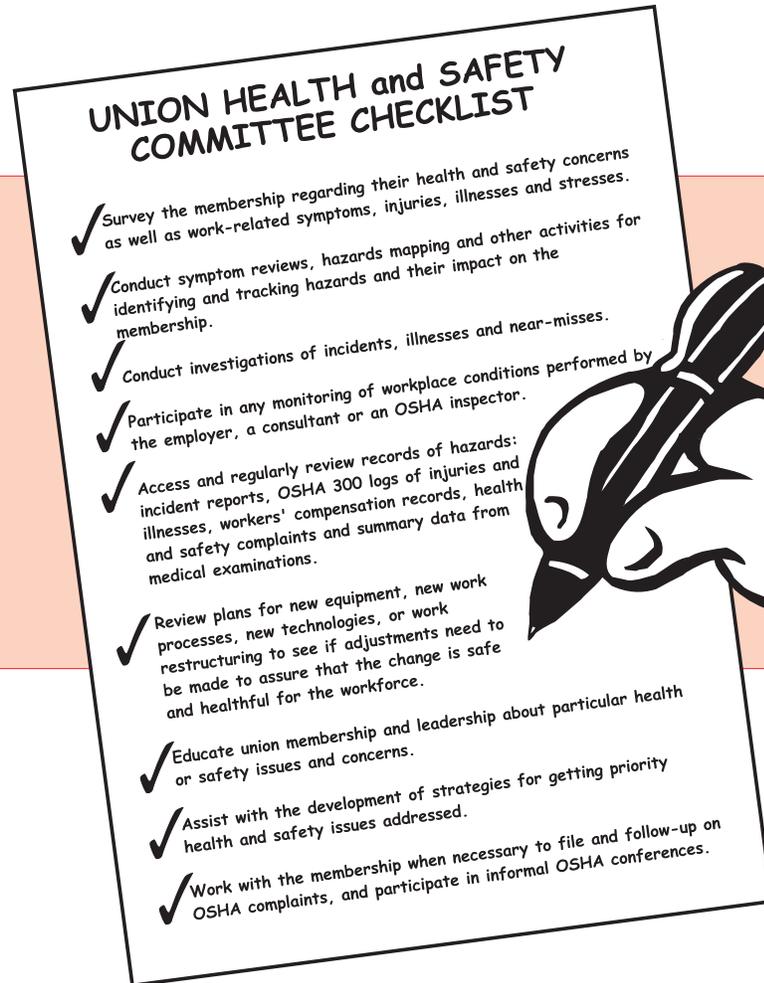
UNITED ELECTRICAL, RADIO AND MACHINE WORKERS OF AMERICA • NOVEMBER 2020

Union Health & Safety Programs

Tamara Bunke is a UE steward in a newly organized workplace. Their first contract was just recently settled and there are still several problems to be addressed. Tamara has noticed that there seem to be a lot of workers wearing wrist braces so she approached the Human Resources Director of the hospital to ask about it. His reply was that there is nothing in the contract that gives her the right to investigate this issue.

Nick Sacco works in a machine shop. They have good health and safety language in their contract, even including the right for the union's safety committee to make inspections of the workplace. This used to work fine when the shop had 200 workers, but now they are running with just 65. The company wants to remove the language from the contract as something that "isn't needed," because they claim that OSHA will take care of any health or safety issues.

Despite what the company is saying the fact is that every UE workplace should have a Health & Safety Committee or a Union Program for Health & Safety. Funding for OSHA has been cut severely and so no workers should rely on OSHA



to make inspections.

No matter what the boss says, it is the right and the duty of the union to deal with health & safety issues even if there is no specific language in the contract.

In smaller workplaces the UE stewards can act as the Union Safety Committee in charge of implementing the union program for health & safety.

In larger workplaces there can be a separate Health & Safety Committee. Many UE shops have these as elected positions.

Many UE contracts contain health & safety provisions. Some are as simple as, "The em-

ployer agrees to provide a safe and healthy workplace." Other UE contracts spell out how the Health & Safety Committee will function, whether or not it is a Joint Labor-Management Committee or a Union-Only Committee and what happens if an employee feels unsafe on the job.

Where there isn't a specific clause addressing health & safety, the union committee or steward can grieve unsafe conditions under the *Recognition Clause*, which says "the union represents all workers concerning wages, hours and CONDITIONS OF EMPLOYMENT." A grievance can also be filed charging the employer with violating the General Duty Clause of

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OSHA (Occupational Safety and Health Act) which says employers are responsible for providing employees with a safe and healthy workplace. States that have their own State OSHA have the same General Duty Clause.

Whether or not there is a Joint Labor-Management Committee, the union should maintain its own committee to ensure that the union health and safety priorities are addressed.

Effective Health & Safety Program Tips

- Make regular inspections of your worksite. It sometimes helps to have a steward from a different department do inspections. Why? Because after a person works in an area day after day, they may become used to the way things are done, and may unconsciously let things slide by.

- When doing an inspection in an area, talk to the workers. They know better than anyone what is unsafe or unhealthy, or what may be bothering them.

- Don't let the boss rush the safety inspection.

- Don't become management's enforcer. It's the boss's job to make sure workers are wearing safety glasses, shoes and clothing.

- Try to tackle problems that aren't so easily fixed, like workplace stress. Understaffing is a major problem these days. Hiring more workers and developing better work schedules may be the key to improving working conditions, thus alleviating stress. The problem may be a supervisor that is harassing workers or demanding too much from them.

- Remember that the biggest cause of accidents and injuries is unsafe working conditions NOT careless employees.

- The Union should support and join any COSH (Committees on Occupational Safety and Health) groups in your area. These groups bring together health & safety experts and unions. To find the one in your area, go to: nationalcosh.org/COSHGroupsList

- Use the Health and Safety Committee to build your union. Involve rank and file members in the work of the committee. Members should take an active part in identifying problems and in

figuring out solutions.

- Use the grievance procedure if the employer does not fix health hazards in the workplace. Often times employers try to use the Joint Health & Safety Committees to "prioritize" the order that safety hazards will be addressed. The Union, while not being unreasonable, should take the position that all hazards should be fixed as soon as possible. In the meantime if a danger to workers exists, the employer should make accommodations so no one will be in danger.

- Don't go along with safety "games" that discourage employees from reporting accidents. There are many variations on this theme, but it all boils down to the idea that accidents are the worker's fault. They offer prizes when no injuries are reported. Part of the theory behind this is that workers will put pressure on each other not to get

hurt so the prizes keep coming. All this really does is discourage or intimidate workers into not reporting accidents.

- Don't put off investigating a worker's complaint until a safety tour. Deal with the problems immediately. If an employer keeps telling workers to wait until the safety tour, then a grievance should be filed to get some immediate attention.

- Don't let the employer have a monopoly on information and knowledge. If the union committee needs special training or information on specific health and safety problems beyond what is provided by the employer, ask! The UE National web site has extensive health & safety information and it has links to many websites on health and safety. Or ask your Field Organizer or the UE Education Department to help the committee find what it needs.

Safety Committees and COVID-19

UE locals are using their Health & Safety Committees to address the coronavirus pandemic. At UE Local 1018 in Los Angeles, workers used their Workplace Health and Safety Committee to give their employer a list of practices and personal protective equipment they'd like to have in place prior to a return to working out of their office building. This effort led to the employer implementing more precautions, like temperature checks and additional sanitizing supplies. They also used the Committee to win an extra \$40/month stipend to offset workers' costs while working from home during the pandemic.

Tips for Union Participation in Joint Health & Safety Committee Meetings

- If there is a Joint Committee there should be an equal number of union and management people on the Committee, especially if the Committee makes recommendations on safety or repairs.
- The Union should pick its health and safety committee members, not the employer.
- The Union Committee should meet before the Joint meeting and make up an agenda of items they wish to discuss. Too often the Employer will just assume it is their right to set the agenda. The Union committee should also meet together after the Joint meeting to assess how the meeting went.

Item to Discuss:

- The last month's OSHA 300 Log of workplace injuries/illnesses. Every employer is required to maintain this Log.
- Accident Reports that were filed.
- Hazards that have been identified.
- Any worker complaints that were received.
- The results of walk-around inspections.
- Any results from tests conducted on the workplace environment.
- Progress reports on work being done to eliminate hazards.

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Education Dept. • 4 Smithfield Street, 9th Floor • Pittsburgh, PA 15222 • 412-471-8919 • www.ueunion.org