

District's Counter Proposal 11-20-24 11:00am

Article 38 - HEALTH AND SAFETY

1. Employee Assistance:

The Human Resources Office and Association will facilitate opportunities for relief and/or change, which may include but are not limited to the following:

- a. An employee assistance program.
- b. A mini-leave program: These leaves shall be for less than one school year and shall follow the prescribed contractual agreements for unpaid leaves.
- c. Job sharing opportunities.
- d. Reduced contract time for a specific amount of time.
- e. Opportunities to visit other sites and classrooms.
- f. Voluntary transfers.
- g. Social events.
- h. Getting into business community internships.
- i. Workshops.
- j. Wellness program.
- k. Teacher exchanges.
- l. Vocational/career counseling.
- m. Summer travel programs.
- n. Community education classes.

2. Safe Working Conditions:

The Board agrees that it shall make every effort to maintain safe, sanitary, and healthful working conditions in compliance with state and federal regulations and Board Policy pertaining to such issues. Should an employee feel that a safety problem exists, he/she they should report it immediately to his/her their immediate supervisor, and the District Safety Committee in writing; including a statement of the problem and the date of the filing.

The supervisor will contact the Facilities department, if necessary, to assist in responding to the safety issue or if it's an emergency situation needing immediate

attention. The association can appoint a representative to the District Safety Committee.

If an employee is exposed to an unsafe working condition that threatens substantial bodily injury, or would be a significant health hazard, they should immediately remove themselves and others under their supervision from such conditions and report it to their immediate supervisor and/or initiate emergency protocols.

An inspection will be made as soon as possible by the supervisor and/or facilities department. The employee involved shall be advised of the results of the inspection. The Board will continue to provide and maintain safety equipment and stress the importance of safe conditions.

The supervisor or Facilities Department will also notify the member of the District Safety Committee at the worksite of the report and the results of the inspection. See Attachment C in this contract regarding procedures to follow when reporting concerns with the worksite environment.

If the issue is not resolved in a timely manner or the staff involved is unsatisfied with the results, they shall notify the Executive Director of Operations and the Union President.

The District shall notify affected members of any threatening communication received by the District in accordance with ORS 339.327

No employee will suffer a negative evaluation or any adverse employment action or reprisal in retaliation for reporting safety concerns of the District.

3. **Medically-Fragile Students:**

Employees who are required to provide medical services or administer medications to students shall be provided training by a qualified person before they are assigned to perform these services. Copies of applicable statutes, District policy, and administrative rules regarding the administration of medication and provision of medical services shall be available during this training.

The District will develop procedures by which employees will be notified of medical conditions affecting students they supervise as soon as they are made available to the District.

Employees acting within the scope of their duties to provide medical services to students will be defended and indemnified by the District in accordance with the Oregon Tort Claims Act.

4. **Tobacco Use:**

The District recognizes that tobacco use is habit forming and will make sure employees are informed and forewarned of this policy (GBK, JFCG). It is the District's intent to be helpful and supportive with employees who use tobacco. However, if persistent violation of this policy occurs and the District determines discipline may be necessary, the discipline shall be progressive and in compliance with the negotiated agreement. Employees will continue to be able to leave District property during lunch.

5. ~~Healthy Learning Environments~~ ~~Building Syndrome~~ (Formally attachment C):

1. The District will archive in the Business Office any history of investigations into concerns raised regarding the worksite environment. The records will be kept by site, with the file containing concerns raised, a record of findings, plans for correction needed as possible, and any actions taken.

- a. The District shall provide emergency protocols at all worksites.
- b. The District will develop an actionable plan that identifies and prioritizes relief and/or mitigation of issues identified during the initial Safety Committee Inspection Checklist conducted at each building.
- c. When projected temperatures inside buildings may reach below sixty (60) degrees and/or the heat index reaches a moderate level of risk as identified by OSHA recommended standards, (refer the District Heat Illness Prevention Plan) the District will consider the following for the Licenced Employees work setting;
 - i. Alternative teaching/learning spaces for staff and students; or
 - ii. Utilization of early release or school closures; or
 - iii. Alternative work spaces, including but not limited to working from home, for Licenced Employees outside the school day or on non-student contact days. This will be with mutual agreement with a building principal.
- d. Every building will have a school safety plan that will include plans for having access to communications during emergencies.
- e. The District will work collaboratively with outside agencies, such as the Albany Police and Fire Department, to identify opportunities to improve security and safety measures. The District will include items identified into a comprehensive plan for Facilities Capital Projects. Progress on this plan will be shared with the District Safety Committee.

2. The procedure for dealing with health and safety concerns will be reviewed shared annually, in August, by administrators with their licensed employees. Concerns should be addressed to building representatives, administrators, and/or GAEA President.

~~The procedures include:~~

The procedures will include that the Risk Manager shall:

- a. Make available Board Policy ER-AR(1) and Administrative Rule (GBEAR(1)(2) and Article 38 of the GAEA/GAPS collective bargaining agreement.

- b. E-mail and hard copy to all employees twice per year on safety compliance procedures.
- c. Inservice District administrators annually.
- d. Review OSHA compliance list and send out every year.
- e. Review accident/incident reports annually with the Physical Plant Facilities Director. These shall be available to staff.
- f. Review annually with the District Safety Committee and implement the District's Heat Illness Prevention Plan with all staff.

3. Building principals will ensure that:

- a. A list of Safety Committee members is posted each year. The association will be given the opportunity to appoint one licensed employee from the GAEA bargaining unit.
 - b. Safety Committee responsibilities are included in the staff handbook.
 - c. Minutes of the Safety Committee are posted.
 - d. A report is made to staff in the building regarding any concerns raised by the Safety Committee representatives from the building.
4. A form will be developed by the Safety Committee for use by staff in reporting concerns and other input and to be used to convey feedback to the staff about Committee action on that concern.