ARTICLE 9 - HEALTH AND SAFETY

9.1 The Federation and Management agree that a safe and healthy work environment contributes to the prevention of injuries and to the reduction of property damage. Classified employees and Management will strive to maintain a safe and healthy work environment and will attempt to reduce the number of preventable accidents. An employee has a right to raise health and safety issues with the campus Health and Safety Committee.

9.2 Management will maintain a College Health and Safety Risk Management Program tailored to meet the needs of each College campus/facility and activity. There will be a classified representative on each campus and center Health and Safety Committee.

9.3 Classified employees will comply with established College Health and Safety Rules, Regulations and Procedures. An employee who believes that any working condition, equipment or materials for work are unsafe or defective shall:

9.31 Report the unsafe working condition(s) or practice(s) to her/his supervisor.

9.32 Correct the defect(s) or unsafe condition(s) before proceeding with other work. If such correction is either within the regular scope of the employee's work or is a correction an employee could be reasonably expected to do.

9.33 If the condition cannot be corrected, the employee's supervisor shall determine if the situation is safe or unsafe. If the employee's supervisor determines that the situation is unsafe, the employee or employees shall be relocated until the supervisor determines that the situation is safe. If the employee's supervisor determines that the situation is safe, the employee may refuse to perform work he or she reasonably believes to be hazardous until review of the supervisor's decision by the Safety and Risk Services Department (SRSD) office. Upon a decision by the SRSD that the work is safe, the employee must perform the work.

9.331 The employee shall suffer no loss of wages or benefits as a result of such relocation and will return to her/his work place when the defective situation is corrected.

9.34 If the employee's supervisor is not immediately available, provided the employee reasonably feels that a particular task is unsafe, the employee may proceed to another safe task until the supervisor can be contacted.

9.4 Employees should file a Hazardous Safety Condition Report with their supervisor and the Safety and Risk Services Department. A written response will be issued within 30 days to the employee and the supervisor. If no corrective action is recommended, the SRSD will present the issue to the Campus Safety Committee and explain why no action was needed. If the Safety Committee agrees or does not take action at their next meeting, the issue will be reported to Contract Administration Meeting (CAM). Safety Committees and CAM will also review each month a report listing actions recommended to remedy hazardous safety conditions that are yet to be completed.

9.5 In order to promote safety in the work area and to reduce potential injuries, employees may be disciplined under Article 21 for:

a. Violation of College Safety and Health Rules, Regulations and Procedures.

b. Abuse of College equipment.
c. Failure to wear protective clothing required for the job assignment.

9.6 Employees shall be provided with the use of adequate protective clothing by Management during periods when assigned to tasks requiring protective clothing or to seasonal task such as snow removal for which they would not normally be prepared.

9.7 Nothing in this Article shall prevent an employee from submitting a complaint to Oregon OSHA or from exercising any other rights granted under Federal or State laws relating to safety without fear of reprisal or recrimination; but when any complaint or investigation request is filed with any governmental authority it shall terminate any grievance filed alleging a violation of this Article by the same employee since the parties do not wish to duplicate investigations and create possibly conflicting determinations. The decision of the College President shall be final and binding when the grievance procedure in Article 24 is used for this Article.

9.8 The Federation shall be provided a copy of any written complaints filed by an employee through the College's Safety Procedures.

9.9 There shall be no discrimination or reprisal against any employee who in good faith reports an alleged safety violation.