

TEN **STEPS** TO SCHOOL HEALTH & SAFETY



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Local associations that want better working conditions in the areas of health and safety need to organize. Organizing has proven to be the only practice that works in dealing with the unreliability of waiting for school districts and government agencies to do the right thing.

Here is the NJEA 10-**Step** organizing approach for effective local association health and safety programs.



- 1** **Commit:** Make membership health and safety a priority. Enlist the assistance of your UniServ field representative.
- 2** **Organize:** Form a local association health and safety committee. Establish a process to receive and respond to hazards and health problems.
- 3** **Research:** Examine district injury and illness logs. Review district health and safety procedures. Check whether the district is in compliance with Public Employees Occupational Safety and Health (PEOSH) requirements.
- 4** **Document:** Survey members. Conduct walk-through evaluations. Take photos or videos. Use checklists.
- 5** **Educate:** Use the NJEA Health and Safety Manual. Distribute NJEA fact sheets. Hold training sessions. Show videos. Keep the membership informed and involved.
- 6** **Assist:** Assist sick and injured workers with treatment and compensation.
- 7** **Problem solve:** Prioritize problems and identify solutions. Pick winnable issues. Ask the district to implement solutions. Follow up to make sure changes are made.
- 8** **Mobilize:** Enlist the help of parents, students, community groups, elected officials, activist groups, the media, etc.
- 9** **Negotiate:** Negotiate and enforce contract language on health and safety.
- 10** **Use PEOSH:** File PEOSH complaints when necessary. Know what is regulated and what is not. Participate in inspections.

Commit

STEP 1



Health and safety issues, such as poor indoor air quality (IAQ), temperature, mold, pests and pesticides, diesel exhaust, and chemical-based maintenance, cleaning, art and shop supplies, affect most school staff and can be a reason why members are unhappy at work. The local association must become familiar with the key health and safety issues for school staff and ways to address them. The local association must commit to make members' health and safety a priority and, if necessary, organize members and allies to take on the administration. The local association that commits to health and safety may achieve these outcomes:

Better working conditions: Real improvements can be won.

Better performance: Fewer sick days result in more productivity for staff and students.

Membership satisfaction: Improving working conditions improves school staff morale and may even increase staff retention.

Leadership development: When individuals work together, speak up, and take successful action, they learn to be leaders.

Association visibility and credibility: Members will be able to see that the local association is active, effective, and worth supporting.

Organize

STEP 2

Each local association should form a union-only health and safety committee, appointed by the president which works with local leadership and the UniServ field representative. Whenever possible, it should include someone from every school and each job classification. It may take time to develop a strong committee. Three or four active people make a great start.

The committee should establish a process for the local association to receive and respond to reports of hazards and health problems. A hazard complaint form with copies provided to association officers and district administration can be one way to do this. Then the committee can start work on a specific problem people are complaining about; for example, "No air in the south wing."

There can be both a union-only committee and a joint labor-management committee in the same district. While a joint committee can prove a useful setting to work with administration, a union-only committee allows members to prepare for joint committee meetings and to freely discuss problems and strategies for preventing hazards.



STEP 3

Research

Copies of health and safety records that school districts must maintain are available to employees and their local association. These records may identify hazardous areas or individual workers who may need medical help or have a potential workers' compensation claim. These records include:

Exposure monitoring such as mold sampling.

Biological monitoring such as blood lead tests.

Injury and Illness Records required by PEOSH

- Log 300 of Occupational Injuries and Illnesses
- Form 300A Summary of Work-Related Injuries and Illnesses
- Form 301 Injury and Illness Incident Report

Toxic Substance Records

- *Right to Know Survey*, a report of hazardous substances present, including storage amounts, locations, and container types
- *Hazardous Substance Fact Sheet (HSFS)* for each hazardous substance
- *Material Safety Data Sheet (MSDS)* for each chemical product
- *Asbestos Hazard Emergency Response Act (AHERA)* plan required by EPA for managing asbestos and controlling exposure based on inspecting the condition of asbestos in every school

Written plans required by PEOSH

- Hazard Communication program, including a list of all hazardous chemicals used in the workplace and records of staff training
- Chemical hygiene plan for labs
- Indoor air quality (IAQ) program
- Bloodborne pathogens model exposure control plan
- Respiratory program

- Hearing conservation program
- Emergency action plan
- Fire prevention plan
- Electrical lock-out procedures
- Confined-space entry procedures

PEOSH Inspection Records

- *Summary* PEOSH inspection data is available on the OSHA website, www.osha.gov/oshstats/index.html
- *Complete* inspection records are available from PEOSH under the *New Jersey Open Public Records Act (OPRA)*.



STEP 4

Document



- Have members show you the details of their jobs, what tasks are involved, and what chemicals and equipment they use.
- Survey members in writing, or better, in person. The sample survey forms are found in NJEA's Health and Safety Complaint; Work-Related Health Problems Report; and Indoor Air Quality Occupant Survey.
- Keep a notebook and take photos or video of hazards wherever possible.
- Get copies of the evacuation floor plans of the school and mark locations where the committee finds problems.
- Walk through problem areas to evaluate health and safety conditions. Use walk-through checklists found in *NJEA's Health and Safety Manual: Comprehensive Walkthrough Checklist; Indoor Air Quality (IAQ) in Schools Walkthrough Checklist; Mold in Schools Walkthrough Checklist.*

Gather evidence that will convince school management that hazards and health problems are serious. Documentation is essential!

- Talk to members to determine if there are complaints of health symptoms, illnesses, injuries, or hazards. Be sure to keep individual medical issues confidential by revealing results only by job title.



STEP 5

Educate

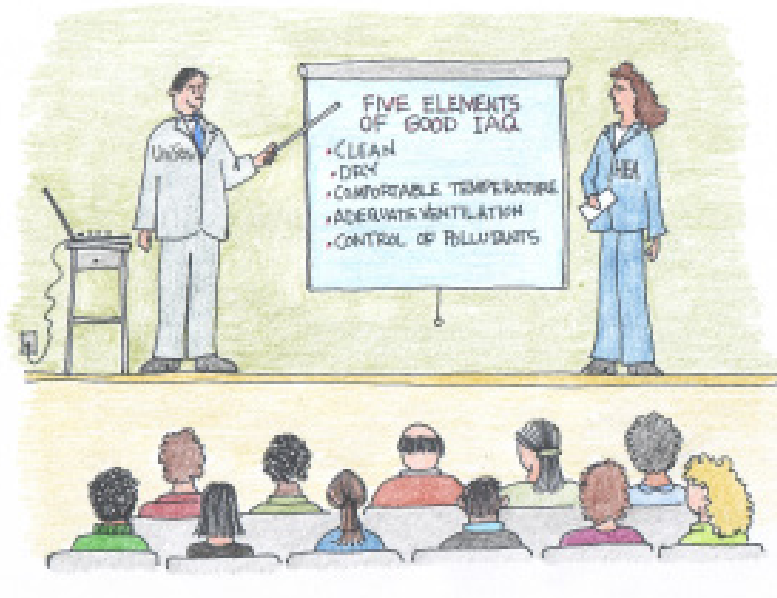
Inform members about the health and safety committee through:

Your association newsletter: If your local has a newsletter, talk to the editor about including a regular health and safety column to highlight the committee's work and to offer workplace safety tips. You can find plenty of tips in the health and safety section of NJEA's website, njea.org, under "Issues." The website includes the *NJEA Health and Safety Manual*, fact sheets by job title and issue, health and safety articles from the NJEA Reporter and a link to the NEA HIN online training course *What's Your IEQ? A Roadmap to School Indoor Environmental Quality*.

Fliers and updates: If you don't have an association newsletter, put together a flier or short newsletter you can share with members. Distribute at least two a year.

Your association website: If you have an association website, create a health and safety page. "Hot link" to NJEA's health and safety page and the N.J. Healthy School Facility Environments website, www.state.nj.us/health/healthyschools/.

Building visits: Set aside time for committee members to visit school buildings to listen to members about their health and safety concerns.



Hold a 10-minute meeting: Have committee members hold a short meeting before or after school in their buildings to keep members informed.

Put together a phone chain: Create an association phone chain and distribute to your members. If an emergency arises when school is not in session, you'll have a quick and efficient method for contacting your members.

Show a video: Obtain films on health and safety from NJEA, EPA Tools for Schools, the N.J. Right-to-Know video lending library and on *YouTube*.

STEP 6

Assist



immediate action to preserve their sick days by contacting the UniServ representative. Strict timelines apply to preserving sick days.

- Ensure injured workers complete reporting forms promptly to avoid forfeiture of benefits.
- Ensure that workers are not pressed to use their own health insurance, sick time, or vacation time while healing from job-related injuries and illnesses.
- Keep in touch with those who are harmed, especially if they are not back to work. These workers need to see that their co-workers are concerned about their treatment and recovery. Such solidarity often helps with recovery and demonstrates that no worker is “disposable.”
- If claims are denied, access NJEA Legal Services through the UniServ field representative.

Ensure that members report all injuries requiring treatment to the district, who must be given the opportunity to provide medical treatment. If the injury is reported, it is an emergency, and the district refuses to provide treatment, treatment may be obtained by staff on its own. Alternatively, the UniServ field representative can arrange for a workers’ compensation attorney to file a “Motion for Medical Treatment.” This motion should also be filed if treatment is terminated prematurely.

There are strong New Jersey laws to compensate school employees harmed by unsafe and unhealthy working conditions.

In addition to the *Workers’ Compensation Act*, school employees are covered by N.J.S.A. 18A:30-2.1 which provides them with full salary from the day of the incident without the absences being charged to sick leave for one calendar year. Together, these laws may include payment of medical benefits and wages. To ensure injured workers’ rights, local associations can:

- Ensure that workers take



STEP 7

Problem-Solve

The responsibility for providing a healthy and safe school lies with the school district. It is the role of the local association to bring problems to the district's attention and to ensure that administrators prevent or abate the hazard.

Set goals and prioritize. To help build a strong committee, start with a problem people are complaining about, achieve some small successes and then move on to bigger issues. Ideally, each problem the committee chooses to work on will be widely and deeply felt, easy to understand, have solutions that result in a real improvement, and be able to win community support, if necessary.

The best solutions quickly and permanently eliminate or correct hazards at their source. Less desirable are those that require members to use protective equipment or follow cumbersome procedures. Sometimes short-term solutions are required until money is found for longer-term repairs. Critical to any plan of action is a commitment from the district to a deadline for each proposed improvement.

Examples of solutions for common problems are:

Insufficient outdoor air supply

- **Short-term solutions:** Open windows, window fans, open louvers on outdoor air supply vents.
- **Long-term solutions:** Repair or replace mechanical ventilation system.

Too hot or too cold

- **Short-term solutions:** Floor and ceiling fans; shades, blinds, solar film; window or floor air conditioners; extra break periods, reduced hours, reduced activities; relocation to cooler or air-conditioned areas of the school.
- **Long-term solutions:** Replacement windows that block heat and cold (known as "low-e" windows); central air conditioning; repair or replace mechanical ventilation system.

Moisture and mold

- **Short-term solutions:** Dry water damage within 24 hours before mold growth can begin; preventive maintenance on roof, plumbing, exterior walls, foundation; control humidity between 30 and 60 percent with dehumidifiers; ensure rainwater discharges away from foundation; discard moldy sheetrock, ceiling tiles, paper products, and other porous materials; clean mold off hard surfaces with detergent and water.
- **Long-term solutions:** Permanently fix all water entry problems; control humidity between 30 and 60 percent with air conditioning.



STEP 8

Mobilize

Local associations can reach out to potential allies and ask them to support their fight against unsafe conditions. Unsafe conditions that may cause injury, illness, or death are unacceptable. These conditions may also be a danger to the students, parents, and others.

Members are both part of the workforce and the community. Many potential allies are also their friends, neighbors, and families. These allies are often local, but may also include partners on a regional, statewide, or even national or international level.

They can include:

- Parents/PTA/PTO
- Community organizations
- Union and environmental groups
- Religious leaders
- Civil rights leaders
- Local politicians

Newspapers, radio, television, and community blogs can help you publicize your case.



Negotiate

STEP 9



Under New Jersey law, all issues regarding workplace health and safety are mandatory subjects of bargaining. This means that the board of education must negotiate with the union and failure to discuss these issues would constitute an unfair labor practice.

Solicit proposals for changes concerning health and safety issues from the members. The negotiating committee should research and cost out the proposals and set negotiating priorities. Propose contract language, including:

- Establishment of a joint health and safety committee.
- Training for all committee members by an outside organization.
- Paid release time for committee members to do health and safety work during the regular day.
- The right of the committee to investigate accidents and injuries.
- A general duty clause – It is the obligation of the district to provide a workplace free of recognized health and safety hazards.
- Advance notice posted on association bulletin boards about pesticide applications, asbestos removal, building renovations, etc.
- Joint decision making concerning hiring of consultants, environmental testing, equipment purchases, etc.
- Access to all necessary information and statistics such as injury reports, PEOSH and consultants' reports.
- The board of education will bear the cost of all of the above.
- Most important, vigorous enforcement is necessary to make sure the board lives up to its obligations and the contract.

STEP 10

Use PEOSH

The N.J. Public Employees Occupational Safety and Health (PEOSHA) Act gives public school employees the right to file complaints about hazards. Complaints may result in on-site inspections. The local has the right to participate in all aspects of the inspection. If a PEOSH inspector finds that a school district does not comply with standards, the district can be issued an order to comply and given abatement dates. However, the local should file a PEOSH complaint only when it determines that filing is likely to produce positive results. Unfortunately, PEOSH standards do not cover many hazards, and many current standards are not protective enough to force the district to make changes. For example:



- There are no standards regulating extreme temperatures, workplace violence, lifting, or job stress.
- Standards regulating noise and chemicals were intended for industrial workplaces and will rarely be violated in schools except perhaps in shop situations.
- There are only unenforceable “guidelines,” not standards, for computer ergonomics and tuberculosis prevention.

Some useful PEOSH regulations for schools are listed in the box. By far the most frequent school complaint is about indoor air quality for which PEOSH has a reasonably protective standard.

Useful PEOSH health standards

N.J.A.C. 12:100-7 Hazard communication
N.J.A.C. 12:100-13 Indoor air quality
1904: Recording and reporting occupational injuries and illnesses
1910.95: Occupational noise exposure
1910.106: Proper storage of chemicals
1910.120: Hazardous waste-Emergency responders
1910.132: Protective clothing
1910.133: Eye and face protection
1910.134: Respiratory protection
1910.138: Glove protection
1910.141: Sanitation of toilets and lunchrooms
1910.151: Medical services and first aid; emergency eye and body wash
1910.1000: Air contaminants
1910.1001: Asbestos
1910.1020: Access to medical and monitoring data
1910.1025: Lead
1910.1030: Bloodborne pathogens
1910.1200: Hazard communication
1910.1450: Occupational exposure to hazardous chemicals in laboratories

Useful PEOSH safety standards

1910.22 to .24: Floors, stairs, floor and wall openings
1910.25 to .27: Ladders
1910.28 to .29: Scaffolds
1910.36 to .37: Exits
1910.38: Emergency action plans
1910.39: Fire prevention plans
1910.101: Compressed gases
1910.106: Flammable and combustible liquids
1910.107: Spray finishing
1910.146: Confined space entry
1910.147: Control of hazardous energy; electrical lockout/tagout
1910.157: Portable fire extinguishers
1910.160: Fixed extinguishing systems
1910.164: Fire detection systems
1910.165: Employee alarm systems
1910.178: Powered industrial trucks/forklifts
1910.211 to .217: Machine guarding
1910.241 to .244: Hand and portable power tools
1910.252 to .254: Welding, cutting, brazing
1910.303 to .307: Electrical grounding, guarding
1910.331 to .335: Electrical safety-related work practices

Conclusion

Using these 10 **Steps** means safer and healthier schools and stronger local associations. Contact your UniServ field representative today if you are interested in putting these **Steps** into action in your local association. Ask about health and safety training and resources available to the local association. Consult the NJEA Health and Safety Manual for more information on each of the **Steps**. Consult the manual and online NJEA Reporter articles about specific hazards and solutions.





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