

HEALTH & SAFETY

A NEWSLETTER FOR NYSUT'S HEALTH AND SAFETY LEADERS



White Plains TA Health and Safety Committee takes off

The White Plains Teachers Association was concerned about the anticipated launch of a large multi-year capital construction project in the White Plains schools. Caren Levant, the local's Health and Safety Representative, knew that the project had the potential to cause many health and safety problems for school staff, students and visitors, since the construction would affect almost all schools in the district.

So the local happily accepted the opportunity to create its health and safety committee, by working closely with staff from the American Federation of Teachers and NYSUT. The AFT program, funded through a grant from the Occupational Safety and Health Administration (OSHA), sup-

ports both a local union's and joint labor-management committees' efforts.

In November, Levant and White Plains TA President Kerry Broderick met with Amy Bahruth, assistant director of AFT's health and safety program, and Wendy Hord, NYSUT health and safety specialist. Broderick suggested

asking the CSEA local union, which represents district support staff, to participate. The two unions have a good relationship and Broderick knew working together would be much more effective.

To determine a good starting point, AFT helped the local create a health and safety concerns survey, which was sent to all unionized school employees. Levant was pleasantly surprised to receive 412 completed surveys back from members. Levant said: "Workplace stress was by far the big-

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gest issue. Because of that, we created a tri-fold brochure about stress.”

The WPTA also had members throughout the district interested in joining the health and safety committee, many of whom had never before been active in the union. Broderick said she was especially happy because it became a “great way to engage more of the membership in the work of their own union.”

Broderick charged the committee with focusing on the renovations. She asked them to work collaboratively with the administrative team, to communicate clearly and to make the entire process transparent. This was especially important since many employees remember the last round of renovations in the late 1990s and the health and safety concerns expressed by WPTA members.

Levant has been happy with the results. “We have achieved a lot in a short amount of time. Our committee work is proving to be productive,” she said. “We have worked with management to establish construction protocols that go beyond State Education Department requirements to provide for safety during construction, and with the support of the AFT and NYSUT we are well

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— Caren Levant

on our path to an effective labor/management committee.” With AFT’s help, the local created a brochure for staff at Eastview Middle School, the first building slated to begin extensive renovations. The brochure gives staff a quick overview of potential hazards of construction work, health symptoms associated with it, and contact information for their union health and safety committee representatives to report any problems.

Future plans include having either health and safety committees in each building or the health and safety committee members included in school safety teams, and having clear and open communications between the union and the district’s facilities department so reps can call the facilities director directly.

Several committee members went to the NYSUT statewide health and safety conference last March and a few attended the National Worker

Health and Safety conference in Baltimore in December.

Broderick credits the committee’s success to the commitment of the group. Members are energized around these issues in the local and the committee is becoming known as an effective group to which members can take concerns and have them heard.

Broderick appreciates the level of personalized support the national and statewide unions have offered. “The type of professional development that the AFT and NYSUT support truly supports the work of our members. I really appreciate the continued outreach and support from AFT and NYSUT staff.”

Both Hord and Bahruth feel WPTA has ingredients that together make a winning formula for health and safety committee success: strong local president support; committed committee members; representation from all schools; good communication between committee members and the union and joint committee meetings with an agenda and minutes so the committee can keep on track and follow-up on problems.

The members feel it too. There is an increased level of trust and respect for each in their roles. That will mean ongoing success for WPTA’s health and safety committee.

HEALTH & SAFETY

Health & Safety is a newsletter published periodically for New York State United Teachers’ Health and Safety Committee members. NYSUT locals and staff have permission to reprint all *Health & Safety* content.

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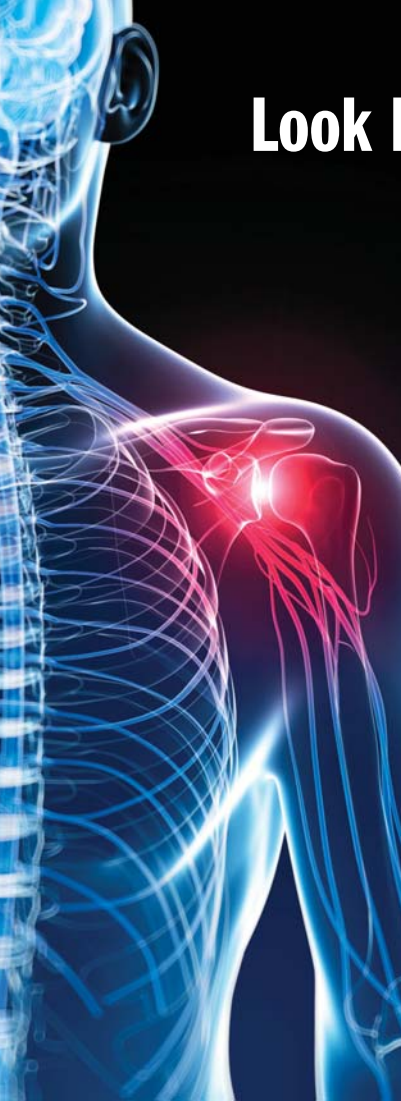
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Look For Injury and Illness Summaries in February



Remember, PESH and OSHA regulations require that beginning Feb. 1, New York state public employers and private employers must post a summary of the total number of job-related injuries and illnesses that occurred during 2013. Employers are only required to post the summary SH Form 900.1 or OSHA Form 300A (private sector), not the SH 900 log or OSHA 300 log (private sector). The summary must be posted from Feb. 1 to April 30. Employees and their unions also have the right to examine the full injury and illness logs at any time. Exemptions in the private sector are private schools, colleges and universities and child day care employers. These

workplaces do not have to keep records of employee injuries and illnesses.

It is a good opportunity for health and safety committees to review employer logs to help determine where injuries and illnesses are occurring and develop strategies to reduce or eliminate hazards.

The summary must list the total number of job-related injuries and illnesses that occurred in 2013 and were logged on the SH 900 or OSHA 300 form. Information about the annual average number of employees and total hours worked during the calendar year also is required to assist in calculating incidence rates.

Employers with no recordable injuries or ill-

nesses in 2013 must post the form with zeroes on the total line. All summaries must be certified by an agency official. The form is to be displayed in a common area wherever notices to employees usually are posted. A copy of the summary must be made available to employees who move from worksite to worksite, such as construction employees and employees who do not report to any fixed establishment on a regular basis.

Copies of the forms and regulations can be downloaded at: www.labor.state.ny.us/workerprotection/safetyhealth/DOSH_PESH.shtm (for public sector) and www.osha.gov/record-keeping/index.html (for private sector).

Heating, Ventilation and Air Conditioning (HVAC) Tips for Winter

From EPA Tools for Schools

Good quality HVAC system design, operation and maintenance are key for providing healthy Indoor Air Quality (IAQ) in schools. Properly functioning HVAC systems provide sufficient ventilation, control odors and reduce pollutants that cause most IAQ problems inside buildings. In addition to improving occupant health and performance, regular HVAC maintenance saves energy.

In colder months, schools should pay special attention to their HVAC units, including:

- 1** Be aware of indoor humidity levels as the outside temperature drops. To protect health, comfort, the school building and its contents, indoor relative humidity should be maintained below 60 percent, ideally between 30 percent and 50 percent. Most buildings are not humidified, however, so building occupants need to drink more water and use saline eye and nose drops or sprays to keep respiratory systems healthy.
- 2** Ensure that facilities and maintenance staff change filters on a regular basis. Air filters should have a dust-spot rating between 35 percent and 80 percent or a Minimum Efficiency Rating Value (MERV) between 8 and 13 depending on the compatibility of your air handling unit. The higher the MERV rating, the more particulates will be filtered.
- 3** Ensure proper ventilation as there are significant spatial and seasonal variations in the volume of air delivered by most HVAC systems. Learn more by checking out the ASHRAE Standard 62-2013.
- 4** Have a plan to ensure HVAC systems are functioning properly over winter and holiday breaks. With intermittent building occupancy over breaks, outdoor air ventilation rates may need to be adjusted. Check all air registers to ensure that they are not obstructed by furniture or large objects that may have been moved unintentionally.



Injured at work: Have you gone through the Workers' Compensation system?

Gov. Cuomo's move to 're-engineer' comp needs your voice!

The NYS Workers Compensation Board started a process it calls "Business Process Re-engineering (BPR)." The board describes this effort as "an agency-wide endeavor to evaluate and rethink the workers' compensation system in New York. More than an attempt to improve specific processes, it's a sweeping effort to examine the workers' compensation system in New York as it exists today, assess how well it meets its goals and re-create a system that effectively serves the needs of injured workers and employers."

Each district office of the state

Workers' Compensation Board will host an Injured Worker Day on the first Monday of January from 9 a.m. – 3 p.m. Workers can make comments, complete surveys and visit information tables about the re-engineering project. It is crucial for workers to share experiences of the comp system, both good and bad, along with suggestions for making the entire system more effective in the future.

Sessions will take place at all district locations. Brooklyn and Peekskill offices will have their day Jan. 7. Syracuse will have its day Jan. 13.

Visit www.wcb.ny.gov/content/main/DistrictOffices/MainPage.jsp to find the workers' comp office nearest you:

If you can't attend, but would still like to "give 'em an earful," fill out a injured workers survey at:

https://www.surveymonkey.com/s/WCB_Business_Re-engineering_Project_Injured_Workers_Experience_Survey

Let's make sure that workers' voices will be heard and injured workers' interests protected. We need as many injured workers, union representatives and worker advocates as possible to show up to the Injured Worker Days!

WEB RESOURCES



New educational resources to better protect workers from exposures to hazardous chemicals

Each year, tens of thousands of American workers are made sick or die from occupational exposures to hazardous chemicals. While many chemicals are suspected of being harmful, OSHA's exposure standards are out of date for the small number of chemicals

that are regulated in the workplace. To help keep workers safe, OSHA has launched two new Web resources.

The first is a step-by-step toolkit to identify safer chemicals that can be used in place of more hazardous ones. The Transitioning to Safer Chemicals toolkit gives

employers and workers information, methods, tools, and guidance on using substitution in the workplace, www.osha.gov/dsg/safer_chemicals/index.html.

The second resource: the Annotated Permissible Exposure Limits (PELs), available at www.osha.gov/dsg/annotated-pels/index.html, will enable employers to voluntarily adopt newer, more protective workplace exposure limits. Since OSHA's adoption of the majority of its PELs more than 40 years ago, new scientific data, industrial experience and developments in technology clearly indicate that in many instances these mandatory limits are not sufficiently protective of workers' health.

New report — A Reference Guide for Controlling Health Hazards to Hospital Workers

Hospital workers have extremely high injury rates compared to other occupations, but there are many

practical and proven ways to avoid these injuries. A supplemental issue of *New Solutions: A Journal of Environmental and Occupational Health Policy* offers a new free report that describes more than 30 health hazards to hospital workers and more than 150 ways to avoid them.

In **Controlling Health Hazards to Hospital Workers: A Reference Guide**, specialists in occupational medicine from the United States and India describe ways to control everything from anesthetic gases to X-rays. Hazards addressed include lifting, communicable diseases, hazardous drugs, radiation, violence and shift work. Each section describes the hazard, the literature on controls and Internet resources where the reader can find more information. There are also general tips about identifying hazards and setting priorities.

The report, **Controlling Health Hazards to Hospital Workers: A Reference Guide**, New Solutions, Vol. 23, Supplement, 2013 can be freely downloaded at: <http://baywood.metapress.com/link.asp?id=j676v4ul5026>

Total Worker Health™ news

The November 2013 newsletter from the National Institute for Occupational Safety and Health (NIOSH) Total Worker Health™ Program is now available. The NIOSH Total Worker Health™ (TWH) Program is "built upon growing evidence indicating comprehensive policies and programs that concurrently address health promotion and health protection may be more effective in preventing disease and promoting health and safety than either approach alone." Get updates from the program as well as a "Total Worker Health™ Exclusive" on emerging efforts to measure Total Worker Health. <http://www.cdc.gov/NIOSH/TWH/newsletter/TWHnewsV3N1.html>

LEGISLATIVE UPDATES

The next NY state legislative session will start in mid-January 2014. The following are bills introduced last year that are still active.

State

School Violence Prevention Bill A.6902 (Heastie)/S.6902 (Addabbo) Would cover PK- 12 public schools under the existing Workplace Violence Prevention Act in force for all other public employees in NY. Stay tuned to the www.nysut.org/healthandsafety web page for information on the bills.

Licensed Social Workers in Elementary Schools A03227 (Ortiz) Requires at least one full-time licensed social worker to be employed in each elementary, intermediate, middle and junior high school throughout the state.

Child Safe Products Act A.6328 (Sweeney)/ S.4614 (Boyle) Purpose of this bill is to prevent use of dangerous chemical in children's products and ensure use of safer chemicals. It authorizes the state Department of Environmental Conservation (DEC) to participate in an interstate chemical clearing house; requires DEC to post lists of priority chemicals/chemicals of high concern on its website; requires children's products manufacturers to disclose the presence of priority chemicals in their product(s); prohibits sale of children's products containing priority chemicals effective 2018.



30th Anniversary of OSHA hazard communication standard underscores workers right to know

Thirty years ago, on Nov. 25, 1983, OSHA finally issued its Hazard Communication standard after years of advocacy by labor unions and Council for Occupational Safety and Health (COSH) groups, public hearings, reviews and political delays after Ronald Reagan became president in 1981. State right-to-know laws gave communities and workers the right to be informed about chemicals used where they live and work. But employers, especially chemical manufacturers, didn't like state-by-state right-to-know campaigns because they had to follow different laws in each state. This lack of uniformity actually led to employer groups supporting an OSHA standard that would

set a single, national set of regulations for chemical labeling, worker training, recordkeeping and product information.

Unfortunately, Reagan's Hazard Communication standard only covered workers in manufacturing. But a legal challenge to this limitation was filed in federal court by the United Steelworkers of America, the AFL-CIO and Public Citizen Inc. The court agreed with organized labor. OSHA, after more legal action by unions, finally issued a revised regulation on Aug. 24, 1987. The revised final rule expanded the scope of industries covered from just manufacturing workers to all workers.

You can learn more about the history of right to know and the hazard com-

munication standard from this video, clipped from the 1987 video, "The Right to Know: Making It Work," produced by the AFL-CIO's Department of Occupational Safety, Health and Social Security and Labor Institute of Public Affairs: http://youtu.be/yOSZR-Es_08

Dec. 1 employer deadline to meet worker-training requirement

The first deadline in the implementation phase of OSHA's updated Hazard Communication Standard was Dec. 1. By this date employers must have trained workers on the standard's new label elements and safety data sheet. Find information and resources at <http://www.osha.gov/dsg/hazcom>.

Are you **COLD**?

Getting the building code minimum temperature enforced

New York state building codes require a minimum of 65 degrees F during the heating season, Sept. 15 – May 31, during the period spaces are occupied. Temperature needs to be measured 3 feet above the floor near the center of the room and 2 feet inward from the center of each exterior wall.

Like many workers, our members are in aging buildings with problematic heating systems. Sometimes even new systems don't work right. So, what can you do when you come to work and it is 50 degrees? The answer may frustrate you.

In the public sector, the entity enforcing building codes depends on where you work. For K-12 schools, the State Education Department (SED) enforces the codes. At SUNY campuses, it is SUNY Central. For all other public sector workplaces, including community colleges, your local municipal building department is the contact.

K-12 schools

School employees should contact SED's Office of Facilities Planning for

low temperature problems. Generally speaking, SED will call the district and tell them they have to bring the temperature to the 65 degree minimum but usually leave it to the district to determine whether to stay open. If the problem will last for more than a few days, SED may tell the district it has to dismiss until the problem is fixed. A representative from SED said that schools usually follow SED's recommendation and most often the advice is just that, advice. If the heat is totally off, there is no question the school should not open.

Private sector and non-school and non-state public workplaces

Regarding enforcement overseen by the local municipal building department, a code enforcement official from the capital district area said that if a problem were able to be fixed in a "reasonable amount of time," the landlord would be given time to remedy the situation without requiring evacuation. If the problem were longer term, or there was no heat at all, the enforcement officials would be able to issue an "unsafe/unfit" order to clear the building until the heat was fixed.

Emergency planning

Local leaders and activists need to work with management to make sure temperature problems are included in emergency planning, just like any other utility outage. Plans could include procedures to relocate to warmer areas and



*Kathleen Donahue,
NYSUT vice president*

specify under what conditions buildings or areas cannot be occupied.

NYSUT Vice President Kathleen Donahue understands the frustration members have

when faced with lack of heat. "Having a building code is good, but the enforcement is not clear cut," said Donahue. "This is why our members' participation in emergency planning is so important; to ensure there is prompt and adequate response for these types of problems."