

# HEALTH & SAFETY

A NEWSLETTER FOR NYSUT'S HEALTH AND SAFETY LEADERS

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## 2011 NYSUT Unsung Hero Award winner inspires, motivates conference attendees

Arthur "Ben" Chitty was awarded the 2011 NYSUT Health and Safety Unsung Hero Award at the 2011 Health and Safety Conference. Chitty works at Queens College where he is in charge of computer operations in the library.

Chitty helped organize the Queens College multi-union health and safety committee, which includes nine other unions. Since 2006, Chitty has been its chairperson. He has been a tireless health and safety advocate for his local as well as its official "watchdog." Established in 2009 to publicly recognize activism and advocacy taking place every day across New

York, the NYSUT Health and Safety Unsung Hero Award recognizes a NYSUT

member who goes beyond the call of duty to provide a healthy and safe environment for staff, students or other constituents and the community.

He is a member of the Professional Staff Congress, led by Barbara Bowen. PSC represents 1,500 employees at Queens College, a 29-building campus



Arthur "Ben" Chitty, NYSUT Health and Safety Unsung Hero Awardee

serving 20,000 students. Chitty's inspirational remarks were a highlight of the conference.

Here are some excerpts

from his acceptance speech:

"Once I knew which unions represented my co-workers, I invited their stewards to a meeting. Getting them all to respond was harder than it sounds, but we started meeting five years ago last month and now meet every month.

**"... organizing at the workplace makes our lives a little better, our workplaces a little healthier and safer, and us a little stronger, as a union and as a community."**

"... when you get together with the folks who spend 35, 40, 50 hours a week on campus;

who have to keep the place open and clean, who have to fix whatever breaks, you find out what the problems are, and why they haven't been fixed. And just by letting your coworkers know about the problems, you can get the administration to fix them. Well, sometimes anyway —

sometimes you have to call in the law. Cross-union communication makes this all possible.

"You can work there for decades and never meet anyone outside your shop or office. Our joint committee crosses these barriers and, by making common cause with one another, we create a sense of community which is too often missing from our workplaces, too often crushed by the press of work, sometimes suppressed by an administrative establishment which is way too busy making sure that politicians can claim to support education while cutting taxes, to worry overmuch about any quality of work life, which is not really their main concern anyway.

"I don't know how we make this a better world. I do know that organizing at the workplace makes our lives a little better, our workplaces a little healthier and safer, and us a little stronger, as a union and as a community. Plus, we really get to practice what the Wobblies once preached: An injury to one is an injury to all."

For more information about Chitty's workplace activism visit [www.nysut.org/cps/rde/xchg/nysut/hs.xsl/nysut\\_united\\_16336.htm](http://www.nysut.org/cps/rde/xchg/nysut/hs.xsl/nysut_united_16336.htm).

### INSIDE

#### A union health check

Page 2

#### Unfunded mandates imperil H&S requirements

Page 3

#### Web resources

Page 4



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For more, see [www.nysut.org](http://www.nysut.org).

# Give your workplace a union health check

*Improve effectiveness in dealing with health and safety problems*

Adapted from *Hazards*, an independent, union-friendly quarterly magazine that provides workplace health and safety advocacy information. It is based in England. For the full article, see [www.hazards.org/baz109/h109unioneffect.pdf](http://www.hazards.org/baz109/h109unioneffect.pdf).

Health and safety is negotiable — When it comes to our lives and our health, unions won't take no for an answer. Sometimes just identifying problems and asking for improvements is enough. Other times it takes more — from hard negotiations to hard-nosed trade union action.

This "union safety effect" is very real and very pronounced. A classic study

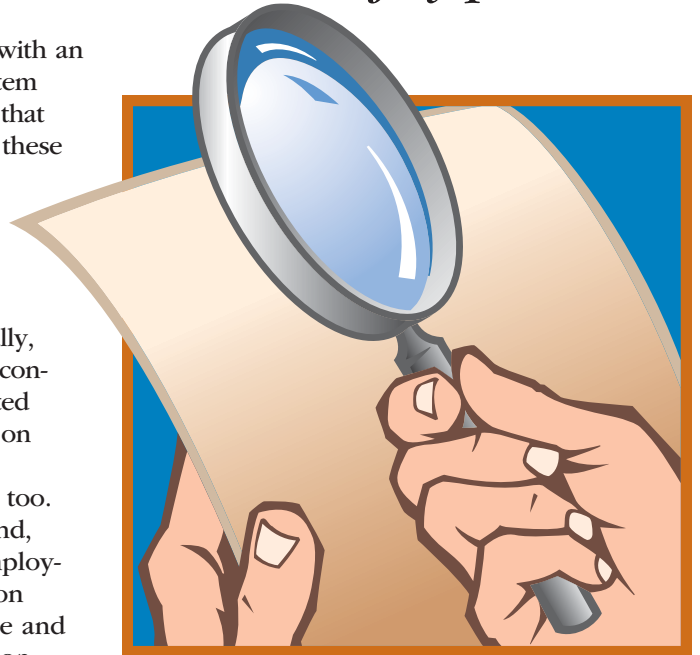
found UK workplaces with an active union safety system had an injury rate half that of workplaces without these systems. Only the study was wrong — a recent academic re-examination of the evidence "led to results which are actually, if anything, a stronger confirmation of the mediated effects of trade unions on injuries at work."

It's a healthy effect, too. Another UK study found, "The proportion of employees who are trade union members has a positive and significant association on both injury and illness rates." It added, unions "lower the odds of injury and illness when compared with arrangements that merely inform employees of OHS (occupational health and safety) issues."

And a Health and Safety Executive (HSE) commissioned evaluation of an accident prevention project in the printing industry concluded that a key factor in its success was the union role, and recommended "the encouragement of workforce involvement in health and safety, including involvement in the development of action plans."

Making work healthier and safer the union way is even good for the economy. A UK government investigation found the savings to society stemming from the activities of union safety reps — fewer sick and injured workers — runs to hundreds of millions of pounds every year.

**Union organization.** Make sure you have effective union coverage across the workplace (including shiftworkers, off-site workers and workers with childcare needs and other responsibilities that might mean they can't participate so easily in union activities) and that union reps have the time, support and facilities they need to maximize their effectiveness. Check that no one misses out on union protection.



**Union active.** Make yourself seen and heard. Do a workplace walk through and talk to workers about their concerns — the problems, what's been done, what's not been done. Make sure formal inspections and investigations are happening with sufficient frequency and thoroughness. Could problems have been missed? Consider a mapping exercise, survey or a meeting with other union reps. Encourage members to raise problems.

**Union audit.** Are systems working effectively? Or do you raise issues again and again without anything being done? If so, you need to do something different. Raise the problem with union colleagues and devise an action plan. When dealing with management, keep a paper trail, set timetables for action and check to see that deadlines are observed.

**Union training.** Trained reps are effective reps. "The findings provide powerful evidence of the extent to which trade union training supports workplace activities and achievements of health and safety representatives," concluded a study for HSE. It added, "It is likely that training does not simply support the continued existence of such achievement, but acts as a stimulus for their initiation and development."

## 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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## FEDERAL

### Congressional OSHA budget cut proposals

*AFL-CIO sees most serious attack on OSHA safety and health protections in its 40-year history.*

In February, House Republicans passed their proposed federal budget for FY 2011. OSHA is one of the main targets for substantial reduction in funding. In the bill are \$99 billion in cuts to OSHA from FY 2010 levels (\$558. million), a nearly 20 percent cut. The proposed cuts are as follows:

- Federal OSHA enforcement \$41.3 million
- State enforcement \$14.9 million
- Safety and Health Standards \$3.0 million
- Technical Support — \$4.2 million
- Safety and Health Statistics — \$34.9 million (eliminated) — this is the data initiative, enforcement data etc., not the BLS survey.
- Executive Direction — \$0.7 million

These cuts would cripple the agency. State enforcement cuts would directly affect New York's PESH program, an OSHA state plan that receives approximately 50 percent funding from federal OSHA.

The U.S. Senate and Obama administration will be opposing these cuts. Check the AFL-CIO safety and health webpage for updates on federal budget proposals and their impact on OSHA at [www.aflcio.org/issues/safety](http://www.aflcio.org/issues/safety).

### Responding to business objections, Obama administration pulls back on two OSHA regulatory initiatives

The U.S. Department of Labor's Occupational Safety and Health Administration announced that it is withdrawing two initiatives: an interpretation of the noise standard to make clear that engineering controls are preferred method of reducing noise, and consideration of the revision to OSHA's recordkeeping rule to add a column for musculoskeletal disorders.

### House Bill threatens all future protective regulations

H.R. 10, the REINS Act "Regulations from the Executive in Need of Scrutiny Act." If this were to become law, any regulation issued by an agency that would have an estimated impact on the economy of more than \$100 million could not go into effect unless Congress approved the measure within 70 days. If Congress failed to act, the rule would just die. Virtually all OSHA and environmental rules reach the \$100 million threshold.

Proposed rules already undergo rigorous reviews and agencies solicit comments from the public, business interests and other agencies. In addition, many rules are promulgated in response to congressional directive, such as the regulations required by recent product safety, health care and financial services laws. The policy, scientific, and technical expertise of federal agencies would be overwhelmed by a more politicized process shaping regulations that protect the public and environment.

Download a fact sheet about this Bill at: [www.citizen.org/documents/REINS-Act-Fact-Sheet-20110204.pdf](http://www.citizen.org/documents/REINS-Act-Fact-Sheet-20110204.pdf)



## STATE

**A04258 (Englebright):** Would provide legal redress for employees who have been harmed psychologically, physically or economically by being deliberately subjected to abusive work environments; and to provide legal incentives for employers to prevent and respond to mistreatment of employees at work.

*Referred to Labor Committee*

**A3914 (Lancman) Workplace violence:** Would include K-12 schools in workplace violence prevention act relating to developing and implementing programs to prevent workplace violence in public schools.

*Referred to Labor Committee*

# H&S requirements on school administrators' 'hit list' for mandate relief

"Unfunded mandates" is becoming a common phrase, especially in schools. Earlier this year, a group of administrators in the Southern Tier began pushing for relief from having to comply with many state mandates.

Administrators and school boards throughout the state feel many of these mandates take away from the "business" of education. High on the list of mandates are state laws, federal laws and regulations dealing with health and safety in schools.

Health and safety laws often get passed without accompanying funding to help employers implement them. If those (and other) regulations do not go away, administrators may blame them on necessitating cuts to staffing and funding for non-mandated subjects and programs and class size increases.

They didn't have to look hard for the list. In April 2010, SED issued a memo about mandates that districts questioned or cited most to the Board

of Regents. A large section of that list dealt with facilities and health and safety requirements. What is on the list? Asbestos inspection and management plans, AEDs, green cleaning products, fire safety inspections, hazardous waste removal and special ed space requirements. The health and safety section items include blood-borne pathogens training, Right to Know training, building and district level safety plans, recording violent

## School Emergency Management online courses

The U. S. Department of Education has developed a series of online courses on school emergency management. This training is available to all schools and to others interested in learning more about this important subject.

All of the online courses provide guidelines, checklists and specific action items for school officials to consider. The courses often include case study scenarios on emergency incidents at schools, giving learners an opportunity to practice their emergency management decision-making skills. Take a course at <http://rems.ed.gov/>



## Pandemic planning guide for nursing homes released

The New Jersey Hospital Association (NJHA) has a free guide to help nursing homes prepare for an influenza pandemic. The 225-page guide, *Planning Today for a Pandemic Tomorrow: A Toolkit for Nursing Facilities*, is a detailed assessment and planning tool with checklists, policies, sample forms and helpful Web links. Modules in the guide address topics such as clinical considerations, operational issues, communications, legal issues, psychosocial concerns and ethical considerations. The resource is modeled after NJHA's pandemic flu planning document for acute-care hospitals.

Visit [www.njha.com/paninf/pdf/FINALPanFluToolkit2010.pdf](http://www.njha.com/paninf/pdf/FINALPanFluToolkit2010.pdf) to download the guide.

## Can one cleaner do it all?

The answer is a qualified “yes.” Of the 16 all-purpose cleaners tested by Consumer Reports, most eventually removed a variety of difficult dirt and soils (although it took some elbow grease and repeated applications).

But the tests also showed that some “green” products worked

more easily than others and claim to be plant-based and biodegradable as well — claims that the manufacturers will have to back up under new FTC green marketing guidelines. Visit [www.greenerchoices.org/products.cfm?product=0111onecleaner&pcat=homegarden](http://www.greenerchoices.org/products.cfm?product=0111onecleaner&pcat=homegarden).

For more information, see [www.epa.gov/mold/moldcourse/index.html](http://www.epa.gov/mold/moldcourse/index.html).



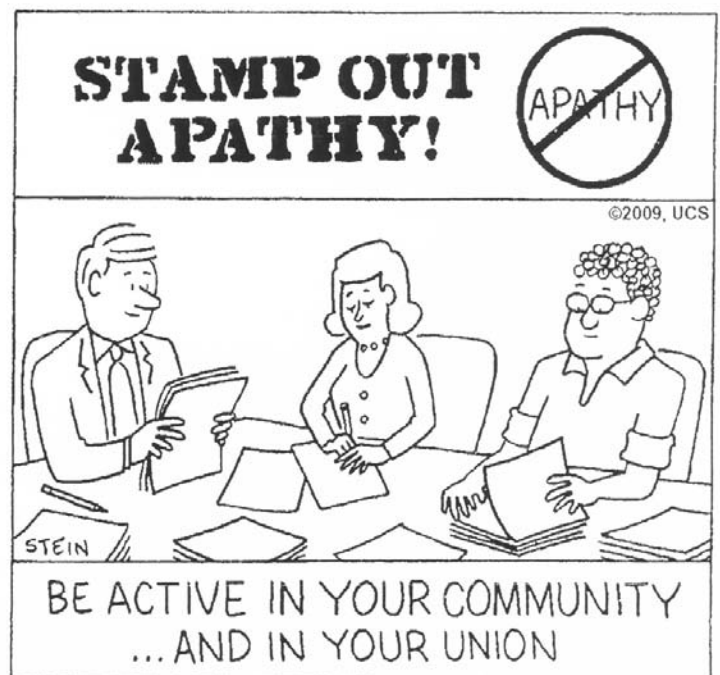
## H&S requirements continued from page 3

and disruptive incidents, and pandemic flu preparedness. The list also includes related items like behavioral intervention plans for students with disabilities, bus driver safety training and school bus pre-trip and post-trip vehicle inspections.

“NYSUT has always strongly supported funding to help employers comply with new laws and regulations,” said NYSUT Vice President Kathleen Donahue. “But mandate relief must not come at the cost of the health and welfare of staff or students. We need to remember many of these so-called costly mandates can help districts save money.”

Donahue suggested that districts work together with their educators and staff, in order to effectively use information they receive from required reporting. This will allow districts to implement strategies that reduce injuries and illnesses, improve attendance of both staff and students and reduce workers comp costs and liability risks.

NYSUT will monitor any attempts to weaken workplace health and safety protections in schools.



# Workers Memorial Day is April 28

*Workplace tragedies of 2010 bring special meaning to 2011 remembrance*

On April 5, 2010, 29 coal miners were killed in an explosion at the Massey Energy Upper Big Branch mine in West Virginia. This was the worst mining disaster in 40 years. A few days earlier, an explosion at the Tesoro Refinery in Washington State killed six workers and in February 2010, six workers were killed in an explosion at the Kleen Energy Plant in Middletown, Conn. The unions of the AFL-CIO remember these workers and all others killed, injured or made ill on the job on April 28, Workers Memorial Day.

Since the advent of OSHA, on the job injuries and fatalities have decreased substantially. Even so, the most recent year for which data are available (2008) shows that, on average, 14 workers die every day because of job injuries. More than 4.6 million workers across all industries, including state and local government, had work-related injuries and illnesses that were reported by employers. The true toll is estimated to be two to three times greater — or 9 million to 14 million injuries and illnesses a year.

On this Workers Memorial Day, let's remember those who died by furthering our efforts to empower workers here at home and across the globe.

## What you can do on Workers Memorial Day

- Go online to order Workers Memorial Day materials like stickers, posters and fact sheets from the AFL-CIO. Distribute them at work and in classrooms. The website also has a collection of ways union members around the country have commemorated the day and poems and tributes written by workers. Visit [www.aflcio.org/issues/safety/memorial/](http://www.aflcio.org/issues/safety/memorial/).
- Hold a candlelight vigil, memorial service or moment of silence to remember those who have died, have been injured or become ill on the job and to highlight job safety problems in your community and at your workplace.

APRIL 28  
WORKERS MEMORIAL DAY  
AFL-CIO

**SAFE JOBS  
SAVE LIVES**

**OUR WORK'S NOT DONE.**

- Create a memorial at a workplace or in a community where workers have been killed on the job.
- Distribute workplace fliers and organize a call-in to congressional representatives during lunch or break times. Tell your members

of Congress to support legislation to create good jobs and safe jobs. Tell them to support the Protecting America's Workers Act.

- Hold a public meeting with members of Congress in their home districts. Invite injured workers and family members to speak about their experiences and the need for strong safety and health protections and the freedom to join a union. Invite local religious leaders and other allies to participate.

Find out what events, ceremonies or activities are being held in your area and participate or offer to help in your area of expertise.

- Meet with local legislators to discuss passage of health and safety legislation in New York like the School Workplace Violence Protection and Workplace Bullying bill (*see Legislative Update*).

**SAFE JOBS  
SAVE LIVES**

**OUR WORK'S NOT DONE.**

FORTY YEARS AGO, Congress passed the Occupational Safety and Health Act, promising every worker the right to a safe job. Unions and our allies have fought hard to make that promise a reality—winning protections that have made jobs safer, saved hundreds of thousand of lives and prevented millions of workplace injuries and illnesses.

But our work is not done. Many job hazards are unregulated and uncontrolled. Some employers, like Massey Energy and BP, cut corners and violate the law, putting workers in serious danger and costing lives. Each year thousands of workers are killed and millions more are injured or diseased because of their jobs.

The Obama administration has moved forward to strengthen protections, with tougher enforcement on serious violators and proposed new safeguards for workplace hazards. But business groups and the new Republican majority in the U.S. House of

Representatives are attacking these stronger measures and trying to roll back existing protections, falsely claiming they kill jobs. They are trying to slash the budget for job safety enforcement and standards.

We cannot and will not let them turn back the clock and destroy the progress we have made to make jobs safer and save lives. Safety laws and regulations don't kill jobs—but unsafe jobs do kill workers.

On April 28, the unions of the AFL-CIO observe Workers Memorial Day to remember those who have suffered and died on the job and to renew the fight for safe workplaces. This year on the 40th anniversary of OSHA, we will fight to create good jobs in this country that are safe and healthy. We will fight for the freedom of workers to form unions and, through their unions, to speak out and bargain for respect and a better future. We will demand that the country fulfill the promise of safe jobs for all. Our Work's Not Done.

**MOURN FOR THE DEAD. FIGHT FOR THE LIVING.**

AFL-CIO

Observe Workers Memorial Day.  
April 28.