



A Union of Professionals

WORK SHOULDN'T HURT

Health and Safety Action Plan

Often, health and safety issues arise in the form of a crisis when the union does not have a health and safety committee in place. There may be some unique challenges to the problem, e.g., technical and medical aspects as well as legal and contractual concerns. However, despite the complexity of some health and safety crises, unions traditionally have developed effective strategies to respond.

Based on AFT affiliate and other union experience, here are some guidelines for developing a responsive Health and Safety Action Plan.

Foremost, the union must be involved in defining the issue or problem. The members' perspective may be far different from management's. In this pursuit, the union should:

- Examination of key documents such as Occupational Safety and Health Administration logs of injuries and illnesses.¹
- Collect information that the employer may have. Often, employers will hire consultants to do testing or monitoring; employers may also have records of employee medical examinations. Under the OSHA [Access to Medical and Monitoring Information](#) standard, a union can request and must be given copies of any monitoring data and composite results of medical examinations.
- Bringing in a union-identified expert to assist in the analysis. Several locals have retained their own experts to help identify the hazards and solutions to health and safety exposures. The AFT has occupational safety and health experts on staff available to assist you.

Gather information

Some methods unions can use include:

- Surveys of members based on anecdotal complaints to the union—a simple survey can determine how widespread the health and safety/environmental problem is in a school or workplace.
- One-on-one discussions. These can be very useful in defining how members perceive the problem/hazard or exposure.
- Walk-around inspections of schools/work sites where health symptoms have been reported. Whenever possible, take photographs of hazardous conditions or areas.



Know members' rights

Find out about any OSHA standards, state laws and local ordinances that might apply to the situation. Consult with

¹ OSHA requires all private sector employers and public sector employers in Alaska, Arizona, California, Connecticut, Hawaii, Illinois, Indiana, Iowa, Kentucky, Maine, Maryland, Michigan, Minnesota, Nevada, New Jersey, New Mexico, New York, North Carolina, Oregon, Puerto Rico, South Carolina,

Tennessee, Utah, Vermont, Virgin Islands, Virginia, Washington and Wyoming to keep records of injuries and illnesses. An individual or union representative can request copies of these records for several years back.

The **American Federation of Teachers** is a union of 1.7 million professionals that champions fairness; democracy; economic opportunity; and high-quality public education, healthcare and public services for our students, their families and our communities. We are committed to advancing these principles through community engagement, organizing, collective bargaining and political activism, and especially through the work our members do.

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the AFT Health and Safety team at: 4healthandsafety@aft.org. The team can help decipher highly technical reports and information as well as assist you in finding local experts.

Let the members know what you're doing

Communicate with members on an ongoing basis during the crisis/investigation.



State your solution

Develop a strategy for change that the union can take to management. Compile the results of the union's investigations, surveys and research, and craft the union's demands for eliminating the hazards and remedies for members who have been injured or made ill. Seek a timeframe for the remedies as well as assurances that the problem will be resolved. When the problem(s) are not easily remedied, offer to work jointly with management to seek a solution. Such ad hoc committees must have the genuine commitment of management.

Find allies

Form coalitions with the AFL-CIO Central Labor Council, other unions and community groups that share your concern. For instance, parents may share concerns about inadequate conditions in schools.

Develop a plan if management is unresponsive to your requests or demands

When management is slow or totally ignores the union's concerns, the union should consider its options, such as:

- Developing a media plan that includes an easily communicated angle and provides a poignant picture of the situation. The union can use a variety of methods to reach the media. For instance, if the union can demonstrate that the very vulnerable, i.e., young students and hospital patients as well as workers/staff, are being unnecessarily exposed to dangerous conditions, the union may want to organize a news conference with victims, affected children and their parents, and include props (pictures of the work site/school, toxic chemical labels, chunks of crumbling building materials, etc.). Coalition participation in community rallies and meetings will also help draw media attention.
- Complaining to OSHA or contacting a state health department for an investigation. OSHA complaints should be in writing and as detailed as possible; the union should appoint a walk-around representative in the complaint (OSHA cannot legally announce an inspection). Because OSHA has a backlog, the union must be persistent; for example, call frequently to make sure an inspection takes place within the legally mandated 15 business days.
- Considering other potential legal remedies. For instance, members who have suffered a serious disability may be covered by the Americans with Disabilities Act. Contact the AFT Health and Safety Program for more information.

Once the problem is resolved, consider long-term follow-up to avoid further incidents. Most health and safety problems are not episodic, they are ongoing concerns for members. The union may consider forming unionwide or workplace health and safety committees.

For more information, contact the health and safety team at 4healthandsafety@aft.org [May 2022]