

**KALEIDA HEALTH
1199/SEIU UNITED HEALTHCARE WORKERS EAST
COMMUNICATIONS WORKERS OF AMERICA**

2022 CONTRACT NEGOTIATIONS

**Union Proposal
Date Presented: March 16, 2022
Employer Counterproposal
Date Presented: March 31, 2022**

**Article 73
Health and Safety Committee**

Section 1. The Employer will observe and comply with all local, state and federal health and safety laws and regulations and will provide and maintain a safe and healthful workplace, free of recognized hazards. Kaleida Health will maintain a Health and Safety program. The objective of the program will be:

- a.) to identify, assess and eliminate hazards to which employees are exposed;
- b.) reduce injuries and illness;
- c.) to systematically achieve compliance with all applicable health and safety regulations; and
- d.) to promote greater employee awareness of health and safety issues, inclusive of group safety department or unit meetings conducted as deemed necessary.

Section 2. Kaleida Health will provide employees with opportunities for participation in establishing, implementing and evaluating programs by:

- a.) communicating regularly with employees about workplace safety and health matters;
- b.) providing employees with access to information relevant to the program;
- c.) providing ways for employees to become involved in hazard identification and assessment, prioritizing hazards, training and program evaluation;
- d.) maintaining a process for employees to report job-related injuries, illnesses, incidents and hazards promptly and to make recommendations about appropriate ways to control those hazards;
- e.) providing prompt responses to those reports and recommendations.

Section 3. Information and Training:

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- a.) Kaleida will provide employees with information and training in the safety and health program;
- b.) Kaleida will ensure that employees potentially exposed to a hazard are provided with information and training in that hazard;
- c.) Kaleida will update affected employees on what is being done to control these hazards and what protective measures the employee must follow to prevent and minimize exposure.

Section 4. The Employer will provide all necessary personal protective equipment at no cost to employees. The Employer will require all employees to wear necessary personal protective equipment.

Section 5. There shall be a joint Health and Safety Committee at each site as defined in subsection d. below). Each Union shall designate one (1) health and safety representative for each one hundred (100) represented members to a maximum of four (4) health and safety representatives, but no less than one (1) health and safety representative per Union. The Employer will designate representatives which they deem necessary. It is understood that a Union representative will co-chair the joint meeting. The committee will meet monthly and as deemed necessary.

- a.) The parties agree to jointly train employees on the responsibilities of serving as a health-safety representative.
- b.) Members of the committee shall not suffer any loss of pay for attendance. Committee members attending a committee meeting which is not scheduled in their normal working time will be paid for their attendance. The Employer will make every reasonable effort to provide coverage or scheduling so that members may attend the meetings.
- c.) Health and Safety union representatives and the Employer will investigate health and safety issues, conduct safety inspections, and conduct or attend training sessions, and shall be provided up to two (2) hours per month outside of their health and safety committee meeting time for these purposes.
- d.) Site Health and Safety Committees will include: Buffalo General Medical Center, HighPointe Nursing Facility, Oishei Children's Hospital, Millard Fillmore Suburban Hospital, DeGraff Memorial Hospital, and Center for Laboratory Medicine. Other site committees may be formed as deemed necessary.

Section 6. There shall be a corporate Health and Safety Committee, which will deal with system wide health and safety issues. Each Union will have two (2) representatives on the

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Corporate Health Safety Committee. The Employer will designate the number of representatives they deem necessary.

Section 7. Individuals will report recognized unsafe conditions to their immediate supervisor, departmental safety officer or corporate safety officer and to the Union. The Employer will then address the problem as soon as practicable. If these individuals do not respond and correct the unsafe condition, it is understood that the unsafe working condition shall be brought to the attention of the Site Committee. If the problem is not resolved there, it shall be added to the agenda of the Corporate Safety Committee.

Section 8. CWA's designated Health and Safety Director shall receive ~~one thousand one hundred and seventy (1,170) up to one thousand, two hundred and forty-eight (1,248)~~ hours per year as an Employer paid excused absence for activities related to this position as follows: one thousand one hundred and seventy (1,170) hours per year for an eight (8) hour shift employee, and one thousand two hundred and forty-eight (1,248) hours per year for a twelve and one-half (12 ½) hour shift employee. SEIU's designated Health and Safety Director shall receive eight hundred and thirty-two (832) hours per year as an Employer paid excused absence for activities related to this position. The Health and Safety Directors shall participate in any site committee and/or activities as deemed necessary.

Section 9. The Employer will establish and enforce policies and procedures for safe Laser use. These will include the recommendations of regulating organizations. This shall also include medical surveillance as per The ANSZ136.3-2014, Appendix F. Medical pre-exposure screening will be evaluated using visual acuity and color vision testing exams. Any deviation from acceptable visual performance will be referred to ophthalmology. Pre-exposure screening and continuing surveillance is not deemed a requirement for safe laser usage. Any employee with an actual or suspected laser-induced injury should be evaluated by a medical professional as soon as possible. It is understood that upon completion of a laser assignment employees may request an eye exam.

Section 10. It is the Employer's and the Union's objective to establish and maintain an effective ergonomics program in order to help control occupationally related cumulative trauma and/or musculoskeletal disorders. This shall be accomplished by establishing ergonomic sub-committees of the Joint Health and Safety Committee to review employee injuries and illnesses, to identify potential ergonomic problems in order to recommend improvements in the physical work environmental, work practices or work design. These improvements shall be documented as they are implemented. The committee will assess and recommend any training necessary for the committee to achieve its goal. The committee membership shall include the necessary members and management from appropriate departments such as physical therapy, employee health, purchasing, risk management or those persons deemed necessary to accomplish its goal of reducing workplace injuries.

Section 11. There will be union representation on any other departmental or unit specific Health and Safety Committee.

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Section 12. The Employer and the Union recognize the importance of providing quality service to homebound clients whose environment or support system may pose a risk to the safety of the employees. In the event that an employee, who is required to provide services in a patient's home, shall have a reasonable basis to believe that his/her safety is in jeopardy, the employee shall immediately bring this matter to the attention of the immediate supervisor. The supervisor will conduct a review of the circumstances. If escort service is deemed necessary by the Employer the employee will not be required to make the patient delivery until escort service is provided. A request for escort service will not be denied before the supervisor and employee make a joint site visit.

Section 13. For language related to the Workplace Violence Committee, see Article 108, Workplace Violence.

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