

**The State Contract Series**

For use in understanding the state employees' contract



# Article 11 – How to Make a Healthy and Safe Work Environment

## Using the contract

Article 11, Sections 11.01 and 11.03 of the contract state that an employee shall report unsafe conditions and safety and health violations to his/her supervisor. If the supervisor does not deal with the problem, the employee should contact an agency health and safety designee. If the employee does not know who that is, contact a member of the Health and Safety Labor Management Committee or a steward.

That person has five days to deal with the problem or explain why the problem cannot be abated quickly. There are several specific contract articles that discuss particular types of problems and one article that provides for a Labor/Management Committee to also deal with those problems.

## Workplace Violence

Article 11.04 requires agencies to develop practices and procedures aimed at preventing job related violence and make it a responsibility of the health and safety committee. They will be guided by OSHA guidelines that speak to worksite analysis and hazard prevention and control, training and education, as well as other program elements. Please refer to the “Sources of Information” for valuable resources.

## CPR

All direct care and custody staff in the Department of Rehabilitation and Correction are required to be certified in cardiopulmonary resuscitation (CPR) as well as first aid. The issue of what equipment (i.e., masks, gloves, mouthpieces, etc.) will be utilized will be addressed by the DR&C Health and Safety Committee. If no agreement can be reached, then OCSEA can arbitrate the issue. Also, management of DR&C stated during bargaining that CPR does not need to begin until the area surrounding where the CPR is to be given is secured.

## Public Employees Risk Reduction Program (PERRP)

The Ohio Public Employee Safety and Health Act like the federal law requires each public employer to provide a safe workplace and to comply with Ohio OSHA Standards (ORC Section 4167.04(A)). The act establishes a committee consisting of 8 employer and 8 employee representatives that adopt rules of administration of the act and establish safety standards. The committee must adopt as a rule and as an Ohio standard every federal occupational safety and health standard adopted by OSHA.

Like OSHA, the PERRP provides for inspections/citations, standards for toxic materials and harmful physical agents and rights to refuse unsafe work assignments. The specifics of the situation and the related right reflected in the contract or PERRP requires an evaluation of which avenue is most advantageous. Your staff representative should be consulted regarding the appropriateness of a grievance or complaint under the law.

## Administrative Agencies:

Public Employment Risk Reduction Program  
13430 Yarmouth Drive  
Pickerington, OH 43147

ohiobwc.com

Phone: (614) 644-2246

(800) 671-6858

TTY/TDD: 1-800-750-0750

Fax: (614)644-3133

Refusal to Work Pager: (614) 731-4380

Fatality/Multiple Hospitalization Report Pager:  
(614) 731-4380

National Institute for Occupational Safety and Health (advisory) (513) 684-4287

4676 Columbia Parkway  
Cincinnati, Ohio 45226

[www.cdc.gov/niosh](http://www.cdc.gov/niosh)

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Environmental Protection Agency (advisory & enforcement)  
(federal and state) (614) 644-3020  
122 S. Front St.  
Columbus, Ohio 43215  
<https://epa.ohio.gov/>

appropriate local and state health departments  
appropriate fire departments

### Sources of information

There are many sources of information on health and safety issues, some of which are listed below.

Federal OSHA and U.S. Department of Labor  
200 North High Street, Room 620  
Columbus, Ohio 43215  
(614) 469-5582  
[www.osha.gov](http://www.osha.gov)

OSHA General Industry Standards (U.S.)  
Department of Labor  
200 North High Street  
Columbus, Ohio  
(614) 469-5582

OSHA Regional Office  
(Regional offices provide technical assistance, education and distribution of publications. Contact the Labor Liaison in this Regional Office for Ohio.)

Region V: IL, IN, MN, MI, OH, WI  
230 South Dearborn Street  
32nd Floor, Room 3244  
Chicago, Illinois 60604  
(312) 353-2220

OSHA Construction Standards  
Government Bookstore:  
Ohio: (614) 469-6955  
Illinois: (312) 353-5133

AFSCME International Fact Sheets  
AFSCME International  
Research Department  
1625 L Street Northwest  
Washington, D.C. 20036  
(202) 429-1215  
[www.afscme.org](http://www.afscme.org)

National Safety Council  
25 E. Boardman Street, Suite 338  
Youngstown, Ohio 44503  
(330) 747-8657  
<https://www.nscOhio.org/>

Industrial Commission  
30 W. Spring St.  
Columbus, Ohio 43215  
(800) 521-2691  
[www.ic.state.oh.us](http://www.ic.state.oh.us)

Guidelines for Preventing Workplace Violence for Health Care and Social Service Workers, U.S. Dept. of Labor, OSHA, 1996.

Health and Safety in the Workplace  
An AFSCME Handbook, 1992. Excellent resource guide pertaining to collecting information on hazards, OSHA coverage, safety and Health committees and negotiating for job safety and health.

Workplace Violence  
NIOSH Publications  
4676 Columbia Parkway  
Mail Stop C-13  
Cincinnati Ohio 45226-1998

AFSCME has excellent health and safety experts who can assist us and can be contacted through the staff representatives. Depending on the nature of the problem, local environmental groups may be contacted. Health and safety problems affect many people and are great issues to involve lots of people. People can sign petitions, wear buttons, make a stand at lunchtime to "sell" the bad water, etc.

### References

Article 11.01; 11.03; 11.04  
ORC 4167.04(A)

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