

PLANNING FOR BACK TO SCHOOL

GOOD CONTRACT LANGUAGE INCREASES YOUR RIGHTS FOR ACTION

BY DOROTHY WIGMORE

School may be out, but the pandemic has taught us many things. One is that governments are sometimes slow or missing in action when it comes to enforcing health and safety when it's most needed. Union members need other tools to protect themselves, their co-workers and their communities.

When schools open in the state, health and safety issues will be there.

If asbestos needs to go, what's happening? If the gym still has mercury flooring, when will it be removed? If mold or indoor air quality problems were on your plate, what's been done? Are less toxic cleaning products and processes in place? How do we have a healthy and safe workplace with the novel coronavirus?

Whether they are long-time issues, new concerns, or questions related to the pandemic, activists and local associations can start considering them. Groundwork done between now and when schools open will pay off.

WHAT ARE THE PRINCIPLES BEHIND WORKER HEALTH AND SAFETY?

Principles should guide our actions and the solutions we demand:

- Health is the condition of being sound in body, mind and spirit.
- Everyone has the right to a healthy and safe job, i.e., health and safety is a human right.
- Prevention is our goal, and the most effective measure, personal protective equipment is

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the last resort (but sometimes necessary).

- Hazards are the problem, especially those related to how work is organized.
- Employers are supposed to fix hazards, not blame workers (e.g., behavior-based programs).
- Solutions (goals) and strategies (how to get them) are different.
- Worker participation is essential in all health and safety activities and decisions.

Tools, such as the six categories for hazards, are useful. As the graphic shows, work organization is at the center because it affects everything. The categories help organize thinking about the problems, inspect for them, and develop solutions. Your school is bound to have items in each category.

Other useful tools or participatory processes include:

- Body maps that make symptoms, including stress, visible.
- Workplace maps using the hazard categories, marks where people usually are found, and more (check "Seeing the workplace with new eyes" in resources sidebar).
- Participatory events to gather information, explore solutions, plan activities, etc.
- Using the law, contracts and bargaining in creative ways.

See the resources sidebar for information about these ideas, and more. For now, we concentrate on bargaining.

WHY BARGAIN AROUND HEALTH AND SAFETY?

Districts must bargain and provide information about health and safety—it's mandatory. Contracts can use the good parts of the law and policies and improve on inadequate ones.

Once language around health and safety matters is in the contract, members or local

associations can file grievances to get problems fixed. Grievances often move faster and are more reliable than counting on state inspectors. Moreover, there are many hazards that the law doesn't cover, or deal with well. This includes mold, infectious diseases—despite the COVID-19 pandemic—or problem-solving processes, such as effective ones to refuse dangerous work.

Grievances and contract campaigns build members' support and enthusiasm for health and safety, especially if they're involved and they care about the topic. Such campaigns and grievances can build activist skills among members. It builds the union, even when you don't win all you want.

Challenges exist because bargaining is a process of identifying priorities and negotiating trade-offs. Consider this in planning demands and building support for them.

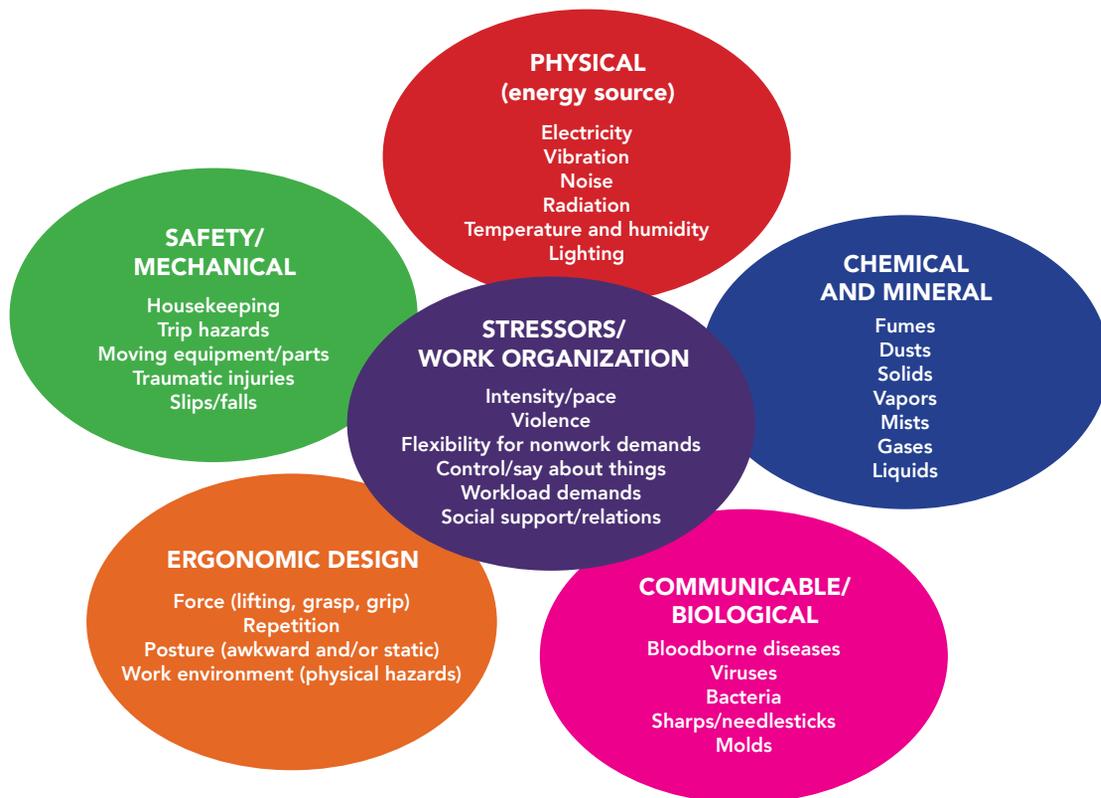
PREPARING FOR BARGAINING

Like other union activities, health and safety bargaining takes preparation, member participation, and organizing. Among other things you need to know:

- What's already in the contract about hazards or processes, such as refusing dangerous work?
- What about topics such as technological change, job design, hours of work, schedules, staff levels, workload, privatization (all stressors/work organization hazards)?
- What loopholes has the local encountered or anticipates?
- What issues has the local dealt with in the last few years? What are the lessons from those efforts?
- What are members' past and current questions, concerns, and priorities (participatory methods include body maps, workplace maps, surveys, brainstorming sessions)?

WHAT CAUSES OUR SYMPTOMS?

SIX CATEGORIES OF HAZARDS!



- What do the *NJEA Review* health and safety articles inspire? (e.g., using less toxic cleaning products, cleaning mold. See njea.org/issues/health-safety).
 - What are the best solutions for those concerns/hazards, including processes to get them? (use the Solidarity solutions chart in *Seeing the workplace with new eyes*).
 - What do other locals or unions have in their contracts? (see the *NJEA Health and Safety Manual*).
 - Ask: “If you—members—ran the world, what would a healthy and safe workplace look like?” (a participatory activity to make drawings and discuss how to get there; see *Educating for Changing Unions, Beautiful Trouble*)
 - How can you expand the union’s right to inspect for hazards to include “inspection notices,” the law in several countries? (see resources).
 - What would create equity for workers from traditionally marginalized groups?
 - How do our demands build the union?
- Other steps are:
- 1. Set priorities.** Don’t try to solve every problem through the contract. Is it the best way to address that issue? (See the Bargaining priority checklist from *Tools of the Trade*).
 - 2. Collect the information you need.** Involve members to build support, enthusiasm and leadership skills.
 - 3. Work with the bargaining team.**
 - 4. Launch a bargaining campaign.** Keep members informed with updates, “speak-outs” about members’ experiences, etc.
 - 5. Negotiate and ratify the agreement.** Anticipate management’s responses and counteroffers. Support the bargaining team with feedback before they accept or reject offers. Celebrate victories.
 - 6. Enforce the contract and evaluate results.** Report to members regularly about both, about health and safety.

Resources

Beautiful Trouble: Narrative Power Analysis, and other tools, beautifultrouble.org

Educating for Changing Unions, by Bev Burke Jojo Geronimo, D’Arcy Martin, Barb Thomas and Carol Wall, btlbooks.com/book/education-for-changing-unions

NJEA Health and Safety Manual, www.njea.org/download/1784

Seeing the Workplace With New Eyes, By Dorothy Wigmore, Wigmorising.Ca/Seeing-Jobs-With-New-Eyes

Labor Occupational Health Program (LOHP): *Tools of The Trade: A Health and Safety Handbook for Action*, lohp.org/tools-of-the-trade

Bargaining Priority Checklist (from *Tools of the Trade*): [Wigmorising.Ca/.....](http://Wigmorising.Ca/)

The Charley Richardson Guide to Kicking Ass for the Working Class: Continuous Bargaining, by Charley Richardson, charleyrichardson.org

Provisional/Union inspection notices:

- Hazards: PINs and UINs, hazards.org/notices
- WorkSafe New Zealand: Provisional inspection notices, bit.ly/worksafepin