

## 11. Bargain Contract Language

If there is a union, following union contractual grievance procedures can prove the best way to resolve health and safety problems. If needed, additional health and safety contract language can help resolve problems faster! For example, the union can negotiate language concerning the



employer's responsibility to provide:

- A safe and healthful workplace.
- Protection from exposures to chemicals, noise, radiation. Personal protective equipment (and pay for it).

Under federal and New Jersey law, all issues regarding workplace health and safety are mandatory subjects of bargaining. Proposals for changes concerning health and safety issues can be solicited from union members. Contract language can cover:

- Rights of the health and safety committee to receive information, inspect the workplace, meet regularly with management, get paid time off to investigate problems, and bargain over workplace changes.
- The right of workers to receive training, report hazards, and refuse unsafe work.
- A special, faster grievance procedure to resolve health and safety complaints.
- Employer contributions to a jointly administered worker health and safety training fund.
- Detailed language on specific safety and health hazards in the workplace with deadline dates for eliminating these hazards.

Winning health and safety contract language can be challenging. The bargaining team needs to research and cost out the proposals to set negotiation priorities. It helps if the way has been paved for good contract language by educating workers about hazards, problems encountered when addressing them, and how the contract language would help to make it easier to get problems solved.

### **PUBLICATIONS WITH MORE INFORMATION**



*Collective Bargaining for Health and Safety –A Handbook for Unions,*  
24 pages, 2000, \$20.00 from University of California at Berkeley,  
Labor Occupational Health Program

**Phone:** 510-642-5507

[www.lohp.org](http://www.lohp.org)