TOOLS OF THE TRADE

A Health and Safety Handbook for Action

LABOR OCCUPATIONAL HEALTH PROGRAM

TOOLS OF THE TRADE

A Health and Safety Handbook for Action

Labor Occupational Health Program
Center for Occupational and Environmental Health
School of Public Health
University of California, Berkeley

2006

LOHP is an occupational health and safety education program, affiliated with the Center for Occupational and Environmental Health, School of Public Health, University of California, Berkeley.

For more information:

Labor Occupational Health Program
University of California
2223 Fulton St., 4th Floor
Berkeley, CA 94720-5120

Phone: (510) 642-5507
FAX (510) 643-5698

www.lohp.org

ACKNOWLEDGMENTS

Writing and Research ..... Pamela Tau Lee
Robin Baker
Gene Darling

Other LOHP Contributors ..... Karen Andrews
Laura Stock
Juliann Sum
Betty Szudy

Editing, Design, and Production ..... Gene Darling
Kate Oliver

Photographs ..... David Bacon

CONTRIBUTORS

Many of the tools in this book were honed through a series of projects in which LOHP provided assistance to the Hotel Employees/Restaurant Employees (HERE, now UNITE HERE). The union sought to better understand and improve working conditions, especially for hotel workers. Stories based on these UNITE HERE projects are found throughout the book. Accompanying them are stories from other unions and community groups with whom we have worked, as well as stories we collected from contributors around the U.S.

Many individuals and organizations contributed ideas and stories to this book. Some also reviewed and commented on the text. Our most sincere thanks to the following.

José Bravo
Just Transition Alliance

Amber Chan
Asian Pacific Environmental Network

Bill Feyling
Carpenters 46 Northern California Counties Conference Board

Eric Frumin
UNITE HERE Occupational Safety and Health Program

Marcy Goldstein-Gelb
Massachusetts Coalition for Occupational Safety and Health (MassCOSH)

Lea Grundy
Center for Labor Research and Education, UC Berkeley

Jim Howe
United Auto Workers

Bill Kojola
AFL-CIO

Laura Kurre
United Healthcare Workers West, Service Employees International Union

Paula Macchello
International Brotherhood of Teamsters

Frank Mirer
United Auto Workers, Health and Safety Department

Jackie Nowell
United Food and Commercial Workers

Marco Nuñez
United Food and Commercial Workers

Chris Rak
UNITE HERE, Local 2850

Stephanie Ruby
UNITE HERE, Local 2850

Susan Sachen
California Labor Federation, AFL-CIO

Scott Schneider
Laborers Health and Safety Fund of North America

Sharon Simon
Labor Safety and Health Training Project, National Labor College

Gena Stinnett
National Association of Broadcast Employees and Technicians, Communications Workers of America

Belinda Thielen
UNITE HERE

Allison Webber
Service Employees International Union, Local 1877

We also thank the Center for Labor Research and Education, Institute of Industrial Relations, UC Berkeley, for their generous financial contribution to this project.

TABLE OF CONTENTS

Tools for Getting Started

Tools for Collecting Information

Tools for Taking Action


EMPLOYEES ONLY

CHAPTER 1

WHY HEALTH AND SAFETY?

"Poor safety conditions on the job were a pressing concern for 350 immigrant workers trying to form a union at a food processing plant near Boston. The workers told stories of amputations and cuts from slicing machines, burns from cleaning chemicals, hearing loss from machinery noise, and severe injuries from falling racks.

MassCOSH (a coalition of safety advocates, labor, and professionals) helped these workers and their union, the United Food and Commercial Workers (UFCW), to integrate health and safety into their organizing campaign. Trainings were held in several languages, stressing that all workers, even immigrants, have a right to safe job conditions.

Workers then planned a series of steps to put pressure on the company. They asked for the results of their annual hearing tests, which they had never seen, and documented many other unsafe conditions, sharing their information with the media. Next, they enlisted support from community and religious groups, who wrote the company and joined in a march to the plant. Later, workers requested an OSHA inspection and specifically asked that Spanish-speaking OSHA staff be available to explain the results. The company responded and fixed several serious health and safety problems."

—MassCOSH organizer

← *At left:* Punching out after a day at work.

This is a practical, "how to" resource guide for those who want to strengthen their unions and community groups while fighting to improve the health and safety of workers. How can unions and other worker advocates win this most basic of workers' rights—the right to return home safely from a day's work? How can they engage the workers themselves in this process? How can they integrate health and safety advocacy into all aspects of their work?

The Action-Oriented Model

The modern U.S. labor movement stands at a crossroads. Many in the labor movement have been cultivating a new, action-oriented model of unionism. Instead of solely providing professional representation and other services to existing members, unions are seeking to actively involve workers (organized and unorganized) in finding solutions to the issues that affect them. Whether handling grievances, recruiting new members, or lobbying for political change, the goals are to educate and activate workers, to build new leadership, to build alliances, and to create a larger and stronger base. These changes in the labor movement provide a unique opportunity for unions to promote worker health and safety in new ways.

Community organizations also have stepped in to help address the needs of the large unorganized workforce. While they cannot represent workers directly in collective bargaining, some community groups have formed worker centers, law clinics, and similar vehicles to reach out to workers, inform them of their rights, and help them take action. These new forms of organization have proven particularly effective with immigrant workers and those who do not speak English. They present new ways to advance the health and safety of the most vulnerable workers.

Some unions and community organizations have successfully integrated health and safety issues into their new mobilization efforts. Others, however, may be missing this opportunity. There has been concern that health and safety distracts from more basic "bread and butter" issues like wages and benefits, which are sometimes seen as more important to workers. There has also been concern that health and safety is too much a "technical" issue, best left to the "experts" and not really suited to worker participation. However, many organizations have discovered that creative struggles against workplace hazards can protect workers and help energize labor and community groups at the same time.

Advantages of a Safety Campaign

Health and safety campaigns can involve, educate, activate, and empower workers. They can also attract considerable public sympathy and support. This is true for many reasons:

Workers care deeply about health and safety.

In 2001, Hart Research Associates took a poll for the AFL-CIO to find out what workers nationwide thought about their jobs. A safe and healthy workplace turned out to be a top concern. It was ranked "essential" or "very important" by 98% of those polled. To be treated with respect by the employer was ranked high by 94%, a living wage by 87%, and health benefits by 75%. Another AFL-CIO poll asked: "Should the employer have the right to permanently replace workers if they strike for health and safety?" One hundred percent responded "no."

Hundreds of thousands of workers go to work each day in pain. Workers navigate through their work shifts nervous about their unsafe working conditions. For many, health and safety is a matter of basic human dignity and respect.

Health and safety issues can build community support.

The AFL-CIO estimates that, every year, six million U.S. workers are injured or made ill on the job. Nearly 6,000 a year die from job injuries and 50,000 die from work-related illnesses. (Source: *www.aflcio.org*.)

This terrible toll makes health and safety a human rights issue that can gain strong support from community and religious leaders and other allies. While the media can often be indifferent to labor's issues, health and safety is one area where they have provided good coverage because of the drama, human interest, and public concern.

Health and safety covers a broad spectrum of concerns.

Health and safety is not confined to traditional issues such as chemical exposure, noise, fire, electrical hazards, unsafe machinery, and ergonomics. The labor movement has been crucial in getting researchers and national agencies to look at the broader linkages between work and health. Recent research has documented how speedup, low wages, conflicting job demands, lack of flexible schedules, and lack of respect and upward mobility all impact worker health. Associations have also been found between poor working conditions and hypertension, musculoskeletal injuries, and accident rates. A host of other issues affect workers' health and well-being, including fear of "downsizing" and layoffs, fear of deportation, and the threat of violence in the workplace.

Chronic occupational diseases pose a tremendous hardship for workers and their families. They also pose a problem for union health funds. Workers who cannot get workers' compensation benefits often turn to the union health fund for medical care. This comes at a time when unions are fighting hard to preserve health benefits for their members and keep costs down. In an attempt to keep health funds under control, unions are not only encouraging workers to pay

more attention to lifestyle choices (diet, smoking, exercise) but they also are focusing on "prevention" by identifying job hazards and pushing employers to correct them.

Health and safety can involve today's diverse workforce.

The U.S. workforce of the early 21st century is increasingly made up of women, people of color, and recent immigrants. Service occupations are becoming more prominent in the economy than traditional industrial jobs. Part-time and contract work are growing.

Labor has been devising innovative ways to reach this new workforce, and health and safety can play a role in these efforts.

Because of the jobs that women, immigrants, and service workers hold, they may sometimes face different hazards than the industrial workers who have been labor's traditional base. These hazards may be severe, because groups without power are typically channeled into low-paid, stressful, and dangerous jobs. Labor must find ways to address the hazards of special concern to these workers—or, better yet, encourage and support them when they address the hazards themselves. There are many dramatic examples in this book demonstrating that workers can overcome intimidation and speak up collectively for their rights, with considerable success.

Unions and other worker advocates are finding ways to show the unorganized that working together can make a real difference. They are also taking a lead in fighting for health and safety training in workers' own languages and equal access to OSHA. Many unions are now establishing alliances with diverse community organizations.

Health and safety can promote participation and leadership development.

Many health and safety issues affect everyone in a workplace. This provides a large pool of workers with the potential to become actively involved and even develop into leaders.

However, it requires a conscious choice to take an action-oriented approach to a health and safety campaign. Just as unions are changing their service model in other areas, so might they change their methods in health and safety.

Instead of treating health and safety as a narrow technical issue, it can be designed as a broader issue that involves the workforce. For example, if a group of workers are concerned about a dangerous condition in the workplace, there are two possible approaches:

- **Technical approach:** Experts investigate and file an OSHA complaint if necessary, without directly involving the workers.

- **Action-oriented approach:** Workers form a committee and get any training or consultation they need. The workers themselves investigate, develop a strategy, involve co-workers, seek community support, and take their concerns to the employer. If the situation is not resolved, they may file an OSHA complaint or hold a rally. If an OSHA inspection takes place, workers follow up to make sure the employer complies with any citations. They build on their success and tackle the next important issue together.

Many organizations have been using the action-oriented approach for a long time, and may wish to use this book for ideas about how to add to their "toolbox" of ways to involve members. For others, this may represent a new way of thinking about health and safety issues.

Health and safety victories can energize workers.

One of the most important things a union or worker center does is to show the power of collective action. Health and safety demands often can be won, and a "win" will energize everyone and improve worker morale. It also will teach important lessons, showing potential members and reminding existing members what they can accomplish together. This increases enthusiasm and involvement.

Health and safety victories are especially powerful, since they can result in saving a life or preventing a lifetime of pain and disability.

What This Book Offers

It is our hope that this book will help individual workers, their unions, and other organizations of working people to identify creative new ways to address important health and safety issues as they mobilize and activate their memberships, build leadership, and gain community support.

This book is filled with concrete tools for winning health and safety while mobilizing workers. The tools are accompanied by examples showing how they have been used in the field. For each of the many tools, there are step-by-step instructions for taking an action-oriented approach that empowers workers to do for themselves and strengthens ties between unions and the community.

The information in this book complements a wealth of very good workplace health and safety materials already available to workers and their unions. For those who would like more in-depth information, there is a selective listing of resources in Appendix 3.

For many safety and health professionals and activists, the tools here may already be quite familiar. However, for some the tools may be new. We have attempted to present them in a format that is easy to use.

Getting Started

This book is designed so you can browse for tools that might help you. They are divided into three categories: "Tools for Getting Started," "Tools for Collecting Information," and "Tools for Taking Action." Together, these sections suggest a comprehensive process you can use for your health and safety efforts. However, you may use the tools in a different way, depending on your own situation.

When there is a health and safety problem or if you think there is a problem, start by getting a team of workers and their supporters together to consider the options and choose your tactics.

First evaluate your health and safety issue. Decide how many workers can be mobilized around it and whether it is winnable. Also think about what you hope to accomplish. Decide what kind of training and/or technical consultation your team may need. Then choose the tactics (tools) that seem most useful.

The worksheet on the next page can help you evaluate issues and pick out the tools that will work best for you.

WORKSHEET: CHOOSING YOUR TOOLS

Complete Part A first. It helps evaluate the potential of a health and safety issue to mobilize workers and inspire a successful campaign. Next, complete Part B to see which tools in this book might be most appropriate to use.

A. Evaluate the Issue

When there is a health and safety problem you hope to address, ask your group these questions:

- ☐ Are many workers affected?
- ☐ Do they feel strongly about the issue?
- ☐ Is the problem serious? Has anyone been injured?
- ☐ Do you have medical test results, monitoring results, or other documentation of the problem?
- ☐ Are there laws, regulations, or worker rights being violated? What health and safety rights can you demand?
- ☐ How can the problem be solved? What should the employer do?
- ☐ Will solving the problem result in real improvements in workers' lives?
- ☐ Can a solution be won in a short time?
- ☐ If the problem will take a long time to solve, does your group have the strength and resources to stay with it? Meanwhile, are there partial, short-term solutions you could work for that will help keep your effort going?
- ☐ Are there any reasons you *shouldn't* take on this problem right now? What is the "downside" to working on this issue?
- ☐ How will you educate workers about the problem and the actions you are asking the employer to take?
- ☐ What allies inside or outside the workplace might help in this campaign? Are there community groups or churches that might be interested?
- ☐ Will workers gain a sense of their own power and build leadership through this campaign?
- ☐ How will this campaign fit into an overall effort to build the strength of the organization?

Adapted from *Safe Jobs Now! An AFSCME Guide to Health and Safety in the Workplace*.

B. Decide on Tools

Which of the tools might work for you?

- Look through the tools below and check (✓) those you think will work best in your situation. All these tools are described in detail in later sections of this book, along with information on their advantages and disadvantages.
- Read about each tool you selected. Write down why you think it might work. For example: Can it involve lots of workers? Can it get community support? Can it get results quickly? Can it help you get more information to use later?
- List any questions or concerns you have about the tools you have marked. In reading the information in this book about these tools, see if your questions are addressed. If not, you may want to get additional help from a resource organization. (See Appendix 2.)

Tool	Reasons to Use	Questions & Concerns
☐ Form a Worker Health & Safety Committee *(Chapter 2)*		
☐ Train Workers for Action *(Chapter 3)*		
☐ Find the Hazards *(Chapter 4)* ○ Risk Mapping ○ Walkaround Inspections ○ Hazard Questionnaires		

Tool	Reasons to Use	Questions & Concerns
☐ Identify Health Problems *(Chapter 5)* ○ Body Mapping ○ Health Surveys ○ Medical Screening		
☐ Use the Right to Know *(Chapter 6)*		
☐ Use Your OSHA Rights *(Chapter 7)*		
☐ Bargain and Enforce Contract Language *(Chapter 8)*		
☐ Build Community Alliances *(Chapter 9)*		


LOCKED OUT!
UNITE HERE!
209 Golden Gate Ave., San Francisco, CA 94102
FOR
HOTEL

CHAPTER 2

FORM A WORKER HEALTH AND SAFETY COMMITTEE

"During our hotel organizing campaign, we found that a worker health and safety committee can really get something concrete done. On their own initiative, they collected evidence showing how increased workloads were actually making the housekeepers sick. The workers on the committee also played key roles in figuring out what actions to take around this issue during the campaign. Their leadership and voice got stronger through this work. They were very visible when we held informational pickets. They spoke out at community hearings about their working conditions. They all learned a lot about health and safety, and about creative ways to get changes made."

—Hotel Employees/Restaurant Employees (HERE) union organizer

← *At left:* San Francisco hotel workers' informational picket.

There are many types of health and safety committees, but there is an advantage in having a worker or union committee that is independent of management. Joint labor-management committees can provide a useful forum to work together with management, but worker committees allow workers to choose their own issues and solutions. They can freely discuss health and safety problems, and act to solve them. Whether the committee is created by an existing union at the workplace or by workers who do not yet have a union, it can be an independent advocate for health and safety rights.

A committee can also help its members develop leadership skills. They learn to work together, speak up, and take action.

What Is This Tool?

Worker health and safety committees identify workplace hazards and develop strategies to tackle them. They use a variety of means to bring pressure on the employer to correct unsafe conditions. Their tactics can include all the various "tools" described in later sections of this book. As explained in Chapter 1, the book is specifically intended to be a resource for worker committees and similar groups.

Depending on the situation, worker committees may take various forms. They may be informal groups of volunteers who get together spontaneously at a non-union workplace. Or they may be very structured groups, with elected or appointed members and well-defined responsibilities within a union. Most committees fall somewhere in between.

What does a typical committee do? In both union and non-union settings, many worker health and safety committees:

- Hold regularly scheduled meetings.
- Arrange training for committee members.
- Identify hazards in the workplace through worker surveys and inspections.
- Investigate reports of accidents, injuries, and illnesses.
- Evaluate and monitor the employer's safety plan and performance.
- Request and analyze health and safety information which the employer must provide by law.

- Locate other sources of health and safety information outside the workplace, and seek help from resources such as universities, occupational health clinics, industrial hygiene professionals, and local Committees for Occupational Safety and Health ("COSH" groups, see Appendix 2).

- Educate co-workers and listen to their viewpoints and concerns.

- Recommend ways to correct unsafe conditions and develop strategies to get the employer to implement those recommendations.

- Meet with the employer about health and safety issues.

- Build alliances with sympathetic community groups and public officials to help bring pressure on the employer.

- Seek public support for health and safety issues through rallies, special events, media coverage, and other means.

- Make complaints to OSHA and other regulatory agencies, and follow up throughout the complaint process.

- Recruit new committee members on an ongoing basis.

- Celebrate "wins" and build on success.

In organized workplaces, union health and safety committees may have additional functions. They may negotiate directly with the employer about specific hazardous situations, or propose health and safety contract language for the union's bargaining team. Sometimes members of a union committee also participate as a group on a joint labor-management committee. Union committees may have a recognized status under the contract, sometimes allowing such advantages as the right to enter and inspect the workplace, the right to obtain employer records not otherwise available by law, or the right of committee members to get paid release time for their activities.

In non-union workplaces, worker health and safety committees have fewer rights than union committees but can still accomplish a great deal. Initially, such committees may hold their meetings and conduct most of their activities outside the workplace. A committee may receive encouragement and support from a community-based workers' center, a community organization, an international union organizing campaign, or a local "COSH" group. Members of a committee that is not yet part of a recognized union have less legal protection from employer retaliation, so outreach to build community support and legitimacy can be especially important.

Whether your workplace is union or non-union, consider a worker health and safety committee. However, if there is already a strong worker-oriented group (an organizing committee, shop stewards, etc.), decide if it makes sense to form a separate health and safety committee or to integrate health and safety into existing work.

STORIES FROM THE FRONT LINES

Nuclear Plant Committee Gets Company's Attention

The International Union of Electrical Workers/ Communications Workers of America (IUE) has helped to set up local worker committees at several non-union workplaces. These committees harness the experience, skills, and commitment of workers. Committees plan and carry out campaigns around health and safety as well as other issues. The goal is to get things moving and see if workers acting together can win concrete gains even before there is an official representation election.

The committees are self-directed, although the international union helps facilitate activities and provides training and resources. As one IUE organizer explains, "The committee is a hybrid between an organizing committee and a union local. It tries to build union support by showing it is possible to improve working conditions through collective action."

At a nuclear fuel facility in Wilmington, North Carolina, the IUE's committee called workers to a meeting to discuss the company's punitive approach to health and safety. Workers said that when they reported an accident or injury, the company investigated and invariably found the worker to be at fault. The worker would then receive a "coaching session" on how to modify behavior and work more safely. A record of the session was put in the worker's file. Workers also complained that they had difficulty obtaining copies of Material Safety Data Sheets (MSDSs) as required by law. And they had problems with the company's procedures for handling hazardous materials.

The committee timed their meeting to occur just before a scheduled OSHA inspection of the company. One worker said, "That meant the company was under pressure. Management became aware of what had been said at our meeting and 'heard' our concerns. Shortly afterward the company started making SDS information easily available in the workplace. Supervisors were also telling us that we should report all accidents and could do so without fear of retribution. Despite the fact that we do not have a formal union, when we acted like one, we got results."

Why Use This Tool?

Advantages

- A worker committee can accomplish real change in the workplace. Committees can help save people's health and even their lives.
- A committee provides a host of opportunities to make workers strong. Workers learn problem-solving skills, and can develop into leaders. When there are successes, they help all workers, not just committee members, better understand the value of collective action.
- A committee can be a bridge across different work areas, job classifications, and even different unions. People throughout a worksite often share similar health and safety problems, and may not even realize it. Janitors clean the same buildings that clericals and lab technicians work in all day. A committee that includes members from different work areas and jobs provides an opportunity to compare experiences and work together. If there are several unions at the worksite, a multi-union health and safety committee can be an effective way to build a cooperative relationship. It can serve as a springboard for working together on other issues.

Challenges

- Whether in a union or non-union setting, most committees are made up of volunteers. Members are not paid and often meet "after hours" at a location away from the worksite. These factors can limit participation because they are a hardship on people who already work a full day and may have family responsibilities. Some workers feel that the committee simply takes too much time. Possible solutions include holding short meetings, not too often, and giving members committee assignments they can complete on their own whenever they have free time.
- Workers may feel they do not have the necessary technical knowledge to become involved with the committee. But committee work and training sessions can help reassure them that it's not necessary to be an expert. Many committees learn as they go along.
- Some workers may hesitate to join the committee because they fear "sticking their necks out" and being seen as activists. They may not be ready for potential confrontation until they see that the benefits outweigh the risk. A few successes may convince them to get involved. People also need to understand that they have legal protection against employer retaliation.
- It can be difficult for a committee to afford training, a resource library, meeting space, printing of flyers, equipment, and other essentials unless a union or community organization provides them with funds or they have some other means of fundraising.

STORIES FROM THE FRONT LINES

Laundry Workers' Committee Responds to Boiler Explosion

UNITE (Union of Needletrades, Industrial and Textile Employees) found that health and safety can be a powerful way to activate and energize union members. The union's worker committees have been successfully taking on OSHA issues at a chain of industrial laundries serving hospitals and other health care institutions.

There had just been a major boiler explosion at one of the shops. No one was hurt, but the explosion blew out the windows in a number of cars in the parking lot. Cal/OSHA had been called after the explosion, but inspectors had not contacted the union steward to accompany them. The union asked Cal/OSHA to include them in every aspect of the investigation from that point on. The union also filed a formal Cal/OSHA complaint about some aspects of the explosion and the cleanup that followed. For example, the company had not checked for the presence of asbestos before they began the cleanup.

In this shop, there were not enough activists to form a separate health and safety committee, so union staff worked with shop leaders on what was called a Justice Committee. The Justice Committee became involved in the Cal/OSHA complaint. Most conversations with Cal/OSHA were held on a speakerphone so everyone could hear. The Justice Committee also sent the Plant Manager a letter about their desire to designate representatives for any future Cal/OSHA inspections, and the lack of an effective alarm system in the plant. Justice Committee members were also concerned that the company would find ways to harass or fire them for breaking unwritten and unknown rules. They decided to make a request that management issue written work rules. They saw this as a way to protect themselves from reprisals.

Later, the union asked Cal/OSHA to hold the closing conference on its investigation in a park across from the laundry, during the shift change. The Justice Committee set up folding chairs in the park, made sodas available, and leafleted the plant to invite workers to come. Union staff and the committee also prepared some key questions that they believed would open Cal/OSHA's eyes to other problems at the plant. About 70 workers showed up at the meeting. A Cal/OSHA industrial hygienist and a Cal/OSHA staff person who speaks Spanish spent over four hours answering workers' questions and interviewing them about plant conditions.

"The important outcome was the sense of empowerment the workers in that shop now feel," said a UNITE staff member. "Recently, when there was a problem with a natural gas smell in the shop, one of the Justice Committee members called Cal/OSHA directly for advice on how to proceed."

UNITE is now encouraging Safety Committees and Justice Committees in all their laundries to ask management for copies of boiler permits.

Step by Step

1. Recruit workers to serve on the committee.

Committees typically attract workers who have some interest in and concern about health and safety. Some may have been personally impacted by unsafe conditions and developed a commitment to health and safety due to this experience.

Committees in a unionized setting may also include union leadership, stewards, and staff. If these people are not able to serve on the committee directly, it is important for the committee to work closely with them to coordinate the health and safety work with overall union goals, policies, and campaigns.

Membership of a committee should reflect the diversity of the workforce. As much as possible, the committee should include workers with different backgrounds and languages, and from different jobs, shifts, and locations within the workplace. This allows the committee to see what problems people have in common, address a wider range of hazards, and develop relationships with a broader group of workers.

If your committee is to be made up of volunteers, identify workers who are interested and ask them to join. One-to-one personal contact works best. Pay particular attention to recruiting workers who have had direct experience with dangerous conditions. These may be people who have been injured, who have gone to their supervisors to complain about hazards, or who have signed petitions.

Issue flyers and hold open meetings to let everyone know a committee is being formed. You may want to draw attention to your committee by sponsoring a short educational workshop on a health and safety topic of special concern in your workplace. Publicize the workshop and invite everyone who is interested.

In a more formal unionized setting, committee members may be elected by the membership or appointed by the union leadership. It can still be difficult to find people willing to serve, so you'll probably need to do some recruiting.

If there are several unions at the worksite representing different categories of workers, consider forming a multi-union health and safety committee. Try to get "buy in" from the leadership of each union, and ask them to help by encouraging their members to get involved.

2. Agree on the purpose and structure of the committee.

As a group, map out the committee's purpose and how it will operate. If you prefer not to have formal by-laws, it's still useful to draft a short document that answers some basic questions: Why does the committee exist? Who will be on

it? Will different members have different roles and responsibilities? Who will do what? How will committee leadership be chosen? How often will the committee meet? How will necessary funds and other resources be obtained? How will the committee involve the rest of the workforce in its activities? If your workplace is unionized, how will the committee relate to the union's existing structure? If your workplace is not unionized, is the committee affiliated with a community organization or other group, and what will the relationship be?

In this statement of purpose, include language that the committee (whether union or non-union) is not responsible for health and safety conditions in the workplace. A statement like this can be important so it is clear (and in writing) that the committee is not accepting any legal liability for workplace hazards. By law, the employer is always responsible for maintaining a safe and healthy workplace.

3. Identify committee training needs.

Consider setting up an ongoing training program for committee members. This will build the committee's capacity to do its work and help develop leadership. The more people you have who are knowledgeable about health and safety, the more effective the committee can be. People who join the committee will probably have a range of experience and knowledge, from beginners to experts. Discuss possible training with everyone at a committee meeting and find out what people need.

You may be able to arrange training for the committee through a "COSH" group, a university health and safety program, an international union health and safety department, local professionals, or a workers' center. Committee members can also train each other, especially if your committee includes people with expertise in certain areas.

The training doesn't always have to be limited to "traditional" hazards, such as toxic chemicals and unsafe equipment. It may also cover hazards related to how work is organized (hours of work, pace of work, workload, and staffing levels) as well as ways to control these hazards. These are all legitimate health and safety issues that committee members may want to learn more about.

In addition to health and safety topics, committee members may want training in "people skills" such as how to involve and mobilize other workers, how to conduct their own training programs, how to run effective meetings, how to communicate effectively with management, and how to develop relationships with the community and the media. Today, many committees may also want training in how to use computers in their work and how to set up a website.

For more on training, see Chapter 3.

4. Develop an action plan with a timeline.

The committee should think systematically about what you plan to do. A written action plan is an excellent idea. The action plan should spell out your *priorities*, your *goals*, your *methods* for achieving change, and a proposed *timeline*. (See the **Action Plan Worksheet** at the end of this chapter.)

Priorities. You may discover there are numerous health and safety problems that people are concerned about. The committee can't tackle everything at once. In your action plan, set some priorities based on which hazards are most serious, affect the most people, or are most likely to be won quickly.

Goals. Decide what problems you want fixed, and what you want the employer to do about them. Be as specific about the solutions as you can, but also be open to new ideas that may come up later. Distinguish between **short-term** and **long-term** goals. For example, if noisy machinery is a problem, your **long-term** goal might be to convince the employer to buy new, quieter equipment. But if this isn't feasible right away, a **short-term** goal might be to soundproof the existing machinery, have it moved further away from workers, or give workers effective hearing protection devices.

Methods. You may want to base these on the "tools" described in this book. The book describes a variety of ways to address health and safety, but you may not use every tool. A given tool may or may not work well in your situation. For example, in some cases you may want to begin by gathering data about hazards in the workplace. But in other cases this particular step may not be necessary because it is already clear to everyone what the big problem is. To decide on your tools, you can use the worksheet at the end of Chapter 1.

Timeline. A timeline is valuable so you'll have some idea of what step to take when, and set deadlines for specific actions. But your timeline will always be approximate. You can't predict how long it will take to win.

5. Involve the workforce.

The committee should maintain strong ties to co-workers. Keep the workforce informed of what you're doing, and ask workers for their ideas and opinions. Some committees hold open forums or publish newsletters for co-workers. Try to involve interested people in committee projects. If you get results, publicize it in the workplace and invite everyone to the celebration!

6. Organize community support.

Some committees develop outreach plans to guide them in approaching the local community for support. Decide which community organizations, churches, or political leaders might become allies, and how you will contact them. Also decide how you can encourage local media to cover what you're doing.

7. Evaluate the committee's work.

As the committee's work moves along, take time periodically to check up on how you're doing. Are you making progress toward achieving your goals? Are you meeting your timelines? Also evaluate your strategies—what worked and what didn't? Finally, decide how the committee itself is doing. Are people working together well? Are the decision-making process and individual assignments clear? Do any committee procedures need to be changed?

STORIES FROM THE FRONT LINES

Airport Workers Organize for Safety

Recently the International Brotherhood of Teamsters made health and safety a key part of an organizing drive at a cargo facility near San Francisco International Airport. Air cargo handlers at the non-union company came to the Teamsters with concerns about unsafe equipment, workload, lack of safety training, and the company's history of accidents.

The Teamsters conducted a nine-month campaign, part of a larger effort by a coalition of unions that sought to build membership and activism at the airport. With the help of the coalition, the Teamsters organizing committee began to function like a health and safety committee because these issues were so important to the workers. The committee held several rallies to call public attention to the company's safety issues and its refusal to correct these problems.

Workers participated in devising many creative strategies. They helped draft a sheet of health and safety chants, including "Overload is a real mistake – Our health and safety is at stake" and "Health and safety is a must – Without the union who can you trust?" Workers helped design leaflets targeted at the company's clients, showing that safety hazards also put customers at risk. A local newspaper ran an investigative article, covering the company's history of safety violations.

A downturn in the airline industry following the September 11, 2001 attack on the World Trade Center led to significant layoffs. Together with other factors, this presented obstacles that the campaign could not overcome.

Would the Teamsters incorporate health and safety into future campaigns? A member of the national organizing staff responds, "Absolutely. This confirmed that safe working conditions really matter to workers. The most effective part of the campaign was getting workers to come to us with their safety and health issues and then getting media attention about their concerns. It validated the health and safety issues that workers had been raising for months. We will deal with these issues in our future strategic organizing efforts around the country!"

Tips for Success

Take the committee seriously.

Run your committee in an organized way. Have regular meeting times, agendas, and minutes of your meetings. Track your past decisions, and follow up on your commitments. Have committee members report regularly on their projects.

Coordinate health and safety committee work with other activities.

If you are at a union workplace, maximize your committee's effectiveness by working closely with union leaders, stewards, and other union committees. Consider joint campaigns that combine health and safety with other issues.

Set realistic goals.

Workers can become frustrated and demoralized if the committee tries to take on too much or if winning a health and safety issue takes a long time. Be realistic in your expectations of how much you can accomplish, and how soon.

Be democratic.

Avoid methods of leadership that dictate what people should do. Structure your meetings and other events so participants feel free to voice opinions.

Be visible.

Make the committee's existence known to co-workers, the employer, and the community. On an ongoing basis, keep everyone up to date on your activities. Establish a reputation as an intelligent, well-organized, assertive group that knows what it's talking about and often succeeds.

Stay independent.

If members of a union health and safety committee also serve on a joint labor-management committee, they should remember that they represent workers' interests. It is crucial that the union members on the joint committee meet independently to prepare for joint committee meetings. This is an opportunity to set goals and tactics, and decide how to approach joint meetings.

Find and use available resources.

International unions, "COSH" groups, universities, occupational health clinics, and industrial hygiene professionals can be good sources of health and safety information, training, and help. Seek them out and see what they can offer.

ACTION PLAN WORKSHEET

Use this worksheet to help develop an action plan for your committee.

Union or Organization: _____ Date: _____

SELECT PRIORITIES

What health and safety problems have been identified? (list)_____

_____

Which problems are of greatest concern? (Review list of issues: Which affect the most workers? Which are workers ready to take action on? Which have caused injuries or illnesses? Which are covered by existing laws or regulations?)

_____

_____

Priority or priorities selected:_____

_____

SET GOALS

What needs to be done to correct your priority problem(s)? _____

_____

Who has the power to solve these problems? _____

_____

What are your long-term goals?_____

_____

What are your short-term goals? _____

_____

CHOOSE METHODS

What tools in this book will you use to get more information? (For example, training, identifying worker health problems, or requesting employer information.)

_____

_____

What tools will you use to solve the problems? (For example, filing a grievance or OSHA complaint.)

_____

_____

What obstacles will you need to overcome? _____

_____

How will you keep workers informed and involved? _____

_____

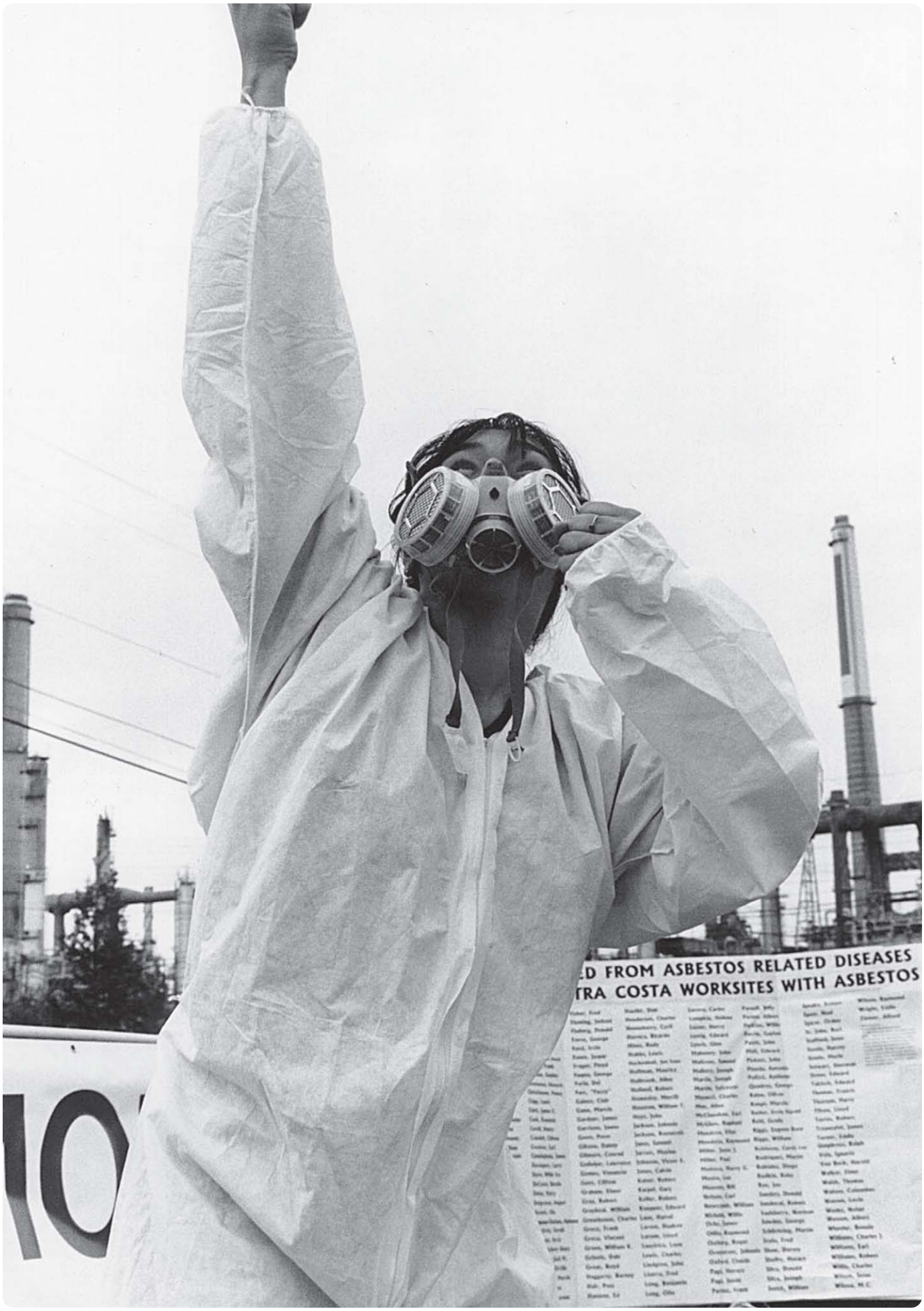
What support do you need to ask for? (For example, from public officials or community groups.)

_____

_____

LIST SPECIFIC STEPS AND SET TIMELINE

What do we need to do?	By when?	Who will do it?


D FROM ASBESTOS RELATED DISEASES
TRA COSTA WORKSITES WITH ASBESTOS

CHAPTER 3

TRAIN WORKERS FOR ACTION

"At a union workshop, our members learned that lead dust is harmful and can get on your clothes. You should wash up and change your clothes before leaving work so you don't take the dust home. Taking it home can endanger your family's health. One worker said, 'We don't change our clothes—we just hop in the car and take off. Anyway, we don't have a place to change and we don't have a place to wash up.' With the union's help, some of the guys went back and got the company to put in a small change area and a wash-up station. Everyone started changing out of their work clothes and washing up before going home.

The company also started its own lead training program for the workers, which we found out is required by law."

—Laborers union organizer

← *At left:* The Toxic Avengers, a California street theater group, educate workers and the public about the dangers at work.

There are all kinds of worker health and safety training programs around. Some promote "personal responsibility" as the solution to safety problems. This theory says workers should just learn to be more careful. These "behavior-based" training programs are popular with many employers because they send the message that the problem is the worker, not conditions that management needs to fix. Other training programs are very technical and emphasize detailed knowledge about specific hazards.

What's different about *training for action* is that it mobilizes workers to do something to improve conditions. This is training developed and presented by unions, workers, or worker advocates. It is a springboard for change. Such training does provide useful information, but it also encourages people to act on that information. They learn how to set goals, decide strategy, and work together collectively to make things better.

What Is This Tool?

An action-oriented training program brings workers together to learn new information, gain skills, share experiences, ask questions, and make plans to apply their learning to improve workplace conditions.

Training can take many forms, including:

- a one-time workshop
- a short, informal "tailgate" meeting during the work day at the job site
- a hands-on practice session
- a series of classes
- a guest speaker or panel discussion
- a film or video, with discussion afterward
- a speak-out or public hearing.

A training event or program can be used to build your committee's skills, to launch or promote a specific health and safety campaign, and to reach out to involve new groups of workers from different work areas.

Activist training. You may want to offer training to your health and safety committee, organizing committee, leadership group, stewards, or other activists who will be dealing with health and safety. A training program for your activists is a good way to get people "up to speed," especially if some haven't had much experience with health and safety. The more people you have who are knowledgeable, the more effective you can be.

Sometimes it's most efficient to tie health and safety training into existing union educational programs. See if health and safety topics can be added to shop steward training, organizing committee training, or a leadership development program.

If schedules and resources permit, another option for your activists may be health and safety classes in the labor studies program at a nearby college or university.

In some cases, your union contract may permit training on paid company time. If you don't yet have a union, see if you can convince the employer to provide paid release time. You can argue that health and safety training should be treated the same as training in any other job-related skill.

Your potential audience for this type of training may be all your activists, or a more limited group who are working on a specific issue. You may also want to invite workers who are *thinking* about joining the committee or becoming active on these issues in some other way.

Worker training. You may want to present short workshops on topics of special interest, open to everyone at the workplace. These can be an important part of your outreach to co-workers. Workshops can make your committee work more visible, help recruit new activists, and get a broad group of workers thinking about problems that need to be corrected. They also help build solidarity among groups of workers who may otherwise be divided or isolated because they work in different departments or on different shifts.

Publicize the event as widely as you can. You may even want to invite family and community members.

STORIES FROM THE FRONT LINES

Training Program Helps Carpenters Tackle Safety

Workers at a California modular home assembly plant recently voted to join the United Brotherhood of Carpenters (UBC). Located in California's central valley, the plant is one of the largest employers in the region, which is primarily agricultural. 150 workers are employed at the plant, including many native Spanish speakers.

After winning a representation election, the union tried to identify key issues for a first contract. Wages were a clear priority for the workers, but improving health and safety was also high on the list. Modular homes are built on an assembly line. The process involves lifting and assembling enormous walls, using power saws, applying toxic chemicals to preserve and paint wood, and many repetitive motions. Workers reported lost fingers, neck injuries, skin rashes, and breathing problems from dust and chemicals. Noise and unsafe machinery were also big issues.

To prepare for bargaining, workers formed a 20-member committee to deal with health and safety as well as other potential contract issues. One of the committee's first projects was a worker training program, conducted in English and Spanish. The program covered health and safety laws, how OSHA works, and how hazards can be corrected. This training helped build workers' knowledge about their rights and their interest in future union health and safety activities.

The committee and other workers who attended the training also decided to request employer injury and illness records and to develop specific contract language around health and safety.

The training and the campaign were very successful in involving workers. The workers continued to support the union even when negotiations stalled. One worker at a training workshop said, "I've worked here 30 years. I haven't gotten a raise in the last ten. My knees and back hurt. I'm just trying to hold on until I can retire. I've got to fight for the union and a contract that makes this a safer place to work for my children and other family members."

A union official noted that "Our members got really involved in this campaign. Health and safety is a real issue where we can make improvements even while struggling to get the company to the bargaining table."

Why Use This Tool?

Advantages

- Training can build a stronger committee.
- Training sessions provide a great opportunity to understand what moves people.
- Training can help identify good campaign issues (or which issues are "hot").
- Training can attract workers to participate. Most workers are eager to learn relevant information that will help them, both in daily life and at work. They often respond enthusiastically to training opportunities because they are looking for ways to gain better control over their jobs.
- Training boosts confidence and morale.
- Participants develop organizational and leadership skills.

- If the training is designed as a "train the trainer" activity, stewards, activists, and other worker-leaders can learn to do similar training for co-workers in the future.

- Training prepares workers to interact with management. It can help put them on an equal footing when approaching management about a health and safety issue.

- If training encourages action, it can lead to real health and safety improvements in the workplace. It could save someone's health or life.

- Successful training events give visibility and legitimacy to the sponsoring organization. Whether the training is presented by your health and safety committee, a union, or a community organization, it builds respect for the sponsor.

Challenges

- If training is not well-planned or the content is not relevant, workers can be disappointed. This can affect how they view your committee, the union, or other sponsors of the training.

- Training requires resources, including time and funds.

- You can fall into the trap of only *training* rather than actually *doing*. Stay focused on your action plan.

STORIES FROM THE FRONT LINES

Safety Training Inspires Coalition Against Bus Violence

A Northern California bus driver attended a 16-week health and safety course in the labor studies program at his local community college. As a long-time driver on the swing shift and a union steward, he came to class with chilling stories about the violence that drivers encounter on a daily basis—murders, robberies, assaults, and shootings.

"My worst moment was the night a shot whizzed by my head while I was in the driver's seat. I hit the floor and was so scared that I wet myself," he recalled in class.

Motivated by a class assignment that asked students to request injury and illness records (Cal/OSHA Log 300) from their employers, the driver gathered statistics about the problem. He wasn't surprised to find that the records documented the many stories his co-workers had told him on breaks and at union meetings. But the class also convinced him that documentation wasn't enough.

With co-workers and union leaders, the driver circulated flyers sharing his information on violent incidents with patrons who rode the bus daily and also were at risk.

"We're going to build a coalition of workers and passengers," he said. "We'll share what we've learned and survey people to find out more about their concerns. We know we need to push for better lighting on routes and funding for a more effective security system. We'll also take a look at how other cities have dealt with these issues. With all this information, we're going to submit a proposal to the joint labor-management board of the transit system."

Step by Step

*As you go through these steps, use the **Training Worksheet** at the end of this chapter to record your training plans.*

1. Define the purpose of the training.

You need to have a clear idea of *why* you are organizing a training program. What is your goal? Is it to build a committee's skills and confidence? To "test" an issue to see how workers respond to it? To mobilize workers for a campaign to improve conditions? Of course, you may have more than one of these goals in mind. Discuss your goals at a meeting.

2. Determine training needs and select topics.

Committee members and other activists may want training on hazards of special interest in your particular workplace, or on "skill building" topics like how to file an OSHA complaint or how to develop relationships with the media. Interview or survey people about their training interests and needs. For a sample form you can use, see the **Health and Safety Training Survey** at the end of this chapter.

Also try to find out what *level* of training will benefit the most committee members and activists. Ask how much they already know and what previous classes or experience they have had. Your group may reflect a range of experience and knowledge, from beginners to experts.

When you are planning a training workshop for a broad audience (not just committee members and activists), it's often still a good idea to do some type of survey ahead of time. You can distribute a short questionnaire to co-workers. Suggest some topics, or let people suggest their own.

If you've been out talking to workers about general union matters and one health and safety issue keeps getting raised, you may not need to do a survey. As you listen to workers' concerns in the course of an organizing campaign or other mobilization effort, you'll learn about the problems and issues that people feel deeply about. If a particular issue starts to emerge, make a point to ask others about it too.

Another approach is to hold an initial workshop on general health and safety, and use some time during the workshop to see what topics the participants want to cover next.

3. Tie the training to an action plan.

"Training for action" implies that people will be encouraged to do something with the information they have learned. The purpose of your training is to create and carry out a plan of action.

Evaluate not only how much interest there is in various topics, but also whether they can lead to a successful safety campaign with clear, winnable goals. Is there a problem with any of the proposed topics? For example, would it be difficult to organize a campaign on that topic because it is so technical it wouldn't be understood by co-workers and community supporters? Will management put up a lot of resistance to demands on that topic because the problem is very expensive to fix?

Discuss in advance how you will involve people who attend the training in follow-up actions. These might include petition campaigns, OSHA complaints, surveys, or any of the other "tools" described in this book.

Prior to the training, try to come up with an initial action plan that participants can be involved in and can commit to. It should include short-term and long-term goals, as well as strategies for achieving them. See the sample **Action Plan Worksheet** at the end of Chapter 2.

When you have developed an initial action plan to present at your training session, go over it with anyone who needs to "buy in" for it to be successful, such as the leadership of your union or other organization.

Don't make your initial action plan too specific. You want to give participants a chance to add to it or revise it. That will boost their commitment because the final plan will be their own. Be open to the idea that action plans may emerge from the training that are different from yours.

4. Choose a planning team.

See if a group of committee members and/or other activists will volunteer to act as a planning team. This team will be responsible for logistics. They should also

coordinate with the union or other sponsoring organization as a whole, working closely with leaders, stewards, staff, and other committees. There may be ways to link this health and safety training to other organizational priorities and campaigns. This kind of support can be very important to your success.

5. Develop a budget and secure funding.

Come up with a rough budget. Estimate the cost of meeting space, publicity, training materials, and trainers' fees (if any). In some cases, there may be other expenses such as equipment rental, refreshments, childcare, or an interpreter's fees. If you have not been successful in getting the employer to give participants paid release time to attend, you might want to consider paying low-wage workers a modest stipend, such as a $25 grocery store coupon.

Once you have an estimated budget, look for sources of funding. Will your union or organization pay the cost or contribute toward it? Submit your budget to the leadership or make a motion at a meeting. Approach worker advocacy groups, "COSH" groups, college or university programs, or professional organizations. (See Appendix 2.) They may contribute trainers and materials, and sometimes have grants that will help pay other training costs.

6. Organize logistics.

Set the date and time, find and reserve a suitable location, and obtain needed equipment and materials. Arrange for food and childcare (if needed), and handle other logistics, such as photocopying.

7. Select trainers.

Next, recruit one or more trainers. They should have knowledge of the particular topic you are presenting, and a reputation as clear and well-organized. Make sure their training style allows for group participation, and that they understand that training should lead to action.

The trainer(s) may be more experienced people drawn from your committee, or may be educators or health and safety professionals from outside. Trainers may be available through colleges or universities, local hospitals or clinics, community organizations, worker advocacy groups, "COSH" groups, international union health and safety departments, or government agencies. You may want to team a committee member and outside professional as co-trainers.

Caution: Bringing in an "expert speaker" instead of a trainer can be a bust. There is nothing empowering about listening to someone show off how much they know or "talk at" people. A good trainer listens more than talks, facilitates rather than lectures.

8. Recruit participants.

Identify who should attend the training. Then develop an outreach plan to reach these people. Distribute flyers and run announcements in your organization's newsletter. Make a special effort to identify key people who should attend. Speak to them one-on-one. Include grassroots leaders, potential leaders, stewards, elected union officials, union staff, or other people important in your organization. Their participation is important because it can help connect the training to other campaigns and projects. Also speak to workers who have had direct personal experience with the subject you plan to cover. For example, if you are presenting a workshop on carpal tunnel syndrome, personally invite workers who have been diagnosed with this condition. They can contribute a lot.

9. Create a lesson plan.

The planning team should work with the trainer(s) to develop a lesson plan for the chosen topic. It should balance information, skill building, and action. For help with this, see the **Sample Lesson Plan** at the end of this chapter.

Be realistic in estimating the time that various parts of the session will take. Allow enough time for group interaction and participatory activities, so people won't feel they are just being "lectured at." Also set aside ample time to present the action plan you have prepared and to explore new ideas for action. Let people discuss what they're going to do with the information after the training is over. Be sure to have pledge forms, a sign-up sheet, or other means available for participants to express their commitment to follow through.

With the trainer(s), plan the specific content of the session and decide what materials you will use. You may be able to obtain copies of sample training programs, handouts, and other training materials from organizations listed in Appendix 2. Some groups also have audiovisual materials available.

10. Conduct the training.

Arrive early to set up, check equipment, and find the location of phones and rest rooms. Have everything in place by the time participants arrive so you can welcome people and get them comfortable and ready.

Participants need to know what to expect and how they will participate. Have the lesson plan and training objectives ready for people to look over. The planning team and/or trainer(s) should prepare an "icebreaker" activity to loosen people up and get them interacting with each other.

Finally, the planning team and trainer(s) should relax and focus on facilitating the session. Remember to include a discussion of the proposed action plan at some point during the session.

11. Evaluate the training.

Prepare an evaluation form and ask participants to fill it out at the end of the training. See the **Sample Evaluation Form** at the end of this chapter. Ask how useful specific parts of the training were, how clearly they were presented, and whether people liked the materials. Ask what future training topics they want. Also ask what people are willing to do to help improve conditions. Are they committed to the action plan?

Take some time later at a committee meeting to go over the evaluation forms. What went right and what went wrong? Taking criticism to heart can help you improve future training sessions. Also discuss whether the action plan was well-received or needs to be changed. Who has signed up to participate? Finally, discuss the next steps to advance the campaign.

12. Follow up.

If responses on the evaluation were enthusiastic, follow up by proceeding with the next step in the action plan. Be open to changing plans, based on what you've learned from your audience. Contact those who attended the training and see if they are willing to come to a strategy meeting or volunteer for an assignment.

Tips for Success

Encourage people to express themselves.

Training should be conducted in a way that respects people's own ideas and experiences. Participants should feel free to express their views. Develop ground rules to create a safe and respectful environment.

Use interactive methods.

Avoid long lectures. Audiovisual presentations can be useful, but try to use them in an active way, as "triggers" for group discussion. Break up every training session with frequent activities that let participants work together to solve problems. Use games, role plays, case studies, quizzes, and small group exercises. Consider a "risk mapping" activity where participants draw a map of the workplace and identify hazards, or a "body mapping" activity where they identify various health symptoms. (For details, see Chapters 4 and 5, **Find the Hazards** and **Identify Health Problems**.)

Make the content personal.

Encourage participants to connect what they are learning to their own lives and jobs. Here are some examples of questions to ask throughout the training:

- What experience have you had with this issue?

- Why is this issue a problem for you?
- Who do you think has the power to solve this problem?
- Why hasn't this problem been adequately addressed before?
- What should be done about this problem?
- How would you move this idea into action?
- Does anyone have a different point of view?

These are sometimes called "probing" questions. They are intended to promote critical thinking.

Consider making it a "train the trainer" session.

It's a great idea to empower stewards, activists, and other worker-leaders to present their own similar training for co-workers later. If you include material in your class on teaching techniques and how to train, you'll enlarge your pool of trainers and will eventually be able to reach more people.

Aim for action.

Instructors who use the "training for action" approach sometimes speak of a "hierarchy" of training objectives. These proceed from the most basic objective, giving information, to more complex and challenging objectives like promoting social action. One version of this hierarchy is shown below. The trainer should:

- **Provide knowledge** about health and safety issues
- **Build skills** to recognize and resolve problems
- **Strengthen commitment** to health and safety
- **Promote collective action** for change in working conditions.

Since you have drawn up an action plan, keep it at center stage throughout the training session. Remind people that the training won't be very valuable unless they make use of the information to work for change.

TRAINING WORKSHEET

Use this worksheet to record your training plans as you go through the "Step by Step" section of this chapter.

Date: _____

1. The purpose of this training is:

2. We will find out what participants most need by:

3. The topic will be:

4. We have completed a draft action plan and it has been reviewed by:

5. The individuals who will organize the training are:

6. The resources we will need (equipment, materials, room, release time, etc.) include:

7. We will obtain these resources from:

8. The date, time, and location will be:

9. The trainers will be:

10. We will recruit participants by:

11. The lesson plan has been reviewed and approved by:

12. The training will be evaluated by:

13. Participants will be contacted about follow-up actions by:

HEALTH AND SAFETY TRAINING SURVEY

Choose one or more topics or skills that you would like the training to address.

Topics:

☐ asbestos	☐ fire safety	☐ infectious disease	☐ staffing
☐ lead	☐ machinery	☐ stress	☐ workers' compensation
☐ toxic chemicals	☐ noise	☐ breaks	☐ fall protection
☐ hazardous waste	☐ vehicles	☐ long hours	☐ violence
☐ respirators	☐ lighting	☐ work pace	☐ ergonomics
☐ ventilation	☐ heat/cold	☐ speedup	☐ emergency response

☐ Other: _____

Skills:

☐ How to file an OSHA complaint

☐ How to negotiate health and safety language in a contract

☐ How to investigate hazards

☐ How to eliminate or reduce hazards

☐ How to involve and mobilize other workers

☐ How to communicate effectively with management

☐ How to develop relationships with the media

☐ Other: _____

Your Needs:

Why do you want training on these subjects and what will you do with the information?

What previous health and safety training have you had?

What time works best for you? ☐ Evenings ☐ Weekends ☐ Weekdays

SAMPLE LESSON PLAN

Topic:_____ Group:_____

Place:_____ Date:_____

Time: FROM: _____ TO: _____ Total available training time:_____

Time(s)	Trainer(s)	Activity and Method	Materials
		Welcome and Introductions. Go around the room and have people give their name, job, and what they hope to get out of this training.	
		Explain Purpose and Goals of the Training. Summarize the lesson plan.	Show flipchart with objectives. Distribute the lesson plan.
		Conduct "Icebreaker" Activity. Play a game to get people interacting with each other.	
		Present Health and Safety Knowledge and Skills Training. Give short presentation. Follow with an interactive activity such as a small group exercise with "report backs," then class discussion of group reports.	Distribute selected subject matter training materials. Use flipchart to record "report back" discussion points.
		Discuss Action Plan. Discuss preliminary Action Plan and get feedback. Revise as necessary. Have each person write down what follow-up action they can commit to and share it with the class. Copy and use these commitments later to organize follow-up activities.	Distribute preliminary Action Plan. Distribute and collect individual pledge forms or a sign-up sheet.
		Evaluate the Training.	Distribute and collect Evaluation Forms.
		Award Certificates. *(optional)*	Distribute certificates of completion to participants.

SAMPLE EVALUATION FORM

Name (optional): _____ Date: _____

1. How would you rate this training overall? (Check one)

☐ Excellent ☐ Very good ☐ Good ☐ Average ☐ Below average

2. What did you find most useful about this training?

3. What did you find least useful?

4. How could this training be improved?

5. Do you have any comments on the materials that were used?

6. Please rate specific training activities such as videos, games, lectures, etc.
(Circle 1 to 5, with 5 as the highest rating)

(a) _____ 1 2 3 4 5

(b) _____ 1 2 3 4 5

(c) _____ 1 2 3 4 5

7. Are you interested in more health and safety training? On what topics?

8. Will you participate in efforts to make the workplace safer? ☐ Yes ☐ No

9. Do you have any comments on the Action Plan that was discussed at the training?

10. Any other comments?

CHAPTER 4

FIND THE HAZARDS

Risk Mapping, Worksite Inspections, and Questionnaires

"A group of us in the plant worked with the UAW's Health and Safety Department to identify the most pressing health and safety issues for upcoming negotiations. We had a hunch that the workers' biggest concern was not dust or chemicals or anything like that, but the inadequate care and treatment that the company's medical provider gave to workers with job injuries. The union had brought this up with the company before, but the company refused to take it seriously.

We decided to document that the quality of treatment was in fact a major issue for the workers. We did a written survey and more than 600 workers responded. Not only did we find that care was inadequate, but we also discovered that medical confidentiality had been violated. We brought the survey data to negotiations, and we got results. A new medical group was brought in that was mutually acceptable to the union and the employer. We felt pretty good about how things turned out and the role we played."

—Member, United Auto Workers (UAW)

← *At left:* California auto worker.

One of the first steps for your committee should be "shop floor detective work." You need to find out what the hazards are at your workplace, how serious and widespread they are, and who is affected by them. You need to learn who is getting hurt and how. That information will help you decide priorities and put together proposals for change.

The results of your detective work may surprise you. There may be serious problems you never suspected. Keep an open mind because you never know what you're going to find.

The three tools described here can help you learn a lot about your workplace. As you use the tools, ask workers from different work areas and shifts to help. Because these tools require a group effort by your committee and help from co-workers, they're excellent ways to promote worker involvement and build enthusiasm for your health and safety work.

What Are These Tools?

Three tools you can use to gather reliable hazard information are *Risk Mapping*, *Worksite Inspections,* and *Hazard Questionnaires*. You can use these tools individually or together.

Each tool can help you determine what health and safety hazards exist in the workplace and where they are located. For each hazard you find, the tools can help answer these questions:

- What is causing the problem? (Chemicals, machinery, electrical wiring, heavy lifting, etc.)
- When does the hazard occur? (All the time, or just on particular shifts or during certain work processes?)
- How serious is the hazard? (Can it kill or disable someone, or is it less severe?)
- How many workers are affected?
- Has anyone been injured or made ill because of the hazard?
- Is the employer aware of the hazard?
- What control measures are already in place, and how effective are they?
- What else has the employer tried to do about the problem?
- Is OSHA aware of this hazard? Has there ever been a formal complaint and/or inspection? What happened?
- What suggestions do workers have to fix the problem?

Risk Mapping

Risk mapping is a technique where workers identify hazards through drawing. Get a group of workers together and ask them to draw a "floor plan" of the worksite on a large sheet of paper. This should include the location of doors, windows, furniture, equipment, etc. Depending on the size of the site, the group can draw a rough floor plan of the whole site, or can divide up by work area to create individual sections of the floor plan. The floor plan does not need to be elaborate or well-drawn; rough sketches are fine.

Once the floor plan is complete, the group should rely on people's own daily job experience to identify the hazards. On the floor plan, they should show where different types of hazards are located by using pens with different ink colors. For example, red in a certain area on the floor plan could indicate the presence of safety hazards, green could indicate chemical hazards, and blue could indicate other types of health hazards. If workers aren't sure that something is a hazard, they should mark it anyway. See the **Sample Risk Map** at the end of this chapter.

Next, hold a group discussion to analyze the map. Choose a facilitator for the discussion, such as an experienced member of your committee or a union staff organizer. The role of the facilitator is to draw out more information from the group about the hazards they marked. Someone should be responsible for taking good notes on the discussion.

For example, if the group is concerned about chemicals in a particular work area, the facilitator might ask:

- Do you know which specific chemicals are present?
- How are these chemicals used? How are they stored?
- How are workers exposed to these chemicals? (Breathing the vapors? Eye or skin contact?)
- What is the specific job task involved?
- How many workers perform this task? When? How often?
- Are other workers nearby also exposed?
- How many workers have experienced health symptoms that might be related to these chemicals? What were the symptoms?
- What methods are used to limit (or "control") the hazards? How effective are they?

Next, the facilitator should ask the group to go back to the map and prioritize the hazards they marked. Which ones are most serious? Which affect the most people? Which can be addressed easily and quickly? Which need further investigation?

Finally, the group should "brainstorm" ways that the priority hazards can be reduced or eliminated. When there is consensus about potential solutions, the facilitator should take the notes of the discussion back to the health and safety committee, union staff, steward, or whoever has the authority to make decisions. They may want to keep the workers from the hazard mapping activity involved when they develop an action plan to get the problems fixed.

STORIES FROM THE FRONT LINES

Risk Mapping Helps Waste Workers Find Problems

At a Northern California waste facility, Operating Engineers local leadership knew there were ergonomic problems and wanted to do something about them. Garbage truck drivers, landfill operators, and recycling workers had high rates of back and shoulder pain from lifting and bending. Some were going out on permanent disability. But when union staff helped the workers do 'risk mapping' at the worksite, they uncovered a lot more problems that no one had thought about before. They found that the dust kicked up by the garbage trucks and trash sorting machines caused some workers to have breathing trouble. Others were falling and getting cuts because the older machinery was unsafe. There were also high levels of noise on the site, and several workers had hearing loss. Workers were not reporting these things because they could get written up or lose a bonus if there were too many injuries. Thanks to the information from the risk mapping, the union health and safety committee was able to come up with a much more complete plan to improve conditions.

Worksite Inspections

You can also conduct "walkaround" inspections to learn more about the workplace through visual observation. When you do this, it's helpful to use some type of checklist to guide you. See the **Sample Inspection Checklist** at the end of this chapter. More detailed inspection checklists are often available from international union health and safety departments and "COSH" groups. (See Appendix 2.)

In addition to direct observation, you may want to take photos and measurements during the inspection. Decide if you need to measure noise levels, temperatures, height of equipment, distances that workers travel when

transporting heavy loads, number of repetitive motions, or ventilation (using smoke tubes). You may also want to take samples, such as suspected lead paint or asbestos, to get analyzed by a lab later. Since many of these activities require some technical knowledge, it's useful to have a union industrial hygienist or other health and safety professional accompany you on the inspection. If no one is available, a trained committee member may be able to take the measurements and samples. You may also need special equipment, which might be available from your international union or local "COSH" group.

As you walk around, talk to workers and observe them doing their jobs. Draw up a list of questions in advance that you will ask the workers doing each task. Make the workers feel comfortable by explaining who you are and what you're doing. Workers should understand the purpose of the observation and how the information will be used. Assure them that all information will be kept confidential unless there is agreement otherwise. If some workers speak languages other than English, have a bilingual member of your team talk with them.

Your observation of workers is an opportunity to build ongoing relationships with them. Invite those who are interested to your next committee meeting, or involve them in your projects. In some cases, you may also want to talk with managers to get a fuller understanding of the problems.

A "walkaround" inspection requires access to the workplace. The right of access may be guaranteed by a union contract. Where there is no specific contract language, or no union, your committee can try to reach agreement about access with the employer if your relationship is fairly positive. Otherwise, you may need to conduct a more limited inspection in any way that is feasible. Perhaps individual workers will volunteer to be *informal inspectors* of their own work areas. They may be able to collect the information you need without jeopardizing relations with the employer. In some cases, workers have brought their own thermometers when the work area seemed too hot or too cold. Others have kept logs, recording how many times they did heavy lifting during the day.

Hazard Questionnaires

Distributing a questionnaire to co-workers is another good way to learn about health and safety problems in the workplace. By asking for the perceptions and opinions of those who live with the hazards every day, you can gather valuable firsthand information. Because questionnaires produce objective numerical data, they can be a powerful tool to convince the employer or OSHA that something is wrong.

You can also use a questionnaire to ask workers about the health symptoms they are experiencing. See Chapter 5, **Identify Health Problems**.

If you are planning a questionnaire about job hazards, consider waiting until you have already gathered some information through risk mapping or a

worksite inspection. The information you collected may suggest what questions you should ask. A lot of thought and effort should go into creating the questionnaire. See the **Sample Hazard Questionnaire** at the end of this chapter.

During your planning, you will need to consider:

- What is the purpose of the questionnaire?
- Have you already chosen some priority issues? Will you limit the questions to those priorities? Or should questions be more open-ended so they can help you decide on your priorities?
- Which workers should you target? Everyone, or just those in a certain work area or doing a certain job task?
- What specific information do you need, and how will you use it?
- What information do you already have from other "detective work" you have done? What new questions does that information raise?
- Are there less obvious health and safety issues that you want to ask about, such as workload, job insecurity, or other sources of stress?
- Who will draft the questions? How concerned are you that the questionnaire be professionally designed so the results are statistically valid? How formal or informal? Do you need help with this?
- Does the questionnaire need to be written for workers at a particular reading level? Does it need to be translated into other languages? Will some workers need another person to explain it to them and help them fill it out?
- How, when, and where will the questionnaire be distributed, filled out, and collected?
- How will the results be analyzed? Will you need help from health and safety professionals to understand the data?
- How will the results be shared with the workers?

Depending on the number of workers you target, and how elaborate your form is, a hazard questionnaire may be a large and time-consuming project. Get help from as many people as possible. Look beyond your committee and involve more workers in the planning and logistics. Remember that someone whose immediate co-worker is on the planning team is much more likely to respond to the questionnaire.

STORIES FROM THE FRONT LINES

Murder of Teen Clerk Prompts Workplace Violence Survey

An 18-year-old pharmacy clerk in Boston, Massachusetts was stabbed and killed by a customer.

Two store employees had chased the customer for shoplifting, catching up with him just outside the door. When confronted, the man became belligerent and stabbed both of them. One of the clerks, Christian Giambrone, died soon afterward.

MassCOSH, a Boston labor-community coalition, has organized a group called "Teens Lead @ Work." It brings working youth together with their peers to discuss, research, and advocate solutions to job safety problems. When the group heard about Giambrone's murder, they knew they needed to take action.

Since homicide is a leading cause of workplace death in Massachusetts, eight MassCOSH teen peer leaders, joined by youth from another organization, decided to survey both teen and adult workers in Boston's retail stores. They conducted 70 surveys, and were disturbed by what they found. Over 23% of the teen workers surveyed had been at work during a robbery. Some teens worked alone in stores at night. Only 20% had received safety training. Most employers offered workers few or no protective measures against violent incidents. "There is a major issue concerning retail store policy," said one of the peer leaders. "Death and injuries occur because employers try to save money."

After the survey, several teens in the group helped lobby for a new state law requiring that a supervisor be available when teens under 18 work after 8 pm, and prohibiting teens from being hired in jobs (such as security guards) where they use guns. "It's so crazy that teens can work with firearms at age 16, but can't drive till they're 18. It just makes no sense," said one 16-year-old peer leader. The MassCOSH teens felt that carrying a gun on the job places young people at high risk of both accidents and assaults. The MassCOSH teens' survey and lobbying have made the organization's youth work really take off.

Why Use These Tools?

Advantages

- All these tools allow you to get information firsthand directly from workers. Workers are the real "experts."
- They can get more people involved in your health and safety work, and make your organization more visible.

- They can help you discover and develop new leaders.
- They can help you identify issues that are "hot topics" and likely to engage and mobilize the most workers.

Risk mapping:

- Can be used with workers with limited reading and writing skills. The valuable contributions these workers can make will not be overlooked.
- Allows people with different languages to work together.
- Is easy to plan and carry out.

Worksite inspections:

- Let you meet and involve workers as you visit their work areas.
- Can give you detailed and accurate information about the workplace.
- Can teach your committee members new health and safety skills.

Hazard questionnaires:

- Can show you how many workers are concerned about an issue.
- Can produce powerful statistical data to present to the employer or OSHA.
- Let committee members and others develop a wide range of skills.

Challenges

- The individual tools don't always give complete information. For example, risk mapping won't uncover problems that the participants don't know about. For this reason, it's a good idea to use the tools together, and also look to other sources of information.
- Getting employer cooperation can be difficult. For example, you may have trouble getting the employer to allow access to the workplace for an inspection. Try to maintain a good relationship with the employer, and be open to compromise.
- Workers may be reluctant to participate because they fear employer retaliation. Explain that a decision to take action on health and safety must always be made with full knowledge of the risk, but there is strength in numbers and they do have some legal protection. Your organization can help by documenting these activities well and being prepared to defend workers who participate.

- You may need technical knowledge—for example, when using a sound level meter or other equipment during an inspection, or when analyzing a completed hazard questionnaire. While committee members can learn, you may need help from outside professionals.

- Using some of these tools takes considerable time and effort. For example, a comprehensive questionnaire can take weeks or months to draft, distribute, collect, and analyze. You may want to try a more limited questionnaire first, perhaps looking at one hazard in one department.

Step by Step

1. Decide what information you need, and why.

First, your committee should decide what information to collect. It helps to think about *why* you need the information and what you're going to do with it. For example, do you want to:

- Understand the full range of hazards so you can choose some as priorities?

- Get in-depth information about certain hazards so you can propose better control measures?

- Gather facts about hazards that you can present to co-workers and community allies when seeking their support?

- Build a well-documented case to take to the employer or OSHA?

At different times you may collect information for all of these reasons. But pinning down how information will be used can steer you in the right direction. For example, it can help you choose between breadth and depth. Do you want to cast a wide net over the whole workplace, or should you focus on one or two things? It can also help you decide how much documentation you need, and how technical it has to be.

2. Choose the tools you will use.

Although there are many ways to use these three tools, alone or in combination, here is one suggested strategy.

- Try risk mapping as a first activity. It's not difficult, but can still get you a lot of good information. It also gets workers involved and introduces them to your committee and its work. It starts them thinking about health and safety.

- Next, do a worksite inspection to better understand the work process, fill knowledge gaps, and probe deeper.

- Finally, prepare a hazard questionnaire. This requires the most time and effort, especially if you want to reach a large number of workers and thoroughly document trends and patterns of exposure.

Sometimes a problem is minor in scope, fairly straightforward, inexpensive and easy to fix. Perhaps it can be solved just by talking to a department supervisor. In this case, the committee may decide that a simple risk mapping exercise or questionnaire will provide all the information needed. On the other hand, if you're engaged in a major campaign (such as union recognition, contract negotiation, or a group grievance) you may want to use all three tools in a comprehensive way.

Remember that you can use these tools in combination with other means of gathering information discussed elsewhere in this book, such as making formal requests to the employer for health and safety documents (Chapter 6), or doing health screening (Chapter 5).

3. Involve co-workers.

When you use these tools, try to give both your committee members specific roles to play, but also involve other workers you want to reach out to. Worker "ownership" of the project can build your capacity to improve things. Here are a few ideas.

- **Risk mapping.** An *outreach team* can help you recruit people for the risk mapping. Have the team recruit workers from different departments, job titles, and shifts, and aim for a diverse group based on age, seniority, gender, language, and ethnic background. Different people may have very different perceptions of the hazards, so it's a good idea to get a range of viewpoints. Also have several *risk mapping assistants* who can help set up the risk mapping activity, organize the logistics, and serve as a resource for the workers who are making the map. Finally, choose a skilled *facilitator* for the risk mapping process.

- **Walkaround inspections.** A *planning team* can help you prepare for the inspection. They can make sure tools, equipment, and checklists are on hand, and can help with arrangements for workplace access and worker interviews. *Health and safety experts* (either outside professionals or experienced committee members) can suggest what to look for and show you how to take measurements and use equipment. The actual *inspection team* may be made up of committee members, other workers, experts, or all of these.

- **Hazard questionnaires.** A *writing team* for the questionnaire might include some committee members, a few other workers, and one or more outside professionals experienced at phrasing questions and designing sound questionnaires. An *outreach team* can recruit workers to answer the questionnaire and can also help duplicate, circulate, and collect the forms. *Multilingual assistants* can be available to give non-English speaking workers help in understanding the forms and answering the questions. Other volunteers can help tabulate the results after the forms are returned.

4. Analyze your findings.

Workers should be involved in analyzing the information you gather. A broad group may be able to provide insights that you didn't notice. Always keep an open mind and listen carefully to everyone.

When analyzing information, draw upon available outside resources. Your international union, regional council, state labor federation, or local "COSH" group may have people and materials that can help, especially if your information is very technical.

Be creative in analyzing your information. Look for links and connections among facts that may not be obvious.

STORIES FROM THE FRONT LINES

Committee Learns From Hotel Workers

One union committee collected data on the workload of hotel room cleaners through risk mapping, inspections, and questionnaires. Workers told the committee that "garbage in the rooms" had increased over time. Initially the committee didn't understand how this could be true or why it was a problem. But room cleaners working with the committee explained that garbage had increased dramatically in the last few years. Guests were attending conventions and meetings and collecting stacks upon stacks of paper, catalogs, trinkets, and binders that they would leave behind in the rooms. Guests were also going out more and bringing back fast food. They would leave empty cups and food boxes in the rooms. More garbage required more travel back and forth to the room cleaners' service carts, carrying heavy trash. This information enabled the committee to better understand the impact of garbage as one of many new ergonomic risk factors for room cleaners. In-depth analysis like this, with a special emphasis on listening to front line workers, can help a committee come up with better solutions.

5. Develop an action plan.

You may need more information about the hazards you found when you used these methods. Some of the other tools in this book can help "flesh out" your data.

Once you have solid information, it's time to move on to the "action step." Hold a special meeting, review your data, and try to come up with a set of proposals and priorities. What needs to be fixed most urgently? What should the employer do to fix it? What changes will take longer to achieve? How much resistance will there be from the employer? How much support will you get from co-workers and from allies outside the workplace?

Devise a strategy to get change accomplished. Find concrete ways to use your information to mobilize support. For example:

- Discuss your findings and proposals at a general membership meeting of your union or group. Invite and involve the workers who helped you find the hazards.
- Write a leaflet or newsletter article. Circulate it at the workplace and to community supporters.
- Tell the media, or make your own documentary video.
- Organize a community forum or similar event.
- Meet with the employer to present your proposals (and have the information to back them up).

Tips for Success

Keep workers and community supporters involved.

Hold frequent meetings and report-back sessions to let everyone know what information you're looking for, what you have found, what you want the employer to do, and what you plan to do next.

If you do an inspection, clarify the ground rules first.

For a worksite inspection, your committee will need to arrange for access to the workplace. In unionized workplaces, the right of access may be guaranteed by the union contract, or the union may be able to get the employer's permission for the inspection. Whether or not you have a union, see if you can agree in advance with the employer on some ground rules. For example, is it OK if you bring a health and safety professional with you? Will management insist that

someone from their team accompany you? Is it OK if you take pictures, measurements, or samples? Is it OK to talk to workers as you walk around? Try to deal with the employer in good faith on these matters and abide by any agreement that is reached. If agreement proves to be difficult, consider clarifying your right to inspect the workplace when negotiating a future contract.

Consider a focus group.

To get more information about the hazards, you might want to conduct a focus group. You can get a lot of good information by inviting workers to participate in a focused discussion, especially if it is led by an experienced facilitator. Ask a cross-section of workers to attend, representing different job titles, work areas, and shifts. Try to get a diverse group based on age, gender, race, and language. Have translators available if necessary. Avoid "yes or no" questions like "Are workers getting hurt?" Ask open-ended questions that will get people talking about the hazards on their jobs, like "How are workers getting hurt?" Gradually encourage them to be more specific. Tape record the session (if everyone agrees), or have someone take good notes. A focus group can help you plan a larger project such as a hazard questionnaire.

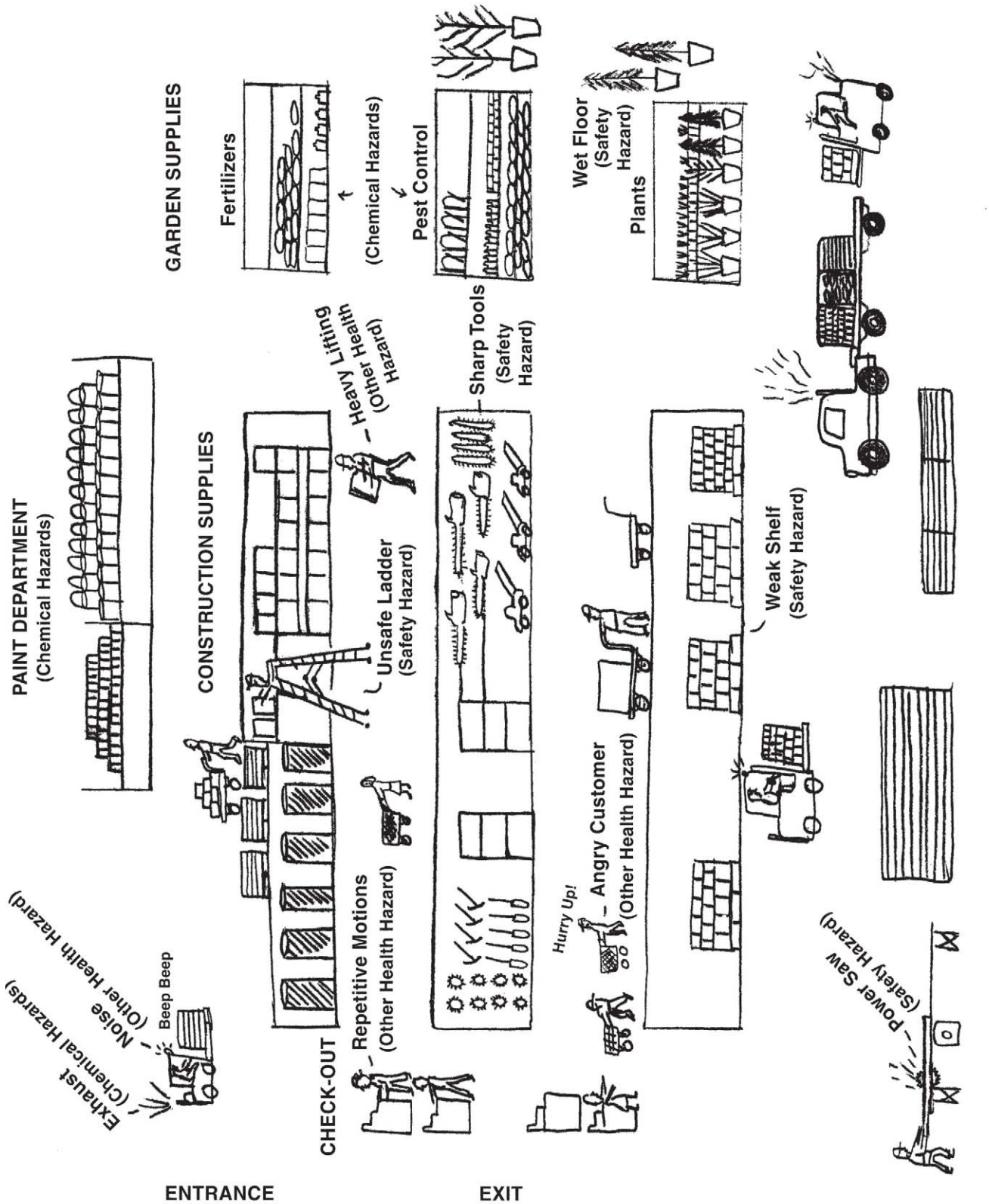
If you distribute a questionnaire, shoot for a high response rate.

It is extremely rare for 100% of the people who receive a questionnaire to return it. But try to get as high a response rate as possible. This will give you better information and involve the maximum number of people in your work. Some unions recommend asking workers to come to a central location to fill out the questionnaire, rather than doing it at home and mailing it in, or trying to do it at work. For example, an area can be set up at a union hall or church near the workplace, open at the end of each shift. It should be a convenient site where workers feel comfortable. Here they are less susceptible to subtle pressures from the employer, and free of the distractions of home and job. Stewards or committee members can spread the word in advance, and groups can come to the site together after work. Assistance should be available at the site for workers who need help understanding the questionnaire or who do not speak English. You can encourage a good turnout by serving food and/or offering to pay for workers' transportation home.

Always look ahead to the "action step."

Your purpose is to get the employer to improve conditions and make the workplace safer. "Shop floor detective work" by itself won't solve the problems. You need a strategy to use the data you collect. For some ideas on how to do this, see the **Action Plan Worksheet** at the end of Chapter 2. An action plan can help mobilize support and push the employer to make improvements.

SAMPLE RISK MAP OF A WAREHOUSE STORE



SAMPLE INSPECTION CHECKLIST

This is a basic all-purpose checklist. Each "no" answer may indicate a problem. Your union or "COSH" group may have more detailed checklists for specific work areas.

Location: _____ Date: _____

Inspection Team *(Names)*:_____

—SAFETY HAZARDS—

Floors and Walkways

☐ YES ☐ NO Are work areas kept clean and orderly?

☐ YES ☐ NO Are walkways and stairways wide enough and kept clear?

☐ YES ☐ NO Do stairways have handrails?

☐ YES ☐ NO Are buckets and mops available to clean up spills so no one will slip?

☐ YES ☐ NO Are non-slip mats, grates, or slip-free coatings used in wet areas to prevent falls?

☐ YES ☐ NO Are floor openings covered, or do they have toe boards and railings?

☐ YES ☐ NO Are furniture and equipment secured against earthquakes?

☐ YES ☐ NO Is there adequate space between machines and equipment?

Ladders and Fall Protection

☐ YES ☐ NO Are ladders in good condition and do they have safety feet?

☐ YES ☐ NO Are non-metal ladders used when there is a possibility of electric shock?

☐ YES ☐ NO Have workers been trained in ladder safety?

☐ YES ☐ NO If work is done at heights, are fall protection systems used (such as a lifeline and harness)?

Fire Safety

☐ YES ☐ NO Are there at least two fire exits for each work area, clearly marked and unlocked?

☐ YES ☐ NO Are pathways to the exits clear?

☐ YES ☐ NO Have workers been told what to do in case of a fire or other emergency, and are there regular fire drills.?

☐ YES ☐ NO Are there fire extinguishers of the correct type, close to each workstation, with locations clearly marked?

☐ YES ☐ NO Do fire extinguishers have up-to-date inspection tags?

☐ YES ☐ NO Do workers know how to use fire extinguishers?

☐ YES ☐ NO Are the fire alarm system and sprinkler system regularly tested?

Electrical Hazards

☐ YES ☐ NO Have workers been told how to recognize when a machine has been locked out (electrical power turned off)?

☐ YES ☐ NO Are electrical cords in good condition (no fraying or other defects)?

☐ YES ☐ NO Are there enough outlets so extension cords don't have to be used?

☐ YES ☐ NO Are cords kept out of areas where someone could trip over them, or where they could be damaged?

☐ YES ☐ NO Are power tools in good condition?

☐ YES ☐ NO Are all tools and equipment properly grounded?

☐ YES ☐ NO In 3-prong plugs, is the ground prong properly used?

☐ YES ☐ NO Are fuses and circuit breakers the right type and size for the load?

☐ YES ☐ NO Do portable electric lights have guards to prevent burns and shocks?

☐ YES ☐ NO Have workers had training in electrical safety?

Lighting

☐ YES ☐ NO Is there adequate lighting throughout the workplace?

☐ YES ☐ NO Are the areas around all machines well lighted?

☐ YES ☐ NO Are outdoor pathways and parking lots adequately lighted at night?

Machine Guarding and Mechanical Safety

☐ YES ☐ NO Are machines securely attached to the floor?

☐ YES ☐ NO Do machines have guards on them to protect workers from being injured, and have workers been told to report missing machine guards?

☐ YES ☐ NO Do workers know how to turn off machines in an emergency?

☐ YES ☐ NO Have workers been trained in how to work safely around machines?

Other Safety Issues

☐ YES ☐ NO Are hot surfaces guarded to prevent accidental contact?

☐ YES ☐ NO Are sharp objects properly stored so they don't present a hazard?

—HEALTH HAZARDS—

Chemicals

☐ YES ☐ NO Are chemicals (including pesticides) properly labeled and stored?

☐ YES ☐ NO Are flammable liquids inside the building stored in metal cabinets?

☐ YES ☐ NO Are Material Safety Data Sheets on chemicals available to workers?

☐ YES ☐ NO Has an inventory been done of toxic substances used in the workplace?

☐ YES ☐ NO Have workers who use chemicals been trained in how to use them safely?

Personal Protective Equipment (PPE)

☐ YES ☐ NO Are workers who use chemicals provided personal protective equipment as needed? (PPE may include coveralls, gloves, eye protection, respirators, etc.)

☐ YES ☐ NO Have workers been trained in proper use of PPE?

☐ YES ☐ NO Is PPE cleaned, well maintained, and properly stored?

☐ YES ☐ NO Are multiple sizes of PPE available to fit different workers?

☐ YES ☐ NO If respirators are used, have workers been fit-tested and is there a Respiratory Protection Program?

Ventilation

☐ YES ☐ NO Is there adequate ventilation to keep levels of dust, vapors, gases, and fumes as low as possible?

☐ YES ☐ NO Are local exhaust ventilation systems (such as fume hoods) provided at workstations where toxic chemicals are used?

☐ YES ☐ NO Is ventilation equipment well maintained?

☐ YES ☐ NO Are the temperature, humidity, and air movement in all areas kept as comfortable as possible?

Sanitation and Housekeeping

☐ YES ☐ NO Are adequate toilet facilities provided and well maintained?

☐ YES ☐ NO Do workers have access to these facilities when needed?

☐ YES ☐ NO Are there sinks with hot and cold water, and disposable hand towels?

☐ YES ☐ NO Are insects and rodents adequately controlled?

☐ YES ☐ NO Is smoking prohibited?

☐ YES ☐ NO Are there clean eating areas separate from work and chemical storage areas?

☐ YES ☐ NO Are there enough waste containers and are they well-maintained, leak-proof, and emptied regularly?

Ergonomic Hazards

☐ YES ☐ NO Can workers get help (from co-workers or mechanical devices) when doing heavy lifting?

☐ YES ☐ NO Have workers been trained in proper lifting methods?

☐ YES ☐ NO Are job tasks that require repetitive movements varied or rotated?

☐ YES ☐ NO Are workers given adequate breaks?

☐ YES ☐ NO Is overtime kept to a minimum?

☐ YES ☐ NO Are workstations set up to avoid awkward postures and to fit the individual needs of workers?

☐ YES ☐ NO Are workers able to avoid standing or sitting for long periods of time?

Noise

☐ YES ☐ NO Do workers feel noise levels are OK?

☐ YES ☐ NO Is there a program for noise reduction (such as purchase of quieter equipment, enclosure of noisy operations, etc.)?

☐ YES ☐ NO Are earplugs or other hearing protection devices available, and do workers know when and where hearing protection is necessary?

—GENERAL WORKPLACE ISSUES—

☐ YES ☐ NO Is there adequate staffing?

☐ YES ☐ NO Is there a security system, or security personnel, to protect against intruders who might commit a robbery or assault in the workplace?

☐ YES ☐ NO Have workers been trained in workplace violence prevention?

☐ YES ☐ NO Does the workplace have a written health and safety program?

☐ YES ☐ NO Is there someone in the workplace trained in first aid and CPR?

Who? _____

☐ YES ☐ NO Is there a written Emergency Action Plan and have all workers been trained in what to do during an emergency?

☐ YES ☐ NO Is the OSHA Log 300 form of injuries and illnesses kept up to date? Is it available to all workers and is a summary posted from February 1–April 30 each year?

SAMPLE HAZARD QUESTIONNAIRE

This is a basic all-purpose questionnaire. Yours may be more specific. For example, you may wish to cover only certain hazards or certain work areas, and ask about them in more depth.

Name (optional) _____ Date _____

Location and Department _____

Job Title _____ Years at Job _____

1. Have you ever been injured at work?

☐ Yes ☐ No

If yes, please describe: _____

_____

2. Have you ever had an illness that seemed related to your job?

☐ Yes ☐ No

If yes, please describe any symptoms you have had
(for example, coughing, back pain, wrist pain, dizziness, etc.)

_____

_____

How did the symptoms seem related to your job?

_____

_____

3. Do you work around chemicals?

☐ Yes ☐ No

If yes, chemical names: _____

_____

4. Have you ever been trained about toxic chemicals and other hazards in your workplace?

☐ Yes ☐ No

If yes, what kind of training did you receive, and when: _____

_____

5. Does the air in your workplace seem clean and fresh?

☐ Yes ☐ No

If no, please explain: _____

_____

6. Do you use personal protective equipment (PPE) like a respirator, hard hat, or gloves, and is the PPE provided by your employer?

☐ Yes ☐ No

If yes, please list PPE: _____

_____

7. If you use PPE, do you always receive the right equipment, does it fit properly, and is it in good condition?

☐ Yes ☐ No

If no, please explain: _____

_____

8. Is the lighting in your workplace adequate?

☐ Yes ☐ No

If no, please explain: _____

_____

9. Is your workplace kept at a comfortable temperature, not too hot and not too cold?

☐ Yes ☐ No

If no, please explain: _____

_____

10. Is there too much noise in your workplace?

☐ Yes ☐ No

If yes, please explain: _____

_____

11. Can you keep a comfortable posture when you do your job, without too much stooping, reaching, twisting, or bending?

☐ Yes ☐ No

If no, please explain: _____

_____

12. Do you have to do a lot of lifting without assistance?

☐ Yes ☐ No

If yes, please explain: _____

_____

13. Are there fire hazards in your workplace?

☐ Yes ☐ No

If yes, please explain: _____

_____

14. Are there electrical hazards in your workplace?

☐ Yes ☐ No

If yes, please explain: _____

_____

15. Is machinery well-maintained and kept in safe condition?

☐ Yes ☐ No

If no, please explain: _____

_____

16. Are there conditions on your job that cause stress (pace of work, hours of work, understaffing, type of supervision, conflicting demands, etc.)?

☐ Yes ☐ No

If yes, please explain: _____

_____

17. Describe any other areas, conditions, or tasks in your workplace that may be hazardous.

_____

_____

18. Are workers discouraged in any way from reporting injuries (such as prizes offered for the number of injury-free days, workers disciplined for getting injured, etc.)?

☐ Yes ☐ No

If yes, please explain: _____

_____

19. Has OSHA ever conducted an inspection of your workplace?

☐ Yes ☐ No

If yes, please explain: _____

_____

20. What do you think is the most important health and safety improvement needed in your workplace?

_____

_____

_____

_____

21. Do you know of any coming workplace changes that might affect worker health and safety? What changes do you expect, and what problems might they cause?

_____

_____

_____

_____

CHAPTER 5

IDENTIFY HEALTH PROBLEMS

Body Mapping, Health Surveys, and Medical Screening

"Our garment warehouse workers were having all sorts of health problems. We called a shop meeting and did a 'body mapping' exercise. People reported having sharp pains shooting up their arms that even woke them up at night. A few had lumps the size of an egg on their wrists.

We wanted to see if these problems were related to specific job tasks in the warehouse. They were. For example, we found that order pickers would load up their arms with clothing from the racks. Other workers used tagging machines or ran garments through inventory scanners hundreds of times a day.

The order pickers wanted to use rolling racks or carts, but these didn't fit well in the narrow aisles and slowed them down too much. They were paid by the piece and would lose money. Together we came up with a solution that we were finally able to win in contract bargaining. The employer agreed to rebuild the whole area so there was enough space for the rolling racks and carts."

—Garment union organizer

← *At left:* Hand, wrist, and arm problems are common in many trades, including garment work.

In many workplaces, health and safety hazards are never far from workers' minds. It's commonplace to trade stories about job-related accidents, "near misses," injuries, and illnesses. When something happens, everyone talks about it. There's a nagging feeling that the workplace isn't as safe as it could be.

Sometimes in these daily conversations, groups of workers discover that they share similar pains or other health complaints. They wonder if these, too, might be related to hazards on the job.

The challenge is to translate these concerns into action. An important first step is to find out if workers' health problems are in fact related to their job conditions. Your committee and co-workers need to establish and document this connection if you're going to get conditions changed. Find ways to understand the nature and source of workers' symptoms.

The three tools described here can help. By participating in these projects, workers can develop a real commitment to health and safety, and a determination to move beyond study to start advocating for improvements.

What Are These Tools?

Three tools you can use to study the links between job hazards and health problems are *Body Mapping*, *Health Surveys*, and *Medical Screening*. They can help you pin down the symptoms that workers are experiencing, determine how prevalent they are, see patterns, and find out if these problems are the result of the job. You can use these tools individually or together.

Body Mapping

Body mapping is a good first tool for getting workers together to discuss their health problems and how these might be connected to their jobs. It is a group activity that is simple to do, yet provides a wealth of insight.

Get a group of workers together. If you want a broad overview of problems in the workplace, involve a cross-section of people with different jobs, from different work areas and shifts. If you are focusing on a particular work area or work operation, involve as many workers in that area as you can.

Have translators available if necessary. If possible, have an experienced facilitator lead the activity. However, anyone skilled at using "probing" questions to lead a group discussion should be able to do this.

Begin by drawing an outline of a human body on a chalkboard or flipchart. See the **Sample Body Maps** at the end of this chapter. The outline you draw can be customized for a specific type of symptom if you wish. The first sample shown

is more appropriate for ergonomic (musculo-skeletal) injuries (hand, foot, shoulder, back, etc.). The second sample emphasizes symptoms of chemical exposure.

Ask workers to come up and mark areas on this body map where they have pain or some other symptom such as stiffness, tingling, restricted motion, dizziness, or coughing. One way to do this is to give each worker several small colorful stickers labeled "Ouch!" that they can post on the body map.

When the group has finished, the facilitator should try to draw out the meaning of each mark they have made. For example, if a number of people have marked the wrist, the facilitator may ask, "*What do the marks on the wrist mean?*" This gets people talking in more detail about their symptoms. Ask what their wrist feels like. Encourage an open discussion that allows everyone to compare experiences. This can reveal a lot about the symptoms people have in common.

Next, the facilitator should tie the discussion to the job by asking questions such as:

- Do your symptoms occur only when you are at work?
- Do they go away when you are at home nights and weekends?
- Do they occur mostly when you are doing a certain job task? What task?
- When and where is this task done?
- How do you do this task? (Have them demonstrate, if necessary.)
- What hazards do you think this task involves?
- Are there better, safer, or more comfortable ways to do this task? Why aren't they being used?

The responses should help you identify jobs and tasks that may be exposing workers to hazardous conditions. The facilitator should note as much of this information as possible on the body map or on a notepad for later follow-up.

A body mapping activity works well with up to 30 participants. If you have more, consider dividing into several smaller groups.

STORIES FROM THE FRONT LINES

Body Mapping Gets Laundry Workers Involved

A UNITE union organizer wanted to learn more about health problems among a group of laundry workers. During lunch, she posted a body map on the cafeteria wall and distributed "Ouch!" stickers to the workers when they came in for lunch. Each worker put stickers on the body map in areas where they experienced pain at work.

According to the organizer, "They really got into it. By putting their stickers on the map, they themselves could see a pattern to the 'aches and pains.' It turned out that there were a lot of neck, shoulder, and arm problems. So when we asked if these workers were interested in filling out a more detailed health survey, they were enthusiastic and filled it out right then and there. This activity helped pull people together. When the survey information was compiled, we helped the workers use it to get the boss to make some changes in the laundry."

Health Surveys

Surveys are good tools to reach large numbers of workers. When there is high participation, a survey can provide excellent "quantitative information" (statistics). It can be a powerful way to mobilize workers around serious health problems that many of them are experiencing. It also can help you convince the employer or OSHA that something is wrong.

You can survey workers about the health symptoms they are experiencing, the hazards on their jobs, or both. For more on asking workers specifically about job hazards, see Chapter 4, **Find the Hazards**. Here we will look at surveys about health problems.

A written questionnaire is usually the best way to do a survey, although worker interviews may serve the same purpose if you are dealing with a fairly small group. If you create a survey form, a lot of thought and effort should go into it.

When planning a health survey, you will need to determine:

- What is the purpose of the survey?
- Will you limit the survey to specific health issues or will you try to be comprehensive?
- Which workers should you survey? Everyone, or just those in a certain work area or doing a certain job task?

- What specific information do you need, and how will you use it?

- What information have you already gathered? What new questions does that information raise?

- Who will draft the questions? Do you need help from someone with experience? You may want to ask your international union's health and safety department, a "COSH" group, or some other health and safety resource group. (See Appendix 2.)

- How long should the survey be? You need to gather all necessary information without making the survey time-consuming and complex. It should be short and basic enough for workers to complete easily, and for your committee to tabulate. For two different solutions to this issue, compare the **Sample Health Survey Form** and **Quick Health Survey** at the end of this chapter.

- Does the survey form need to be written for workers at a particular reading level? Does it need to be translated into other languages? Will some workers need another person to explain the form to them and help them fill it out?

- Will you pilot test the survey form with a limited group before you distribute it more widely, so you can identify any problems with it?

- How, when, and where will the form be distributed, filled out, and collected?

- How will the results be analyzed? Will you need help from health and safety professionals to understand the data?

Many surveys are large projects that can take months to carry out. To ensure valid results, participation among workers targeted for the survey must be high, but getting a good response rate can be a lot of work. Get help from as many people as possible. Try to involve co-workers in the planning and logistics.

Remember that a simplified survey like the sample **Quick Health Survey** at the end of the chapter can be a useful tool not only to gather information but also to engage in conversations with groups of workers. These conversations, together with the survey results, will help your committee get a better understanding of the issues and the depths of the workers' concerns. A simplified survey is easy to tabulate, and the results can easily be reported back to the workers without much delay. This helps build the momentum of your campaign.

STORIES FROM THE FRONT LINES

Survey Helps Hotel Workers Win Reduced Workload

A Hotel Employees/Restaurant Employees (HERE) union local in Las Vegas, Nevada wanted to find out if the workload of hotel guest room attendants (room cleaners) was affecting their health. Contract negotiations were coming up, and a reduced workload was to be a key demand.

HERE selected a group of academic researchers from the University of California and University of Nevada to conduct a worker health survey. The union felt that this team was committed to working with and involving worker leaders in all stages of the research process.

A core group of 29 workers from many different hotels met after work over a seven-week period. Interpreters were available since 85% of the workers were Spanish speakers. The workers talked about their jobs and their health, and sought to identify priority issues. The results were incorporated into a questionnaire, given to a large group of workers at five unionized hotels. This included questions about workload, health status, and injuries. The entire questionnaire was translated into Spanish and Serbo-Croatian. About three-quarters of the 1276 eligible day-shift room cleaners returned the questionnaire.

Over 78% of these workers reported having work-related pain during the last year, and 39.3% had high blood pressure, well above the 25% national average for adults. The survey sought to link these symptoms to working conditions. According to the survey data, the Las Vegas workers on the average clean 15.2 rooms per day, many of them suites. Most hotels have "incentive" programs to entice them to clean even more rooms. Incentives include dinner tickets for hotel dining rooms, gift cards for hotel shops, and chances at slot machines.

The survey found that 55% of these workers were dissatisfied with their jobs, 87% believed that over the past few years their jobs had become more demanding, and 66% skipped lunch or breaks or worked longer hours to complete their daily room assignments. Some even avoided drinking water to reduce trips to the bathroom. More than 75% experienced time pressure.

After the researchers released the survey results to the employers and the union, the health of room cleaners became an issue in Las Vegas. Workers were interviewed by TV, radio, and newspapers. They also distributed flyers and posters, and held well-attended rallies. This helped build their enthusiasm and commitment, and drew a lot of community support.

The union took the survey results into contract talks. Workers at 35 Las Vegas hotels overwhelmingly approved union contracts that set new workload limits and made other health and safety improvements, in part because of the University study.

Medical Screening

Another option is to team with a local workers' clinic or community clinic to do medical screening. This involves conducting physical examinations to check workers for possible work-related illnesses and injuries.

Medical screening has two benefits:

- It gives *your union or committee* information about the overall health status of the group who are screened. Professionals at the clinic will probably be willing to provide you with an analysis and summary of data for the group, even though individual records are confidential. With a summary, you can get a good idea of the major health problems in the group and begin to explore what job conditions might be causing them. With individual records, you can learn even more. You can obtain these if workers sign release forms authorizing the clinic to release this information.

- It gives *individual workers* information about their medical condition. Many workers do not have access to regular health check-ups. They may work in high stress jobs and not know they have high blood pressure. They may be exposed to asbestos and not know they are starting to develop lung disease. Or they may be exposed to ergonomic hazards and not know that their frequent wrist pain is an early warning sign of carpal tunnel syndrome. Early detection of these conditions is extremely important. When detected, the problems can be treated, possibly preventing more serious illness and disability.

You may be able to find a clinic through your international union or "COSH" group. Also check with the nationwide Association of Occupational and Environmental Clinics (AOEC), listed in Appendix 2.

Work with the clinic to plan the project. Decide which workers should be screened and what you're looking for. Most medical screening projects focus on specific types of symptoms, such as lung disease or musculoskeletal problems, rather than attempting to give a complete physical exam. Usually clinic staff will set up the screening, handle most of the arrangements, and supply the needed equipment and facilities. Offer to help the clinic recruit workers for the screening, and try to get an agreement with the clinic on how the resulting information will be shared.

The cost of screening can be paid in a variety of ways. A few clinics offer free services, and some have grants that may help. University researchers may be able to provide funds from their grants if they are involved in the project. A union, worker center, or other organization may have funds, or may be able to obtain a government or private grant. Some union contracts require the employer to cover the cost of medical screening. Some OSHA standards require medical screening, paid for by the employer.

Find ways to combine medical screening with worker education. Discuss with clinic professionals how you can do this together. For example, you can distribute handouts and other literature at the screening. You can also invite workers who participate in the screening to attend a follow-up workshop to learn about the overall findings and what they mean. When you're ready to draw up an action plan to correct any job hazards that were found, ask these workers to help. Medical screening results can provide a lot of support for your action plan. Presenting the employer or OSHA with health data that was collected by respected outside professionals can help validate your case.

STORIES FROM THE FRONT LINES

Medical Screening Triggers Semiconductor Workers' Safety Campaign

The Asian Pacific Environmental Network (APEN) asked a university occupational health clinic to help study job-related health problems among a group of Chinese-speaking workers. The workers were exposed to gallium arsenide when working for their former employer, a semiconductor manufacturer in Fremont, California that laid them off and moved the plant to Beijing. APEN is an activist community organization that primarily serves low-income Asian and Pacific Islander immigrants.

Workers' health concerns included skin rashes, burning eyes, breathing problems, and potential cancer. Long-term exposure to gallium arsenide increases the risk of bladder and lung cancer, and may cause a type of skin cancer called Bowen's disease. It can also damage a fetus. Before the plant moved, it had been cited by Cal/OSHA for excessive worker exposure to gallium arsenide.

The clinic provided medical screening for over 200 of the former workers. The screening consisted of a questionnaire, physical exam, and laboratory tests focusing on respiratory track and skin problems. The screeners concluded that it is too early to detect any carcinogenic effects of the workers' gallium arsenide exposure. Workers also received health and legal rights education presented by sympathetic university and legal groups.

The medical screening and education gave needed answers to many of the workers' questions. The workers and APEN then put forward a set of demands, including the need for long-term medical surveillance since cancer can take years to develop. This whole project, in conjunction with APEN's worker organizing activities, helped empower the workers to begin a public campaign. They spoke directly to representatives at the employer's California headquarters. They also presented their case to the media. A local newspaper story about the situation was picked up by the Chinese language press. A number of local health organizations and professionals have now volunteered to help the group on an ongoing basis.

Why Use These Tools?

Advantages

- All these tools help you identify the issues that workers care most about.
- They draw on workers' direct knowledge of their own health and let you get information firsthand from them. Workers are the real "experts."
- They can help you get more people involved in your health and safety work, and make your organization more visible.
- They can help you discover and develop new leaders.
- They encourage everyone to contribute.

Body mapping:

- Allows people who speak different languages to work together.
- Doesn't rely on reading, writing, or literacy skills.
- Is easy to plan and carry out (just need a facilitator).
- Can be fun and engaging.

Health surveys:

- Can be designed to involve workers with different languages and literacy levels.
- Can produce useful statistical data to present to the employer or OSHA.
- Let committee members and other workers develop a wide range of skills as they draft and pilot test questions, organize logistics for distributing the survey, and analyze results.

Medical screening:

- Gives workers vital data about their own health.
- Encourages workers to act on this information to get follow-up care.
- Can produce sound scientific data to use in your health and safety campaign.
- Can help your union or organization develop a relationship with outside medical resources.

Challenges

- The individual tools don't always give complete information. For this reason, it's a good idea to use the tools together, and also look to other sources of information.
- Getting employer cooperation (if needed) can be difficult.
- Paid release time can be a problem. These projects may have to be conducted on workers' own time.
- You may need technical knowledge—for example, when designing and analyzing a health survey form. While committee members can learn, you may need help from outside professionals. You will also need a clinic partner if you plan medical screening.
- More research may be needed to understand the link between a job hazard and workers' symptoms.
- Using these tools takes time. For example, a health survey can take weeks or months to organize, carry out, and analyze. You may want to try a more limited survey first, perhaps looking at one problem in one department.
- Workers may be frustrated if health problems are found but you can't immediately get hazards corrected, or they have no access to medical care for follow-up.

Step by Step

1. Decide what information you need, and why.

You probably want to learn what health problems workers have, how widespread they are, whether there are patterns to them, whether they are associated with work, and what specific jobs or tasks are causing them. It also helps to know specifics like where and when workers got sick or hurt, whether they ever received medical diagnosis or treatment, whether they reported their illness or injury to the employer, and what happened if they did.

Clarify what you plan to do with the information. You may be using it to persuade community allies to help you with a campaign, or you may be presenting it to the employer in negotiations. Knowing how you are going to use the information will give your project more focus. It can help you answer questions such as:

- Do you want to target the whole workplace, or just workers in certain areas and jobs?

- Do you want to look at a broad range of health symptoms, or just certain ones?
- How thorough does your documentation need to be?
- How complete and convincing does your proof need to be that symptoms are work-related?

2. Choose the tools you will use.

Eventually you may use more than one of these three tools. Body mapping is a good first project because it is easy to organize and carry out. Surveys, although they require more effort, potentially reach a larger number of workers, including those who don't usually have a voice at the workplace. Medical screening verifies whether health problems are in fact present, and produces hard scientific data on them. It also serves to alert individual workers to health problems that require follow-up medical care.

You can also combine these tools with other means of gathering information that are discussed in other chapters of this book, such as worksite inspections (Chapter 4) or requesting injury and illness (Log 300) records from the employer (Chapter 6).

3. Involve co-workers.

When you use any of these tools, try to give co-workers roles to play in the project. For example, an *outreach team* can help you recruit people for body mapping, a health survey, or a medical screening project. For any of these activities, they should target co-workers from different departments, job titles, and shifts, and aim for a diverse group based on age, seniority, gender, language, and ethnic background. A *logistics team* can help set up each activity, arrange times and places, and help obtain needed materials. *Multilingual assistants* can serve as a resource to help co-workers participating in these activities who do not speak English well. *Literacy assistants* can help those who may have trouble reading or writing.

4. Work with experienced partners.

There are people who can help you design a health survey, interpret the results, or set up a medical screening. Invite them to work with you. Consider contacting your international union's health and safety department, local "COSH" groups, occupational health clinics, and University health and safety programs.

Try to learn something about potential partners in advance. Have they worked with unions or workers before? Do they value worker participation and the knowledge that workers bring to the process? Will they share data? Will they be

comfortable working with a committee that will publicize the findings widely? Will they help you present the results at worker meetings, public forums, and negotiations with the employer?

For large projects, develop joint working agreements (preferably in writing) with your partners. Try to respect the interests of all parties. A written agreement should spell out:

- The role of each party in the project.
- The services each party will provide.
- The timeline for the project.
- How the project will be funded and how funds will be divided.
- How communication and accountability will be maintained.
- How disagreements will be handled.
- How data will be shared and publicized.

5. Analyze your findings.

After you use these tools to gather information, you need to figure out what the results mean. Proving links between worker health problems and job conditions can be difficult. Remember that you may never get absolute proof. But the more solid your evidence is, the stronger your position will be when you approach the employer.

Involve both your committee members and other workers in analyzing the information. Some of the workers who participated in your body mapping, survey, or health screening will probably be interested, enthusiastic, and willing to help. They may provide new insights into the data and help you find connections among facts that are not obvious. Also get help from experienced outside resource people.

6. Develop an action plan.

Research by itself won't solve the problems you found. You need a strategy to make use of your data. Use the data to mobilize support and push the employer to make changes.

After you have used these tools, hold a special committee meeting, review your data, and come up with some proposals and priorities. Which problems are most important to correct immediately? What do you want the employer to do about them? What changes will take longer to achieve? How much resistance will there be from the employer? How much support will there be from the workers and from allies outside the workplace?

Your action plan might include the following:

- Publicize your data. Discuss your findings at a union meeting or community forum. Write leaflets and newsletter articles. Contact the media. Hold rallies and demonstrations.
- Show the data to community groups, health groups, public officials, and other prominent local leaders and professionals. Ask for their support.
- Meet with the employer to present your data and your proposals.
- Use your information to support a complaint to OSHA, or to another government agency such as your local fire marshal or health department. (See Chapter 7.)

Tips for Success

Keep the focus on mobilizing workers.

When you use these tools, you'll get more accurate and complete information if you involve as many workers as possible. Also, more involvement will mean more support when it's time to start a campaign for change. "Involvement" in using these tools means that workers shouldn't be treated as passive research subjects. Get their help with every aspect of the work, whether it's passing out flyers, obtaining supplies, tallying questionnaires, or writing letters.

Make sure everyone stays informed.

Hold frequent meetings and report-back sessions to let workers and outside supporters know what's happening. When you have obtained some data, share it. Too often, worker health is studied but the workers never learn the results.

If you do a survey, find ways to increase the response rate.

Without encouragement and follow-up, most people who receive a questionnaire don't return it. Find ways to get as high a response rate as possible. This will give you better information and involve the maximum number of people in your committee's work. For example, use time at regular meetings of your union or group to have workers fill out your questionnaire. Or consider asking groups of workers to come together to a central location, like a church or union hall, to fill out the questionnaire. Have translators available there if necessary.

Consider a NIOSH Health Hazard Evaluation.

Another way to get information on workplace health problems is to request a Health Hazard Evaluation by the National Institute for Occupational Safety and

Health (NIOSH), a federal government agency. NIOSH accepts written requests from workers, unions, and/or management to study specific health hazards in a workplace. See Appendix 2 for information on how to contact NIOSH.

NIOSH doesn't have the resources to do every HHE that is requested. Priority is given to situations where workers have an illness with an unknown cause, there is a hazard not regulated by OSHA, no OSHA regulation is being violated but exposures are still causing illness, or the suspected cause of illness is a combination of several different hazards.

NIOSH staff may make site visits, review exposure records, take measurements, conduct interviews, and do medical tests. At the end of the evaluation, NIOSH will provide copies of its written report to the employer and to workers or their representatives. NIOSH is not an enforcement agency and cannot require changes to be made in the workplace. Its recommendations, however, carry a lot of weight and will give you powerful arguments to use.

Remember the "action step."

Your committee's purpose is to get the employer to improve conditions and make the workplace safer. Research alone isn't enough. Always have a strategy to use your data to press for change.

STORIES FROM THE FRONT LINES

Home Care Workers Request Health Hazard Evaluation

An SEIU local and county management jointly requested a NIOSH Health Hazard Evaluation of home care workers in Alameda County, California. The main problems were musculoskeletal injuries and other ergonomic issues, although there were also concerns about chemical and biological exposures.

Most home care workers in the county are women of color over 40. They recently chose SEIU as their bargaining agent. Although the county is officially their employer, they typically work in private homes, assisting seniors and people with disabilities.

NIOSH contracted with a local University program to help do a study. There were several challenges. Workers and their clients speak multiple languages; workers are employed in many locations; workplaces are homes and each is unique; and both workers and clients are typically low-income people with limited access to information and resources.

Workers attended focus groups in their languages. They identified their most physically stressful work tasks: lifting clients, bathing and dressing them, pushing and pulling wheelchairs, cleaning bathrooms, moving furniture, carrying groceries, cleaning floors, making beds, climbing stairs, and

prolonged standing. Interviews were also conducted with workers, clients, and home care agencies. They cited the lack of worker training programs and difficulty obtaining rubber gloves, face masks, grab bars, cleaning utensils, and other equipment.

Among the conclusions of the study were:

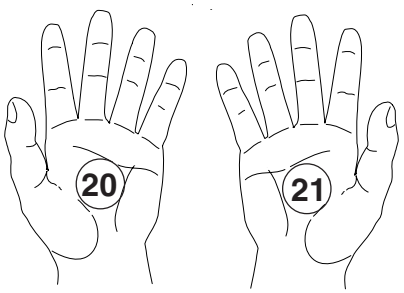
- Home care workers are unprepared to protect themselves from safety and health hazards.
- Not all clients are skilled at being employers and their homes are not well-equipped for the services they need.
- Poor communication between workers and clients increases the hazards of the job.
- It is unclear who is responsible for protecting worker safety and health. Social workers are expected to monitor the home environment, but are limited due to heavy case loads.

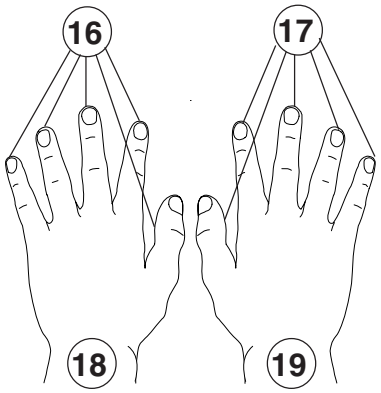
The recommendations included improved training and equipment, better access to healthcare services when injured, a surveillance system for job-related injuries and illnesses, and clarifying the roles of the county, the client, and the worker in providing for safety. Clients should be given written information on how to ensure the health and safety of their workers. Following the NIOSH study, workers attended a pilot training program on ergonomics and injury prevention organized by the University team.

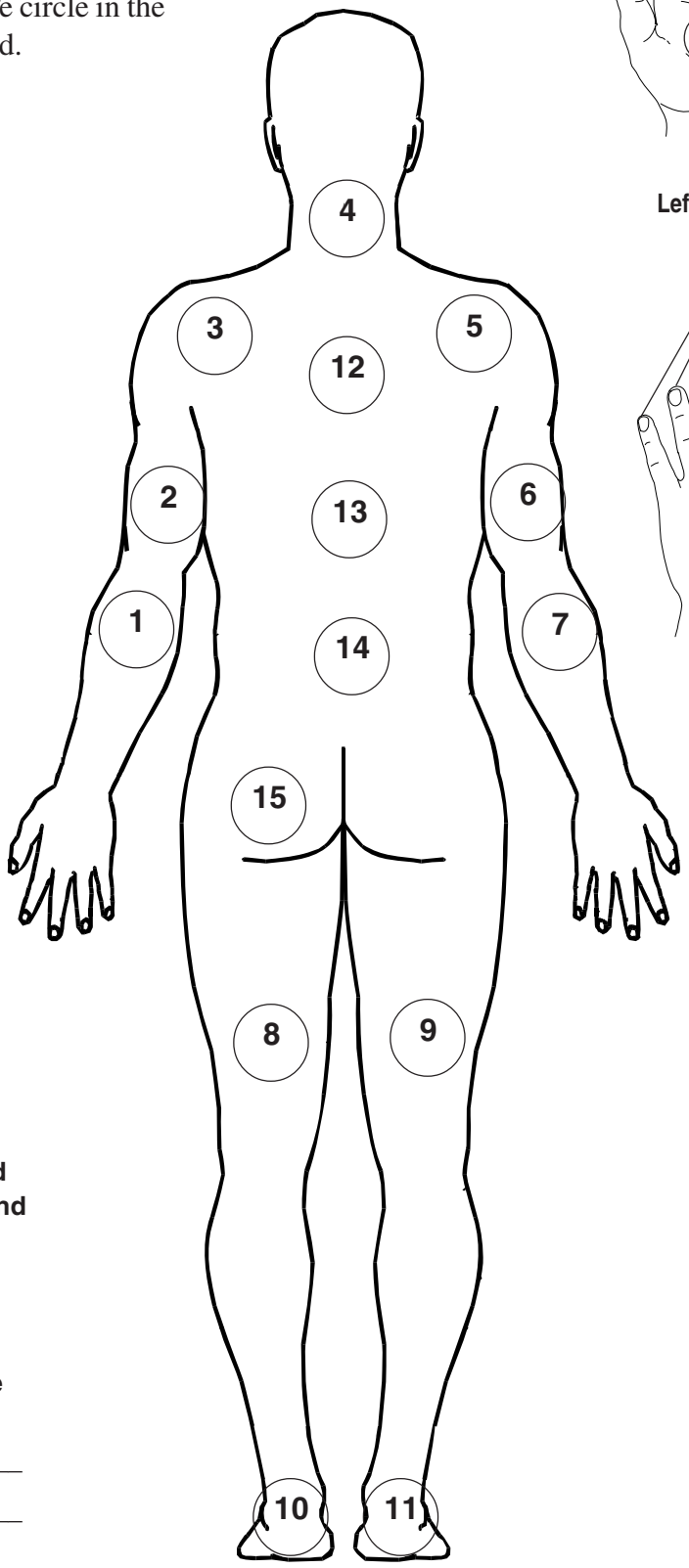
SAMPLE BODY MAP: ACHES & PAINS

Have you had any pain or discomfort during the past year which you feel might have been caused or made worse by your work?

If YES, please shade the circle in the part of the body affected.







1. Left elbow
2. Left upper arm
3. Left shoulder
4. Neck
5. Right shoulder
6. Right upper arm
7. Right elbow
8. Back of left thigh
9. Back of right thigh
10. Left foot
11. Right foot
12. Upper back
13. Middle of back
14. Lower back
15. Buttocks
16. Fingers on left hand
17. Fingers on right hand
18. Left wrist
19. Right wrist
20. Left palm
21. Right palm
22. Other (please shade area and describe)

_____

_____

SAMPLE BODY MAP: CHEMICAL HAZARDS

HEAD
Dizziness, headaches

EYES
Red, watery, irritated, grainy feeling

NOSE and THROAT
Sneezing, coughing, sore throat

SKIN
Redness, dryness, rash, itching, skin cancer

NERVOUS SYSTEM
Nervousness, irritability, sleeplessness, tremors

CHEST and LUNGS
Wheezing, coughing, shortness of breath, lung cancer

STOMACH
Nausea, vomiting, stomach ache

REPRODUCTIVE SYSTEM
For men: low sperm count, damage to sperm.
For women: irregularities in menstruation, miscarriage, damage to egg or fetus

SAMPLE HEALTH SURVEY FORM

This questionnaire was adapted from a health survey given to 140 workers at a Northern California semiconductor plant. The original form was distributed in both English and Chinese. The project was conducted by the Asian Pacific Environmental Network and primarily studied the effects of exposure to certain chemicals. This is only a sample. Your form should be specific to your own workplace and needs. Contact your international union or local "COSH" group for help in designing a form.

Name _____ Date_____

Address _____

Work Location _____ Phone_____

1. What language(s) do you speak?

☐ Mandarin ☐ Cantonese ☐ English ☐ Other _____

2. What is your age? _____

3. Are you: ☐ Male ☐ Female

4. Between what dates have you worked at this company?

From _____ To_____

5. What department or work area?

_____

6. What job title?

_____

7. While on this job, did you ever have children or pregnant women living in your home?

☐ Yes ☐ No

8. Did you observe any of these hazards while working on this job? *(Check all that apply)*

☐ Poor ventilation ☐ Chemicals (Names: _____)

☐ Air filled with dust from chips ☐ Work near equipment that slices chips or wafers

☐ Fans or hoods not working ☐ Other _____

9. Did you have any of these problems while on this job? *(Check all that apply)*

- ☐ Difficulty breathing
- ☐ Coughing or gagging
- ☐ Felt dizzy
- ☐ Miscarriage (you or spouse)
- ☐ Child with learning disabilities
- ☐ Eyes were red or irritated
- ☐ Problems with vision
- ☐ Skin was red or irritated
- ☐ Child with birth defects or low birth weight
- ☐ Cancer (Type:_____)
- ☐ Other _____

10. Do you have any health problems now? ☐ Yes ☐ No

If yes, what problems?_____

11. Have you seen other workers encounter these problems? ☐ Yes ☐ No

If yes, please explain._____

12. Have you ever complained to your supervisor about these problems? ☐ Yes ☐ No

If yes, how many times?_____

13. Have you ever been evaluated by a company physician? ☐ Yes ☐ No

If so, what were you told? _____

14. Have you ever been monitored for exposure to chemicals at work? ☐ Yes ☐ No

If so, which chemicals, and when? _____

Have you been given the results of the monitoring? ☐ Yes ☐ No

15. Did you receive any health or safety training at work? ☐ Yes ☐ No

If so, what kind and when? _____

16. Have you ever been told by the company that you were exposed to chemicals that can cause cancer or birth defects?

☐ Yes ☐ No

17. Have you seen any signs in the plant warning you that you may be exposed to chemicals that can cause cancer or birth defects?

☐ Yes ☐ No

18. Have you ever been told by the company that you were overexposed to chemicals at work?

☐ Yes ☐ No

19. Have you ever been told that your workplace is safe, so you don't need to worry?

☐ Yes ☐ No

20. If you left the company, did you have a checkup with a company doctor after you left?

☐ Yes ☐ No ☐ Doesn't apply

21. Did anyone ever tell you that you should check your home for dust that you may have brought from work?

☐ Yes ☐ No

22. Was your home ever checked for the presence of chemical dust?

☐ Yes ☐ No

23. Are you working now?

☐ Yes ☐ No

If yes, where? _____

Job title:_____

If no, are you on unemployment? ☐ Yes ☐ No

How many months of unemployment benefits have you taken already?_____

Have you taken a job training class? ☐ Yes ☐ No

QUICK HEALTH SURVEY

Sometimes it's best to use a short, open-ended questionnaire that is quick and easy for workers to fill out. Here is a sample.

Please try to answer every question. All the questions can be answered by checking a box, writing a word, or writing a number. Check "N/A" if a question does not apply.

Name_____ Date_____

1. What is your job classification?_____

2. How many years have you worked in this job classification?_____

3. What shift do you work?

☐ Day ☐ Swing ☐ Evening ☐ Combination of day and other

4. In general, would you say your health is:

☐ Excellent ☐ Very good ☐ Good ☐ Fair ☐ Poor

5. Have you had any pain or discomfort that might have been caused or made worse by your work?

☐ Yes ☐ No If yes, where was the pain?_____

6. Have you visited your doctor about this pain or discomfort?

☐ Yes ☐ No ☐ N/A

7. Have you called in sick in the last 12 months because of this pain or discomfort?

☐ Yes ☐ No ☐ N/A

8. Did you report this pain or discomfort to your supervisor?

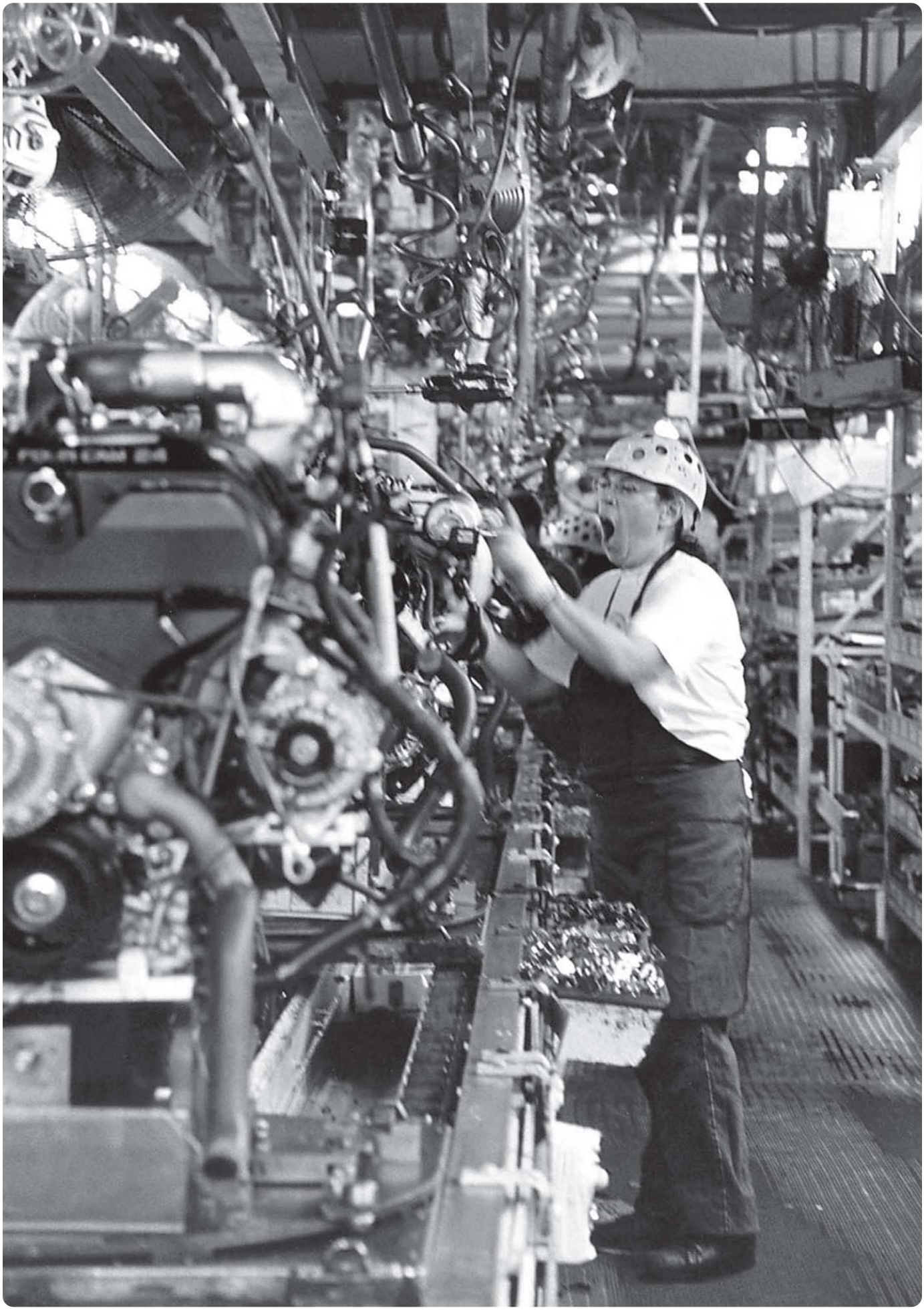
☐ Yes ☐ No ☐ N/A

9. During the last 4 weeks, did you take any medication for pain you had at work (aspirin, Motrin, Ibuprofen, Advil, Tylenol)?

☐ Yes ☐ No

10. Do any co-workers experience similar pain or discomfort?

☐ Yes ☐ No



CHAPTER 6

USE THE RIGHT TO KNOW

Collecting Documents on Injuries, Illnesses, and Hazards

"Our health and safety committee noticed that the machinery in one part of the plant was really noisy. Workers were complaining, and some of them said they had ringing in their ears when they left work each day. They were worried about permanent hearing loss. Two guys told us that the company had recently done some tests in the area with sound level meters. The workers had never been given the results. Our committee knew that the employer is required by law to provide this information, so we wrote a letter asking for it. The company stalled for a while, but we finally got it. It turned out that the company's own records showed the noise was over the legal limit almost all day. With this ammunition, we were able to negotiate some big changes. They put shielding on some of the machines and moved others away from the work area. The workers say things are much better now."

—Longshore union business agent

← *At left:* California manufacturing worker.

An important step in tackling a worker health and safety concern is to find out what information management has about the problem. Workers and unions have a legal right to obtain certain health and safety records from the employer. This is often called the "right to know."

Your committee can request this information, analyze it, and use it to decide what needs to be done.

If the employer refuses to cooperate with a valid information request, you can file a complaint with federal OSHA (or with state OSHA, if there is one in your state). In some cases you can also complain to the National Labor Relations Board (NLRB) or to the equivalent state agency if you are a state or local government employee. Sometimes just showing that you are prepared to file a complaint will convince the employer to turn over the information, and maybe even address the health and safety problem.

When you make a request for information, it's important to keep co-workers informed and involved. Let them know what you are requesting and why. If there is a dispute with the employer about your request, you can spread the word that they are not cooperating. When you get the information, share it. Some committees use flyers and newsletter articles to let workers know what they have learned and to ask what workers want to do with the information.

What Is This Tool?

You have a right to get health and safety information under several different laws and government regulations.

OSHA Rights

Federal and state OSHA require the employer to give you "reasonable access" to many types of health and safety records. Both unions and individual workers may inspect certain documents within a specified time after making a request, and may get copies. For some documents, the employer must provide copies at no cost, but for others they are allowed to charge for copying.

The records below are available under OSHA regulations. For each type of record, the relevant *federal* OSHA regulation is cited. About half the states have their own OSHA programs. These states are required to have equivalent regulations, but they will be numbered differently.

- **Exposure and Medical Records.** Employers must provide exposure and medical records to any affected worker, or any representative of affected workers, at no cost upon request. These normally must be provided within 15 working days. (Code of Federal Regulations, Title 29, Section 1910.1020.)

Exposure records include the results of any monitoring the employer has done to measure chemicals in the air at the workplace, noise levels, heat, radiation, or biological hazards. Workers and their representatives also have the right to observe the monitoring when it is done. The employer must also supply chemical inventories listing the toxic substances used at the workplace.

Worker medical records are also available if the employer has them. An individual employee must be given his or her own medical records upon request. If a union or other group representing workers wants to see individual medical records, they must have each employee's written consent.

Employers must also provide copies of any *summaries, reports,* or *studies* they have that are based on exposure or medical records.

- **Log and Summary of Occupational Injuries and Illnesses (Log 300).** Almost all employers are required to keep a record of job injuries and illnesses on an OSHA form called the Log 300. They must also keep a shorter Annual Summary of the Log 300, and all the individual Incident Reports upon which the log is based.
  Workers and the union must be given a copy of the Log 300 at no cost by the end of the next business day after requesting it. The names of individual employees **must** be left on the Log 300 unless they meet a specific legal definition of "privacy cases." Some employers may try to delete names before providing the log, but in fact the "privacy cases" where they are legally allowed to do so are very rare. They include, for example, individuals who were victims of sexual assault or who have mental illness, HIV infection, hepatitis, or tuberculosis.
  The Annual Summary must be posted in the workplace for three months each year (February-April). Workers and the union may get a copy year-round at no cost. With some limitations, workers and the union are also entitled to copies of the Incident Reports at no cost, sometimes with individual names removed. (Code of Federal Regulations, Title 29, Section 1904.35(b)(2).)

- **Hazard Communication Information.** OSHA requires every employer to have a Hazard Communication program. Employers must label all hazardous chemicals used at the workplace, obtain and keep a Safety Data Sheet (SDS) for each chemical product, and train workers about chemical hazards. Workers and the union can obtain copies of the MSDSs, as well as copies of the Hazard Communication program, at no cost. (Code of Federal Regulations, Title 29, Section 1910.1200.)

- **Employer Health and Safety Plan.** Some state OSHA programs (but not federal OSHA) require each employer to have a written health and safety plan and policies. These usually spell out what the employer has committed to do to prevent injury and illness, respond to emergencies and disasters, and control exposure to hazardous substances. Plans may also cover specific issues such as ergonomics or workplace violence prevention. For example, in California the state health and safety agency, Cal/OSHA, requires each employer to have an Injury and Illness Prevention Program. (California Code of Regulations, Title 8, Section 3203.)

  Where written health and safety plans are required, state OSHA laws usually give workers and the union the right to see and copy them.

NLRA Rights

When a union in the private sector is bargaining a contract, the National Labor Relations Act (NLRA) requires the employer to provide information the union needs to meet its bargaining responsibilities. This can include health and safety information. The National Labor Relations Board (NLRB) enforces this right. (United States Code, Title 29, Sections 158 (a) (5) and 158 (d).)

In some states, unions representing state or local government workers have similar rights under state labor laws. Many federal government employees have similar rights under the Civil Service Reform Act.

Information that an employer must provide under federal and state bargaining laws includes information also available under OSHA standards, so the union has rights to the same information both ways. However, rights under bargaining laws are generally broader and include types of health and safety information not available under OSHA, such as records of the safety training that an employer has given to workers.

Freedom of Information Act Rights

You can also get health and safety information under federal or state Freedom of Information Acts. In some states these are called Public Records Acts. They give *anyone* the right to obtain certain records kept by government agencies. (The federal Freedom of Information Act is United States Code, Title 5, Section 552.)

If you work for a public employer, or if your employer is a government contractor, this right should be especially useful to you. Both public and private sector workers can also make Freedom of Information Act requests to federal and state OSHA, federal and state Environmental Protection Agencies, and other government regulatory bodies for various types of records. Consider requesting records of these agencies' dealings with your employer, such as OSHA and EPA inspections, citations, and fines.

Some unions have made requests to state workers' compensation agencies for records of workers' comp claims. Unions have also made requests to state or regional agencies to get reports the employer is required to file concerning hazardous waste, toxic chemical releases into the air, and water pollution.

One drawback to Freedom of Information Act requests is that, if the information is refused, a lawsuit may be the only way to enforce your rights. This can be complex, time-consuming, and expensive.

Sometimes no formal Freedom of Information Act request is necessary since agencies make records available to the public through their websites. Details of all OSHA inspections, citations, and fines are now online. There is no charge for this data, and it can be extremely informative. For more information, see **How to Research the Employer's OSHA Record** at the end of this chapter.

Contract Rights

You may be able to obtain other types of information from the employer under your union contract, if you have one. Some contracts require the employer to give the union:

- Workers' compensation information such as premiums, legal costs, administrative costs, number and nature of claims, and lost time.
- Information on safety programs currently in use, including instructions to supervisors and employees, training manuals, and names of employees who have been trained.
- Minutes of meetings of the employer's safety committee or joint labor-management committee.
- Safety literature that the employer has received from manufacturers of machines and other equipment, or from designers of work processes.
- Accident reports and results of accident or incident investigations.
- Company manuals and guides.
- Health and safety inspection records.
- Reports or studies produced by the employer, consultants, or other agencies.
- Safety suggestions submitted by employees and managers.
- Information on anticipated changes in the workplace, including new equipment and work processes that may affect health and safety.

Even if you don't yet have a union or a contract, consider requesting this type of information from the employer. Some employers may provide it.

STORIES FROM THE FRONT LINES

Sports Stadium Janitors Question Company Safety Record

Four janitors at a major sports stadium in California were told to clean food concession kitchens using bleach and scouring power. The workers, members of a Hotel Employees/ Restaurant Employees (HERE) local, are employed by a large janitorial service with locations throughout the U.S.

These were immigrant women who had never received safety training, nor were they given gloves to wear. While they were cleaning, a supervisor came by with a bottle of ammonia and poured some into their buckets. The women found themselves breathing an irritating gas that formed from the bleach and ammonia mixture. They took turns going outdoors for fresh air.

After two hours, they asked to be taken to a hospital. Instead, a manager gave them a list of company-approved doctors and clinics they could call themselves on an outside pay phone. A friend took them to one of the clinics, but the doctor said there was nothing wrong and to go back to work.

Two months later, two of the women were still having breathing problems. The union checked OSHA's website and found there had been 77 OSHA investigations of this company nationwide. There was a pattern of complaints and citations, including lack of proper health and safety training, lack of proper protective equipment, and denial of medical treatment.

The sports stadium's contract with the janitorial firm was up for renewal, so the union decided to take these issues to stadium management. Union representatives complained that the janitorial company was not being responsive to the workers' concerns. Stadium management brought the health and safety problems and the OSHA website information to the attention of the janitorial company, which wanted a renewal of the contract. The janitorial company finally agreed to provide workers with training and protective equipment—and pay attention to worker health and safety.

Why Use This Tool?

Advantages

- When you make a request for health and safety information, you are putting the employer on notice that workers know their rights and have concerns.
- From the information you obtain, you can learn a lot about conditions in the workplace, their effects on workers, and what the employer has done about them. You can see whether the employer takes safety seriously, and how effective their safety program is.

- You can use the information you get to identify the most serious health and safety issues. This makes it easier to set priorities and plan your strategy.
- You can use the information to educate co-workers and get them involved.
- You can use the information to get public or political support.
- The information can help make your case when you negotiate with the employer for health and safety improvements. It can also help make your case to OSHA if you file a complaint.
- The information may help you judge the accuracy of the employer's recordkeeping. You may notice discrepancies between the records and what you know is actually going on. If records have false or incomplete information, OSHA or other agencies may cite or fine the employer.

Challenges

- If the information request is not specific enough, you may be overwhelmed with stacks of irrelevant material.
- Your health and safety committee members may become frustrated if the employer stalls in responding to a request. By law, most documents must be supplied within 15 working days or less. However, some employers drag out the process. For example, they may claim that the request is not clear or was not made through the proper channels.
- There may be copying charges for some documents. If the documents are long, the cost can be high.
- The information supplied may be incomplete or deliberately obscure.
- The information supplied may be very technical, making it difficult to interpret and understand. Your committee may need to have a health and safety professional go over it with you.

Step by Step

1. Decide what information to request.

Remember that you are requesting information so you can learn more about particular health and safety problems in your workplace. The information you get will help you come up with proposals to correct these problems, and will help you develop an action plan to get the employer to make the necessary changes. The information will also strengthen your case when you present your proposals.

Your committee should hold a thorough discussion of your priority issues, and determine what information you need to move forward. You may want to involve a cross-section of other workers in this process by sponsoring an open forum, "speak out," or training class where people can give their own ideas on what they would like to find out.

See the **Information Request Checklist** at the end of this chapter for the major types of information you should be able to get. The checklist indicates which documents you are entitled to receive under OSHA regulations, and which ones you will have to use other laws or procedures to obtain. The list is not complete by any means. In your committee, "brainstorm" about what other information you may want. Never assume that any type of information will be impossible to get—give it a try. Nothing ventured, nothing gained. For example, maybe a machine guard seems to be installed improperly. The employer probably has the manufacturer's safety instructions for that machine—ask for them!

2. Decide who will make the request.

OSHA. If the material you want *must* be supplied by the employer under OSHA regulations, any worker, former worker, or authorized worker representative may make a written request for it. This is true whether or not there is a recognized union. However, if your committee is part of a recognized union, it's generally more effective to send the request on union letterhead and have a responsible union official (such as your committee chair) sign it.

NLRA. A union official must make a written request. The same is generally true under bargaining laws covering state, local, and federal government employees.

Freedom of Information Act. Anyone may make a written Freedom of Information Act request to any federal agency. The same is generally true for state Freedom of Information Acts.

Contract. For material available from the employer under the union contract, check the contract to see what procedures are required when requesting information.

3. Draft a request letter.

When your committee or union makes a written information request to the employer, follow the format of the **Sample Information Request Letter** at the end of this chapter.

The letter should indicate:

- Date of the request.

- Who is making the request? Provide name, signature, and contact information such as address, phone number, and e-mail.

- What information is being requested? List the titles of particular documents if you know them. Otherwise, be as specific as you can.

- What period of time should the information cover? For example, do you want noise monitoring results from 1998-2005 or just for 2005?

- If the request involves someone's medical records, has that individual given written permission to release them to the committee or union? Attach a signed statement from the worker.

- Under what law or regulation is the information being requested? Cite the relevant sections of OSHA or NLRA regulations, or of the contract, whenever possible.

- Under the law or regulation you cited, indicate what the time limit is for a response.

- You don't have to explain why you need the material.

If you're requesting material that is not covered by a specific law or regulation, or by the contract, it will probably be more difficult to convince the employer to provide it. In this case, you may want to submit your request letter to the employer in the form of a petition. Explain to your co-workers why the information is needed, and try to get as many as possible to sign. This can be an excellent way to involve a large group in the effort, and put more pressure on the employer to cooperate.

4. Follow up on your request.

If the time limit for the employer's response passes and you haven't heard back, follow up. Write and ask what's going on. You could also request a face-to-face meeting.

If the employer continues to ignore your committee's request, of if they refuse to give you the information, there are many ways to bring pressure. Circulate a flyer or union newsletter article explaining that the employer won't provide information that could help make the workplace safer. Discuss the situation with community allies and ask them to complain to the employer. Organize a delegation of workers and allies to meet with the employer and ask for the information. See if the local media will cover the issue.

If the employer refuses to provide information that they are required to give you under government regulations or under the contract, you may also be able to file an OSHA complaint, NLRB complaint, or grievance.

5. Analyze the information.

After you receive the information, your committee should devote some time to studying it. Depending on how technical the material is, you may want to ask an industrial hygienist or other health and safety professional to help. To find someone, check with your international union, "COSH" groups, college or university health and safety programs, community organizations, or nearby worker health clinics. (See Appendix 2.)

You can learn a lot from the employer's records, and it's not possible to discuss everything here. The specific things you look for will largely depend on your committee's priority issues and the type of health and safety campaign you are planning. But keep an open mind as you analyze the records, because they might reveal problems you haven't thought about.

Here are a few questions that the documents may help you answer:

- Are there patterns of job-related illness or injury?
- Are there unusually high rates of illness or injury in particular departments, work areas, job processes, or tasks?
- Are illness and injury rates improving or getting worse?
- Are there problems that have resulted in permanent disability or death?
- Is there evidence that OSHA standards are being violated anywhere in the workplace?
- Are there areas where the employer's health and safety controls are ineffective?
- Are there faults with the employer's safety program?
- What is the employer's attitude toward safety? Have they tried to make improvements? Have they cooperated with OSHA?
- Are there many workers' compensation claims? Is there a pattern to them? How much are they costing the employer?
- Does there seem to be a relationship between workplace stressors (discrimination, conflicting job demands, job insecurity, poor supervision, low pay) and rates of illness or injury?
- Are there problems with how non-English speaking or immigrant workers are trained and treated?

If the documents you requested include Safety Data Sheets (SDSs), see **How to Read an SDS** at the end of this chapter for a summary of the kinds of information you will find there.

6. Spread the word and take action.

In your committee, try to translate your findings into an action plan. What issues are most serious and need to be dealt with first? What are some possible short-term and long-term solutions? Come up with specific proposals.

Let union leadership, rank and file workers, and community supporters know what you have learned and what you plan to do. Discuss your efforts in a flyer or newsletter article, or hold a meeting open to everyone who is interested. Contact the media. Be creative.

Then meet with the employer to discuss your proposals, or organize a worker-community delegation to take them to the employer. If you are not successful in getting changes made, consider filing an OSHA complaint or grievance on the specific health and safety problems you have identified. The information you requested can help make your case to OSHA or an arbitrator.

STORIES FROM THE FRONT LINES

Injury Logs Spark Union Safety Campaign

As part of an organizing drive at an auto manufacturing company in Ohio, a United Auto Workers (UAW) organizing committee initiated a campaign to win better health and safety conditions. The campaign included information requests, worker education, surveys, documentation of hazards, and issuing flyers to increase awareness by both workers and management. Throughout this process, the committee learned a great deal about injury prevention, the fundamentals of an effective health and safety program, and their legal right to get information from the employer.

The committee decided to submit a request to the company for OSHA Log 300 forms showing work-related injuries and illnesses at the plant. The request was signed by a representative group of committee members from different departments and shifts. The company initially refused to turn over the logs, claiming they were confidential records. The Human Relations Department sent a letter warning employees and managers of the committee's attempt to get "personal, confidential medical records" from the company.

The committee responded by informing people that these were injury records that every worker was legally entitled to, and could help focus efforts to improve safety conditions. After some delay, the company turned over the logs. Winning this battle and getting the logs was an important first victory for the committee, and showed workers that they could exercise their rights in spite of company harassment. The organizing committee sent the logs to the International Union's Health and Safety Department, which analyzed them and identified very high rates of musculoskeletal injuries.

After receiving these findings, the committee held educational meetings and interviewed workers to try to identify the sources of the musculoskeletal injuries. They found that fast work pace, lack of job rotation, poor job design, and an absence of an effective medical management program were some of the root causes. Many workers had complained about these conditions but little was done to fix the problems. As part of the campaign, workers documented the problems with written complaints, and lists of complaints were published in flyers for both workers and management to see.

Later the committee sponsored a public forum, where they used the injury data to let the workers and community know about problems at the plant. A dramatic point was made by comparing the Ohio company's records to similar UAW-represented plants. This showed workers and the community that conditions could be much better with effective health and safety programs in place. The committee also issued press releases, resulting in local newspaper coverage and a favorable article in the *New York Times*.

Together with the UAW, the committee produced a video which was sent to all the workers at the plant and to community organizations. The video featured workers speaking about their injuries, and also included an occupational health physician who described his experiences with these injured workers.

The committee has already seen some improvements. New equipment and other changes have been introduced on the production line in response to the high rate of repetitive stress injuries, and the company has improved some policies affecting injured workers. Workers on the committee believe that union representation is the best way to hold on to what they have gained.

Tips for Success

Keep workers and community supporters involved.

When you request employer information, keep co-workers informed about what's going on. Hold frequent meetings and report-back sessions to fill everyone in. Ask for people's ideas. If the employer refuses to give you information, involve workers in support actions like petitions, rallies, or picketing. Also keep interested groups outside the workplace (community organizations, sympathetic public officials, etc.) informed. Ask them to express their concern to management if you have trouble getting information.

Limit your request.

Don't make unnecessary or overly broad information requests which the employer may see as harassment. This can harm relations with the employer

and make them less likely to cooperate. Asking for too much information has another possible drawback—your committee could get swamped with lots of irrelevant documents. One California union made an information request to a hospital where members worked, and received piles of paper along with a huge bill for copying.

Cross check the information you get.

Don't take employer records at face value. Look at them with a critical eye. To complement your information request, do some "detective work" of your own. Use risk mapping, worker surveys, walkaround inspections of the workplace, and other tools for obtaining information that are described elsewhere in this book. These can give you a good understanding of real conditions in the workplace. Compare what you learn this way with the employer records you are given. Do the employer records tell the same story, or a very different one? Maybe the employer is unaware of some serious hazards, or maybe they are glossing over problem areas they know about. Consider meeting with the employer if there are serious discrepancies between the records and reality. Ask them to explain what's going on. Point out that incompleteness or inaccuracy in the records may subject them to OSHA penalties.

Don't get bogged down in the details.

Requesting and analyzing records can be an exciting and educational process. You can learn a great deal, and as you gain experience you'll develop more skill in wording your information requests and analyzing the documents you get. Actually getting the employer to turn over documents can give committee members a sense of accomplishment and power. However, don't get so absorbed in collecting data that your action plan slows down. The point, after all, is to get the employer to improve conditions and make the workplace safer. You don't need reams of information to make your case, and your documentation doesn't need to be perfect.

Consider improving your contract.

Many useful employer documents will not be available to you under existing laws and regulations. You can try to pressure the employer to provide them anyway, but you may not succeed. If you have a union, consider including health and safety language in your first (or next) contract to give you a right to more information. Find ways to go beyond what the law provides. In your committee, "brainstorm" about the types of information you'd like the contract to cover. Be as broad as possible. For example, you might try for a contract clause that requires the employer to "provide any and all information relevant to safety and health, including but not limited to . . .". Then give a list of specific items you know you want. Include time limits for the employer to supply the information. Then talk to your bargaining team.

Expand your research in new directions.

Sometimes information about health and safety at your workplace may be gathered from public sources. For example, try searching the archives on local newspapers' websites. Perhaps the local paper gave extensive coverage to a past accident at your plant. However, if you obtain information this way, check it against other sources when possible. Maybe the newspaper didn't tell the whole story, or maybe there were later developments that you're not aware of. Using incomplete or inaccurate information can be embarrassing, damage your credibility, and cause your health and safety campaign to lose support.

SAMPLE SDS FORM

Material Safety Data Sheet
May be used to comply with OSHA's Hazard Communication Standard, 29 CFR 1910 1200. Standard must be consulted for specific requirements.

U.S. Department of Labor
Occupational Safety and Health Administration
(Non-Mandatory Form)
Form Approved
OMB No. 1218-0072

IDENTITY *(as Used on Label and List)*

Note: Blank spaces are not permitted. If any item is not applicable or no information is available, the space must be marked to indicate that.

Section I

Manufacturer's name	Emergency Telephone Number
Address *(Number, Street, City, State and ZIP Code)*	Telephone Number for Information
	Date Prepared
	Signature of Preparer *(optional)*

Section II—Hazardous Ingredients/Identity Information

Hazardous Components (Specific Chemical Identity, Common Name(s))	OSHA PEL	ACGIH TLV	Other Limits Recommended	% (optional)

Section III—Physical/Chemical Characteristics

Boiling Point		Specific Gravity (H_20 = 1)	
Vapor Pressure (mm Hg)		Melting Point	
Vapor Density (AIR = 1)		Evaporation Rate (Butyl Acetate = 1)	

Solubility in Water

Appearance and Odor

Section IV—Fire and Explosion Hazard Data

Flash Point (Method Used)	Flammable Limits	LEL	UEL

Extinguishing Media

Special Fire Fighting Procedures

Unusual Fire and Explosion Hazards

(Reproduce locally) OSHA 174 Sept. 1985

Section V—Reactivity Data			
Stability	Unstable		Conditions to Avoid
	Stable		
Incompatibility *(Materials to Avoid)*			
Hazardous Decomposition or Byproducts			
Hazardous Polymerization	May Occur		Conditions to Avoid
	Will Not Occur		

Section VI—Health Hazard Data			
Route(s) of Entry	Inhalation?	Skin?	Ingestion?
Health Hazards *(Acute and Chronic)*			
Carcinogenicity	NTP?	IARC Monographs?	OSHA Regulated?
Signs and Symptoms of Exposure			
Medical Conditions Generally Aggravated by Exposure			
Emergency and First Aid Procedures			

Section VII—Precautions for Safe Handling and Use
Steps to Be Taken in Case Material Is Released or Spilled
Waste Disposal Method
Precautions to Be Taken in Handling and Storing
Other Precautions

Section VII—Control Measures		
Respiratory Protection *(Specify Type)*		
Ventilation	Local Exhaust	Special
	Mechanical *(General)*	Other
Protective Gloves		Eye Protection
Other Protective Clothing or Equipment		
Work/Hygienic Practices		

HOW TO READ AN SDS

The Safety Data Sheet (SDS) is an important means of communicating information about hazardous substances in the workplace. The SDS must be prepared by the manufacturer or importer of a chemical product, and is provided to purchasers. Employers who use the product are required to make the SDS available to their workers.

OSHA recommends a standard form for SDSs (OSHA Form 174). A sample of the OSHA SDS form is shown on the previous pages. Although a different form may be used, it must contain the same information.

Note that many SDSs are incomplete, out of date, and/or inaccurate. When in doubt about the information on a SDS, check it using library reference materials or contact your international union health and safety department, local health department, or "COSH" group.

There are free SDSs and similar data sheets on the Internet. Some are available in Spanish. Important sites to check are: *siri.org/msds* and *www.state.nj.us/health/eoh/rtkweb/rtkhsfs.htm*.

What's on an SDS

The following information should be found on every SDS.

Identity
The name of the chemical product.

Section I: Manufacturer
This section gives the manufacturer's name, address, and emergency telephone number.

Section II: Hazardous Ingredients
This section includes a list of all ingredients in the product that are defined as hazardous substances by law. The concentration (percentage) is given for each hazardous ingredient. If an ingredient has an established workplace exposure limit, that is also found here. Limits are usually expressed as Permissible Exposure Limits (PELs) or Threshold Limit Values (TLVs).

Section III: Physical/Chemical Characteristics
This section gives the boiling point, vapor pressure, vapor density, solubility, specific gravity, melting point, and evaporation rate. Information on appearance and odor is also found here.

Section IV: Fire and Explosion Hazard Data
This section should clearly state whether or not the product is flammable. If it is flammable, information should be given on the type of fire extinguisher to use, and any special precautions involved in fighting that type of fire. (For example, certain substances never should have water applied when they are burning.) The "flash point" is also given. If the flash point is below 140° F, special precautions are required in handling the product.

Section V: Reactivity Data

This section should state the potential of an unstable product to react with other materials to produce fire, explosion, or new toxic substances. It should list the conditions to avoid, such as proximity to incompatible chemicals, extreme temperatures, shaking or jarring, etc.

Section VI: Health Hazard Data

Routes of entry (skin contact, inhalation, and/or ingestion) should be listed here. Information should be included on signs and symptoms of exposure, as well as acute (short-term) and chronic (long-term) health effects. This section should also state whether the product may cause cancer (a carcinogen). Emergency and first aid procedures are described here as well.

Section VII: Precautions for Safe Handling and Use

This section describes how spills and leaks of the product should be handled— what equipment to use and what precautions to take. Safe handling, storage, and waste disposal methods for the product are also included.

Section VIII: Control Measures.

This section will state whether a respirator or special ventilation are required when using the product. The type of respirator needed should be given. Information should be included on other protective equipment and clothing needed (eye protection, gloves, etc.)

INFORMATION REQUEST CHECKLIST

This is a partial list of information you may have a right to receive. Some is available from the employer under federal or state OSHA standards. Federal OSHA standards are found in Chapter 29 of the Code of Federal Regulations (29 CFR). Some information may be available from the employer under the National Labor Relations Act (NLRA) (29 United States Code 158) or your union contract. Other information is available from various government agencies under the Freedom of Information Act (5 United States Code 552).

Available Under OSHA Standards

Under 29 CFR 1910.1020

- ☐ Exposure records *(sampling for chemicals in the air, noise, etc.)*
- ☐ Biological monitoring records *(testing of blood, urine, lung function, etc.)*
- ☐ Chemical inventories
- ☐ Worker medical records (*with authorization*)
- ☐ Summaries, reports, and studies based on exposure and medical records

Under 29 CFR 1904.35(b)(2)

- ☐ Log 300 of Occupational Injuries and Illnesses
- ☐ Annual Summary of Log 300 (Form 301)
- ☐ Incident reports used to compile Log 300 *(with some limitations)*

Under 29 CFR 1910.1200

- ☐ Material Safety Data Sheets (MSDSs)
- ☐ Employer's written chemical Hazard Communication program *(including records of training)*

Under State OSHA Regulations (in some states)

- ☐ Employer's written state-mandated Injury and Illness Prevention Program or similar state program

Available Under NLRA or Some Union Contracts

- ☐ Workers' compensation information: premiums, legal costs, administrative costs, number and nature of claims, lost time

- ☐ Information on safety programs currently in use, including instructions to supervisors and employees, training manuals, and names of employees who have been trained
- ☐ Minutes of meetings of the employer's safety committee or joint labor-management committee
- ☐ Safety literature that the employer has received from manufacturers of machines and other equipment, or from designers of work processes
- ☐ Accident reports and results of accident or incident investigations
- ☐ Company manuals and guides
- ☐ Health and safety inspection records
- ☐ Reports or studies produced by the employer, consultants, or outside agencies
- ☐ Safety suggestions submitted by employees and managers
- ☐ Information on anticipated changes in the workplace, including new equipment and work processes that may affect health and safety

Available from Government Agencies Under Freedom of Information Act

- ☐ From OSHA: Records of OSHA inspections, citations, and fines
- ☐ From state workers' compensation agencies: Claim information
- ☐ From regional, state, and federal environmental agencies: Information on the employer's reported chemical inventory, hazardous waste storage and transport, toxic releases, citations, and fines
- ☐ From local and state health agencies: Records of inspections, citations, and fines
- ☐ From local and state fire and building inspectors: Records of inspections, citations, and fines
- ☐ From state motor vehicle agencies: Records of vehicle inspections and accident reports
- ☐ From agencies overseeing healthcare and educational institutions: Records of inspections, accreditation processes, citations, and fines

NOTE: Some agencies make the information above available to the public through their websites. For example, federal OSHA's site has comprehensive information on inspections, citations, and fines.

SAMPLE INFORMATION REQUEST LETTER

Use this letter as a model for your information request to the employer. Modify as necessary.

Date: _____ To: _____ (*employer*)

As an employee *(or authorized employee representative)* in your organization, I hereby request copies of all records in your possession of employee exposure to the hazard(s) listed below in the work area(s) noted. Please provide records covering the period indicated.

Hazard(s): _____ *(chemical substance, noise, etc.)*

Work Area(s): _____

Dates *(From)*: _____ *(To):* _____

Requested records include, but are not limited to, the following:

- ☐ All exposure monitoring data, indicating sampling methods and the party collecting the sample.
- ☐ All biological monitoring data.
- ☐ All reports or studies based on exposure monitoring or biological monitoring.
- ☐ All records of worker illness related to these exposures (*from Log 300, medical reports, etc*.).
- ☐ Material Safety Data Sheet for the substance *(if the hazard is a chemical)*.
- ☐ Other: _____

I am making this request under the following federal OSHA standard:

Name of Standard: _____

Standard Number: 29 CFR, section _____

The standard states that a response shall be provided within _____ working days.

Name *(print and sign)*: _____ _____

Address:_____

City: _____ State: _____ Zip: _____

Phone: _____ Title and union *(if any)*: _____

If worker medical records are requested, attach this signed authorization from the worker:

Date: _____ To: _____ (*employer*)

I hereby authorize you to release to my union representative the information indicated below from my personal medical records. The information will be used for the purpose shown.

Information: _____

Name of Union Rep: _____

Purpose: _____

I do not give permission for any other use or re-distribution of this information.

Name *(print and sign)*: _____ _____

HOW TO RESEARCH THE EMPLOYER'S OSHA RECORD

Federal OSHA's website has a database that gives details of over three million OSHA inspections since 1972. It includes information both from federal OSHA and from states that run their own OSHA programs. The database is free and not difficult to use.

You can search by establishment name, so you can look up your own employer. You can find out if problems that you face today also existed in the past, and if the same problems exist at the employer's other facilities. You may be able to discover patterns in the data.

Checklist for Doing an Establishment Search

☐ **Go to the Establishment Search page.** Go to the OSHA "Statistics & Data" page at *www.osha.gov/oshstats*. Click on the first item, "Establishment Search."

☐ **Fill out the Establishment Search form.** Enter:

- **The name of the establishment** (your employer). This can be tricky. Many employers have very similar names. There may also be variations in the way a particular name is spelled or phrased. For example, one inspection record may use the name *Springdale Waste Water Treatment Facility*, but another may use *Springdale Water Treatment Plant*. OSHA recommends searching with as few words as possible, like *Springdale Water*. When you get the search results, you should be able to tell if you have the right employer by looking at the address.
- **The state where the inspection occurred.** This is not necessarily the state where the employer is based. If the employer has locations in several states and you want data from all of them, choose "All States." Choose "Federal and State" in the box to the right so you will get information from both federal and state OSHA inspections. Under "OSHA Office" choose "All Offices."
- **Either "Closed" or "Open" for "Case Status."** Closed cases have reached a final resolution, while open cases are still subject to OSHA negotiations with the employer and possible changes in citations and penalties. You can't search both closed and open cases at the same time. Choose either one, and later repeat your search for the other.
- **The "Start Date" and "End Date" for which you want information.** You can go back to 1972, but you can't search more than ten years at a time.

☐ **View the Establishment Search Results page.** Click the "Submit" button and you will see the "Establishment Search Results" page. This page has the employer's name, and a chart with a separate line for each inspection conducted. Under "Activity," each inspection is given an identifying number. "Opened" means the date the inspection was begun. "Type" indicates whether the inspection was conducted because of a complaint, an accident, or OSHA's own planned schedule. The "Vio" column shows the number of violations found. For the meaning of other information in this chart, refer to the "Help" pages on the website.

☐ **View the Inspection Detail page.** To see details of any inspection, click its "Activity" number. You will be taken to the "Inspection Detail" page, which has the employer's address, whether it is union or non-union, and other basic information. The OSHA office that conducted the inspection is listed, and whether it is state or federal.

If violations were found, there is a "Violation Summary" box showing how many were classified as "Serious," "Willful," "Repeat," and "Other." Below is a "Violation Items" box listing the violations. The line for each violation gives the specific OSHA standard violated, when the citation was issued, the deadline set for abating the violation, the penalties assessed, whether the employer appealed, and the outcome of the case. You can click on any violation's "ID" number to get a page with even more details.

☐ **Get the standard number.** You will probably want to find out more about the OSHA standards that were violated. The "Standard" column in the "Violation Items" box gives the number of either a federal or state OSHA standard, depending on whether federal or state OSHA conducted the inspection. (State standards are numbered differently from federal ones.) Write down this number so you can look up the text of the standard.

☐ **Look up the standard.** If the standard is federal, go to the federal OSHA home page at *www.osha.gov.* Find "Laws and Regulations" at the right and click "Standards." In the search box, type the standard number you wrote down and click the "Search" button.

If the standard is from a state OSHA program, go to that program's website. An easy way is to go to the federal OSHA home page at *www.osha.gov.* Find "OSHA Offices" at the left. Click your state on the map or select it in the list box. After clicking through several preliminary pages, you'll get to the state program website. Each state with a state program (about half the states) organizes its site differently, but most have standards online. For example, in California, when you arrive at Cal/OSHA's home page you can click "Regulations" and search for a California standard number.

☐ **Request the full inspection record if you wish.** You can make a written request for the full inspection record under the Freedom of Information Act. Write to the federal OSHA Area Office or state OSHA program office that conducted the inspection. Provide them with the information you retrieved from the OSHA website, including the "Activity" number from the "Establishment Search Results" page. You will normally get a response in two to three weeks. The addresses of OSHA Area Offices and state OSHA program offices can be found on the web.

Using the Data

The OSHA website has other useful links worth checking out. For example, you can:

- Compare your company's record to other companies in the same industry.
- Compare your company's record to industry averages.
- Find out which OSHA standards are most frequently violated in your industry.

These tools can help you learn a lot about the accidents and fatalities in your particular industry. One way to access this information is to go to OSHA's "Statistics and Data" page and click "Accident Investigation Search." In the "keyword" box, type the name of an industry or process (like "laundry" or "electroplating").

Learning that there have been problems, what they were, and what happened, can really advance your efforts to remedy unsafe conditions. On the other hand, although it can be reassuring to discover that an employer has no history of complaints or citations, this is no guarantee that the workplace is safe. Many workplace hazards are not regulated by OSHA, and many OSHA standards are very weak. An employer can be in compliance with OSHA, and workers can still be getting injured and ill. Many workplaces are simply never inspected.

Information gathered from your online research can supplement data you obtain through other tools in this book, such as risk maps, inspections, surveys, and information requests to the employer.

Sometimes you may need to make public an employer's poor safety record. Publicizing this information and confronting the company with it may be the only way to get their attention. You may want to present the information through factsheets, media releases, statements at public hearings, meetings with elected representatives, and negotiations with the employer. Also consider taking it to the employer's business associates, stockholders, and competitors.

Another Way to Search

Working America, the AFL-CIO's community affiliate, has a new web-based search tool that also allows you to research the record of companies. You can search by geographical area, company name, or industry.

Their Job Tracker Data Base links injury and inspection records from OSHA with data on labor law violations from the National Labor Relations Board (NLRB). There is also information on plant closings, job exports, and layoffs due to trade.

Job tracker is at *www.workingamerica.org/jobtracker/*.


2500
CAL OSHA

CHAPTER 7

USE YOUR OSHA RIGHTS

"One of our janitors found that a chemical had spilled from a broken bottle in a lab she was cleaning. She got a rash on her hand. The bottle wasn't labeled and she had no idea what the chemical was. We approached the employer but got no response. So our organizing committee filed an OSHA complaint. OSHA cited the employer for not having labels and data sheets for the chemicals. All the janitors were very impressed with their success. The employer had to post the citation on the bulletin board and start a hazard communication program."

—California AFSCME union organizer

← *At left:* Cal/OSHA inspector speaks with a worker.

An OSHA complaint can be an effective tool for getting a health and safety problem corrected. Even a small change that makes the job safer can give workers a sense of their own power. When workers complain to OSHA, they have some legal protection from employer retaliation—an important advantage for organizing committees and others who don't yet have a strong union.

What Is This Tool?

The Occupational Safety and Health Administration (OSHA) is a federal government agency, part of the U.S. Department of Labor. OSHA issues and enforces health and safety rules that employers must follow. These are called "standards" and cover many workplace hazards, from chemicals to electricity to noise.

Many states have their own OSHA programs, such as Cal/OSHA in California. Federal and state OSHAs take complaints from workers and unions, and may inspect the workplace. They can order the employer to correct unsafe conditions, and sometimes impose fines.

Federal OSHA covers most private industry workers in the U.S. It also covers some people who work for federal government agencies. It does not cover state and local government employees.

Most **state** OSHA programs cover state and local government employees as well as private industry in their states. Approximately half the states have their own OSHA programs.

If management allows an unsafe condition to exist, refuses to address a health and safety hazard, or violates an OSHA standard, consider filing a formal complaint with federal or state OSHA.

Why Use This Tool?

Advantages

- An OSHA complaint can help to resolve health and safety problems. OSHA has cited and fined thousands of employers, ordered employers to correct thousands of unsafe conditions, prevented many injuries, and saved many lives.
- You don't have to be a recognized, "official" union to file an OSHA complaint.
- If workers are fully involved throughout the process, they see that change is possible when they work together.

- A victory on a health and safety issue can bring credibility to your organization. It builds people's confidence that they can work together to take on difficult problems.

- For those without a strong union to protect them, filing a complaint affords some legal protection against retaliation by the employer.

Challenges

- Filing an OSHA complaint is not always the best strategy for solving a health and safety problem. OSHA is not a magic solution. Always evaluate your other options as well. For example, you can assert your OSHA rights directly with the employer, without necessarily filing a complaint or waiting for an inspection.

- When you file an OSHA complaint, the resolution of the issue may be taken out of your own hands. Although workers and union representatives have the right to be included throughout the OSHA complaint process, in actual practice they don't have much say over the outcome. If you don't get what you want, morale can be hurt and your attempts to mobilize workers can be set back. An inspection that gives the employer a "clean bill of health" despite obvious problems can feel like a defeat for the workers. Or sometimes OSHA may assess the employer only small "token" fines, and the health and safety problems don't really get solved.

- There may be long delays when you involve OSHA. OSHA has insufficient funds and personnel. The AFL-CIO says that at current levels, it would take federal OSHA 106 years to inspect each workplace under its jurisdiction just once. Make sure everyone understands that it may take a while. However, OSHA is required to respond quickly if there is an immediate danger of death or serious injury.

- OSHA standards may not cover your problem. OSHA is slow to adopt new standards as technology changes, and as new research is done on job hazards. For example, there are few or no regulations covering indoor air pollution, workplace violence, heat and cold, and repetitive motion injuries.

- If an OSHA complaint is filed by union staff without involving the workers who are affected, workers don't know what the union is doing, and this increases the gulf between the union and the workers. A complaint made this way won't build participation, and it probably won't be as successful in solving the health and safety problem either.

STORIES FROM THE FRONT LINES

OSHA Complaint Adds Spark to Hotel Organizing Drive

A local of the Hotel Employees/ Restaurant Employees (HERE) won a two-year organizing campaign at a San Francisco Bay Area hotel. A complaint to Cal/OSHA was an integral part of the effort to win recognition and a first contract for some 200 workers.

Laundry workers faced especially dangerous conditions. They reported malfunctioning dryers that would catch fire, and leaks that forced workers to work in water up to their ankles. Trips and falls were a regular occurrence due to puddles and cracked floors.

During the drive, union staff worked with a committee of worker leaders at the hotel. The union was concerned about protecting committee members against retaliation. Since health and safety was one of the workers' major concerns, the union looked into the "whistleblower" protection offered by the California Occupational Safety and Health Act. Then they wrote to the general manager of the hotel to announce that they had formed a health and safety committee and to demand correction of numerous dangerous conditions. They put the company on notice that they would exercise their right to file a Cal/OSHA complaint if necessary. They felt that these actions would afford some legal protection against reprisals.

The committee planned and filed their Cal/OSHA complaint, which resulted in an inspection. Cal/OSHA issued citations against the hotel, ordering management to fix equipment and put in fire extinguishers. Workers finally saw the hotel take their safety seriously.

The workers were able to start acting like a union. After seeing the success of their Cal/OSHA complaint, their commitment to organizing and winning union recognition soared. Their drive was ultimately successful. With HERE's help, workers at another local hotel also formed a committee to tackle health and safety problems.

Step by Step

The information on OSHA procedures in the sections below applies to federal OSHA and most state OSHA programs. There may be slight variations from state to state.

1. Identify the health and safety problem.

Are workers getting sick or injured as a result of some hazard? Or are they worried that certain equipment or work processes are unsafe? Try to find out what's causing the problem and decide what a good solution would be. Ask

your co-workers how concerned they are about it. It's always best if they "buy in" to the issue and see it as their own. Hold a meeting or do a survey. Some of the tools described in previous chapters of this book can help you decide whether there are issues that call for an OSHA complaint.

2. Document and research the problem.

Do your homework. Be prepared to explain to the employer and OSHA why the situation is unsafe or unhealthy. What hazards are present? What symptoms do workers have? How long has the condition existed? You may want to collect some evidence. (Be sure to follow workplace rules so no one gets in trouble.) If you can be clear and specific about the threat, you will get a better response from OSHA.

Research the problem. Often you can get information about a particular hazard in a library, on the web, or from your international union's health and safety department. Try to find out if an OSHA standard is being violated. All federal OSHA standards are on the web at *www.osha.gov.* Or go to your state OSHA website. You can link to it from the federal OSHA site.

Standards can be hard to read and understand. While it's a good idea to look at them, remember that it is **not** necessary to list a specific standard when you file a complaint form. Even if you don't know of a specific violation, the OSHA law says your employer still has a "general duty" to provide a safe and healthful workplace. OSHA can cite and fine the employer if they don't.

3. Approach the employer.

You may or may not want to approach your employer about the problem before you go to OSHA. This will depend upon your relationship and past experience with the employer. If you do decide to go to the employer, it's more effective (and you have more protection) if you meet with the employer as a group. If you have a union, bring a shop steward or other union rep with you. Explain the problem carefully and tell the employer why it's unsafe. Propose some reasonable solutions. Suggest why it may be in the employer's best interest to solve the problem (less absenteeism, fewer workers' comp claims, etc.) Give the employer your research and your proposals in writing.

Document all meetings with the employer. Keep good records of dates, times, who was present, what was presented, and management's response. If management is uncooperative or makes threats, document this also. It will make a difference later if you give OSHA evidence that the employer knowingly and willfully violated the law.

Contact OSHA right away if there's an emergency or someone faces an immediate risk of death or serious injury, and the employer doesn't respond quickly.

4. Prepare to file an OSHA complaint.

As a group, decide if this is the right time to file a complaint. What are the pluses and minuses of filing? Should you tell management you intend to file and give them one last chance to fix the problem? Is it too dangerous to openly approach the employer? Is it time for outside intervention?

Evaluate how strong your complaint is. OSHA may not send an inspector if the complaint doesn't seem serious enough to warrant investigation, or if it seems like willful harassment of the employer.

Before you write up your complaint, consider some other possible options. For example, in many cases you can call OSHA to discuss your concern without filing a complaint. This is especially important if you are not sure your issue is covered by an OSHA standard. You can also ask for a meeting with OSHA to discuss the problem. This gives you an opportunity to explain the situation in person, which may be easier than trying to write up a clear explanation. Be sure to get the names of the OSHA representatives you talk to. They can be of help later as you continue to work on the issue.

If you go ahead with a complaint, decide who should sign it. Complaints can be made confidentially. If an individual signs the complaint and requests confidentiality, OSHA will not tell the employer who complained. Both federal and state laws say an employer may not discriminate against someone who files an OSHA complaint. If you prefer, your union or organizing committee can file the complaint rather than an individual. Another option is to treat the complaint like a petition, with multiple signers. This helps organize co-workers around the issue. Legally, everyone who signs the complaint is protected against retaliation. Consider holding an educational session to let people know about the issue and get signatures.

Finally, plan for the inspection. Review your documentation, and choose the members of your group who will be involved in meetings with the OSHA inspector. See if workers who are directly affected by the problem are willing to be interviewed by the inspector. Plan what to say to the inspector. Role playing in advance can be helpful. Also decide what specific areas and equipment you want to point out to the inspector.

5. File the complaint.

A federal or state OSHA complaint should be in writing. Keep a copy. You can get a complaint form from an OSHA office or download one from *www.osha.gov*. The website has instructions for completing the form and filing it. If you have a state OSHA program, they probably have a state complaint form available on their website. There are a sample federal OSHA complaint form and a checklist that will help you use it at the end of this chapter.

You can file the form in person at an OSHA office, by mail, by fax, or on the web. If the problem occurs mostly in a certain part of the workplace or at a certain time of day, indicate this on the form. Attach to the complaint form any documentation you have about the problem. Make the complaint and the documentation brief and to the point.

In an urgent situation you can make a complaint by phone. Follow up by filing a complaint form later.

The complaint form allows you to name a worker representative. This can be a worker designated by co-workers, a union staff person, a steward, an attorney, or someone else the workers choose. The worker rep has the right to participate in all phases of the inspection. Discuss with your group who the designated worker rep should be. If necessary, you can list someone for each shift. Some unions keep a list of contact people on file with both the employer and OSHA, so someone can be located easily no matter when an inspector arrives.

If workers who are to be interviewed do not speak English, OSHA may be able to send a bilingual inspector or a translator if you ask.

6. Take part in the inspection.

Usually federal or state OSHA will send an inspector to the workplace after receiving your complaint. The law says that in most cases the inspector must arrive with **no advance notice** to the employer. The inspector will contact an employer representative and the authorized worker representative. They both have the right to participate in all phases of the inspection.

There are four parts to the inspection process:

- **Opening Conference.** This is a meeting of the employer rep, the worker rep, and the inspector. The employer's records and policies are reviewed.

- **Walkaround Survey.** This is the actual physical inspection of the workplace. The inspector talks to workers, takes notes, and may photograph hazards. The inspector may also measure noise, chemicals, etc. Both employer and worker reps have the right to accompany the inspector. The inspector might also decide to interview workers or ask them about their jobs. Be sure that your co-workers understand that the inspector is not trying to "catch" them doing something wrong and will not discipline them. Workers may request to speak to the inspector without a supervisor present, or even speak away from the workplace.

- **Closing Conference.** This is another meeting of the inspector with employer and worker reps to sum up the results of the inspection. The inspector may hold closing conferences separately with the employer

and the worker or union rep in some cases. Sometimes OSHA is willing to have a conference that includes several worker reps, such as the safety committee or the union officers.

- **Citations and Fines.** After the inspection, OSHA may issue a written citation against the employer if there are violations of OSHA standards. The employer can also be cited for an unsafe condition not covered by a standard, because the law says employers have a "general duty" to keep the workplace safe. The citation tells what the employer must do to fix the problem, and how much time the employer has to do it. Citations must be posted in the workplace. Employers can also be fined, depending on how serious the violation is.

7. Follow up.

The person or organization that filed the complaint will receive a written report of the results and of any action OSHA plans to take. Your group should keep track of the employer's efforts to correct problems within the time limits OSHA has set.

The employer has the right to fight a citation. They can say there is no violation, or they can object to the size of the fine, the action OSHA told them to take to fix the hazard, or the time limit. This appeal process can go on for months or years. Workers and unions can ask to be notified of appeal hearings and speak at them. The is called "electing party status."

If workers or the union believe that OSHA has not solved the problem, you have a limited right to appeal. Generally you can object only to the time limit for correcting hazards. If that's not the issue, decide what other steps you will take to continue your efforts.

If the employer decides not to fight a citation, they can still request an informal conference with OSHA where they can make a case for reducing the penalty or getting more time to fix the problem. Workers or the union must be notified about the informal conference and can be included. Workers or the union can also request their own informal conference with OSHA, but the issue must be confined to the specific citations that have been issued and the period for abating the hazards.

8. Report back and mobilize.

- Check that any citations are posted in the workplace as required by law, and that everyone knows what they mean.

- Organize a delegation to meet with management and discuss their plans to fix the problem within the time limit OSHA has set.

- Hold a report-back meeting. Emphasize to co-workers what you have accomplished. Let people know what the employer is required to do, and when.

- If you won important gains, publicize them to workers and the community. If OSHA's response was not satisfactory, it may be even more important to publicize the fact that there is still a problem.

- If management fixes the problem promptly, celebrate your success! Throw a party for your committee, or give committee members an award.

- If management doesn't fix the problem within OSHA's time limit, contact OSHA and ask that they take further action. Failure to abate a hazard promptly can lead to more serious action by OSHA, and possibly a bigger fine.

9. Fight any retaliation by the employer.

If the employer disciplines anyone because they were involved in filing the complaint (whether or not the complaint was successful), challenge this action immediately. You have the right to file an OSHA complaint without fear of retaliation. Employers are prohibited from retaliating against workers for health and safety activity under both section 11(c) of the federal Occupational Safety and Health Act and section 157 of the National Labor Relations Act.

OSHA Rights. Workers cannot be punished for using their rights under the federal Occupational Safety and Health Act. This includes the right to file complaints with OSHA, the right to report injuries and unsafe conditions to management, and the right to engage in other health and safety activities.

Therefore, even if you don't have a union contract that prohibits retaliation, you are still legally protected when you file an OSHA complaint. This is sometimes called "whistleblower" protection. It can be especially valuable protection for workers just organizing a health and safety committee before there is a recognized union.

By law, you can't be discharged, demoted, laid off, suspended, denied a raise, denied a promotion, denied overtime, transferred, harassed, intimidated, threatened, assigned to an undesirable shift, blacklisted, have your pay or hours reduced, or have other disciplinary action against you.

If you believe your employer has discriminated against you because you exercised your OSHA rights, contact your local OSHA office as soon as possible to file a written discrimination complaint. You must file within the legal time limit, usually 30 days. You can telephone, fax, or mail your complaint to the local OSHA office listed on the OSHA website at *www.osha.gov*. You do not need to have a lawyer.

Protection against retaliation may be problematic for undocumented workers. When you select workers to play highly visible roles in an OSHA complaint (such as walkaround rep), make sure they are not vulnerable on immigration issues.

Procedures for health and safety discrimination complaints vary in states with their own OSHA programs. For example, complaints in California are filed with the State Labor Commissioner's office, not with OSHA. Some state laws provide better or broader protection than federal OSHA.

When you file a federal or state discrimination complaint, there will be an in-depth interview with you and possibly an investigation. If evidence supports your claim of discrimination, the employer will have to restore your job, earnings, and benefits.

Remember that it can be difficult to prove retaliation. The question is usually: What was the employer's *motive* for punishing you? Your evidence will almost always be indirect. The employer won't admit to doing anything wrong and will give another reason for taking action against you. Be prepared to counter these arguments.

NLRA Rights. You may also have "whistleblower" protection under the National Labor Relations Act. It provides that workers may engage in "concerted activities for the purpose of . . . mutual aid or protection" without fear of reprisal. This language applies to non-union as well as union workers, and can include health and safety activities. Complaints should be filed with the National Labor Relations Board (NLRB).

STORIES FROM THE FRONT LINES

Shipbuilding Workers Fight Retaliation, Win Union Recognition

Shipbuilding is the second most dangerous industry in the nation (after meatpacking). Fourteen of every 100 U.S. shipbuilding workers lose workdays each year due to job injuries and illnesses.

Recently at a shipyard in New Orleans, Louisiana, workers discovered that the yard's safety record was so poor that federal OSHA had targeted their employer under its "high hazard" program. Lost-time injury rates were twice the national private industry average. At least one worker had died every year, dating back to the 1960s.

These workers cited safety as the number-one reason they fought for and won a union. The struggle was long and difficult. Many workers were harassed, intimidated, and unfairly fired when they stood up for health and safety and for union recognition.

One leading member of the safety committee was suspended for three days because he improperly disposed of his lunch remains in the wrong dumpster. He had been part of a delegation that traveled to Washington, D.C. to testify about the company's safety problems. Another worker, who spoke on the radio about injuries she suffered when a crane ran over her, was threatened with a cut in her workers' compensation benefits. A clerk angered the company with statements at a union rally, and was reassigned to carry out his clerical duties in the hold of a ship, with no desk, chair, or phone. In total, the company terminated 61 workers during the organizing campaign, many of whom had spoken out for health and safety.

The workers filed an NLRB complaint, and eventually the NLRB forced the company to distribute $2 million in back pay to the 61 terminated workers. 52 workers got their former jobs back, without loss of seniority or other benefits.

The group achieved union recognition through the New Orleans Metal Trades Council, comprising 11 different unions. They also won a first contract, which included a joint labor-management health and safety committee. The current goal of this committee is to establish their workplace as "the safest shipyard in the nation."

Tips for Success

Keep co-workers involved.

Throughout the process, make sure workers stay informed about what's going on. Hold frequent meetings and report-back sessions to fill everyone in. Make sure everyone feels part of your health and safety campaign.

Develop a good relationship with OSHA staff.

Get to know inspectors and administrators at your local OSHA office. Meet with them about what you are trying to accomplish. Get in the habit of calling or visiting them with your questions.

Inform the community.

Publicize your OSHA complaint and keep people informed of its progress. Stay in touch with local newspapers and TV stations. Distribute newsletters and flyers to the media, community organizations, and sympathetic public officials. You can hold community events like public forums, demonstrations, and picket lines, and try to get the media to cover them.

Get your allies to help.

Ask community groups and political leaders to express their concern to the employer about unsafe conditions and the need to correct them.

Approach other regulatory agencies.

OSHA is not the only agency with authority over workplace safety. For example, most workplaces are subject to local or state fire laws, building codes, health codes, hazardous waste regulations, and air quality standards. Some of these rules are primarily designed to protect the surrounding community, but they protect workers as well and can be an effective way to create pressure for change. Find out which agencies enforce such regulations in your area, and try to develop a relationship with them. For some ideas, see Appendix 2. If you work in a hospital or school, learn more about the agencies that accredit your institution and about the health and safety criteria they use.

Consider an OSHA petition.

If your health and safety problem is not covered by an existing standard, consider a petition to OSHA. Both federal and state OSHAs accept petitions from workers, unions, and others asking that new standards be adopted or existing standards amended. OSHA studies these petitions and may hold hearings to get public comment on proposed changes. If you submit a petition, it is very important to include good documentation that shows how serious and widespread the problem is. Try to get active support from unions and worker groups affected by the same hazard.

STORIES FROM THE FRONT LINES

TV Union Coalition Wins New Safety Standard

A coalition of unions representing 40,000 journalists and TV technicians in Southern California sought help from Cal/OSHA when several members were seriously injured. The injured workers, members of electronic news gathering (ENG) crews, shoot news video for TV stations. Three different ENG crews had accidentally contacted power lines with the microwave dishes on top of their trucks. One of the accidents got major press coverage because the reporter was severely burned by 32,500 volts. She later had her left arm amputated, and had to undergo muscle transplant surgery.

Four different unions represent ENG workers in Southern California. After the incidents, the leadership of all these unions formed a coalition to address the problem. According to one union official, "Our members looked to us to provide leadership on this issue. They wanted to make sure this kind of tragic accident would never happen again. As a multi-union coalition, we could pool our resources, provide a collective voice, and mobilize actions involving members."

The coalition investigated work procedures on ENG trucks. One ENG crew member told them he was simply "handed the keys and pointed to the truck," and that no one at his TV station made sure that he knew how to safely operate the vehicle or its equipment.

When three major television networks refused to negotiate with the coalition, they decided to petition Cal/OSHA for a new standard mandating basic equipment, training, staffing, and operation procedures for microwave masts in the ENG industry in California. Over the next year, they mobilized members to participate in Cal/OSHA meetings. Activists from the multi-union coalition gave input on the specific language that should be in the standard. Thousands of shop stewards and executive board members across the U.S. wrote letters of support.

The Cal/OSHA Standards Board passed the nation's first safety regulation for ENG workers. It requires specific safety devices on vehicles, adequate lighting, an audible and visual warning device when the mast is extended, and training. According to a union Executive Board member, "The solidarity put forth by the leadership of all these labor organizations was certainly a first ... The nation often looks to California to set the trends of the future, and we very well could be setting standards that will be adopted nationwide."

OSHA COMPLAINT FORM

U. S. Department of Labor
Occupational Safety and Health Administration

Notice of Alleged Safety or Health Hazards

			Complaint Number	
Establishment Name				
Site Address				
	Site Phone		Site FAX	
Mailing Address				
	Mail Phone		Mail FAX	
Management Official			Telephone	
Type of Business				

HAZARD DESCRIPTION/LOCATION. Describe briefly the hazard(s) which you believe exist. Include the approximate number of employees exposed to or threatened by each hazard. Specify the particular building or worksite where the alleged violation exists.

Has this condition been brought to the attention of:	☐ Employer ☐ Other Government Agency(specify)
Please Indicate Your Desire:	☐ Do NOT reveal my name to my Employer ☐ My name may be revealed to the Employer
The Undersigned believes that a violation of an Occupational Safety or Health standard exists which is a job safety or health hazard at the establishment named on this form.	(Mark "X" in ONE box) ☐ Employee ☐ Federal Safety and Health Committee ☐ Representative of Employees ☐ Other (specify)

Complainant Name		Telephone	
Address(Street,City,State,Zip)			
Signature		Date	

If you are an authorized representative of employees affected by this complaint, please state the name of the organization that you represent and your title:

Organization Name: Your Title:

OSHA COMPLAINT CHECKLIST

These questions will help you gather necessary information that you can pass along to OSHA about a health and safety problem. It can also help you decide if filing an OSHA complaint is the best tactic.

1. Does your complaint have to do with:

- ☐ An accident or single incident?
- ☐ An ongoing problem?

2. What is the problem? ✓Check boxes that apply or write the problem in the space below.

- ☐ Chemicals
- ☐ Electrical hazards
- ☐ Falls or slips
- ☐ Fire
- ☐ Heavy lifting
- ☐ Infectious diseases
- ☐ Mechanical equipment
- ☐ Noise
- ☐ Repetitive motion
- ☐ Vibration
- ☐ Other (describe): _____

3. When did the problem begin?

- ☐ The incident took place on _____
  (Date/Time/Shift)
- ☐ This is an ongoing problem that started on _____
  (Date)

4. The best time(s) to observe the problem is _____
(Date/Time/Shift)

5. Where is/was the problem?

- ☐ Address _____
- ☐ Building, room, or area _____

6. Have many employees experienced this problem?

- ☐ Yes. How many? _____
- ☐ No ☐ I don't know

7. Has the problem resulted in an injury or illness?

- ☐ Yes. How many employees were injured or became sick? _____
- ☐ No ☐ I don't know

8. Is the problem covered by an OSHA standard? (Standards are at *www.osha.gov*.)

☐ Yes. Which standard? _____

☐ No ☐ I don't know

9. If not corrected, is the problem likely to result in an injury or illness?

☐ Yes. Explain: _____

☐ No ☐ I don't know

10. Are supervisors or managers aware of the problem?

☐ Yes. If so, what actions did they take to correct the problem, if any?_____

_____

☐ No ☐ I don't know

11. Has OSHA been contacted about this problem before?

☐ Yes. When? What happened? _____

☐ No ☐ I don't know

12. Have you decided who will sign the complaint?

☐ Yes. Names: _____

☐ No ☐ I don't know

13. Have you agreed who will be listed as the designated worker rep and alternate rep that OSHA should contact regarding this complaint?

☐ Yes. Names: _____

☐ No ☐ I don't know

14. Is a bilingual OSHA inspector needed to talk to workers?

☐ Yes. Which languages?_____

☐ No ☐ I don't know

15. Will you request a closing conference with the OSHA inspector that interested workers can attend?

☐ Yes ☐ No ☐ I don't know

16. Is there a different tactic, other than filing an OSHA complaint, that you will consider to solve this problem?

☐ Yes. Suggestions:_____

☐ No ☐ I don't know

17. Are there other federal, state, or local agencies with regulations that may cover the problem?

☐ Yes. Agencies: _____

☐ No ☐ I don't know

18. Is there language in your union contract (if any) that may cover the problem?

☐ Yes. Sections: _____

☐ No ☐ I don't know

CHAPTER 8

BARGAIN & ENFORCE CONTRACT LANGUAGE

"Most people are not aware of the serious hazards that mushroom production workers face. We work in dark, cold, and damp conditions. The air is bad. Moving machine belts are all around, and it's always noisy. Water from the air conditioning drips on the floor and makes it slippery. We are always afraid of falling. And we only have the dim light on our helmets to help us see. That really slows down our work. We stand for long hours and many of us have constant pain in our joints and muscles.

After we chose the United Farm Workers as our union, our fight to negotiate a new contract took a long time. But we succeeded and it was worth it. We are happy we fought for decent working conditions. Now our contract says we will have a joint labor-management safety committee to bring our issues to talk about and fix. We also have a grievance procedure that will let us deal with health and safety. This is our chance to make our jobs better for ourselves and our families."

—California mushroom worker

← *At left:* Dolores Huerta of the United Farm Workers of America, AFL–CIO, at contract negotiations with California growers in 1995.

Whether bargaining a first contract or filing your hundredth grievance, health and safety can be a rallying point for the union membership and for workers who have not yet joined.

Unions have worked for years to incorporate health and safety language into their collective bargaining agreements, and have won many improvements. After new language is won, it's important to enforce it. A big advantage of including health and safety language in the contract is that you can use existing means of contract enforcement like grievances, arbitration, and direct action if there is a problem. This is usually faster and more reliable than filing an OSHA complaint.

Workers, both union members and non-members, can be mobilized to support new health and safety provisions in the contract, as well as fight to preserve the rights that are already there. Thus, contract bargaining and enforcement can be important tools both to advance health and safety and to build participation.

What Is This Tool?

According to federal labor law (and most state labor laws covering public employees), a union that has been recognized as a bargaining agent has a legal right to negotiate health and safety issues with the employer.

Many unions use their bargaining rights to improve upon the protection workers already have under OSHA, and to fill in gaps in OSHA coverage. Although OSHA has adopted numerous health and safety standards and has cited and fined thousands of employers, unions often discover that this protection is neither thorough nor strong enough to adequately protect their members. For example:

- OSHA has insufficient funds, personnel, and other resources.
- OSHA fines may be too low to give employers an incentive to correct unsafe conditions.
- OSHA is slow to adopt new standards as workplace technology changes, and as new research is done on job hazards. Significant new job hazards have emerged in recent years, and OSHA has not always kept pace with them. Indoor air pollution, workplace violence, infectious diseases, and repetitive motion injuries are just a few examples. The rapid introduction of new technology, downsizing of the workforce, and increased demands for speed and productivity are other recent developments that can have serious health and safety implications, but OSHA has not addressed them.

- Federal OSHA does not cover state and local government employees, so public employees in states without their own state OSHA programs are not protected by OSHA at all. Currently about half the states do not have an OSHA program.

Still, OSHA complaints are a valuable tool, especially for unorganized workers and those just beginning to organize. They can also be useful, even for an established union, as a way to put pressure on an employer to take an issue seriously. For more on OSHA complaints, see Chapter 7, **Use Your OSHA Rights**.

Issues to Negotiate

What kind of health and safety protections might you want to negotiate in the contract? Here are a few suggestions.

- The employer will meet or exceed OSHA standards.
- The employer has a "general duty" to keep the workplace safe.
- Labor and management will have a joint health and safety committee.
- The employer will give the union specified health and safety information, beyond what is required by law.
- The union will have the right to conduct its own workplace inspections and tests, and may bring outside health and safety experts into the workplace.
- The employer will provide safety training for workers (or the employer and union will jointly sponsor training programs).
- The parties will reopen negotiations to address new safety issues that arise, such as new technology and other changes in the workplace or in working conditions.
- Workers will have the right to refuse unsafe work.
- There will be no reprisal against workers for health and safety activities.
- The employer will institute control measures for specific hazards that are not adequately covered by OSHA standards, such as indoor air pollution, ergonomic hazards, infectious diseases, workplace violence, speed-up, and understaffing.
- The employer will supply personal protective equipment (PPE) beyond what is required by law, at no cost.

- Clean restrooms, washing facilities, and drinking water will be provided.

- Injured workers will have additional rights, such as higher disability compensation or more flexible ways to return to work.

- Health and safety language will be subject to a special expedited grievance procedure to resolve problems quickly.

For more ideas, see the **Bargaining Priority Checklist** at the end of this chapter.

STORIES FROM THE FRONT LINES

Transit Workers Take Safety to the Table

In a one-week period, two New York City Transit Authority track workers were hit by subway trains and killed. According to the Transport Workers Union (TWU), supervisors didn't always assign flaggers to the crews to warn oncoming trains about track work. The union contract required flaggers, but it was ignored. For the next contract negotiations, workers pushed to have an enforceable right to refuse unsafe work. They made this a high priority because of the fatalities.

They won language that allows workers to refuse a task that is in violation of safety rules or the law. Workers can challenge an order by filling out a simple form. Supervisors and managers have to respond in writing. Supervisors who fail to correct unsafe conditions face disciplinary action. In the same contract, the union also gained the right to bring outside industrial hygienists, ergonomists, and other safety experts onto the employer's property to look at working conditions.

Why Use This Tool?

Advantages

- A contract campaign or grievance can build worker support and enthusiasm for your union's health and safety activities, especially if you keep co-workers involved.

- The contract can cover hazards that OSHA does not regulate.

- The contract can improve upon OSHA protection in areas where existing regulations are inadequate.

- Enforcing contract language through an expedited grievance or direct action is usually faster and more efficient than relying on OSHA. The OSHA complaint process takes time and can cause frustration. There may be long delays, especially if OSHA issues citations and the employer appeals them. Meanwhile, nothing changes in the workplace. Delays can diminish worker support.

- If health and safety has been an important issue in a campaign to gain union representation, members need to see these concerns addressed in their first contract.

- Contract campaigns, grievances, and arbitration build activists' skills. The union develops a pool of experienced people who are better prepared to take on the next challenge.

Challenges

- Your union leadership or bargaining team may not want to give a high priority to health and safety issues because other bargaining needs compete. A union needs to be selective in presenting proposals, because negotiating involves "tradeoffs" and the union might be asked to give up something else that's important. Therefore, be ready to justify why your health and safety proposals will benefit workers and the union as a whole.

- You may need the help of union attorneys or health and safety professionals to develop the exact wording of contract language.

- If you are only able to win compromise language that doesn't fully solve a problem, some workers may blame the union for not protecting them enough. Explain to members that with their support and involvement, it may be possible to do better next time.

- Some unionists fear that a contract that includes health and safety language may open a union up to lawsuits. Such suits might claim that the contract makes both parties equally responsible for correcting dangerous conditions. The solution is that the union should never take on the employer's responsibilities and possible liabilities. Include language in the contract that the employer is solely and exclusively responsible for ensuring a safe and healthful workplace and that the union is not liable for injuries or illnesses.

Step by Step

Bargaining Contract Language

1. Get ready for bargaining.

Most unions hold contract negotiations at regular intervals, usually beginning several months before the current contract expires. However, don't wait until the last minute. Get ready for bargaining well in advance. As issues come up, especially those that can't be resolved immediately, think about how language in the next contract might help. Or if OSHA inspects the workplace and the results aren't what you wanted, consider what contract language you may need to give members extra protection.

A union does not necessarily have to wait until its next scheduled negotiations to bargain with the employer. Federal and state labor laws require the employer to bargain whenever changes are made that will alter conditions of employment. For example, if new machines or processes are introduced and have an impact on health and safety, the employer must bargain.

2. Set your priorities.

You probably can't achieve all your goals in one round of negotiations. You'll have to make choices. One way to prioritize your contract ideas is to use a checklist of possible bargaining topics. For an example, see the **Bargaining Priority Checklist** at the end of this chapter.

You shouldn't try to solve every problem through the contract. To decide if the contract is an appropriate way to address a problem, ask these questions:

- Have workers strongly indicated the need to have this problem corrected?
- Does this problem affect a significant number of workers?
- Does this problem have a major impact on worker health and safety?
- Is this problem especially serious or dangerous?
- Does OSHA have any standards and regulations covering this problem? Do any other federal, state, or local agencies cover it? Do these regulations sufficiently protect your members? If not, contract language may be needed.
- Does language about the problem already exist in your contract? Is the language adequate? Have there been successful grievances based on this

language? If the present language hasn't solved the problem, stronger language may be necessary.

- Has the union ever attempted to resolve this problem with OSHA or the employer? What happened?

3. Collect the information you need.

Accurate information and an involved workforce are the keys to success in contract negotiations. You need good information so problems can be documented at the bargaining table. Ask co-workers to help collect this information, so they can become active participants in the preparations for bargaining. This helps build support, enthusiasm, and leadership skills. For some ideas on how to collect information, see Chapter 4, **Find the Hazards**, Chapter 5, **Identify Health Problems**, and Chapter 6, **Use the Right to Know**.

It's also important to look at all the health and safety language in the current contract to see what's already been achieved. Grievance records may give you an idea of how well the current language is working.

4. Work with the bargaining team.

Work closely with the union's bargaining team or other union officials who are responsible for negotiations.

The union may be hesitant to include health and safety issues because of competing bargaining priorities. Try to convince the leadership that your proposals are important and have workers' support.

Work out some "ground rules" with the bargaining team. For example, discuss how health and safety proposals will be presented to the employer. Is it union practice for the bargaining team itself to make all presentations at the table, or should some of your committee members be there to assist them? Should you include workers who have been directly impacted by the problem?

If the bargaining team will take the lead, do they thoroughly understand every aspect of your proposals? Are they familiar with all the documentation you want them to present?

5. Launch a bargaining campaign.

As contract time approaches, the union will probably organize an outreach and education campaign. Coordinate your health and safety efforts with this overall union campaign.

The campaign publicizes problems and proposals so workers and the community are brought into the process. Rallies, public forums, informational

leafleting, and "town hall" meetings are all ways to get the word out. Workers play an active role in these public events and also get to meet local officials and sympathetic community groups to seek endorsements. Press conferences with both English and non-English media can garner radio, TV, and newspaper coverage.

Get some excitement going. Let everyone know what the problems are and what you propose to do about them. For example, it can be very effective to invite workers who have been injured to give personal testimony about their experiences at "speak outs" and similar public events.

Keep all your supporters informed of bargaining progress at meetings and through "bargaining update" leaflets or newsletters.

6. Negotiate and ratify the agreement.

As the bargaining sessions begin, it's important to have an understanding of how the process will work. Try to answer such questions as:

- What will happen when management makes counter-offers on health and safety during the give-and-take of negotiations? Your committee should have an opportunity to give feedback to the bargaining team before counter-offers are accepted or rejected.

- Will it be possible for workers to attend bargaining sessions as observers in support of the health and safety proposals? This shows management that workers are involved and interested, and helps workers feel they are part of the process.

- Is it the union's practice to distribute the full language of tentative agreements to members before they vote to ratify? Will members have enough time to read and digest the language?

After a good contract has been ratified, hold a public celebration to thank workers and community supporters who helped.

Filing Grievances

1. Use the grievance procedure to enforce the agreement.

If workers or the union believe that management has violated a health and safety provision in the agreement, file a grievance. Try to resolve the issue informally with management first, but observe time limits for filing the formal grievance. Remember that if there is a "general duty" clause in the contract, any health and safety issue is potentially grievable if it can't be resolved another way.

When preparing a grievance:

- Decide who should file. Usually a union official, committee, steward, or any impacted worker can sign the form. Although an individual worker can file, give priority to situations that affect a larger group. Try to bring group grievances and mobilize worker support.
- Describe the problem clearly. Do some research to find out exactly what's been happening and who is affected.
- Identify the specific contract clause that has been violated. If the contract incorporates OSHA standards by reference, identify the specific OSHA standard.
- Attach any documentation you have about the problem.
- Ask for effective remedies.

2. Keep members informed and involved.

As the grievance proceeds, remember that your strength is the union membership. Workers who are impacted or potentially impacted by the problem should be invited to participate in all stages of the process. It's important to educate and inform the workforce through flyers and newsletter articles. "Update" meetings allow people to ask questions and give you an opportunity to recruit more supporters. Some unions conduct public campaigns around grievances, which may include wearing health and safety ribbons or buttons to show support, going to the media, and/or contacting community allies.

3. Prepare for arbitration.

If your grievance eventually goes to arbitration, you may need help from an attorney or outside health and safety expert. Some unions bring in specialists in particular health and safety issues as expert witnesses. To find someone who can assist you, ask your union's health and safety department or your local "COSH" group. (See Appendix 2.) But don't put the whole case in outside hands. Remember that your committee members and co-workers should be encouraged to learn how to prepare and present your arguments

4. Make sure the employer implements the remedy.

If you are able to resolve the problem through the grievance procedure, monitor the employer's progress in implementing your remedies. Meet with the employer if necessary. Ask who will be responsible for making the changes, and what the timeline is. Keep following up.

5. Consider your other options if necessary.

If you lose in the grievance procedure, consider using other tools described in this book, such as OSHA complaints. Or begin mobilizing to improve the contract the next time. With better contract language, you might have won.

Tips for Success

Encourage worker involvement.

Throughout the bargaining and grievance handling processes, encourage worker involvement. This helps develop their interest and commitment. It enables the union to have a strong, unified voice. Give co-workers specific roles to play. They can help you investigate hazards, survey co-workers, analyze injuries, develop other documentation, evaluate the current contract, educate co-workers, and prepare your new contract proposals.

Build leadership skills.

Important skills can be developed through negotiating with the employer and handling grievances. If possible, committee members and other workers should attend negotiating sessions as either participants or observers. In a grievance, committee members should take as large a role as possible, including helping to present your case to the arbitrator. It's good training and will help your union develop a pool of experienced people. Don't ask the "experts" to do it all!

In the contract, give the union an equal role.

If your contract sets up a joint labor-management health and safety committee, be sure to include safeguards against employer domination of the committee. The contract should provide for an equal number of union and management representatives, joint planning of agendas, equal access to information, and a joint or rotating chair. Also try to include language that gives the committee real power to effect change.

Find creative ways to work with the employer.

Joint committees are not the only way that labor and management can agree to work together. For example, some contracts provide funding for joint labor-management research studies, giving the parties an equal role in setting research agendas, selecting researchers, and interpreting results. Some contracts set up jointly-sponsored health screening projects such as lung function testing or hearing exams. Some contracts provide for paid union health and safety reps or for joint education funds. The parties sometimes also agree to special safety promotion events and campaigns in the workplace, and other joint activities.

Avoid behavior-based safety programs.

In your contract, reject employer proposals and programs that imply accidents and injuries are the worker's fault. "Behavior-based" programs are popular with some employers. However, most accidents and injuries are caused by working conditions, not worker mistakes or carelessness. Behavior-based programs often give great emphasis to reducing lost workdays (without changing working conditions), documenting "unsafe" worker behavior, disciplining workers for having an injury or illness, and drug testing after an injury.

Be skeptical of safety incentive programs.

The contract also should prohibit programs that discourage workers from reporting safety problems. These can include financial rewards for not having (or not reporting) injuries. For example, some employers may propose using a game called "Safety Bingo," where teams of workers compete to see who has the lowest injury rate. The winning team may receive a cash award. These programs pit workers against each other and can discourage injured workers from seeking appropriate medical care and compensation.

When employers propose such programs, some unions counter-propose safety incentive programs of their own, based on very different ideas. For example, the union may propose rewarding workers for promptly reporting unsafe conditions, or for coming up with new ways to reduce hazards. Countering the employer's proposal with an alternative like this can be an effective way to show that the union won't "buy into" divisive attitudes toward safety.

Aim for continuous bargaining.

Your contract may set up a joint labor-management health and safety committee, or provide for some other form of regular labor-management discussions. No contract can solve all the health and safety problems at the workplace. New hazards created by new technology and work restructuring, as well as new information that emerges on old hazards, constantly challenge the union's ability to represent members adequately. Committees and joint labor-management discussions are an important way to keep on top of new developments. Some unions think of these discussions as "continuous bargaining" and prepare for them as such. Prepare for these meetings in a thoughtful and well-organized way, just as you would prepare for negotiations.

BARGAINING PRIORITY CHECKLIST

Use this checklist to help choose your union's health and safety bargaining priorities. First, go through the sections below and check those topics of concern to your members and your union.

Don't be concerned at this point whether the topics you check are already covered by your current contract or by OSHA. After you complete the checklist, the "Follow-Up" section at the end will let you consider these factors and set realistic priorities.

✓ *the topics most important to you*

Responsibilities

Employer is responsible:

- ☐ Must meet or exceed all legal health and safety requirements
- ☐ Must have a safety program
- ☐ Must correct unsafe conditions in a timely manner
- ☐ Has the sole responsibility for health and safety

Union's role:

- ☐ Does not assume or share the employer's responsibility
- ☐ Is not legally liable for health and safety problems
- ☐ Is "indemnified" and "held harmless" from claims, charges, and suits

Union Participation

Employer recognizes:

- ☐ Union health and safety representatives
- ☐ Union health and safety committees

Joint labor-management activities:

- ☐ There will be a joint health and safety committee
- ☐ Paid time and training will be available for joint committee members

- ☐ Funds will be provided for joint committees and other joint activities
- ☐ Employer will respond to joint committee recommendations promptly

Union right to health and safety information:

- ☐ Employer will give the union all relevant health and safety information
- ☐ Employer will give the union accident reports
- ☐ Employer will give the union access to monitoring and medical records
- ☐ Employer will notify the union about potential safety problems
- ☐ Union may inspect the worksite and bring outside health and safety experts
- ☐ Union may conduct tests and studies

Future bargaining over workplace changes:

- ☐ Parties will discuss in advance any changes in employer safety policies
- ☐ Parties will discuss in advance changes in technology, job design, and working conditions
- ☐ Parties will jointly participate on a "new technology" committee

Worker Training

- ☐ Employer will give workers appropriate health and safety training
- ☐ Training will be on paid time and workers will be reimbursed for travel
- ☐ Employer will give workers training about special hazards
- ☐ Workers will receive training at specified intervals
- ☐ Union will be involved in design of training, or there will be joint training programs
- ☐ Trainers will be chosen jointly or by the union
- ☐ Adequate funds will be provided for training programs

Right To Act

- ☐ Contract specifies procedures for workers to report unsafe conditions
- ☐ Contract prohibits safety incentive programs that discourage reporting of injuries

- ☐ Workers have the right to refuse unsafe work in good faith
- ☐ Contract specifies procedures for refusing unsafe work
- ☐ Contract guarantees no reprisal for reporting injuries, illnesses, or unsafe conditions; for making OSHA complaints; for following safety rules; or for refusing unsafe work
- ☐ Union will be notified of serious incidents and has the right to investigate
- ☐ Contract has an expedited grievance procedure to quickly resolve safety disputes
- ☐ Union has the right to strike over immediately dangerous conditions

Specific Hazards

Problems will be addressed in the following areas:

- ☐ Computer terminals
- ☐ Ergonomic hazards
- ☐ Hazardous substances
- ☐ Heat or cold
- ☐ Heavy lifting
- ☐ Indoor air quality
- ☐ Infectious diseases
- ☐ Noise
- ☐ Sanitation
- ☐ Stress, speedup, and staffing
- ☐ Tobacco smoke
- ☐ Vehicles
- ☐ Workplace violence
- ☐ Other _____

Protective Measures

- ☐ Engineering controls will be the preferred way to reduce or eliminate hazards
- ☐ Employer will reduce use of toxic materials as much as possible (toxics-use reduction)
- ☐ Personal protective equipment will be provided if necessary
- ☐ Employer will adopt clear emergency response procedures
- ☐ Workers will receive training in first aid and CPR
- ☐ Appropriate first aid supplies will be available
- ☐ Emergency medical services and transport will be available
- ☐ Employer will provide restrooms, washing areas, and clean drinking water

Injured Workers

- ☐ Employer will provide appropriate medical care for injuries
- ☐ Worker may select his or her own treating physician
- ☐ Contract sets up mechanism(s) to resolve medical and legal disputes
- ☐ Employer will preserve jobs, wages, and benefits of injured workers
- ☐ Contract specifies rights and procedures for those who need different work to accommodate job injuries
- ☐ Contract addresses "bumping" when injured workers return to work
- ☐ Contract addresses compliance with the Americans With Disabilities Act (ADA)

FOLLOW-UP

After you have marked topics of possible interest above, go through the checklist again and try to determine your bargaining priorities. For each topic you checked, is new contract language needed? For example, is current contract language adequate? Do OSHA standards already cover the issue? How important is the issue to workers? Copy the page if you have more possible priorities.

POSSIBLE PRIORITY	NEW CONTRACT LANGUAGE NEEDED?		WHY OR WHY NOT?
	YES	NO	
1. _____	☐	☐	_____
			_____
2. _____	☐	☐	_____
			_____
3. _____	☐	☐	_____
			_____
4. _____	☐	☐	_____
			_____

Adapted from LOHP's "Collective Bargaining for Health and Safety: A Handbook for Unions" (2000), which has much more information on all these topics, along with sample contract language.


ST. FRANCIS
LOCKED OUT!
UNITE HERE!
ALL RELIGIONS BELIEVE IN JUSTICE
ST. FRANCIS
LOCKED OUT!
UNITE HERE!

CHAPTER 9

BUILD COMMUNITY ALLIANCES

"When our community group heard that workers in town got fired for refusing to eat their lunch in an asbestos containment area, we were outraged. The employer was taking advantage of the fact that most of these workers are Serbo-Croatian and don't speak English well.

We also learned that the way this employer handles asbestos puts residents who live nearby at risk. When the workers asked us to join them in pressuring the company to give them better safety equipment and training, we had to say yes!"

—New Jersey community activist

← *At left:* San Francisco hotel workers enlist clergy and community supporters during 2004 lockout.

Workers lead double lives—as members of the workforce and members of the community. Many of their potential allies are actually their friends, neighbors, and families.

Health and safety doesn't stop at the plant gates. The community may be threatened by the same unsafe conditions that workers face inside the plant, so both community and workers have a common interest. Air and water pollution, toxic releases, fire, or explosion are concerns for everyone nearby.

Even if the community is not directly affected by a hazard, worker health and safety is an issue that resonates with the public. Unsafe conditions that result in injury or death are unacceptable to most people. Community awareness and sympathy can play a significant role in getting the employer to respond.

What Is This Tool?

Workers, worker committees, and unions can reach out to potential allies and invite them to support the fight against unsafe conditions. These alliances often are local in scope, but may be much broader, even national or international. Approaches are often made to those who sympathize because they share the workers' economic or political interests, cultural or ethnic background, religion, language, or gender. An alliance initially may be established around a single health and safety issue, but later can broaden into ongoing mutual support.

Also, alliances already formed around other issues can be drawn upon when a health and safety problem arises. It may be easier to gain an organization's support if you have worked together in the past.

STORIES FROM THE FRONT LINES

Arizona PACE Workers Find Common Cause with Local Community

A union local of the Paper, Allied Industrial, Chemical and Energy Workers (PACE) in Rillito, Arizona engaged in a three-year battle to negotiate a contract with a local cement factory. When the union workers went to the local community center for support, they learned that the factory was a major air polluter in the community.

The workers formed an alliance with the community center. The community center and residents signed on to help the workers put pressure on the company for a decent contract. In turn, the workers joined the community in attending EPA hearings and testifying at meetings of the local air quality board. This alliance resulted in a union contract for the workers and action by government agencies to get the employer to reduce the pollution.

Consider approaching a variety of groups, organizations, and individuals who could be potential allies. For a few ideas about possible ways the community can support your campaign, see the **Community Support Checklist** at the end of this chapter.

Potential allies might include:

Community-Based and Faith-Based Organizations

In most communities there are locally-run grassroots organizations that deal with civil rights, social justice, job or economic development, community health, immigrant rights, environmental protection, or environmental justice. There may also be churches and other faith-based groups that are active in community affairs. Historically, churches have been among labor's strongest allies.

It is most effective if an organization is initially approached by workers, not by union officials or outside organizers who don't share the workers' existing ties to the community. For example, the workers themselves may already belong to a sympathetic social organization or church. These groups may well want to support activities that improve the welfare of their own members.

Most importantly, workers may look to these organizations for moral leadership and a sense of belonging. Endorsement of the workers' cause by those they already trust and respect can strengthen their commitment and morale. It can also help them reach co-workers whom they know through the community organization or church, but who have not yet joined your campaign.

Community groups may sponsor activities, such as English as a Second Language (ESL) classes, in which the workers or their families or friends already participate. These can also be a vehicle for reaching co-workers.

In some cases, a community organization may have ties to a national parent organization or network that already works with labor on some issues. Find out about these higher level alliances and see if they can help in local efforts.

Unions

Other unions in the community are an obvious source of support. Even if you don't yet have an established union yourself, enlist the support of unions nearby through your local Central Labor Council or state labor federation. Also approach international unions and their regional councils.

Make a special effort to work with unions that have members in workplaces similar to yours, since they may face many of the same health and safety hazards. It is especially valuable to gain support from unions whose members have a connection to your own employer, such as other trades within the company (at

your own or a different location) or those who make deliveries there. They may have insight into the health and safety problems, or may even have addressed them in their own contracts. Their support can be crucial in bringing pressure on the employer since they have an existing relationship with the company.

Labor Constituency Groups

The AFL-CIO has recognized several nationwide "constituency groups" through which workers with a common interest can advance their concerns within the labor movement and reach out to their own communities. These include the A. Philip Randolph Institute and Coalition of Black Trade Unionists (both representing African American workers), the Labor Council for Latin American Advancement, the Asian Pacific American Labor Alliance, the Coalition of Labor Union Women, and Pride at Work (representing gay and lesbian workers). In many places, these groups have state or local chapters that lend support to worker campaigns in their area.

Special Labor Campaigns

In recent years the labor movement, usually in coalition with other organizations, has launched several national campaigns to organize and win justice for low-wage workers, immigrants, laid-off workers, and others impacted by the modern economy. Campaigns include Jobs with Justice, Just Transition Alliance, Coalition for Justice in the Maquiladoras, and the Living Wage Campaign. Many of these have local affiliates that support health and safety as well as other campaigns. In some cities these or other groups have opened "workers' centers" to serve unorganized workers and help resolve issues they confront on the job and in the community.

COSH Groups and University Programs

Committees for Occupational Safety and Health (often called "COSH" groups) are local volunteer organizations formed by trade unionists and health and safety professionals in cities throughout the U.S. Their goal is to promote safe and healthy workplaces by sharing information, supplying training, and providing support for worker health and safety campaigns. There are over 25 groups at present. Most have regular meetings. (See Appendix 2.)

Some colleges and universities have health and safety outreach programs, such as the Labor Occupational Health Program at the University of California, Berkeley, that also provide information, training, and support to unions and worker groups.

Community and Occupational Health Clinics

Many communities have local primary care clinics to serve their residents. These may be attached to a public hospital, sponsored by a city or county health

department, or run independently by people in the community. Clinics typically serve the poor and low-wage workers without health insurance. As a result, they are likely to see firsthand the effects of job hazards, treating both injuries and illnesses acquired at the workplace.

Since clinic administrators and staff are usually committed to prevention and dedicated to the community they serve, they are likely allies when a campaign has the potential to improve health and safety. In some campaigns, community clinic staff have played a valuable role by educating patients, compiling statistical data, doing health screening of workers in cooperation with unions, testifying at public hearings, and even joining picket lines.

In some urban areas, hospitals or universities operate clinics specifically devoted to occupational health. Workers with job injuries and illnesses are usually treated at low cost. Some occupational health clinics and their staff consider their mission to include education and advocacy, so these may also be potential allies.

Law Clinics

Low-cost community law clinics exist in many places. Often staffed by attorneys volunteering their time, paralegals, and law students, clinics may deal with employment and health issues. Their advice and support can be useful to unions, advocates, worker committees, and individual workers who need to understand OSHA law, discrimination law, the obligations of the employer, workers' compensation, and the legal framework of organizing.

Elected Government Bodies

City councils, local commissions, and even state legislatures can provide important support. Since they have the power to apply political and economic pressure to the employer in various ways, their involvement in a health and safety campaign can "send a message" that the employer will hear.

Local and state political bodies can pass resolutions of support, or they can hold public hearings that expose unsafe conditions and attract public attention. They can threaten or pass new legislation. Because they control public financing and resources, they have the power to deny these to uncooperative employers. (However, when local or state governments pass legislation that directly addresses health and safety conditions, there is some danger that courts will overrule their action. Courts may find that only OSHA has authority in this area. This is called "preemption.")

An elected official can also offer his or her services as an intermediary, helping the union or workers reach agreement with the employer on changes that need to be made.

Media

Try to find sympathetic newspaper, radio, or TV reporters, and provide them with well-documented information about your health and safety issue. Make your case to them in a thorough and reasonable way so they will understand the issue and realize you are serious about it. It's important that they see you are not just a "complainer" or someone who is trying to embarrass the employer. Follow up with your media contacts frequently so you can form ongoing relationships with them. Keep them supplied with your flyers, newsletters, and press releases. Invite them personally to your rallies, press conferences, and other events.

Student Organizations

During the last decade, young people have devised creative and energetic campaigns against international sweatshop labor. Anti-sweatshop groups are now found in many high schools and colleges. Many have been enthusiastic about supporting local labor issues.

STORIES FROM THE FRONT LINES

Campus Allies Help Workers Win Contract

One recent target of student protest was a plant in western New York state that makes sports caps for professional and college teams. It is one of the last remaining manufacturers of sports caps in the country. Workers there were facing 30% wage cuts, layoffs due to jobs going offshore, and a variety of hazardous health and safety conditions. Injuries were recorded improperly, workers were exposed to bloodborne pathogens, and hazard communication training was inadequate. Eventually workers and their union, the Communications Workers of America (CWA), called a strike against the parent company, which continued for eleven months.

Students rallied in support and took the issue to college campuses nationwide. Student groups in many places endorsed the workers' struggle, and ultimately six colleges and universities severed ties to the sports cap manufacturer.

In part due to this national campaign, the company and union signed a four-year contract, ending the strike. The new contract covers a range of issues, including health and safety, wages, and productivity. In addition, CWA agreed to support the company's application for admission to the Fair Labor Association (FLA), an international worker rights monitoring program that is affiliated with 173 colleges and universities. Failure to gain admission could have cut off the company's business with all these FLA member institutions.

International Allies

Today, the labor movement's alliances are not just local or regional, increasingly they are also global. International coalitions to improve working conditions began to emerge in the 1990s in response to globalization.

The new globalization has helped to create a class of workers who are so desperate they cannot refuse work, no matter how dangerous and unhealthy. Two million workers around the world die each year from chemical exposure and serious accidents on the job. Another 60 million get non-fatal occupational diseases. Global production has brought fatigue from 12-16 hour work days, 7 days a week; food poisoning from eating and living at the worksite; and tuberculosis from migrating workers.

At the same time, workers in the more developed countries such as the U.S. see good union jobs disappear while incomes and working conditions drop dramatically. Since corporations have gone global, activists are developing networks to respond globally. These efforts seek to improve working and living conditions both in the U.S. and worldwide.

STORIES FROM THE FRONT LINES

Tennessee Women Visit Mexican Maquilas

The Tennessee Industrial Renewal Network (TIRN) became concerned about the flight of union manufacturing jobs from their state to Mexico. Composed of labor, community groups, religious leaders, and public officials, TIRN worked with two Mexico-based organizations to bring together women who had lost manufacturing jobs in Tennessee with women workers in the maquila factories on the U.S.-Mexico border.

Meeting face-to-face in Mexico, the women strategized together on how to publicize health and safety violations in the factory in Matamoros where the Mexican women worked. They identified safety issues ranging from lack of machine guarding to mandatory overtime, and played an important support role in a court case that led to improved health and safety conditions in the plant. TIRN has continued its cross-border worker exchanges every year since.

One Tennessee participant explained how she became involved: "When I was in the union office one day, somebody brought in a bunch of pictures from the maquila plant down on the border. The workers were doing the same kind of work I used to do when I worked in an automotive seat belt factory here in Tennessee for the same company. Only now the work was being done by women in another country with worse working conditions and much lower pay. Those pictures got my attention."

Other Potential Allies

Prominent individuals.

In most communities, there are certain individuals whose opinions carry great weight with the public because they are trusted and respected. These may be religious leaders, mayors, city council members, physicians, business leaders, or officials of community organizations. Try to convince them to speak out on your behalf, sign petitions, and attend your picket lines.

Senior and retiree groups.

Many seniors have the time and motivation to become involved in worthwhile causes. If they are retirees from your own company or industry, they may be especially sympathetic because they remember what conditions are like and want to make things better for those who follow them.

Customers.

If consumers complain to the employer about worker health and safety problems, the employer knows that they have the potential power to affect the bottom line. Consumer boycotts are difficult to organize, may raise legal issues, and are only effective if conducted on a large scale. However, the possibility that customer complaints may eventually escalate to this level might make the company listen.

Stockholders.

Some unions have approached stockholders in a company to bring pressure on management to correct unsafe conditions. Sometimes it is effective to hold demonstrations at stockholder meetings or have sympathetic stockholders introduce resolutions of support.

STORIES FROM THE FRONT LINES

Workers Stage Fashion Show at Company Headquarters

Workers at a major clothing company's Catalog Distribution Center began an organizing campaign to seek union recognition with UNITE. Many workers had been injured by burns, falls, machinery, and other hazards. Workers sought community support to help them confront the company.

The workers, union, and supporters demonstrated outside employer headquarters in Indianapolis, New York City, and Europe. They organized a fashion show at New York headquarters with the theme "The clothes we love, the secrets we hate." Injured workers modeled the company's upcoming holiday fashions. They also distributed a *Sweatshop Holiday Catalog,* featuring injured workers wearing garments made by the company.

The Indiana workers finally won union recognition with UNITE and agreed to their first union contract a few months later.

Why Use This Tool?

Advantages

- Joint campaigns and actions demonstrate to the employer that community members—including respected and powerful community leaders—sympathize with the workers and are willing to take action on their behalf. This creates moral, political, and sometimes economic pressure on the employer, and may persuade the employer to correct the problem.
- Workers gain experience in the give-and-take of dealing with the outside organizations they work with, which often requires understanding other points of view, negotiation, and compromise.
- Joint work can bring larger numbers of people to events such as meetings and rallies, and boost worker morale.
- Joint work helps solidify relationships, sometimes resulting in long-term partnerships.

Challenges

- To gain trust and real commitment from potential allies, you must devote time and resources to the project.
- Initial approaches can be especially difficult if partners do not understand labor or safety issues well. An educational process may be necessary, and may require some effort.
- Partners may be busy waging their own difficult struggles. They may feel that a new commitment will get in the way of their own work. It is important to demonstrate to them that support will be mutual—workers will lend aid to the group's other activities. However, this also requires a time commitment and can sometimes distract you from your own campaign.
- Support activities often do not get immediate results. To succeed, they may require a commitment that goes on for years.
- If mutual understanding fails at some point and partners feel disrespected, it can be difficult to regain their trust. In extreme cases, the group or individual may pull out of the alliance, or even publicly criticize your efforts.

STORIES FROM THE FRONT LINES

Minister Helps California Hotel Workers Make Their Case

In San Rafael, California, a local of the Hotel Employees/ Restaurant Employees union (HERE) invited a local minister to learn the job of a hotel room cleaner and tell the community about it in a public forum. The union wanted to build support for a hotel organizing drive by showing the public firsthand the room cleaners' heavy workload.

Studies have shown that room cleaners nationwide suffer high rates of stress, hypertension, and musculoskeletal disorders due to the fast pace and physical demands of the job. Workers at this hotel are assigned 19 suites to clean each day. Each suite includes a bedroom, small kitchenette, dining area, and living room with a sofabed. To complete her assignment, a room cleaner has to work very quickly to finish each suite in about 20 minutes.

While video cameras rolled, the minister was shown the variety of cleaning tasks that needed to get done. After learning these tasks, she was turned loose. Forty minutes later, she had only managed to pick up and empty the trash, make one bed, and partially make the sofabed.

One week later, the minister testified at a public forum sponsored by the local Interfaith Committee for Worker Justice. Over 175 community members and leaders attended. As the minister described the difficulties of the work, the video of her cleaning the suite was shown. The public could see for themselves how she had to move quickly and get on her knees to look under and behind beds, tables, sofas, and other furniture for trash left behind by guests. She had to bend and twist in a cramped space between the bed and wall to make the bed with sheets that were too small. After 40 minutes she had to stop because her arms and back were beginning to hurt.

The minister's testimony educated key community leaders and boosted the morale of the hotel workers in the audience. The Interfaith Committee for Worker Justice voted to endorse the workers' campaign.

Step by Step

1. Develop a community outreach plan.

It is best to approach potential allies after you have researched the health and safety problem and mobilized co-workers. You also need to develop some ideas about what you want the employer to do, what you want community organizations to do, and what your tactics will be. Outside organizations and individuals will probably be more willing to work with you if you present a well-documented case and have a clear plan.

2. Enlist co-workers to help identify possible allies.

Co-workers should be directly involved in developing your community strategy and implementing your community outreach plan. Many workers associate with some type of organized community group. They can help identify potential allies from among these associations. The workers who are affected by the health and safety problem are the most effective ambassadors to educate community groups about the issues.

3. Document the community's stake.

Do some research to determine how the community is impacted by the health and safety problem, and why it's in their interest to help solve it. Write up a short summary of what you found to distribute to your potential allies.

4. Meet with your allies.

Explain the background, the issue, and the advantages they will gain by joining the campaign. If they are unfamiliar with labor and safety issues, give them informational materials or offer to present an educational workshop to help their members understand. Also brainstorm with your allies a wide range of ways they can support your campaign.

5. Get your allies to make a specific commitment.

Nail down their support for an upcoming action, event, or project. Make sure they are clear about their role and responsibilities.

6. Carry out an action, then evaluate it.

With your community partners, jointly evaluate what happened, what went right and what went wrong. How successfully did you work together? What was the impact on the employer?

7. Keep workers and community partners involved and informed.

Keep the alliance going by keeping everyone "in the loop."

8. Decide on the next steps.

With your community partners, brainstorm what to do next to advance the campaign. Announce the next steps to workers and members of the community group. Recruit more supporters.

9. Thank your partners.

Show appreciation to your community partners for their support. If your campaign succeeds in getting changes made, invite them to the party! Also offer to help community supporters with their own issues and projects.

Tips for Success

Keep workers involved.

Throughout the process, make sure both your committee members and co-workers stay informed about what's going on. Hold frequent meetings and report-back sessions to fill everyone in.

Send a message direct from the workers.

Community supporters need to hear from the workers themselves. When working with the community, it's useful for workers to prepare short presentations that put the listener in their shoes, describe why they are engaged in the campaign, and explain why they need support.

Build trust through effective communication.

Bringing together groups with different organizational cultures, and possibly different languages, requires a commitment to developing effective communication techniques. Don't assume that the leader of the group is an English speaker, and don't just communicate with the English speakers. Determine if you will need interpretation and translation. Is there a worker who speaks the language of the group? Can he or she take a leading role in meetings and/or interpret? Should informational materials be printed in the language of the community?

Rely on personal contact.

To approach a community organization, pick up the phone or, better yet, take the time to make a personal visit. Don't rely on e-mail or voice mail messages to communicate. As the relationship develops, remember that personal contact may still be the most effective way to pass along information and updates.

Don't wait until the last minute.

Avoid making last-minute appeals for community support. Many groups need to learn about the issue and have time to decide if they can support the campaign. Respect their decision-making process.

Make sure the relationship is mutual.

Repay community support by offering to help community groups with their other projects.

STORIES FROM THE FRONT LINES

Nebraska Meatpacking Workers Win Contract with Community Help

Health and safety took center stage in recent union organizing drives at three meatpacking plants in Omaha, Nebraska. The United Food and Commercial Workers Union (UFCW) eventually won elections and better health and safety protection at all three plants. An activist community organization, Omaha Together/ One Community (OTOC), formed in the early '90s by a group of religious congregations, played a critical role.

The majority of the meatpacking workers in Omaha are recent immigrants from Mexico and Central America. Workers were concerned about the speed of the production line, carpal tunnel syndrome, and rising injury rates. Meatpacking has one of the highest rates of carpal tunnel syndrome among U.S. industries.

The union formed an alliance with OTOC, which worked creatively to overcome the cultural divide that made many immigrant workers view the union with suspicion. OTOC's approach was to build upon networks of families and friends in the immigrant community. It organized first outside the plant, for example by setting up soccer leagues and by visiting workers and their families at home. In the course of this work, OTOC organizers found that health and safety issues, especially the pace of work, were a top priority for the workers. "We all notice that they don't turn down the line speed when someone misses work," one worker remarked to the organizers.

OTOC also mobilized hundreds of citizens in the community to support the organizing effort. It helped the union form committees in the individual plants, made up of the more active workers. At one plant, the worker committee and UFCW organizers published their own newsletter, *La Neta* (The Truth) in English and Spanish. It included imaginative cartoons by one of the workers. The newsletter emphasized the health and safety issues that workers were most concerned about, such as speedup. Catholic church leaders also assisted in the campaign. One parish encouraged Spanish language "speak outs" by workers in church. Workers gradually gained the confidence to speak publicly there about the issues. One worker said:

"[My co-worker] had a piece of metal from one of the machines in his eye, and asked me to go with him to the nurse. Not speaking English, he didn't think he could explain what had happened. So they washed his eye out, and I assumed it was all taken care of. But an hour later he came up to me again, and by then his eye was red and inflamed. I saw the piece of metal was still there. We went to the nurse again, and this time the foreman yelled at him, saying he was just a complainer, and told him to get back on the line."

Workers at all three plants now have their first contracts, which include important health and safety improvements.

COMMUNITY SUPPORT CHECKLIST

Community supporters can be enlisted to help your campaign in many ways, Here are specific actions that some workers have taken with the community. As you read through this list, check those that may work well in your own campaign.

Education

- ☐ Ask community groups to co-sponsor **educational forums**, teach-ins, or speak-outs to explain the issues to their members and others.
- ☐ Work with community groups to produce and distribute **creative informational materials** to educate the public (videos, booklets, posters).
- ☐ Involve community groups in creating and presenting songs, skits, or other **performances** that publicize the campaign.

Meetings

- ☐ Organize joint **delegations** to meet with the employer.
- ☐ Have joint delegations meet with **local political leaders**, **opinion makers**, and the **media** to educate them.
- ☐ Have joint delegations meet with the **employer's business associates**.

Outreach to Workers

- ☐ Ask community groups to help arrange **personal meetings** with workers who are potential supporters. The group may already have a relationship with these workers or their peers, speaks their language, and understands their culture.
- ☐ Ask groups to help arrange **house meetings** and **social events** to reach workers.

Public Actions

- ☐ Ask community groups to help circulate **petitions**.
- ☐ Ask groups and individuals to **write letters** to the media, political representatives, and the employer in support of the campaign.
- ☐ Co-sponsor **press conferences** with community groups.
- ☐ Have groups collect **pledge cards** from their members, committing to participate in public support actions on a regular basis.

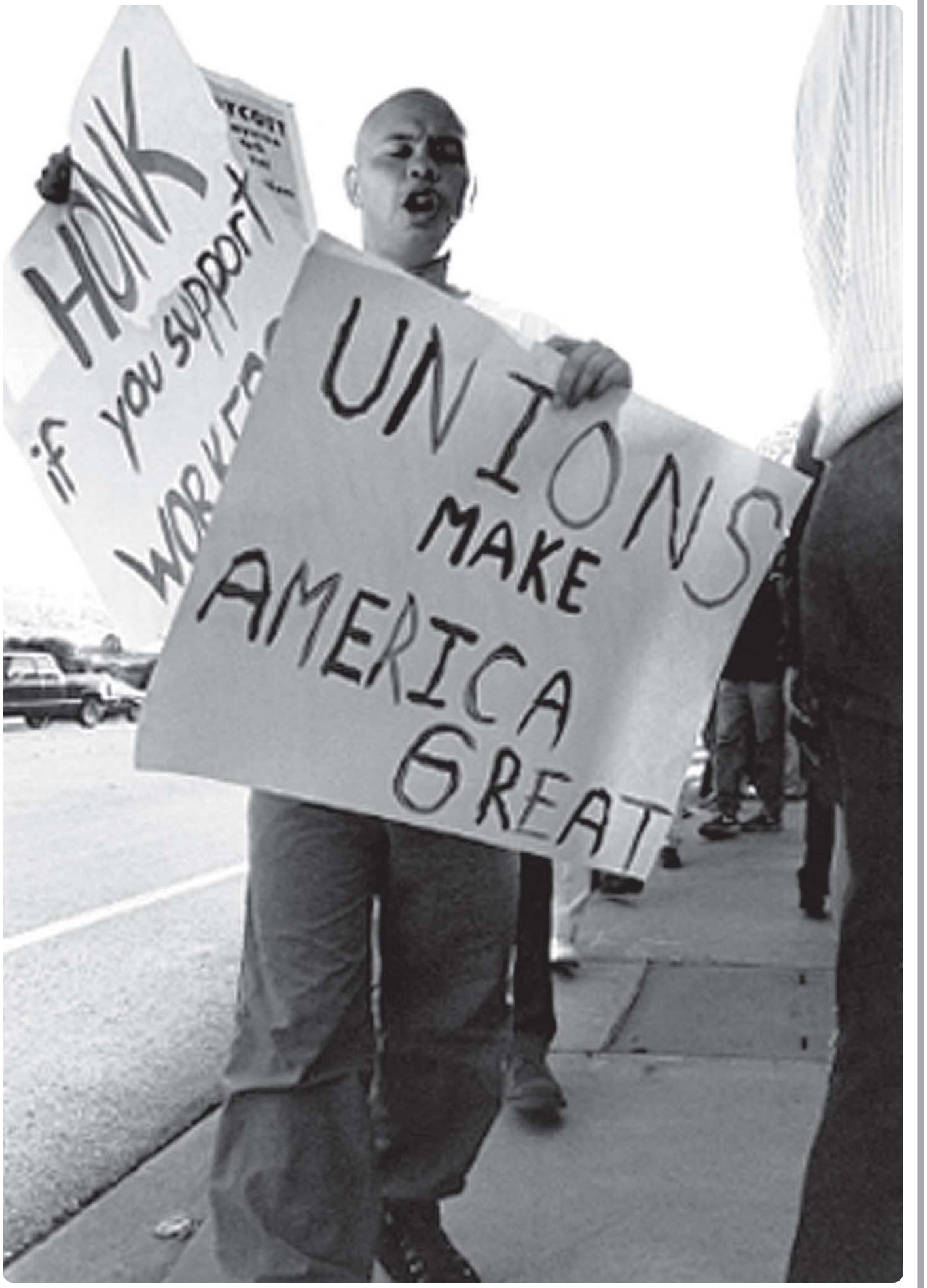
- ☐ Encourage community groups to form worker **support committees**.
- ☐ Ask groups to co-sponsor and help organize actions such as **rallies**, **car caravans**, and **marches**.
- ☐ Invite allies to join **informational leafleting** or **picket lines** outside the workplace, or at events the employer is expected to attend.
- ☐ Ask allies to **threaten boycotts** of the employer where feasible.
- ☐ Involve community groups in organizing solidarity actions in other locations, such as at **employer headquarters** or **stockholder meetings**.

Political Activities

- ☐ Ask elected officials and other political allies to pass **resolutions** in support of the campaign. Get the support of community groups for this effort.
- ☐ Encourage city councils and commissions to hold **public hearings** at which workers and community members can speak.

Providing Resources

- ☐ Ask community groups to provide **volunteers** for mailings, phone banks, and other tasks that support the campaign.
- ☐ Co-sponsor **fundraising activities** and events.
- ☐ See if a community group can donate **translation, interpretation**, or similar services.
- ☐ See if a community group can provide **meeting space**.


HONK
if you support
UNIONS
MAKE
AMERICA
GREAT

APPENDIX 1

KEY TO ABBREVIATIONS

AFGE	American Federation of Government Employees
AFL-CIO	American Federation of Labor—Congress of Industrial Organizations
AFSCME	American Federation of State, County and Municipal Employees
AOEC	Association of Occupational and Environmental Clinics
APEN	Asian Pacific Environmental Network
Cal/OSHA	California Department of Industrial Relations, Division of Occupational Safety and Health (state OSHA program)
CLC	Central Labor Council
COSH	Committee (or Coalition) for Occupational Safety and Health
CWA	Communications Workers of America
EPA	Environmental Protection Agency
FLA	Fair Labor Association

HERE	Hotel Employees & Restaurant Employees International Union (now part of UNITE HERE)
IAM	International Association of Machinists and Aerospace Workers
IBEW	International Brotherhood of Electrical Workers
IBT	International Brotherhood of Teamsters
ILWU	International Longshore and Warehouse Union
IUE	International Union of Electronic. Electrical, Salaried, Machine and Furniture Workers (affiliated with CWA)
LOHP	Labor Occupational Health Program, UC Berkeley
MassCOSH	Massachusetts Coalition for Occupational Safety and Health
SDS	Safety Data Sheet
NIOSH	National Institute for Occupational Safety and Health
NLRA	National Labor Relations Act
NLRB	National Labor Relations Board
NYCOSH	New York Committee for Occupational Safety and Health
OSHA	Occupational Safety and Health Administration
PACE	Paper, Allied-Industrial, Chemical and Energy Workers International Union
SEIU	Service Employees International Union
TIRN	Tennessee Industrial Renewal Network
TWU	Transport Workers Union of America
UAW	United Automobile, Aerospace and Agricultural Implement Workers of America
UBC	United Brotherhood of Carpenters and Joiners of America
UFCW	United Food and Commercial Workers International Union
UFW	United Farm Workers
UNITE	Union of Needletrades, Industrial and Textile Employees (now part of UNITE HERE)
UNITE HERE	Union formed by merger of UNITE and HERE in 2004

APPENDIX 2

AGENCIES AND ORGANIZATIONS

Government Agencies

This list has contact information for selected federal, state, and local government agencies that deal with workplace health and safety.

Environmental Protection Agency (EPA)

EPA studies environmental hazards and enforces some environmental laws, such as the Toxic Substances Control Act. It has special programs to regulate hazardous waste, asbestos, lead, and certain other toxic chemicals. Its website has environmental databases and information on regulations. EPA also offers free books and pamphlets.

1200 Pennsylvania Ave. NW
Washington, DC 20460
(202) 272-0167
www.epa.gov

First Gov

This website, sponsored by the U.S. General Services Administration (GSA), is a "portal" to many federal agencies' online sites, totaling 30 million pages of online information. It has a powerful search engine and a topic index.

www.firstgov.gov

National Institute for Occupational Safety and Health (NIOSH)

NIOSH is part of the federal Centers for Disease Control and Prevention. It is a research agency, not involved in enforcement. The NIOSH Health Hazard Evaluation (HHE) program studies hazards at specific workplaces. Workers, unions, and employers can request HHEs. NIOSH also has free publications on many workplace hazards.

200 Independence Ave. SW, Room 715H
Washington, DC 20201
(800) 35-NIOSH
www.cdc.gov/niosh

National Labor Relations Board (NLRB)

A federal government agency that implements and enforces the National Labor Relations Act. Holds representation elections and investigates complaints by private sector workers, unions, and employers. Has publications and other information about employment rights and labor laws. Has regional offices throughout the country.

1099 14th Street NW
Washington, DC 20570-0001
(202) 273-1991
www.nlrb.gov

Occupational Safety and Health Administration (OSHA)

OSHA, part of the U.S. Dept. of Labor, develops and enforces federal job safety standards. It accepts worker complaints and conducts inspections (private sector only) in states that do not have their own OSHA programs. Its website has the text of all standards, links to state OSHA programs, and a database showing results of inspections. OSHA also offers many free publications.

200 Constitution Ave. NW
Washington, DC 20210
(800) 321-OSHA
www.osha.gov

State and Local Government Internet Directory

This website provides convenient one-stop access to thousands of state agencies and city and county governments in the U.S. Indexed by state and by topic.

www.statelocalgov.net

Worker Organizations

Contact information is given for selected national groups that serve workers.

American Federation of Labor–Congress of Industrial Organizations (AFL-CIO)

The AFL-CIO is an "umbrella" organization for over 50 national and international unions. It advocates for improved legislation and OSHA standards, and offers free printed and online publications on ergonomics, workers' comp, and other safety issues. Its website has reports on current campaigns and activities as well as links to affiliated unions and state labor federations.

815 16th St. NW
Washington, DC 20006
(202) 637-5000
www.aflcio.org/issues/safety

Association of Occupational and Environmental Clinics (AOEC)

AOEC is a network of more than 60 clinics that treat injured workers. Its website has contact information for all affiliated clinics nationwide.

1010 Vermont Ave. NW, Suite 513
Washington, DC 20005
(202) 347-4976
www.aoec.org

Center to Protect Workers' Rights (CPWR)

CPWR is the research and development institute of the Building and Construction Trades Department, AFL-CIO. Its website links to CPWR's Electronic Library of Construction Safety and Health (ELCOSH), which has hundreds of construction safety publications online in English and Spanish.

8484 Georgia Ave., Suite 1000
Silver Spring, MD 20910
(301) 578-8500
www.cpwr.com

National Council for Occupational Safety and Health (COSH Network)

Committees for Occupational Safety and Health (COSH groups) are local nonprofit coalitions of unions, professionals, and others that advocate for worker safety and health. Most hold regular meetings and some provide training, technical assistance, and publications. The COSH Network website gives background on the COSH groups and has links to their sites. It also offers a "toolbox" of safety resources.

www.coshnetwork.org

University and College Programs

College Labor Studies Programs

To find labor studies programs in you area sponsored by community colleges, state colleges, universities, or unions, check the website of the United Association for Labor Education at *www.uale.org*. Click on "Links" to locate programs throughout the U.S. and in some other countries. For training and other help, also try the resources below.

Labor Occupational Health Program (LOHP), UC Berkeley and Labor Occupational Safety and Health Program (LOSH), UCLA

These University programs provide health and safety training and materials for workers, unions, community organizations, professionals, and others. Catalogs are available which list publications and videos for sale. Both programs have free resource libraries with materials in several languages. Programs offer technical assistance on hazardous waste, chemicals, ergonomics, lead, and other topics.

LOHP
2223 Fulton St., 4th Floor
Berkeley, CA 94720-5120
(510) 642-5507
www.lohp.org

LOSH
P.O. Box 951478
Los Angeles, CA 90095-1478
(310) 794-5964
www.losh.ucla.edu

National Labor College (George Meany Campus)

Affiliated with the AFL-CIO, this is a national center that provides labor education for union activists on its residential campus in suburban Washington, DC. The NLC offers over 70 week-long classes each year in arbitration, organizing, negotiations, safety and health, union building, and leadership development. Specialized certificates are available. It also has undergraduate and graduate degree programs.

10000 New Hampshire Avenue
Silver Spring, MD 20903
(301) 431-5453
www.georgemeany.org

Selected International Websites

Following are a few websites outside the U.S., sponsored by governments and labor organizations, that provide health and safety information in a variety of languages, as well as useful links.

General

European Agency for Safety and Health at Work
europe.osha.eu.int/OSHA

International Labour Organisation (ILO)
www.ilo.org/public/english/protection/safework/

Australia

National Occupational Health and Safety Commission
www.nohsc.gov.au

Canada

Canada's National Occupational Health and Safety Site
www.canoshweb.org

Canadian Centre for Occupational Health and Safety
www.ccohs.ca

Canadian Labour Congress
canadianlabour.ca/index.php/Health_Safety__Envir

Great Britain

Health and Safety Executive (British Government)
www.hse.gov.uk

Trades Union Congress
www.tuc.org.uk/h_and_s

Spain

National Institute of Safety and Hygiene at Work/Instituto Nacional de Seguridad e Higiene en el Trabajo (Spain's Ministry of Labour)
www.mtas.es/insht/

APPENDIX 3

FURTHER READING

For additional web materials on all these topics and more, go to LOHP's website at ***www.lohp.org*** *and click on "Safety Links."*

Health and Safety–General

Books

Encyclopaedia of Occupational Health and Safety. Geneva: International Labour Organisation, 1998 (4th edition). A 4-volume set, organized by hazard and industry. Also available free online at *www.ilo.org/encyclopaedia/*

Safe Jobs Now: An AFSCME Guide to Health and Safety in the Workplace. Washington, DC: AFSCME, AFL-CIO, 1999. A comprehensive guide to union action on health and safety. Also available free online at *www.afscme.org/health/safetc.htm*

A Troublemaker's Handbook: How to Fight Back Where You Work–And Win! Detroit, MI: Labor Notes (1st edition, 1991 and 2nd edition, 2005). Dan La Botz (1st edition) and Jane Slaughter (2nd edition). A manual for workplace activists, from filing a group grievance to running a corporate campaign. To order, go to *www.labornotes.org*

The Union Steward's Complete Guide. Washington, DC: Union Communication Services, 1997. Edited by David Prosten, Available in English and Spanish. Hundreds of winning strategies for new and veteran stewards alike. To order, go to *www.unionist.com*

Web Materials

Basic Health and Safety Rights. New York Committee for Occupational Safety and Health. *www.nycosh.org/index_health_safety_rights.html*

Electronic Library of Construction Safety and Health (ELCOSH). NIOSH and Center to Protect Workers' Rights. Has an extensive collection of factsheets on construction safety topics, many applicable to all occupations. Some are in Spanish. *www.elcosh.org*

Safety Committees: PESO Training Module. Oregon OSHA. Available in Spanish and English. Also available as a PowerPoint presentation. *www.cbs.state.or.us/external/osha/pdf/peso/peso_safetycomm_w.pdf*

Using Health and Safety Committees at Work. International Labour Organization. *www.itcilo.it/actrav/actrav-english/telearn/osh/com/comain.htm*

Workers' Toolbox. National Council for Occupational Safety and Health. Includes links to worker safety training materials in many languages and information on workers' rights, how to use OSHA, and whistleblowing. *www.coshnetwork.org/english_resources.htm*

Many health and safety materials are available at the websites of NIOSH (*www.cdc.gov/niosh*) and OSHA (*www.osha.gov*). See Appendix 2 for more information.

Training for Action

Books

Education for Changing Unions. Toronto: Between The Lines, 2002. Bev Burke et al. For ordering information, go to *www.btlbooks.com*

The Right to Understand: Linking Literacy to Health and Safety Training. Berkeley: Labor Occupational Health Program, University of California, 1994. For ordering information, go to *www.lohp.org*

Web Materials

Multilingual Health & Safety Resources: A Guide to Worker Training Materials on the Web. Labor Occupational Health Program and California Commission for Health and Safety and Workers' Compensation. *www.dir.ca.gov/chswc/MultilingualGuide/MultilingualGuideMain.html*

Finding Hazards and Identifying Health Problems

Books

Barefoot Research: A Workers' Manual for Organising on Job Security. Geneva: International Labour Organisation, 2002.

Web Materials

Body Mapping. Labor Occupational Safety and Health Program (LOSH), UCLA. English: *www.losh.ucla.edu/catalog/factsheets/bodymap_english.pdf* Spanish: *www.losh.ucla.edu/catalog/factsheets/bodymap_spanish.pdf*

Health and Safety Action Plan Factsheet. Transport Workers Union of America. *www.twu.org/departments/health_safety/factsheets/fact_3.html*

PubMed. National Library of Medicine. Site offers free access to over 11 million citations in medical literature. Uses MEDLINE and other databases. Extensive search capabilities. *www.ncbi.nlm.nih.gov/PubMed*

Risk Mapping. Hazards Magazine. *www.hazards.org/diyresearch/riskmapping.pdf*

Self-Inspection Checklists. Occupational Safety and Health Administration. *www.osha.gov/SLTC/smallbusiness/chklist.html*

Right to Know

Web Materials

Access to Medical and Exposure Records. Occupational Safety and Health Administration. *www.osha.gov/Publications/pub3110text.html*

Cornell SDS Collection. Cornell University. Has 250,000 SDSs for chemicals and chemical products. Users can search by chemical, product, manufacturer, etc. *msds.ehs.cornell.edu/msdssrch.asp*

Guide for Freedom of Information Act Requesters. OSHA Review Commission. *www.oshrc.gov/foia/foiaguide.html*

International Chemical Safety Cards. International Program on Chemical Safety (United Nations, International Labour Office, and World Health Organization). Available in 14 languages. Summarize essential health and safety information on specific chemicals. *www.cdc.gov/niosh/ipcs/icstart.html*

Job Tracker. A database from the AFL-CIO's Working America affiliate. Look up an employer's or industry's OSHA and labor law records. *www.workingamerica.org/jobtracker/*

New Jersey Hazardous Substance Factsheets. New Jersey Dept. of Health and Senior Services. Information on health effects of specific chemicals, some available in Spanish. *www.state.nj.us/health/eoh/rtkweb/rtkhsfs.htm*

OSHA Establishment Search. A comprehensive database of OSHA inspections, citations, and fines of specific employers. *www.osha.gov/oshstats*

Scorecard. Environmental Defense. Information about environmental pollution. Includes tools to find pollution data about your own town or neighborhood. *www.scorecard.org*

SIRI SDS Collection. Vermont Safety Information Resources Inc. *www.siri.org/msds*

OSHA Rights

Web Materials

How to File a Complaint With OSHA. Occupational Safety and Health Administration. *www.osha.gov/as/opa/worker/*

Your Right to Exercise Your Health and Safety Rights Without Retaliation. New York Committee for Occupational Safety and Health. *www.nycosh.org/health_safety_rights/eleven-c.html*

Contract Language

Books

Collective Bargaining for Health and Safety: A Handbook for Unions. Berkeley: Labor Occupational Health Program, University of California, 2000. For ordering information, go to *www.lohp.org*

Web Materials

Facts at Your Fingertips—Collective Bargaining. AFSCME. *www.afscme.org/wrkplace/ftips03.htm*

Labor Contracts Database. University of California, Berkeley, Institute of Industrial Relations Library. Includes complete text of many union contracts. *www.iir.berkeley.edu/library/contracts/*

What Goes in a Contract. Hawaii State AFL-CIO.
www.hawaflcio.org/Contract.html

Community Partners

Web Materials

Building Labor-Community Alliances. Working for America Institute, AFL-CIO. *www.workingforamerica.org/documents/journal2/laborcom.htm*


LOHP
LABOR OCCUPATIONAL
HEALTH PROGRAM


THE UNIVERSITY OF CALIFORNIA
1868