

Labor Occupational Health Program MONITOR

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HEALTH AND SAFETY COMMITTEES

—A NEW LOOK AT AN OLD ISSUE—

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Union and joint labor-management health and safety committees are not newcomers to the workplace. Many unions have established their own health and safety committees to assess and identify health and safety hazards as well as to devise suggested solutions to these problems. Likewise, some unions and employers have established joint labor-management committees which have varying degrees of power to investigate and offer solutions to health and safety problems. In light of this tradition, coupled with the growing realization that OSHA cannot be relied on to enforce and ensure complete employer compliance with relevant standards, the concept of health and safety committees has been given another serious look by unions, as well as by employers and the government.

The Union Committee

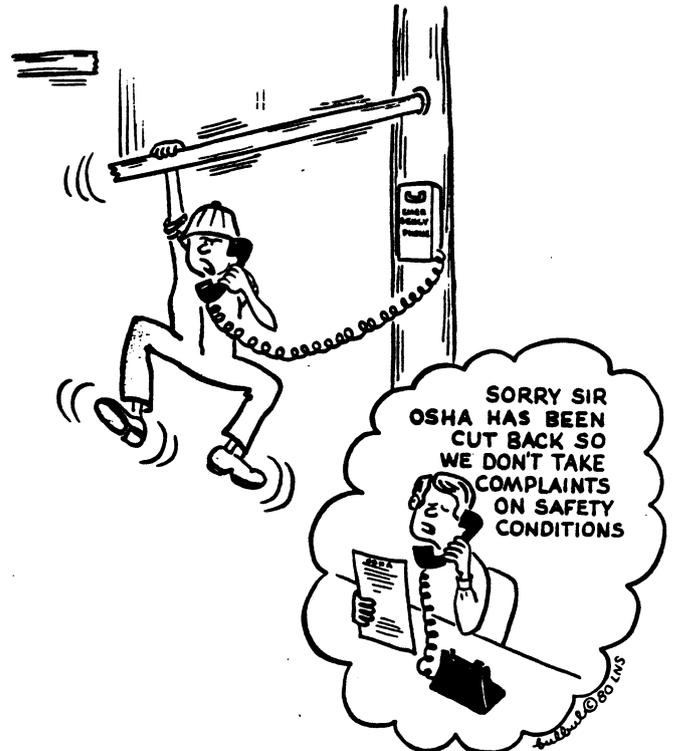
Many unions have established their own health and safety committees which may be recognized, to some degree, by collective bargaining agreements. The union committee is often hampered by a lack of access to important company-held information such as listings of chemicals used in the workplace. Further, these committees often are merely advisory and their recommendations can be dismissed by management if and whenever it desires.

Some union committees have contract language allowing them to function more effectively by: allowing the committee access to relevant information; affording the committee a right to do accident investigations; granting the committee the right to do periodic walkaround inspections of the workplace; and to an extent, some committees can act to shut down what appears to be an overly hazardous operation without fear of job loss for affected workers.

The Joint Labor-Management Committee

The joint committee is usually comprised of union and company representatives who meet jointly to consider various health and safety matters. Depending on contractual language, these committees may have more impact on health and safety matters in terms of company acceptance of committee recommendations. Also, the concept of joint committees has been promoted by states such as Washington and Oregon, where state law requires the establishment of such committees.

As of now these state laws merely require that committees be able to do investigations, inspections, meet regularly and keep minutes. These state-required



committees do not replace OSHA enforcement and are not meant to be anything but complementary to OSHA enforcement efforts.

Proposed OSHA Initiative: Joint Health and Safety Committees

Federal OSHA is currently considering proposals for various types of voluntary joint health and safety initiatives. Included among the proposed programs are two programs based on the establishment of joint committees, both in general industry firms and in the construction industry. OSHA has proposed that it give as an incentive for the formation of such committees the following:

- 1) OSHA will stop exercising "routine" inspection jurisdiction over firms participating in the voluntary programs;
- 2) OSHA will encourage all parties filing health and safety complaints under the

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OSH Act to resolve them first through any joint committee that exists;

- 3) OSHA will offer guidance in setting up these committees.

Workers and their representatives would have the following rights as committee members:

- 1) the right to investigate employee complaints;
- 2) the right to conduct accident investigations;
- 3) periodic committee meetings, with minutes documenting them;
- 4) the right to review firm records, surveys, etc., with access to relevant information;
- 5) the right to supervise abatement of hazards.

In addition, OSHA has taken the position that:

- 1) *workers need not be compensated* by the employer for time spent on committee business; and
- 2) *some training for committee members is suggested*, although again, OSHA would not require compensation for training time.

The labor movement's response to these proposals has been mixed. Many have endorsed the idea of joint committees but have expressed doubt as to whether OSHA should give up routine jurisdiction just because a committee has been established. Many look to the concept of joint committees acting to complement, rather than to replace, OSHA jurisdiction.

Meeting the Health and Safety Challenge

Nearly all unionists agree that some form of health and safety committee can be a significant contribution to increased health and safety protections in the workplace. The expertise of those who know the working environment on an intimate, day in and day out level, is invaluable. Those who are most affected often can offer the most insights as to where problems may exist and how they may be solved. Also, in this day of declining OSHA enforcement it is necessary to ensure that workers begin to exercise their rights to know about workplace hazards and that they begin to identify means by which these hazards can be corrected. Now is the time to consider various committee structures, powers, and rights in order to establish effective, relevant, and workable committees.

A Workshop to Address These Concerns

In light of the increased attention to, and discussion of health and safety committees, LOHP is conducting a one-day workshop on Union and Management Health and Safety Structures. It will be held on Wednesday, June 2, 1982, on the University of California, Berkeley campus. If interested in attending, or if you need more information, please contact LOHP at (415) 642-5507 or write: LOHP, 2521 Channing Way, University of California, Berkeley, CA 94720.

Clearinghouse

The Labor Occupational Health Program continues to offer for sale a variety of books, pamphlets, fact sheets, slide shows, motion pictures, and other educational materials on health and safety. A complete list of our materials, prices, and ordering information is available by writing to LOHP at 2521 Channing Way, Berkeley, CA 94720.

We will be using the Clearinghouse column each month to spotlight recent and particularly significant or timely materials which LOHP is offering.

This month, the following recent publications are worthy of note:

Working For Your Life is both a handbook on hazards facing women workers and a documentary film.

The handbook, a 200 page paperback, covers hazards particularly related to women workers. It provides source materials and suggests ideas for taking action on health and safety problems at work. Individual orders are \$10.00 and institutional orders are \$15.00. Order from the address above; enclose prepayment. Make checks payable to: "The Regents of U.C."

The film version, a 55-minute, 16mm. color production, is available either for rental or for purchase. Rental is \$65.; rental orders should be sent directly to: LOHP Films, P.O. Box 315, Franklin Lakes, N.J. 07417. Phone (201) 891-8240. Purchase is \$500. Order purchase prints from LOHP's Berkeley address above; enclose prepayment. Make checks payable to: "The Regents of U.C."

Calendar

Upcoming health and safety conferences, workshops, and training sessions:

JUNE 2, 1982 - Joint Labor-Management Health and Safety Committees. Sponsored by LOHP. See the lead article in this issue, page 1:

JUNE 8, 1982 - Labor Relations at the Crossroads-Radical Change or More of the Same? Sponsored by the U.C. Berkeley Institute of Industrial Relations; includes discussion of labor relations and health and safety. For more information, contact Paul Chown, Center for Labor Research and Education, at (415) 642-0323.

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