

## **Citywide Division**

### **Article XIV – Occupational Safety and Health**

#### **Section 1.**

The Employer shall establish a Citywide Occupational Safety and Health Committee, the members of which shall be appointed by the Mayor and shall include union representation. The Director of the Citywide Office on Safety and Health shall serve, *ex officio*, as Chairperson of this Committee.

The Citywide Occupational Safety and Health Committee shall recommend citywide employee safety and health policy to the Mayor and shall assume the duties and responsibilities of the Occupational Safety and Health Planning Task Force created by Mayor's Executive Order No. 109, dated August 28, 1969. In addition, this Committee shall act as the City's liaison with Federal and State Agencies, in efforts to obtain grants to finance City employee safety and health programs and shall perform any additional tasks assigned by the Mayor.

#### **Section 2.**

- a. Adequate, clean, structurally safe and sanitary working facilities shall be provided for all employees.
- b. Motor vehicles and power equipment which are in compliance with minimum standards of applicable law shall be provided to employees who are required to use such devices.
- c. Where necessary, first aid chests, adequately marked and stocked, shall be provided by the Employer in sufficient quantity for the number of employees likely to need them and such chests shall be reasonably accessible to the employees.
- d. A Labor Management Health and Safety Committee shall be established in each agency. Each committee shall be composed of not less than three nor more than five labor representatives designated by the Union and not more than an equivalent number of management representatives designated by the agency. The appropriate number of representatives shall be determined jointly. If agreement on the number cannot be reached such number shall be determined by the Commissioner of Labor Relations.
- e. The sole remedy for alleged violations of this Section shall be a grievance pursuant to Article XV of this Agreement. Any employee who withholds services as a means of redressing or otherwise protesting alleged violations of this Section shall be docked pay for any unauthorized non-performance of work and may be subject to any appropriate disciplinary action.
- f. In construing this Section, an arbitrator shall initially have the power only to decide whether the subject facilities meet the standards of subsection (a) of this Section 2 but may not affirmatively direct how the Employer shall comply with this Section. If the arbitrator determines that the Employer is in violation of this Section, the Employer shall take appropriate steps to remedy the violation. If

in the opinion of the Union the Employer does not achieve compliance within a reasonable period of time, the Union may reassert its claim to the arbitrator. Upon such second submission, if the arbitrator finds that the Employer has had a reasonable time to comply with the terms of this Section and has failed to do so, then and only then, the arbitrator may order the Employer to follow a particular course of action which will effectuate compliance with the terms of this Section. However, such remedy shall not exceed appropriations available in the current budget allocation for the involved agency for such purposes.

- g.** In any enclosed facility where employees are assigned to work, the Employer shall make reasonable efforts to provide for the personal security of employees while they are working.
- h.** When the Employer becomes aware of a safety hazard which the Employer considers an imminent physical danger to employees at a worksite, the Employer shall remove the employees from the affected area.
- i.** The Employer shall provide to the Municipal Labor Committee a copy of the results of environmental testing by the City of a City worksite and statistics resulting from special medical testing of employees.

**Custodial, Stores-Stock and Security  
Employees of the Classified Service of  
The City University of New York  
BLUE COLLAR CONTRACT**

**ARTICLE VXI – OCCUPATIONAL SAFETY AND HEALTH**

Section 1.

The Labor-Management Committee established pursuant to Article XIX shall sit, from time to time, as an Occupational Safety and Health Committee.

Section 2.

- (a) All employees shall be provided with adequate, clean, structurally safe, and sanitary working facilities.
- (b) Employees who are required to use motor vehicles and power equipment shall be provided with equipment which is in compliance with minimum standards of applicable law.
- (c) The University shall provide, where necessary, first-aid chests, adequately marked and stocked and in sufficient quantity for the number of employees likely to need them. Such chests shall be reasonably accessible to the employees.
- (d) Except as otherwise provided by law, the sole remedy for alleged violations of this Section shall be a grievance pursuant to Article XXVI of this Agreement. Any employee who withholds services under circumstances not authorized by law, as a means of redressing or otherwise protesting alleged violations of this Section, shall be docked pay for any unauthorized non-performance of work and may be subject to any appropriate disciplinary action.
- (e) In construing this Section, an arbitrator shall initially have the power only to decide whether the subject facilities meet the standards of subsection (a) of this Section. If the arbitrator determines that the University is in violation of this Section, the University shall take appropriate steps to remedy the violation. If in the opinion of the Union the University does not achieve compliance within a reasonable period of submission, if the arbitrator finds that the University has had a reasonable time to comply with the terms of this Section and has failed to do so, then and only then, the arbitrator may order the University to follow a particular course of action which will effectuate compliance with the terms of this Section. However, such remedy shall not exceed appropriations available in the current budget allocation for the University for such purposes.
- (f) The University shall make reasonable efforts to provide for the personal security of employees who work in buildings operated by the University, during such hours as said buildings are open to students, staff, University community and to the public.

## Long Island Contracts

If you work under a Long Island contract, please contact the Long Island Office at 631-851-9800 for your specific contract language.

### NEW YORK CITY HOUSING AUTHORITY

#### 42. WORK (SAFETY) SHOE REIMBURSEMENT

This subparagraph shall apply to employees in the following titles:

(All Section 220 employees)  
Caretaker (HA)/Housing Caretaker  
Heating Plant Technician (HA)  
Supervisor of Housing Caretakers  
Supervising Housing Groundskeeper  
Housing Exterminator  
Supervisor of Housing Exterminators  
Housing Stock Worker  
Emergency Service Aide (HA)

Employees in the above titles who require safety or heavy-leather work shoes, shall be reimbursed the purchase price of safety or work shoes to a maximum of \$65. Such reimbursement shall apply to the purchase by such employee of one (1) pair of such shoes in a calendar year. Such safety shoes must meet the requirements of American National Standards Institute (ANSI) Code Z-41, as such Code, as adopted by the New York State Department of Labor, may be revised and superseded from time to time. Said employees shall be required to wear said safety shoes at all times while on duty.