

## **ARTICLE XV - SAFETY CONDITIONS OF EMPLOYMENT**

- A. The District shall provide safe working conditions in accordance with Federal and State requirements. All alleged violations of safe work conditions shall be reported to the bargaining unit member's immediate manager or the District Safety Officer.
- B. The District shall post rules for safety and the prevention of accidents.
- C. If an unsafe condition has not been resolved by the District within a reasonable period of time, the bargaining unit member may submit such alleged violation to the appropriate administrative agency, and shall not process a grievance.
- D. Incidents involving assault and battery or attempted assault and battery by a student on staff shall be handled according to Appendix G., but not processed as a grievance. When the immediate manager or designees become aware of a student's history of unprovoked attack on students or staff and/or incidents of assault and battery on staff and they reasonably believes that staff safety is in jeopardy, they shall provide essential information to the appropriate staff.

When an administrator becomes aware of a threat against a bargaining unit members, they shall take the threat seriously and immediately evaluate it for further action. The administrator shall conduct an investigation of the threat, in accordance with District established procedures, and inform the bargaining unit member of the results of the investigation and any action taken. If the administrator deems that the threat poses a risk to the safety of a bargaining unit member, they shall notify the bargaining unit member and the District Office. A plan shall be developed to protect the safety of the bargaining unit member. If the bargaining unit member is not satisfied with the determination at the site level, they may appeal to the administrator responsible for pupil personnel services at the District office for assistance in the matter.

The substance of disciplinary action taken by the District against students/persons committing assault/battery shall not be the subject of a grievance.

With respect to assault and battery in regard to a bargaining unit member, nothing contained herein shall preclude the rights of bargaining unit members to exercise their lawful rights per Section 48901 of the Education Code.

- E. The District shall provide a legal defense for a bargaining unit member in any litigation brought against a bargaining unit member while acting within the scope of their employment, as provided by the Government Code and applicable insurance policy provisions.

Information in the possession of District pertinent to the litigation shall be readily available without cost to the bargaining unit member unless contrary to law.

### **F. Facilities**

The District shall:

- 1. Ensure appropriate ventilation in all working areas aligned with standards adopted by state/county health officials.
- 2. Install and maintain heating systems in all enclosed, designated working areas.
- 3. Ensure that all science classrooms include:
  - a. A minimum of one (1) sink with plumbing and running water.
  - b. Access to a sterilization system for safety goggles.