



TEAMSTERS **Safety &** **Health** **FACTS**

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Swine Influenza (Flu) The Union's Role in Workplace Preparation

Your union can play a crucial role in making sure that your employer takes action, in advance of the pandemic, so that safety and health measures are in place to protect the workforce. This fact sheet outlines some actions that your union can take to help make your employer ready.

Review the Employer's Safety and Health Programs

The first step is to determine if the employer is ready to address the safety and health issues of swine flu in your workplace. The union needs to look at the employer's existing programs, plans, and policies to see whether they include a pandemic flu infection control program. Ask the employer if they have developed any of the following documents and to provide the union copies of the following:

- ❖ Overall safety and health program for the workplace,
- ❖ Infection control program,
- ❖ Exposure risk determination for pandemic flu virus,
- ❖ Methods of controlling pandemic flu exposure,
- ❖ Health surveillance plan to identify sick workers,
- ❖ Pandemic flu training and hazard communication, and
- ❖ Housekeeping.

Use the Union's Safety and Health Committee

The union's safety and health committee should review all employer safety and health documents to determine if they adequately cover the necessary safety and health measures to deal with pandemic flu. In its review, the committee should review the employer's documents and programs and determine if programs:

- ❖ Are adequate for addressing the issue related to pandemic flu,
- ❖ Can be adapted with small changes to address the pandemic flu,
- ❖ Must undergo major revision, or
- ❖ An entirely new program/plan/policy/procedure must be developed.

The safety and health committee should provide its review to the union leadership and suggest the small changes, major revisions, and new programs and policies that must be developed so workers are protected during a flu pandemic. The union can then meet with the employer and, using the safety and health committee's review, work together to put into place a pandemic flu plan.

Demand to Bargain

Some employers may refuse to meet with the union to discuss the union's ideas on how to develop an effective pandemic flu infection control program. If that happens, the union should demand to bargain over this matter. Health and safety conditions in the workplace are a mandatory subject of bargaining under the National Labor Relations Act (NLRA) which covers private sector workers. Health and safety must also be negotiated under bargaining law that covers federal, state, county, and municipal workers. It is an unfair labor practice for employers to refuse to bargain over mandatory subjects like safety and health conditions when the union requests bargaining. Unions need to exercise their right to bargaining to make certain that pandemic flu safety and health issues are addressed.

Examine Other Policies

A number of other policies that are likely to have an impact on workers during a pandemic also need to be examined. These policies should be modified to make sure they assist workers and the employer in the event of a pandemic.

Policies that should be reviewed or developed include:

- ❖ Sick leave and pay (should encourage sick workers to stay home),
- ❖ Family leave and pay (should encourage workers to stay home to take care of sick family members),
- ❖ Absenteeism policy (should not penalize workers for staying home because of their own sickness or that of a family member),
- ❖ Working from home (telecommuting),
- ❖ Work shift flexibility and staggering work shifts (reduces the number of workers present at work at any one time to lower exposure risk),
- ❖ Travel policy (eliminate unnecessary travel), and
- ❖ Medical removal protection (MRP) program (encourages sick workers to report symptoms and stay home while they are sick).

Implement Policies and Programs NOW!

A number of swine flu safety and health policies and procedures should be implemented now – before a pandemic arrives – if employers are going to protect their workforce. Some of the safety and health actions that can take place now include:

- ❖ Worker training,
- ❖ Health surveillance procedures,
- ❖ Respirator medical evaluation and fit testing,
- ❖ Securing safety and health supplies (respirators and other PPE, soap and hand washing materials, etc.),
- ❖ Exposure and risk assessment,
- ❖ Encouraging and permitting workers to stay home when they have flu-like symptoms,
- ❖ And a vaccination program if available.

The Union's Role

Under the law, it is the employer's responsibility to provide a safe and healthy workplace. The union's role is to make sure the employer takes action, **in advance of the pandemic**, so that safety and health measures are in place to protect the workforce. The employer should give the union ample input into developing the appropriate policies and protections.