Workplace Safety
AFSCME (BL, IN, SB) 10.8

Effective: July 1, 2012
Last Updated: July 1, 2012

Responsible University Office: University Human Resources
Responsible University Administrator: Senior Vice President and Chief Financial Officer
Policy Contact: University Human Resources

A. Scope

This policy applies to all Service Staff employees at Bloomington, IUPUI, and South Bend.

B. Policy Statement

1. Indiana University recognizes its responsibility to provide a safe and healthful working environment. This shall include making reasonable efforts to promptly investigate and address health and safety issues, not requiring employees to perform tasks that are dangerous to their health and safety without adequate training and safety equipment as determined by applicable state and federal laws, and making readily accessible information on hazardous materials.

2. The Union recognizes its responsibility to cooperate with the University in maintaining improving a safe and healthful working environment.

C. Procedures

1. Dangerous conditions requiring immediate attention
   a. In a dangerous, emergency situation, the employee should call 9-1-1. (In situations involving serious injury, the need for rescue, fire, or other emergencies that require the intervention of emergency response personnel, employees should immediately call 9-1-1.)

   b. Where a dangerous working condition exists that requires immediate corrective action, the employee
shall notify the supervisor at once. See also the section below on refusal of unsafe or dangerous work assignments.

c. The supervisor shall take immediate action to correct or minimize the hazard to a reasonable standard of safety. The supervisor shall notify the dean or director of the supervisor.

d. If corrective action is not taken immediately by the supervisor, or the action taken does not minimize the hazard to a reasonable standard of safety, the employee shall notify the campus Environmental Health & Safety (EH&S) office.

e. The campus EH&S office will document the report of a dangerous working condition and designate the appropriate individual to go to the scene immediately, evaluate the situation, make a judgment, and document and communicate the decision on appropriate action to the employee, the supervisor, and the dean or director.

f. At Bloomington, the campus EH&S office will inform the Bloomington Joint Safety Committee (JSC) at the next regularly scheduled JSC meeting of the report of a dangerous working condition and the decision of EH&S regarding appropriate action taken.

   i. The JSC will review the information related to the dangerous working condition and determine whether the situation has been satisfactorily resolved or if additional investigation and actions are necessary. If the JSC determines that additional investigation is needed, then it will decide what actions are to be taken to reach a consensus at the following regularly scheduled JSC meeting.

   ii. In the case of impasse the matter shall be submitted to the Director of Environmental Health and Safety office at Bloomington for resolution.

2. Refusal of unsafe or dangerous work assignments

a. An employee or group of employees who refuse a work assignment because of a reasonable belief that to perform such work would endanger his/her physical safety beyond the normal hazards of the occupation or violates governmental safety standards, should use the complaint procedure set forth in the section on “Dangerous conditions requiring immediate attention” above.

b. Employees, including the employee or employees who refused the work assignment shall not be required to resume the disputed work until either the alleged hazard is corrected or a determination has been made by a qualified person from the campus EH&S office stating the work is not unsafe or dangerous.

c. No employee who refuses to perform work in accordance with this section shall be disciplined or retaliated against or lose the right to perform the work once the hazardous condition has been corrected.

d. Pending the decision by the University concerning the work in question or the removal of the hazardous conditions, such employees may be assigned to any other work that is available, without loss of pay or benefits.

3. Unsafe conditions not requiring immediate attention
a. Where a working condition is thought to be unsafe, or potentially unsafe, but does not require immediate corrective action, employees and supervisors shall first work together informally to correct the unsafe working condition.

b. At Bloomington, when this informal process does not resolve the issue, the following procedure shall be used:

   i. The employee(s) shall fill out an Unsafe Working Conditions form (also available as a PDF), being as detailed and specific as possible. The employee(s) shall note the location and cause of the unsafe condition and the actions which should be taken to correct the condition. The employee(s) should then give the Form to the immediate supervisor.

   ii. The supervisor shall have five (5) working days to investigate and respond in writing to the complaint of unsafe working conditions and take whatever corrective action, if any, needs to be taken. The supervisor shall consult with department management before preparing the written response.

   iii. If the employee(s) disagrees with the action taken by the supervisor, or if no action is taken, the employee shall have three (3) working days to appeal to the campus Environmental Health & Safety (EH&S) office.

   iv. The campus EH&S office shall have five (5) working days to investigate the matter and take whatever corrective action, if any, is needed. The campus EH&S office will inform the Bloomington Joint Safety Committee (JSC) at the next regularly scheduled JSC meeting regarding the complaint of an unsafe working condition and the decision of the campus EH&S office regarding appropriate corrective action taken.

   v. If the employee(s) disagrees with the action taken by EH&S, or if no action is taken, the employee shall have three (3) working days to appeal to the Bloomington Joint Safety Committee.

   vi. The Bloomington Joint Safety Committee shall consider the matter at its next regularly scheduled meeting. JSC will review the information related to the unsafe working condition and reach a consensus regarding whether the situation has been satisfactorily resolved or if additional investigation and actions are necessary. If the JSC determines that additional investigation is needed, then it will decide what actions are to be taken to reach a consensus at the following regularly scheduled JSC meeting. The Joint Safety Committee shall respond in writing to all complaints brought to its attention.

   vii. In the case of an impasse the matter shall be submitted to the Director of Environmental Health and Safety office at Bloomington for resolution.

c. At IUPUI, employees who observe an unsafe working condition which does not appear to require immediate corrective action should complete an Unsafe Working Conditions report being as detailed as possible. The form is to be given to the immediate supervisor.

   i. The supervisor has three working days to investigate the matter and take appropriate corrective action as needed.
ii. If the employees disagree with the action taken, or if the supervisor takes no action, they will then have two working days to appeal to the dean or director.

iii. The dean or director has five working days to investigate the matter and take whatever corrective action is needed.

iv. If the employees disagree with the action taken by the dean or director, or if no action is taken, they have two working days to appeal to the campus-wide Safety Committee (see the Safety Committee policy) by notifying the committee chairperson.

v. The campus-wide Safety Committee will have five working days to meet, investigate the matter and take appropriate corrective action as needed. The committee will issue a written response to all complaints brought to its attention.

d. At South Bend, employees who observe an unsafe working condition which does not appear to require immediate corrective action, should complete an Unsafe Working Conditions report being as detailed as possible. The form is to be given to the immediate supervisor.

   i. The supervisor has five working days to investigate the matter and take appropriate corrective action as needed.

   ii. If the employees disagree with the action taken, or if the supervisor takes no action, they will then have two working days to appeal to the dean or director.

   iii. The dean or director has five working days to investigate the matter and take whatever corrective action is needed.

   iv. If the employees disagree with the action taken by the dean or director, or if no action is taken, they have two working days to appeal to the campus EH&S office.

   v. The campus EH&S office will have five working days to initiate an investigation of the matter. The campus EH&S office will inform the department and the employee of its conclusions and actions.

D. Sanctions

Managers, supervisors, and employees who violate this policy are subject to corrective action, up to and including separation.

E. Forms

Unsafe Working Conditions Form (PDF)
Unsafe Working Conditions Form (Word)

F. Web Address for this Policy
G. Related Information
Safety Committe policy

H. History
In the Spring of 2012, Indiana University administration and AFSCME Council 62 leadership worked to merge the personnel policies covering Service (SM) Staff at Bloomington, IUPUI, and South Bend into one set of policies. This is one of the 27 policies that is the product of their work. Effective July 1, 2012, it brought together the provisions that were the same on all three campuses; eliminated differences when agreement could be reached; and identified those provisions in which differences remained.