

District Counter Proposal #4 to AFT

October 24, 2025

ARTICLE 16: SAFETY CONDITIONS OF EMPLOYMENT

16.1 DISTRICT ASSUMES RESPONSIBILITY FOR SAFETY: The Board recognizes that in providing the educational program of this District, it assumes responsibility for the safety of District employees while they are in and on the facilities provided, ~~and/or performing their duties~~ in furtherance of that program, ~~or in District-provided vehicles while in transit between worksites~~. The District recognizes its responsibilities to comply with relevant Cal-OSHA regulations. ~~[moved to 16.3]~~

16.2 PUBLISH/POST RULES AND PROVIDE SAFE EQUIPMENT: The Board shall provide, publish, and post ~~current~~ rules for safety and the prevention of accidents, provide protective devices where they are required for the safety of employees, and provide suitable and safe equipment ~~(including emergency boxes)~~ where such equipment is necessary for the operation of the District, ~~including in any areas open to the public~~.

16.3 DISTRICT SHALL MAINTAIN SAFE WORK ENVIRONMENT: The District shall at all times maintain standards of safety and sanitation ~~and provide any mandated safety trainings for employees~~ in conformance with law, ~~all applicable Board policies and regulations, and local, state and federal laws and regulations, including the California Occupational Safety and Health Act of 1973.~~ ~~and Union and~~ The District shall ~~cooperate to~~ eliminate hazards and correct any conditions adversely affecting the health and safety of employees. ~~The District shall install and maintain emergency call boxes as necessary for the safety of employees.~~

~~Eliminating hazards and correcting conditions adversely affecting the health and safety of employees includes protecting employees from workplace violence, which is defined as any act or threat of physical violence, harassment, intimidation, or other threatening behavior that occurs at the work site, and/or online. The District, with periodic input from the Union, shall implement and maintain a Workplace Violence Prevention Plan ("WVPP") in conformance with applicable laws and Board policies.~~

~~Additionally, the District recognizes climate-related workplace conditions as hazardous insofar that they pose either immediate, short, or long term threats to faculty health or safety.~~

~~16.3.1 DISTRICT SHALL REPORT THREATS AND HAZARDS TO FACULTY:~~

~~The District is responsible for reporting hazards and workplace violence to all employees as soon as practicable.~~

~~If the District knows that there are circumstances that pose a serious threat to the safety of any faculty member, College, or the District as a whole, the District shall notify all potentially affected faculty members and AFT regarding the threat as soon as practicable.~~

16.4 EMPLOYEE SHALL NOTIFY SUPERVISOR: Any faculty member who observes a condition in the working environment that they believe violates this article and ~~or~~ feels is unsafe ~~or~~ and creates any imminent danger of harm to any person shall immediately-call 911, and notify their immediate supervisor of the existence of such condition as soon as practicable. Nothing herein shall be deemed to preclude such faculty member from contacting any other person or entity that may have the jurisdiction or ability to investigate or correct the alleged unsafe condition.

~~16.5 APPEAL PROCESS: This appeal process shall be used if a complainant believes this article has been violated and the complainant has notified their immediate supervisor of an alleged unsafe working condition impacting a unit member, and the complainant feels that District management has failed to take appropriate corrective action, the complainant may submit a written statement of the alleged condition or violation and any proposed corrective action to the Vice President of Student Services. he Vice President shall then take appropriate corrective action or forward the complaint to the College President.~~

~~16.5.1 Within five (5) working days of receipt of any such complaint, the College President or designee shall initiate appropriate corrective action, or shall initiate action to convene the Campus Safety Committee. The committee shall investigate the complaint and shall prepare written findings and recommendations within 15 working days after being convened.~~

~~16.5.2 If the Campus Safety Committee recommends corrective action, and such action is not approved by the College President/designee, the complainant who submitted the complaint may, within 15 working days after receipt of their copy of the decision by the College President/designee, appeal to the Chancellor or their designee. The Chancellor/designee will render a decision in writing within 15 working days after hearing the appeal.~~

~~16.5.3 The decision of the Chancellor/designee may be appealed within 15 working days after receipt of their copy of the decision to the Board of Trustees. The decision of the Board shall be final.~~

~~**16.5 FACULTY RIGHTS & PROTECTIONS:** Any faculty member who, while performing their duties, observes or experiences a situation or condition in which a reasonable person would feel unsafe following District safety protocols when facing a safety concern, due to a disruption, shall be free to stop instruction and/or leave the area without facing any penalty, disciplinary action, or loss in pay and/or benefits. In such a case, as soon as it is practicable, the faculty member shall inform their supervisor that they have left their worksite.~~

~~**16.5.1 DISTRICT SUPPORT FOR FACULTY RESTRAINING ORDERS:** Any faculty member who has suffered unlawful violence or a credible threat of violence from any individual, that can reasonably be construed to be carried out or to have been carried out at the workplace, may request that AFT or the District seek a temporary restraining order on behalf of the employee in accordance with CA Code of Civil Procedure § 527.8. The AFT or the District as applicable will review the request made by the faculty member, take such action as it deems appropriate, and notify the faculty member of its decision as soon as practicable. Nothing in this section requires either AFT or District to seek a restraining order on behalf of any faculty member. Nothing in this section prevents the employee from pursuing their own criminal or civil legal remedy.~~

~~**16.5.2 NON-RETALIATION POLICY:** No faculty member shall be discriminated against or penalized as a result of reporting any condition believed to be a violation of section 16.3.~~

16.6 SAFETY COMMITTEE: A Safety Committee shall be established on each campus and will include two (2) representatives appointed by AFT. A Campus Safety Committee will meet at least quarterly. A District Safety Management Committee will meet at least twice each fiscal year.

16.6.1 The committees shall promulgate internal committee rules to promote and maintain a safe and healthful campus environment, educating and training personnel in safe work practice.

16.6.2 The committees shall recommend consistent district-wide procedures for safety practices including but not limited to scheduling safety inspections to identify and correct any unsafe conditions and work practices.

16.6.3 The committees shall meet to discuss accident and illness prevention methods, injury and illness records, and the results of regular safety inspections.

16.6.4 The committees shall make recommendations to a District Safety Management Committee on the elimination of risks, on corrective actions on identified hazards, and on training needed to maintain environmental safety within the District.

16.7 NOT SUBJECT TO ARBITRATION: This Article shall not be subject to the arbitration provision of the Grievance Procedure set forth in Article 17.

~~**16.7 REGULAR SAFETY TRAININGS:** The District shall provide annual workplace safety training to all full-time and part-time faculty. Part-time faculty shall receive compensation for the time spent completing safety training at the special rate.~~

~~**16.8 TRAINING ON MANDATED REPORTING OF CRIMES AGAINST MINORS:** The District shall provide annual training to full and part-time employers on their mandatory reporting responsibilities in accordance with California Penal Code § 11165.7 and 11166. Part-time faculty shall be compensated for training at the special rate.~~

16.89 SAFE ZONE WORKPLACE FOR TRANSGENDER FACULTY: If any faculty member identifies as transgender, or intends to or is going through a transition in gender identity (with or without medical transition) and makes a request to the District, the District and the faculty member may mutually agree on how to do any or all of the following to the extent allowed by law:

- ~~notify co-workers of the faculty's status or transition, if the faculty member so desires the transition be known;~~
- ~~notify all workers that transgender faculty may use the restrooms and changing rooms designated for the gender they identify with;~~
- ~~inform everyone at the workplace or engaged in the District's business to speak or refer to transgender workers by the names they choose and the pronouns with which they identify; and~~
- ~~provide training for co-workers and managers.~~

~~To the extent allowed by law, the District will change all records—legal, non-legal, financial, etc.—so that all records use the names transgender employees choose and the pronouns they identify with as soon as practicable, unless the employee requests otherwise. The District will also update any photographs, including identification badges~~

and on the Human Resources Portal unless the employee requests otherwise. Faculty will notify the District of such preferences. The District will use the employees' preferred name and pronouns in all public-facing mediums, including on name tags.

16.98 NON-DISCRIMINATION AND PROHIBITION OF HARASSMENT:

The District shall comply with all applicable laws, Board policies and regulations regarding non-discrimination and prohibition of harassment of its faculty members based on any protected status.

In compliance with California law, the District displays Civil Rights Department ("CRD") notices that describe California's civil rights laws, including regarding transgender or gender nonconforming employees' rights in the workplace. All required notices, including and the notice regarding transgender or gender nonconforming employees' rights, shall be posted on a District website and also at various employee visible physical locations such as including Division breakrooms/workrooms. Examples of such CRD notices that the District displays can be found at the following CRD website: <https://calcivilrights.ca.gov/publications/>



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