

Article 7
SAFETY CONDITIONS OF EMPLOYMENT

- 7.0 The District, within its fiscal capabilities, shall provide continuous administrative monitoring of working conditions and correction of unsafe hazardous working conditions.
- 7.0.1 Determination of safe working conditions shall be made by the District and shall be in strict compliance with applicable state and federal safety laws.
- 7.0.2 When unsafe or hazardous conditions are determined to exist, the site administrator will make necessary adjustments until the unsafe condition is corrected.
- 7.1 Both parties agree that the responsibility for providing safe working conditions is that of the District, and that responsibility to follow safe procedures and practices in the performance of duties is that of the unit member. In addition, the responsibility of reporting unsafe and hazardous conditions to the site administrator is that of the unit members and members of the District staff.
- 7.2 When possible, maintenance or repair to the classroom will be accomplished at a time when the classroom is not in use. An alternate facility may be temporarily provided to the unit member. Emergency repairs may be accomplished during the school day; however, any repair procedures which would be unsafe to the unit member or to students shall be performed when the classroom is empty.
- 7.3 A unit member shall not be required to perform duties under conditions which pose an immediate and/or serious threat of bodily harm or substantial health hazard to the unit member, provided that the unit member has exhausted reasonable means within his/her control to remedy the condition.
- 7.4 Any assault upon a unit member or vandalism of his/her personal property committed by either students or adults shall be reported promptly by the unit member to the respective school administrator or designee. The Report of Property Damage/Loss/Vandalism form will contain the unit member's name, the date and location of the assault or vandalism, a description of the incident, and, if known, the name of the person(s) responsible.
- 7.4.1 Education Code Section 44014 requires that the report to local law enforcement authorities of an assault by a student shall be made by both the unit member and an administrator.
- 7.4.2 Any other public offense committed against the unit member or his/her property by either student or adult shall be reported promptly by the unit member to the respective school administrator or designee. The Report of Property Damage/ Loss/Vandalism form will contain the unit member's name, date and location of the offense, a description of the incident, and, if known, the name of the person(s) responsible.
- 7.5 Any unit member, during the performance of his/her duties, may exert the same degree of physical control over a pupil that a parent would be legally privileged to exercise, but which in no event shall exceed the amount of physical control reasonably necessary to maintain order, protect property, protect the health and safety of pupils, or to maintain proper and appropriate conditions conducive to learning. When exercising the above, the unit member shall not be subject to criminal prosecution or criminal penalties - Education Code Section 44807.
- 7.6 When appropriate and possible, visitors to campuses will be informed of laws prohibiting physical or verbal abuse of unit members. Law enforcement assistance will be requested by the site administrator, or his/her designee, when necessary to protect unit members.

- 7.7 The District agrees to reimburse any unit member for the loss, destruction or damage by arson, burglary or vandalism of the unit member's personal property which is used in the schools of the District. The maximum amount of such reimbursement to any unit member shall be \$750. In order to qualify for reimbursement, the use of the personal property must be approved in writing prior to its use in the schools, and a value for the property established between the unit member and the appropriate administrator. The District may waive the above requirement on a case-by-case basis. The principal may revoke at any time, in writing, to the employee, his/her authorization of the use of personal property at the school site. If the employee receives reimbursement from another source, the amount of that reimbursement shall be deducted from the District's payment.
- 7.8 A written description listing unit member's rights and duties under the Education Code and District regulations with respect to the discipline and suspension of students shall be provided to each unit member upon reporting to his/her school after initial hire and, thereafter, at the commencement of each school year. Site administration shall keep on file records that said information has been provided to each unit member.
- 7.9 At the time the District or site administrator receives information from the proper judicial authorities regarding a student's criminal record, this information shall be shared on a case-by-case basis with unit members having supervision over the student pursuant to Education Code Section 49079. Unit members who receive such information are required to maintain its strict confidentiality.
- 7.10 Where the District leases or otherwise has a contractual arrangement with a private facility at which unit members are assigned to work, the District will use its best efforts to enforce its rights under the lease or contractual arrangement to ensure that the operator of the private facility maintains proper health and safety conditions at the facility.