



Health and Safety - General Duty Sample Language

Applicable Standards: [OSHA 29 CFR 1903.1](#)
[OSHA Worker Rights](#)

Negotiators are advised to check for applicable standards that may exist in their State/Locality.

General Duty to provide workplace free of recognized hazards:

While occupational health and safety is of mutual concern of the Employer and AFSCME, the **Employer is solely and exclusively responsible for ensuring a safe and healthful workplace.**

The Employer shall:

- **Correct** hazards in a reasonable timeframe
- **Provide** adequate, clean, structurally safe and sanitary working facilities for all employees that are well-lit, well-ventilated, and maintain recognized standards of habitable temperature at all times of occupancy.
- **Comply** with all applicable health, safety, fire and sanitation codes and requirements established by federal, state, county and local laws, standards, rules, Acts and regulations.

(In states without an OSHA or public safety plan: *The Employer agrees to comply with recognized national, federal and state safety standards to safeguard employee safety and health.*)

Relevant Examples:

Employer responsibility to provide safe and healthful working environment

- The Village of Wauconda (Illinois), Council 31, p. 30

Section 1. General Duty Clause., In accordance with state law, **the Village is responsible for providing a safe and healthful working environment for all employees.** The Village will endeavor to provide **training necessary to maintain job-related skills and be familiar with established safety and work rules.** Employees shall report any unsafe working condition and/or equipment to their Immediate Supervisor or Department Head. **Employees will not be required to work under such conditions** and/or with such equipment pending a determination by the Immediate Supervisor or Department Head.

Employer corrects hazards within reasonable timeframe

- Eastern Illinois University, Council 31, Local 981, Article XXII, Section 2, p. 37

HEALTH AND SAFETY

Section 2.

When unsafe or unhealthy working conditions are identified, the **Employer shall attempt to correct it within a reasonable time.**

Compliance with state and federal laws and exceeding regulatory requirements

- Washington University Police Management (Washington) Council 28, Local 1488, Article 14.1, p. 25

Health and Safety

It is the policy of the University of Washington to create, maintain and enhance a safe and healthful workplace free from recognized hazards that may cause harm to employees, consistent with and in compliance with applicable state and federal laws. The Union and the University are jointly and equally committed to the goal of implementing an effective Health and Safety program and accident prevention program that meets or exceeds WISHA requirements. All work shall be performed in conformity with applicable health and safety standards, and employees shall use required safety devices and perform work.

Employer to provide safe, healthy, clean work sites and grounds

- New Mexico Council 18, Article 33, Section 1 (C), p. 72

Section 1. Health and Safety Standards and Measures. Safety is an integral part of the responsibilities of every manager, supervisor, and Employee. Safety management exists to assist managers, supervisors, and Employees in the better performance of their duties. Employees, supervisors, and managers shall comply with such rules, regulations, and practices as may be prescribed in order to provide safe, sanitary, and healthful working conditions. For all Employees covered by this Agreement, the Agency shall:

- A. Provide safe and healthy working conditions and practices;
- B. Comply with federal OSHA and all other applicable federal, State, local laws and regulations, and departmental safety rules and regulations;
- C. Provide safe, healthy, clean work sites and grounds; and
- D. Provide Employees with adequate information on communicable diseases, infestations, and hazards to which they may have routine exposure as soon as the Agency becomes aware of such information.