

D. Uniform

The College shall provide two (2) uniforms or two (2) special garments for those employees required to wear a uniform or special garment. Uniforms shall be replaced as needed.

ARTICLE 19 HEALTH AND SAFETY

A. Healthy Workplace

All parties are committed to having a positive learning and working environment for students, faculty and staff. All employees have the right to enjoy an environment free from harassment or discrimination.

1. All parties will adhere to relevant Board Policies (i.e., 3410, 3430, 7115) and the associated administrative rules and procedures, such as AR 070.009.000, that seek to ensure a healthy learning and working environment free from harassment and discrimination.
2. Employees shall feel free to report incidents of harassment without fear of retaliation or reprisal. Therefore, retaliation against any employee for filing a complaint of harassment or for participating in a harassment investigation is also grievable.

B. Health and Safety

1. The safety of each employee and student is of primary importance to the College. The College shall follow all applicable health and safety laws and regulations and assign its own Safety Officer and Safety Committee. A Safety Committee shall be formed pursuant to applicable laws and OR-OSHA Regulations and meet regularly, updating the community on campus safety issues at least once per term. An employee serving on the College's Safety Committee shall be compensated at the meeting rate while attending safety meetings, unless their attendance falls under work normally compensated under a staff position.
2. An employee who believes an unsafe or unhealthy condition exists shall notify their supervisor, and the Safety Officer, of the condition and why they believe it to be unsafe or unhealthy. The College shall provide a response within three business (3) days of receiving notice. All unsafe or unhealthy conditions shall be addressed by the College. If, after reporting to the supervisor that a specific substance, task, or assignment may jeopardize personal health or safety, correction is not made within three (3) business days, that employee may refuse to perform such activity without penalty until the appropriate health or safety office has reviewed the situation and made a finding. The College shall notify the Union of each determination that is made.
3. Safe Workplace:
 - a. The College shall provide information, materials and/or resources to ensure employees have the necessary information for adhering to safety rules.
 - b. Employees recognize that contributing to a safe work and educational environment is part of their role. Therefore, employees shall comply with established health and safety rules as established by law and the College.
 - c. If a work site is closed for health and safety reasons, the College shall provide appropriate alternate space to affected employees who shall be expected to carry out their duties in that space. Alternatively, if no appropriate alternate space is provided, then affected employees shall continue to receive their full compensation until a safe work space is available.
4. Building Safety: Building schedules shall be communicated to employees at the beginning of each term, and with any in-term changes. Safety protocols for emergencies including active shooters and natural disasters shall be established, communicated, and made accessible to employees.

5. Training: The College shall see that employees are properly instructed and supervised in the safe operation of any machinery, tools, equipment, process, or practice, which they are authorized to use or apply during the course and scope of their employment and in the proper handling of dangerous or toxic substances. This training shall be provided to the employee without loss of pay or paid at the employee's normal compensation rate.
6. Equipment: It is the responsibility of the College to provide, at no cost to the employees, all necessary personal protective equipment (PPE) required for the safe and healthy execution of their duties, including work in the field, as well as training in the proper use of any issued PPE.

C. Work-Related Injury or Illness

1. An employee injured on the job or who contracts a disease or an illness from work shall notify the supervisor as soon as practicable after the incident giving rise to the injury or after becoming aware of the disease or illness. The College shall provide all necessary forms and reasonable assistance for the employee to file a Workers' Compensation claim. The employee shall provide the College's workers' compensation insurance carrier with all information and documents necessary to process their claim.
2. When, upon advice of their physician, an employee requires modified work or a modified work schedule due to an on-the-job injury or work-related disease or illness, the College shall make a good faith effort to accommodate the employee's needs. Upon request, the employee shall provide a certification from their treating physician, confirming the need for modified work or a modified schedule.
3. An employee who is unable to work due to an on-the-job injury or work-related disease or illness, shall be accorded all rights of applicable state and federal statutes and regulations. College shall comply with state and federal statutes and regulations pertaining to reinstatement of employees after work-related injuries or illnesses and pertaining to accommodation of employees' physical and mental disabilities.

D. Accommodations

It is understood by the parties that the provisions of this Agreement could conflict with the regulations pertaining to the Americans with Disabilities Act (ADA). When this occurs, the College shall confer with the Union to determine when a provision of the Agreement needs to be waived in order to allow for the accommodation of the employee.

E. Employee Assistance Program (EAP)

The College is committed to the health and wellness of its students, faculty and staff. The parties agree that the Employee Assistance Program provided by the College shall comply with the following goals:

The EAP is a voluntary, confidential resource available to employees either through self-referral or upon the supportive recommendation of the College. The program is intended to assist employees in addressing personal, emotional, or health-related challenges—including those that may affect well-being or job performance—regardless of the source. The EAP shall offer access to widely recognized, evidence-informed services that promote overall employee health, resilience, and workplace success.

1. Objective. The College recognizes the value and contribution of employees and seeks to support them in managing or resolving wellness needs so that challenges are less likely to negatively impact the employee's work or personal life.

2. Employees Seeking Support for Mental Health or Substance Use

- a. The College recognizes that mental health conditions, including substance use issues like alcoholism and drug dependency, are health challenges that can be improved with professional care and intervention. The Employer encourages employees to access resources that promote well-being and recovery, as well as their job success. An employee's request for assistance under the Employee Assistance Program including evaluations, counseling, or other care is confidential, and shall not jeopardize their employment, job rights, or job security. The EAP is intended to promote employee well-being and recovery and reflect the Employer's commitment to providing support and rehabilitation as a more compassionate and constructive approach than immediate disciplinary action.
- b. When appropriate, a supervisor or manager may make a supportive recommendation to access the Employee Assistance Program (EAP) if they have concerns that an employee is experiencing difficulties that appear to be affecting job success and performance. This type of referral is intended as a constructive step to connect the employee with helpful resources, not as a disciplinary action. If requested by the employee, the supervisor or manager should notify the employee's Union representative, who can assist in facilitating access to the program and provide additional support throughout the process.

3. EAP Reviews and Ad-Hoc Committee. A joint Union College/Employee Assistance Program Committee shall be created upon request by either party as necessary to review the EAP and to make suggestions to the College. The committee shall consist of equal numbers of representatives designated each by the Union and by the College. The total number shall not exceed six (6) persons. Any necessary and reasonable support services, such as administrative services, shall be provided by the College.

E. Access

Employees shall have full access to all classrooms in buildings and on campuses in which they can reasonably be expected to be as a part of their College service (i.e., teaching or participating in college committees) during regular business hours.

ARTICLE 20 – INTELLECTUAL PROPERTY RIGHTS

A. Property of the College

All written, electronic or other instructional materials developed where the writer or developer is reimbursed by the College for the work, or the work is done on regular College hours, becomes the property of the College. The College has the right to print and use such materials so long as they are not published or sold for a commercial profit.

B. Property of the Employee

Any written, electronic, or other instructional materials developed by an employee on their own time are deemed to be their property. Use of the published works of an employee by the College is accomplished by standard procedures through publishers. Any use or publication of other such material by other staff members, by the College or its designated agents, other than the developing person, is arranged prior to use through a negotiated agreement with the author and publishers.

C. Joint Property