

ARTICLE 7: SAFETY CONDITIONS

- 7.100 Unit members shall be responsible for submitting on the appropriate district form (Appendix G) a written report to the immediate supervisor regarding any unsafe, hazardous, unhealthy or potentially dangerous working conditions. If such a report is properly registered with and verified by the supervisor, the unit member will not be required to perform duties in a working area or use equipment or vehicles which have been reasonably determined to be hazardous to the health and safety of the unit member. The District will maintain an adequate first aid capability to take care of its employees in case of accident or illness.
- 7.200 **Reporting Procedure**
- 7.210 District management will investigate all reports made on the appropriate District form, and will provide a written response to such report within five (5) working days from the time of receipt of the report. Within the above time limit, either party may request and receive a personal conference with the other party to discuss the issue.
- 7.220 If not satisfied with the written response of the immediate supervisor, the unit member may appeal the alleged safety problem to the Superintendent or designee. The Superintendent or designee will provide a written response within ten (10) working days after receipt of the report.
- 7.230 After the procedure in Section 7.210 and 7.220 has been exhausted, the unit member has the right to exercise the Grievance Procedure as outlined in Article 4.
- 7.240 No unit member shall in any way be discriminated or retaliated against as a result of reporting any condition.
- 7.300 Required reasonable safety equipment, necessary for the performance of a unit member's duties or to ensure the safety of the employee or others, will be furnished by the District. Requests for safety equipment not provided should be made to the unit member's immediate supervisor. Purchase authorization shall be at the discretion of the supervisor and/or work site administrator. The employee has the right to appeal the decision to the Superintendent or designee.
- 7.400 **Personal Property Loss/Reimbursement**
- 7.410 Provided the loss is in excess of thirty dollars (\$30.00), the District shall reimburse the unit member in the amount of the replacement value, up to four hundred and fifty dollars (\$450.00) for any theft, damage, or destruction of personal property of the unit member while on duty in the school, on the school premises, or on a school-sponsored activity. If the loss is in excess of thirty dollars (\$30.00) the District shall reimburse unit members the amount of their deductible up to a maximum of seven hundred and fifty (\$750.00) for any damage to the unit member's vehicle while on duty in the school, on the school premises, or on a school-sponsored activity. A unit member may petition the District for reimbursement beyond the stated limit and the Superintendent or designee will review each request and exercise his/her discretion in each case. No reimbursement will be made if the loss or damage was due to the negligence of the unit member.
- 7.420 For the intent of this Section, "personal property" is defined as eyeglasses, hearing aids, dentures, watches, or articles of clothing, or a vehicle which is damaged while legally parked on or adjacent to District property during normal working hours or when used in specific assignments made by the immediate supervisor. Other property damage will be reimbursed only if it is equipment used for educational purposes, and/or prior to such use, the immediate supervisor provides written approval, and in addition, the equipment is registered with the immediate supervisor. Such registration shall consist of recordation

of the following information: A description of the equipment, including any serial or model number, manufacturer name and brand; and agreed-upon replacement value; and the length of time such equipment will be allowed at the work site and covered by the reimbursement provision.

- 7.430 A unit member filing a claim pursuant to this Section shall file said claim on the District-prepared claim form no later than five (5) working days following the damage or loss of the property in question. The District retains the right to inspect all damaged property and to require full disclosure of witnesses, prior conditions, and full description and serial numbers of damaged or stolen property.
- 7.440 In case of theft, a police report of the incident shall be made prior to consideration of any reimbursement.
- 7.450 In the event unit members are reimbursed pursuant to this Section, the District shall, to the extent of such payments, be subrogated to any right of the unit member to recover compensation for such damaged or stolen property. The District may file and prosecute an action to enforce its subrogation right in the small claims court if the amount of the claim is within the court monetary jurisdiction or may enforce its subrogation right in any other court of competent jurisdiction.

7.500 **Drug and Alcohol Use Prohibition**

7.510 **Prohibited Acts**

Unit members shall not be under the influence of or in possession of alcohol or illegal drugs while on District property, at work locations, or while on duty or subject to be called to duty.

7.520 **Testing**

While on duty, if there is a reasonable suspicion to believe that a unit member is under the influence of alcohol or drugs, the unit member shall be required to submit to urine, blood, breath and/or other related tests for evidence of drug and/or alcohol use. The cost of the tests shall be paid by the District.

7.530 **Reasonable Suspicion**

“Reasonable suspicion” is a belief based on objective facts sufficient to lead a reasonably prudent supervisor or manager to suspect that a unit member is under the influence of drugs or alcohol so that the unit member’s ability to perform the functions of the job is impaired or so that the unit member’s ability to perform his/her job safely is reduced.

7.540 **Discipline**

Positive results from initial and confirmatory tests at or above the threshold level as prescribed by law may result in disciplinary action up to and including dismissal. Any employee who refuses to submit to any part of the testing process, when so directed, shall be deemed to have tested positively.