

ARTICLE XX

Health & Safety

Section XX.1. All Graduate Employees have the right to work in a safe and healthy workplace that meets local, state, and federal safety and health requirements and that is free from hostility, intimidation, and abuse. GEs shall not be required to work under conditions that violate any safety or health laws or regulations. No GE will be subject to discrimination, discipline, or termination for reporting violations of health and safety requirements, or for reporting workplace violence or the threat of violence in the workplace. Graduate employees must be provided with ~~work space~~workspace that ensures compliance with applicable air quality standards, fire safety regulations, and overall health and safety laws, regulations, and requirements.

Section XX.2. Each building or workspace containing laboratory space will provide a standardized laboratory operating procedure, training, and/or new GE orientation that denotes building emergency procedures and core facility and laboratory space management information. Laboratory supervisors or their designee shall make training specific to the laboratory or work environment in which the work is being conducted available to their GE. This training shall be considered part of the GE's work-related duties.

Section XX.3. Adequate, properly maintained, and serviced first aid equipment, fire extinguishers, Stop the Bleed Kits and automated external defibrillators will be provided in buildings used by GEs based on occupancy and relevant standards developed by appropriate first responders (e.g., the State of New Hampshire Department of Safety). The University shall supply and maintain all appropriate equipment, tools, materials, and personal protective equipment (PPE) to GEs needed to carry out job duties safely, including but not limited to protective safety glasses and gloves. The University shall provide first aid information or information to access first aid training to GE's upon request.

Section XX.4. All GE's shall be notified with the following information prior to any mandatory work assignments away from the UNH campus where the GE is based:

- xx.1. Specific location (e.g., city, town, state, country) ;
- xx.2. Dates of travel;
- xx.3. Accommodations;
- xx.4. Mode of transportation;

GEs will ~~receive~~be provided this information as soon as possible and no later than twenty (20) days before off-campus travel. If notified less than twenty (20) days before off-campus travel, the GE may decline the assignment without penalty.

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GEs have the right to decline travel to unsafe work locations without being penalized, including domestic states that are unsafe – defined here as conditions that impede the ability of GEs to move freely and securely from one place to another without undue risk of harm, discrimination, or harassment; it ensures GEs are protected from physical, emotional, and psychological threat, and that their rights are respected throughout their entire journey – for any individual belonging to a protected class as defined in Article XX Non-discrimination. GEs may be assigned alternative tasks consistent with their appointment in lieu of the travel.

Section XX.5. The University will provide notice to affected GEs for asbestos removal project(s) in their immediate work area.

Section XX.6. In cases of injury to a GE while at work, the GE shall assist their Supervisor in filing an Incident Report as soon as possible in accordance with University procedures. The GE shall file a Worker's Compensation claim in accordance with University procedures and state law. The parties agree that GEs are eligible for Worker's Compensation.

Section XX.7. Any GE may report a condition that they believe does not comply with applicable safety and health laws or that otherwise pose a threat to general safety and health. The GE shall report the condition immediately to their supervisor or the Office of Environmental Health & Safety. In cases where there is a clear and present danger to the GE, they shall not resume their work in that location until appropriate corrective action is taken; GEs may request an alternative safe work location is be provided to the GE until the report is investigated. The University shall not retaliate against any GE for such reporting. The University shall respond to reports within fourteen (14) days by confirming receipt of the report and describing any planned corrective action(s).

Section XX.8. In accordance with Section XX.7, when a GE ~~contests~~ reports a the health and safety condition in of their workplace to and informs the Office of Environmental Health & Safety (EH&S), EH&S must inform the Union within three (3) calendar days. ~~twenty-four (24) hours~~ the Union. ~~The~~ Union shall ~~retain~~ the right to request and access any past data and reports from EH&S as permissible by law. Such existing data and reports shall be provided to the Union within fourteen (14) calendar days following a request.

Section XX.9.

~~The University will ensure all GE workspaces have proper air conditioning and heating to maintain a temperature between 60F and 80F degrees at all times, except in areas where different temperature is needed (for example, lab spaces with experiments). This includes GEs' labs, offices, meeting rooms, and teaching classrooms. If a room is outside the above temperature range, the University will immediately correct and repair the issue, and provide an alternative work location for the GE to complete work-related duties until the issue is corrected.~~

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The University and GEU acknowledge that workplace temperature awareness is important to the safety of UNH employees. Most indoor UNH workspaces have proper air conditioning and heating to maintain a safe temperature range except in areas where different temperature is needed (for example, greenhouses, barns, lab spaces with experiments, etc). This includes GEs' labs, offices, meeting rooms, and teaching classrooms; if a GE is concerned about their one of these workspaces being outside a safe temperature range, the GE should report this concern to EHS and may request an alternative work location for the GE to complete work-related duties until the issue is investigated. ~~Such requests shall not be unreasonably denied.~~

When it has been determined by the UNH Department of Environmental Health and Safety that the Wet Bulb Globe Temperature has exceeded the Permissible Heat Exposure Threshold Limit Value (TLV) the Director of EHS will inform the President or their designee and EHS Thermal Stress (Heat Advisory) guidelines will be in effect. If excessive heat is declared, it will be communicated via the UNH Alert System. In those instances, supervisors ~~are free and encouraged to shall~~ send GEs home with no loss of pay if their work environment has reached intolerable and unhealthy levels due to excessive heat and adequate accommodation cannot be provided to reduce the risk of heat related injuries/illnesses. ~~None of this language is to imply that complaints regarding indoor workspaces are contingent upon outdoor Wet Bulb Globe Temperature conditions.~~

Section XX.10. The University and Union recognize the importance of having safe and accessible bathroom facilities. ~~The University will not prevent GEs from using a workplace bathroom of the GE's choice, regardless of gender identity. GEs shall have access to a gender-neutral bathroom within the GE's building.~~

~~Section XX.10.a: The University shall regularly replenish menstrual products in all bathrooms used by GEs at no cost to the GEs. Additionally, menstrual products shall be provided in all such bathrooms regardless of gender.~~

Section XX.11. The University and Union recognize the importance of providing reasonable accommodations for all GEs who have a physical or mental disability ~~that limits one or more activities of daily living.~~ In accordance with the Americans with Disabilities Act (ADA), ~~under the request of a GE,~~ a GE seeking accommodation shall follow the University process for requesting accommodation and engage in the interactive process. ~~The University will provide reasonable support accommodations to ensure the GE can meet essential requirements functions~~ for perform their job duties. Examples of reasonable accommodations may include but are not limited to, ensuring accessible workspaces where GEs complete their duties, flexible work schedules, modified or accessible equipment (e.g., alternative keyboards, screen readers, voice recognition, live captions), or assistance (interpreters, readers or other personal assistance); and permission to bring service animals.

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Section XX.12. During public health emergencies, the University will follow the guidance provided by local public health organizations. The University shall ~~also notify~~inform the entire University of New Hampshire community ~~informing everyone~~ of the risks, dangers, and precautions that can be taken in the event a public health emergency is declared, ~~the University shall make available, at no cost to the GE's, N95 or equivalent masks, and/or other appropriate PPE, and rapid tests on campus. Such preventative measures shall be available in a heavily foot-trafficked public location (e.g., in front of Dimond Library or Memorial Union Building) and shall be available University-wide.~~ The University shall send campus-wide emails to inform the University of New Hampshire community of the importance of preventative measures, the availability of on-campus resources, and the location(s) of such resources. The Union-Management Committee may also make recommendations related to the supply and maintenance of all equipment, tools, materials, and PPE for GEs.