

Health and Safety Plan

United States District Court for the Southern District of California

I. Purpose and Scope

A. This Health and Safety Plan (“Plan”) is established by the United States District Court for the Southern District of California in order to carry out the obligations assumed under the court’s Employment Dispute Resolution (“EDR”) Plan. It is established in order to provide a work environment, work practices and employee conduct that are conducive to a safe and healthful workplace.

B. This plan applies to all employees covered under the court’s EDR Plan, and excludes all persons excluded from coverage under the EDR Plan. It is applicable in all facilities operated by this court.

II. Authority and Responsibilities

- A. The employing office is committed to the principle of providing its employees a place of employment which is free from recognized hazards that cause, or are likely to cause, death or serious physical harm to employees. The unit executive has the final authority for the actions and decisions taken pursuant to this plan. The unit executive may delegate his or her authority under this plan. Neither the unit executive, nor any other court employee shall incur or be charged with any personal financial or legal liability by virtue of the authority and responsibilities assigned under this plan.
- B. It is the responsibility of all employees to work in as safe and healthy a manner as is possible. It is also the responsibility of all employees to report any unsafe or unhealthy working conditions.
- C. It is recognized that many aspects of the work environment are not under the control of the unit executive(s) because of the jurisdiction of the General Services Administration (“GSA”) or the United States Postal Service (“USPS”). Notwithstanding, the unit executive(s) of the court will endeavor to have one or both of these organizations take corrective action where such corrective action is deemed by the unit executive(s) to be in the best safety and health interests of employees. The unit executive will see that appropriate coordination is carried out with the representative(s) of GSA who have been assigned to the facility(ies) occupied by the employees covered under this plan.

- D. Some working conditions, such as the supervision of clients by probation and pretrial services officers, may be inherently dangerous. It is not the intention of this plan to remedy conditions which are necessarily part of a job.

III. Protective Measures and Abatement of Unsafe or Unhealthy Work Environment, Equipment or Practices

- A. The employing office will see that equipment, materials and skills reasonably necessary for a safe work place are available. This should include such items as first aid kits, fire extinguishers, fire and disaster response plans, CPR resources, personal protective equipment (where required) and other matters that are appropriate for dealing with harmful, unsafe or unhealthy conditions.
- B. A means should be provided whereby employees can report any perceived unsafe or unhealthy condition in the workplace. The normal method for such reporting should be as follows: An employee perceiving an unsafe or unhealthy condition in the workplace should complete the Employee Safety Suggestion Form and submit it to the unit executive as soon as the condition becomes known.
- C. When any unsafe or unhealthy condition is brought to the attention of the unit executive, and after due evaluation by the unit executive is thought to require action, the unit executive will take all necessary and feasible steps to abate the unsafe or unhealthy condition.
- D. The employing office may undertake inspections of the work place at appropriate times (e.g., report of unsafe condition, planned occupancy of new work space), and may conduct an investigation of accidents and injuries where the cause of such events is not readily apparent.
- E. If abatement measures are required to be taken by another agency (such as by GSA) or if the abatement requires the expenditure of funds not available to the court, the unit executive should communicate with the appropriate organization(s) to seek to have the necessary actions taken and/or the required funding obtained.

IV. Information and Training

- A. Employees should be informed of this health and safety plan, their responsibilities under the plan, and the method by which they should report perceived unsafe or unhealthy working conditions. Employees should also be informed of the Employee Assistance Plan, and how they may avail themselves of its services. Employees should also be informed of medical attention and physical examinations to which they may be entitled by virtue of their employment by the U.S. Government.

- B. Periodic training should be provided to those employees in positions that expose them to potentially unsafe working conditions on a regular basis. Health and safety information should be provided periodically to all employees, including information about personal health and hygiene. Employees, especially those in jobs which require repetitive motions, should be trained to use work methods and equipment that will minimize strain. In this regard, periodic ergonomic surveys may be conducted. Such surveys should be done by persons qualified in the field of ergonomics.