

HB 938 -- JOINT LABOR-MANAGEMENT HEALTH AND SAFETY COMMITTEES

SPONSOR: Bland Manlove

This bill requires every health care facility, as defined in the bill, to establish and administer a joint labor-management health and safety committee composed of equal numbers of employer and employee representatives. The selection process and compensation for representatives are specified in the bill.

Each Joint Labor-Management Health and Safety Committee shall:

- (1) Review and revise all health and safety programs established by the employer including, but not limited to, safety plans to address the COVID-19 pandemic and any future infectious disease outbreaks;
- (2) Review incidents involving work-related fatalities, injuries, and illnesses, as well as complaints by employees regarding safety or health hazards;
- (3) Review, upon the request of the committee or upon the request of the employer representatives or employee representatives of the committee, the employer's work injury and illness records and other reports or documents related to occupational safety and health with special attention to the COVID-19 pandemic and any future infectious disease outbreaks;
- (4) Conduct inspections of the worksite at least once every three months and in response to complaints by employees or committee members regarding safety or health hazards;
- (5) Conduct interviews with employees in conjunction with inspections of the worksite;
- (6) Conduct meetings at least once every three months and maintain written minutes of such meetings;
- (7) Establish procedures for exercising the rights of the committee;
- (8) Establish and conduct employee health and safety training programs;
- (9) Make recommendations on behalf of the committee, and in making recommendations, permit any members of the committee to submit separate views to the employer for improvements in the employer's safety and health program and the correction of hazards to employee safety or health; and

(10) Accompany, upon request, the Department of Health and Senior Services's representative during any physical inspection of the worksite.

The Department shall assess an administrative penalty of up to \$5,000 per day on any health care facility not in compliance with the requirements established in this bill relating to the committee. Each such instance of noncompliance shall be subject to a separate administrative penalty.

A health care facility shall not interfere with any right provided for or protected under the provisions of this bill, coerce or intimidate any person regarding the exercise of his or her rights, or discriminate or retaliate against any person for opposing any employer policy, practice, or action that is alleged to violate, breach, or fail to comply with the rules and regulations authorized by the bill.

This bill is similar to HB 2274 (2022).