

Tentative Agreement - June 22, 2023

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Teresita Seeberger (Aug 14, 2023 21:55 EDT)
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Kevin Keane (Aug 13, 2023 22:03 EDT)

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Article 31 – HEALTH & SAFETY

1. The Employer will continue its policy of striving to provide properly lighted, ventilated, and heated/air conditioned work areas and to reduce noise to at least the standards of the Occupational Safety and Health Act of 1970 (OSHA).
2. The Employer will furnish an employee all protective devices necessary to perform their job. The Employer will, within limits of its direct control, ensure employees' safe passage on streets, parking lots and other areas near the office.
3. The Employer, upon request, will meet with the Guild to discuss health and safety considerations, including quarterly meetings on a national level to discuss the continued operation of a companywide program on RSI and work-related musculoskeletal disorders (WMSDs) awareness and prevention and treatment as detailed in items 7 and 8 below.
4. The Employer shall abide by all federal, state and local laws respecting the health and safety of its employees.
5. The Employer will maintain a policy of providing regularly scheduled routine maintenance on equipment used by employees in the performance of their duties.
6. Employees covered by this Agreement shall not be required to repair equipment.
7. The Employer and the Guild recognize that it is important to make the staff aware of the need to perform its work in a manner that does not increase exposure to injury.
8. The Employer will maintain a training program on the proper use of video display terminals, as well as the lifting and carrying of photographic, video and/or audio equipment. Attendance at such classes will be mandatory. The Employer will quarterly provide the Guild with a report on the types, level and location of training.

AP agrees that its managers will be instructed to be aware of RSI and WMSDs, to help the staff prevent injuries and to notice signals of developing problems so proper treatment can be obtained. Likewise, members of the staff must maintain good work habits to avoid RSI, WMSDs and other injuries.

As part of a continuing program to provide a workplace free of RSI and other injuries, the AP will:

- (a) Meet annually with the Guild and a nationally recognized health organization or consultancy to provide managers and staff with the latest information about the prevention and treatment of RSI, WMSDs and about proper workstation design, including fully adjustable CRTs, keyboards, CRT stands and chairs, as well as injuries resulting from the lifting and carrying of equipment.

- (b) Provide each employee with information regarding such injuries, including (but not limited to) fact sheets, booklets and description of useful exercises designed to help prevent the problem. The AP will ensure that all control bureaus have access to an electronic media presentation on RSI and ergonomics (including the lifting and carrying of equipment) which will be available to everyone.
- (c) Provide new employees with information concerning such injuries as part of the normal orientation process.
- (d) When new information on RSI, ergonomics and the lifting and carrying of heavy equipment becomes available, or when there are changes in bureau locations, or new work environments are created, the Employer will schedule instruction by trained instructors, if requested, which will occur at the control bureau on one (1) occasion. This instruction will be provided on company time and will include information on (but not limited to) the following topics:
 - How to seek medical treatment, including diagnostic examinations, through workers' compensation and/or the AP's health insurance plan. AP will assist employees with the filing and processing of their workers' compensation claim forms to expedite claims payments.
 - Musculoskeletal problems associated with improper CRT use, and the lifting and carrying of heavy equipment, and the importance of proper and continuous readjustment of workstations and other techniques to prevent such problems.
 - The company will continue its policy of working with anyone having difficulty with or desiring specific ergonomic equipment and for workstations to be reconfigured to prevent or help alleviate RSI. This policy will include, but not be limited to, adding special wrist and footrests, telephone headsets, height- adjustable chairs, height and angle-adjustable CRT screens, anti-glare protection and copy stands. Photo and video-related equipment will include, but not be limited to, lightweight cameras, laptops, and batteries; laptop stands; backpacks; harnesses; belts; belt packs; carrying cases; and rolling carts.
 - The company's policy is that employees are not required to remain at workstations for unreasonable periods of time without taking breaks and that such breaks are encouraged and should be part of their routine. Employees have the flexibility to take breaks of the number and length they feel necessary to give their eyes and bodies adequate rest.
- (e) As part of the continuing RSI-prevention program, and to prevent injuries resulting from the lifting and carrying of equipment, the AP also will bring in ergonomics professionals, including the company's workers' compensation insurance carrier, as necessary, to evaluate AP business locations and to work directly with staffers who may be experiencing such problems.

9. The Guild shall designate one member of its Health and Safety Committee to serve as Health and Safety Coordinator. The Guild's Safety Coordinator shall suffer no loss or reduction in regular wages and/or benefits because of time spent in meetings with the Employer, or while attending safety-related training and seminars presented by the Employer. All other expenses related to attending such meetings will be the sole responsibility of the Guild.

The Employer also agrees to pay the cost of tuition for the Guild's safety officer to attend two safety related training or seminars that have been agreed to by the Employer and approved in advance. All other expenses related to the Safety Coordinator's attendance at such training or seminars will be the sole responsibility of the Guild.

10. As a result of its review of the final report by the New York University Occupational and Industrial Orthopaedic Center (OIOC) Pilot Ergonomic Work Assessment of Still and Video Photographers for AP ("The Study"), the employer agrees as follows:
 - (a) The Employer shall post the Executive Summary and Final Report on its intranet site.
 - (b) The Employer will provide on its intranet site, comprehensive information on injury prevention, including information on proper lifting/carrying ergonomics with recommended fitness and safety practices. The information will include best practices data on the loading and unloading of equipment from vehicles, carrying heavy loads, safe body mechanics, proper equipment use and strength, stamina and cardiovascular fitness.
 - (c) The equipment table in Appendix 5 of The Study will be posted on the employer's intranet site as a reference for employees seeking information on equipment recommendations for health and safety needs.
 - (d) When the Employer determines that a photographer or videojournalist needs equipment, the Employer will consult the equipment table in Appendix 5 of the Study as a reference.
11. In response to a reasonable written concern about employee safety, the Employer will engage an indoor air quality consultant to report on appropriate air quality conditions for employees at its business facilities and will provide a copy of the consultant's report to the Guild.
12. The AP is committed to fostering a culture of safety that protects the reputation and well-being of employees in their work. This includes maintaining the SAFE program or a future iteration of efforts to provide support for employees when they experience harassment or threats online. It also includes encouraging staff to promptly seek assistance as needed from local law enforcement, from senior AP managers directly responsible for employee security and safety, from their own supervisor or Human Resources. It includes encouraging staff to not respond to or engage with those who make threats or engage in acts of harassment. The AP will hold regular training programs regarding online safety, including during a new employee's onboarding process; provide specialized mental health and trauma support counseling to employees; and document formally reported cases of online harassment, including cases specifically targeting employees of color, women and LGBTQ+ staff, and will review its findings with the Guild upon request, up to twice a year.