

- C. After three (3) years of service following the completion of the course, another one third of the allowable cost will be forgiven. If the employee is no longer employed by Rite Aid, no amount must be repaid because the total allowable cost has been forgiven.

Article 34 Maintenance of Benefits

34.1 The Employer and the Union agree that the terms of this Agreement shall not be unilaterally changed and may only be changed by a written document executed by the Employer and the Union.

34.2 The Employer may propose to the Union wages or bonuses more favorable for the bargaining unit. However, no changes shall be made or implemented without the Union's agreement.

34.3 Benefits not expressly provided for in this Agreement, such as but not limited to, perfect attendance gift cards, holiday gift cards, perfect attendance banquets, Company picnics, safety prizes, employee warehouse purchase program, Applause awards and prizes, holiday luncheon, quality lunch voucher are discretionary and may be changed or discontinued at the option of the Employer. However the Employer shall give the Union two weeks advanced written notice prior to any changes or discontinuance. The Employer and the Union shall meet and confer regarding any changes, and the Employer shall take suggestions from the Union under advisement. However, all discounts are at the option of the Employer and may be changed or discontinued at any time without notice.

Article 35 Complete Agreement

35.1 The Employer and the Union acknowledge that during the negotiations which resulted in this Agreement, each party hereto has had the right and opportunity to make demands and proposals with respect to all matters referred to herein, and that the understandings and agreements arrived at by such parties are fully set forth in the Agreement.

Article 36 Heat - Related Illness Prevention Program

36.1 Heat — Related Illness Prevention Program

The Parties agree that an effective approach to heat-related illness is vital to protect the health and lives of Rite Aid workers. This article will establish procedures to ensure the health and safety of employees during heat related temperature conditions. When employees work in hot and humid conditions, the steps outlined below will be taken in order to prevent heat related illness.

### 36.2 Scope and Application

This Article shall apply to anywhere on the Employer's premises where there is an indoor place of employment where the heat index (temperature and humidity combined) reaches or exceeds 80.

### 36.3 Heat-related illness Prevention

The Employer shall hourly monitor heat and humidity conditions in the Distribution Center. The Heat-related Illness Prevention Program shall include the following:

#### A. Heat Assessments and Monitoring:

- 1) The Company shall activate an environmental monitoring system by May 15, 2011 to record heat index through probes in the following locations listed in Appendix D.
- 2) The calibration for the heat index shall be the NOAA charts provided to the Union. The Heat Index shall be defined as an effective temperature combining temperature and humidity.
- 3) Union stewards on all shifts shall have access to the monitoring reports, and copies of such reports shall be provided upon request.
- 4) The Employer shall not prohibit an employee from utilizing their own thermometer or device(s) capable of indicating temperature and humidity, nor prohibit an employee from recording temperature and humidity in the workplace at any time as long as such does not interfere with the Employer's operations.
- 5) Action Level signs shall be posted in all high traffic areas during seasons of the year when the internal heat index could exceed 80. In addition all employees shall be notified by verbal communication on the public address system when Level 2 or Level 3 guidelines are in effect.
- 6) New employees shall receive heat awareness training as part of their overall new employee orientation process and shall be given a copy of this Article. A post training quiz shall be administered and filed in the employee's training file accordingly. All employees shall receive annual refresher training relative to heat awareness. This training shall be conducted before the summer heat season begins.
- 7) All employee reports of heat related symptoms/illness shall be reduced to writing and provided to the Union upon request.

#### B. Action Levels and response Requirements — the following shall be the action levels and response requirements when the Heat Index Monitoring System so indicates:

- 1) Level 1: Heat Index 80-89 — As per Section (C) below, water consumption is encouraged at least once per hour;
- 2) Level 2 Heat Index 90-99 — Fluid will be readily available and water consumption is encouraged at least every thirty (30) minutes. There shall be an extra five minute rest break in place every hour.
- 3) Level 3: Heat Index 100+ - Fluid will be readily available and water consumption is encouraged at least once every fifteen (15) minutes. There shall be an extra 10 minute rest break in place every hour.
- 4) If the Heat Index exceeds 100 for more than one (1) hour then the distribution center will shut down and employees will be sent home under the Interruption of Operations "Act of God" provisions of this agreement.

C. Provision of Water

- 1) Water shall be readily accessible at all times and provided by the Employer in or near the working areas.
- 2) The frequent drinking of water shall be encouraged. Rest room use shall not be discouraged or subject to discipline.

D. Factors Impacting Heat Illness

The Employer and the Union recognize that the following factors are present in employees affected by heat related temperature increases in individual ways:

- Age
- Weight
- Physical Fitness
- Metabolism
- Medications
- Use of Alcohol or Drugs
- Air temperature
- Humidity
- Clothing
- Physical Activity

E. Heat Illness — Symptoms and Response

Increases in temperature can cause physical and mental symptoms resulting in various degrees of heat illness such as:

- 1) Heat cramp symptom include:

- Severe, sometimes disabling cramps that begin suddenly in the hands, calves or feet
- Hard Tense muscles

2) Heat exhaustion symptoms include:

- Fatigue
- Nausea
- Headaches
- Excessive thirst
- Muscle aches and cramps
- Weakness
- Confusion or anxiety
- Drenching sweats, often accompanied by cold, clammy skin
- Slowed or weakened heartbeat
- Dizziness
- Fainting
- Agitation
- Bloody nose
- Diarrhea

3) Heat stroke symptoms include:

- Nausea and vomiting
- Headache
- Dizziness or vertigo
- Fatigue
- Hot, flushed, dry skin
- Rapid heart rate
- Decreased sweating
- Shortness of breath
- Decreased urination
- Blood in urine or stool
- Increased body temperatures (104 to 106 degrees Fahrenheit)
- Confusion, delirium or loss of consciousness
- Convulsions

F. Relief from Heat Illness

Employees are required to report any and all temperature related symptoms to their management representative. Some forms of heat illness require immediate attention. Depending on the severity of the symptoms employees may choose to:

- Rest in a cool area
- Wash their skin with cool water and dry the skin
- Drink cool water
- Lie down in a cool area until the body cools down
- Soak clothing in water if needed
- Get medical attention
- Call 911

G. Emergency medical care shall immediately be sought for anyone who has been in the heat and who has the following symptoms:

- Confusion, anxiety or loss of consciousness
- Very rapid or dramatically slowed heartbeat
- Rapid rise in body temperature that reaches 104 to 106 degrees Fahrenheit.
- Drenching sweats accompanied by cold, clammy skin or a marked decrease in sweating accompanied by hot, flushed, dry skin.
- Convulsions
- Any other heat-related symptom that is not alleviated by moving to a cool or air-conditioned area and by consumption of fluids.

H. Medical care

Employees observed displaying any of the heat related symptoms or stating that they have any heat related illness symptoms shall be accompanied at all times to a cool area, or when medical care is needed or requested or when 911 is called.

I. Training

There shall be ten (10) first responders (Employees trained in CPR and First Aid) for each shift to aid the worker until recovery or until the emergency responders arrive. Such responders shall be trained at Employer expense, on Company time and recertified prior to their certification expiring.

#### *Article 37 Dependent Care Flexible Spending Fund*

37.1 Employees are eligible to participate in and contribute to the Dependent Care Flexible Spending Account. This account can be used for daycare expenses for children age 12 or younger or for adult daycare expenses for disabled spouse or disabled dependent, if such daycare

# Longshore Safety Tip

May - 2016

## REMINDER ON HEAT STRESS

Heat stress from exertion or hot environments places workers at risk.

Heat Exhaustion is the body's response to an excessive loss of water and salt, usually through sweating.

### Symptoms

- Rapid heart beat
- Heavy sweating
- Extreme weakness or fatigue
- Dizziness
- Nausea, vomiting
- Irritability
- Fast, shallow breathing
- Slightly elevated body temperature

### First Aid

- Rest in a cool area
- Drink plenty of water or other cool beverages
- Notify supervision

DRINK  
*more*  
WATER



Dehydration and heat exhaustion are two very common heat-related diseases that can be life-threatening if left untreated.

### How can dehydration be prevented?

Take precautionary measures to avoid the harmful effects of dehydration.

- Drink plenty of fluids, especially on hot days. Water and sports drinks are the drinks of choice. Avoid caffeinated coffee, soda, and alcohol, as these can lead to dehydration.
- Make sure you are taking in more fluid than you are losing.



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# Longshore Safety Tip

January - 2016

## **WINTER STORM PRECAUTIONS**

**Longshore employees working in the rain face additional hazards. Poor visibility and slippery surfaces create an opportunity for an injury.**

Safe work practices that will help prevent accidents and injuries when working in the rain:

Make sure that you can be seen. If you are working in areas with vehicular or crane traffic, always wear a bright-colored, approved reflective vest. Walk in marked or designated walkways. Make eye-contact with vehicle operators.

Wear appropriate safety footwear. The top of the boot or shoe should be inside the pant leg (as opposed to tucking the pant leg into the safety shoe).

Since hard hats, hoods or rain gear narrow your range of vision, make it a point to turn your head to look both ways and above and below you when wearing a hood in the rain.

Wear appropriate rain gear. If you are cold and wet, you are likely concentrating more on how miserable you are than the work at hand.

Move cautiously, especially when climbing ladders or entering equipment, in order to prevent slipping or falling.

Use the correct equipment. Do not use electrical tools and equipment that are not specifically rated for outdoor use when working in the rain.



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**Subject:**

**From:** ofc@ilwu26.com

**Date:** Thu, Feb 09, 2017 1:38 pm

**To:** mseaman@callborfed.org

**Attach:** heat2917.pdf

Please see attachment.

Luisa Gratz  
ILWU, Local 26

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