

## ARTICLE 9

### HEALTH AND SAFETY AND VIDEO DISPLAY TERMINALS

- 9.1 The Employer shall continue to make reasonable provisions for the safety and health of its employees during the hours of their employment. It is agreed that both the Employer and the Union shall co-operate to the fullest extent possible in the prevention of accidents and in the reasonable promotion of safety and health of all employees.
- 9.2 The Employer shall provide safety equipment and protective clothing where it requires that such shall be worn by its employees.
- 9.3 The purchase of safety shoes or boots for on-the-job protection of the purchaser shall be subsidized as per the applicable practice in each ministry.
- 9.4 The current practices relating to the supply and maintenance of apparel for employees shall continue during the term of this Agreement, subject to any changes which may be entered into between the parties at the local or ministry level.

### VIDEO DISPLAY TERMINALS (VDT)

- 9.5 After each hour of continuous operation of a VDT, a VDT operator shall be relieved of such duties for a period of ten (10) minutes.
- 9.6 At the beginning of assignment to a VDT and annually thereafter, a VDT operator who is regularly required to operate a VDT for two (2) hours or more per day shall be required to undergo an eye examination by an optometrist or an ophthalmologist who is qualified to conduct the following tests:
- (a) unaided visual acuity (letter chart test)
  - (b) refractive findings
  - (c) corrected visual acuity
  - (d) amplitude accommodation
  - (e) suppression
  - (f) muscle balance (near, one metre, distant)
  - (g) slit lamp biomicroscopy.

The cost of the eye examination, not to exceed the OHIP fee schedule for such examinations, shall be borne by the Employer, and the VDT operator shall authorize release of a copy of the examination report to the Employer.

- 9.7.1 A pregnant VDT operator may request reassignment from VDT duties for the remainder of her pregnancy by forwarding a written request to the Employer together with a certificate from a legally qualified medical practitioner certifying that she is pregnant.
- 9.7.2 Upon receipt of the written request specified in Article 9.7.1, the Employer shall, where possible, assign the employee to a vacancy in the bargaining unit within her ministry, provided that she is able and qualified to perform the required duties and the salary maximum of the vacancy is not greater than the salary maximum of the classification of her position. Where more than one such vacancy is available, the Employer shall assign the employee to the vacancy with the highest salary maximum. The assignment of a surplus employee to a vacancy, in accordance with Article 20 (Employment Stability), shall have priority over an assignment under Article 9.7.

- 9.7.3 Where an employee is assigned to a vacancy in accordance with Article 9.7, the provisions of Article 6 (Posting and Filling of Vacancies or New Positions) shall have no application.
- 9.7.4 Where an employee is assigned, under Article 9.7.2, to a position in a classification with a lower salary maximum than the salary maximum of the classification of the position from which she was assigned, she shall be paid at the rate within the salary range of the classification of the position to which she has been assigned under Article 9.7.2, which is closest to but not more than the rate she was receiving immediately prior to the assignment.
- 9.7.5 Where it is not possible to assign an employee in accordance with Article 9.7.2, the employee shall, upon written request, be granted a leave of absence without pay to cover the period preceding the date on which she would be entitled to commence pregnancy leave of absence in accordance with Article 50 (Pregnancy Leave).
- 9.7.6 An employee who does not accept an assignment made in accordance with Article 9.7.2, may elect either to continue work in her original position or request leave of absence in accordance with Article 9.7.5.
- 9.8 Video display terminal work stations shall be equipped with tables or stands for the terminal to permit it to be at a height appropriate to the circumstances of its use and the seating available for the operator. The chair provided shall have a seat which is adjustable in height, a back rest which is adjustable in height, and a foot rest where necessary to accommodate a particular operator. Where appropriate to the nature of the work, paper stands or work stands shall be provided.