

Work shouldn't hurt, says OSEA

Oregon Special Education personnel all too frequently are injured by their students.

You might think schools would be safe workplaces, but it doesn't always feel that way to school employees who work as special education assistants. Oregon School Employees Association (OSEA)—an affiliate of American Federation of Teachers (AFT)—represents about 5,700 workers in special education. By and large they love their work—helping students with significant intellectual and developmental disabilities. But several years ago, some members were concerned enough about attacks by students to raise the issue at union meetings. The union began to look into it.

"We asked our members to tell us if they'd been injured by a student," said OSEA President Tim Stoelb via email. "The stories began pouring in."

Members reported that they were spit on, kicked, hit, pinched, scratched, and bitten. Most attacks were minor, but not all. In 2012, a 68-year-old special ed bus driver for North Clackamas School District was taken bruised and bleeding to a hospital after an autistic middle-school boy bit her multiple times.

OSEA had anecdotes, but lit-

tle or no comprehensive data on such attacks. Schools are classified as safe workplaces by the Occupational Safety and Health Administration (OSHA), so unlike at factories or construction sites, they're not required to log and report any injuries that are less serious than fatalities, amputations, in-patient hospitalizations or the loss of an eye. OSEA asked the Legislature to require schools to undertake more strenuous reporting, but got nowhere in the 2011 session. But in 2013, the union won a partial victory: a law mandating that districts establish *some* kind of reporting.

This spring OSEA and three other school unions—Oregon Education Association, AFT-Oregon, and Oregon Nurses Association—formed a work group to gather more evidence to support a case for action. With help from AFT's national organization, a survey was developed that was sent out to OSEA members in June. About 2,000 school employees have so far responded, and the National Institute of Occupational Safety and Health is preparing a final report of that survey for OSEA.

In July, OSEA delegates went to Minneapolis to attend AFT's national convention, and won passage of a national union resolution. The resolution calls for

educational employers to be required to report employee injuries to OSHA, and for expanded national monitoring of assaults against special education personnel.

"The ultimate goal of the campaign is to stop—or at least minimize—the injuries to our members," Stoelb said. "In our data-driven society, nothing changes without strong supporting evidence. Changing the reporting requirements will generate the data to effect that change."

If the campaign gets to that stage, better training and better staffing would be two obvious solutions. Oregon actually employed 5 percent fewer special ed workers in 2013-14 than it did in 2006-07, even though it had 6 percent more students with disabilities.

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Oregon LERA will present a triple-header (plus one) on Nov. 10

8:00 – 4:00: Oregon LERA's 2016 Conference

Who's The Boss?

Changes in the Traditional Employer-Employee Relationship

Plenaries in the morning:

- **Keynote: Professor Charlotte Gardner of Seattle University**
Panel: Charlotte Gardner, Todd Lyon, Mike Tedesco
- **NLRB Update: Federal Standards (Joint Employee, Independent Contractor v. Employee, Others) by Jessica Dietz, Officer-in-Charge, Portland Office of NLRB**

Breakouts in the afternoon:

- ✓ **Panel of Arbitrators on the Conference Theme**
- ✓ **Technology in the Workplace**
- ✓ **Non-Traditional Labor Agreements**

4:30-5:30: Reception (Hosted Hors D'oeuvres & No Host Bar)

5:30: The Maggie Awards

Each year the Oregon chapter of LERA presents awards to recognize area labor-management relations practitioners whose accomplishments and approach to labor relations are widely admired by labor, management, and neutrals. The individuals honored have demonstrated commitment to the collective bargaining process, extensive experience in collective bargaining, integrity, and involvement in the labor relations community.

Plus, Oregon LERA's Annual Meeting

World Trade Center - Skybridge 121 SW Salmon Street
SkyBridge A & B Portland, OR 97205

Registration Information:

\$140.00 for non-LERA members, \$125.00 for current LERA members,
\$75.00 for students.

For more information go to OregonLERA.com



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