

# City of Philadelphia



Council of the City of Philadelphia  
Office of the Chief Clerk  
Room 402, City Hall  
Philadelphia

(Resolution No. 070915)

## RESOLUTION

Authorizing the Committee on Legislative Oversight to hold public hearings to identify employee safety issues that have been forced into contract arbitration by the City, and to investigate the reasoning behind why employee health and safety issues are negotiated rather than properly addressed by the City.

WHEREAS, Employee health and safety issues have a long history of being negotiated in contract arbitration. While unions have a legal rights to bargain over health and safety issues, it is inappropriate for the City to leverage those protections against sacrificed wages and benefits; and

WHEREAS, Because Occupational Safety and Health Administration (OSHA) guidelines do not apply to public workers and because the City of Philadelphia has not fully adopted these guidelines, city employees are too often denied proper health and safety protection; and

WHEREAS, In the late 1990s, the Philadelphia Firefighters Union IAFF Local 22 recognized that a disproportional number of its members had contracted Hepatitis C because of their employment. This realization began an evaluation of health and safety protections for Philadelphia firefighters; and

WHEREAS, From the late 1990s to the present, IAFF Local 22 has requested numerous health and safety improvements for their members from the City and, the City has repeatedly refused to provide proper health and safety equipment, which has forced Local 22 to address these issues in arbitration; and

WHEREAS, Philadelphia firefighters have gone to arbitration over health and safety issues such as Hepatitis C testing, bunker gear replacement and maintenance, hand-held radios, diesel exhaust emissions and proper hearing protection; and

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WHEREAS, In each instance, the union has won at arbitration on health and safety protection, meaning that the City's refusal to provide the equipment prior to arbitration only wasted time and money and further jeopardized the safety of the workers; and

WHEREAS, It is unclear exactly what other safety equipment is being denied to Fire Department and other city employees, especially when Federal funding is available for equipment for first responders; and

WHEREAS, The health and safety of city workers is too important to be overlooked. City Departments and agencies should have the authority to purchase and supply their employees with the proper protection without unnecessary delay; now, therefore, be it

RESOLVED, BY THE COUNCIL OF THE CITY OF PHILADELPHIA, That City Council's Committee on the Legislative Oversight is hereby authorized to hold public hearings to identify employee safety issues that have been forced into contract arbitration by the City, and to investigate the reasoning behind why employee health and safety issues are negotiated rather than properly addressed by the City.

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CERTIFICATION: This is a true and correct copy of the original Resolution, Adopted by the Council of the City of Philadelphia on the twenty-fifth of October, 2007.

Anna C. Verna  
PRESIDENT OF THE COUNCIL

Patricia Rafferty  
CHIEF CLERK OF THE COUNCIL

Introduced by: Councilmembers Kenney and Kelly

Sponsored by: Councilmembers Kenney, Kelly, Greenlee, Goode, Savage, Rizzo, Clarke, Reynolds Brown, Miller, Tasco, Ramos, Campbell and DiCicco