

## **ARTICLE X WORKING CONDITIONS**

### **Section 1. Policy Consultation.**

Proposed University policies affecting articles contained within this negotiated Agreement are governed by the provisions of the Ohio Revised Code Chapter 4117.

### **Section 2. Academic Freedom.**

Shawnee State University is totally committed to the principles of academic freedom as stated by AAUP.

Institutions of higher education are conducted for the common good and not to further the interest of either the individual teacher or the institution as a whole. The common good depends upon the free search for truth and its free exposition. Academic freedom and responsibility are inseparable and must be considered simultaneously; they are shared by all members of the academic community.

A. The teacher is entitled to full freedom in research and publication of the results, subject to adequate performance of his/her other academic duties. Research with pecuniary return using University support and equipment should be based upon an understanding with the authorities of the institution.

B. Teachers are entitled to freedom in the classroom in discussing a subject, but they should be careful not to introduce into their teaching controversial matters which have no relation to their subject.

C. The University teacher is a citizen, a member of a learned profession, and an officer of an educational institution. When faculty members speak or write as citizens, they should be free from institutional censorship or discipline, but their special position in the community imposes certain obligations. As a "person of learning" and an education officer, faculty members should remember that the public may judge their profession and their institution by their utterances. Hence, they should strive for accuracy, should exercise appropriate restraint, should show respect for the opinions of others, and should make every effort to indicate that they are not speaking for their institution. However, academic freedom should be distinguished clearly from constitutional freedom, which all citizens enjoy equally under the law.

D. The concept of academic freedom must be accompanied by an equally demanding concept of academic responsibility. The concern of the institution and its members for academic freedom safeguards must extend equally to requiring responsible service, consistent with the objectives of the institution.

E. The universal responsibility of the teaching faculty member is effective teaching. A proper academic climate can be maintained only when members of the academic community meet their fundamental responsibilities regularly, such as preparing for and meeting their assignments, conferring with and advising students, evaluating fairly and reporting promptly student achievement, and participating in group deliberations which contribute to the growth and development of the students and the institution.

F. Administrators and faculty shall protect, defend, and promote both academic freedom and academic responsibility.

### **Section 3. Safety.**

Faculty will report to the University Safety Committee all matters regarding safety and/or hazardous conditions of which they are aware associated with the workplace.

A. All hazardous equipment used in classrooms and laboratories by students and faculty must have appropriate safety devices readily accessible, i.e., safety glasses, and/or other personal safety equipment, for each piece of hazardous equipment. The faculty member shall not permit the use of such equipment if the safety devices are lacking.

B. The University agrees to provide timely, appropriate training to bargaining unit members who are required to perform duties which involve potential hazards to safety and health.

C. A central source for assistance and information will be available on campus until 10:00 p.m. on those evenings classes are scheduled.

D. Laboratories where chemical odors are or may be present which can irritate the eyes, nose, throat, and/or skin must have sufficient ventilation to protect all occupants of the laboratory and all persons within the confines of any building which may be affected.

E. The University through the Safety Committee will provide reasonable access to adequate first aid kit(s) for each workspace and/or classroom. The kit(s) will be maintained in designated locations and inspected periodically or upon notification of use, and will be replenished as needed.

F. During all clinical exercises, the number of nursing and health sciences students under a single instructor's supervision shall be limited to the number of students who may readily and practicably be observed in a single clinical setting. This number shall not exceed the current accreditation standards for the following programs:

(1) Respiratory Therapy Technician: Faculty/student ratio of 1:5 for each clinical affiliate.

(2) Radiology Technician: Faculty/student ratio of 1:5 for each clinical affiliate.

(3) Dental Hygiene: Faculty/student ratio of 1:6 for first year clinical students and 1:6 for each clinical in the second year.

(4) Associate Degree Nursing: Faculty/student ratio of 1:9 for hospital clinical experiences.

G. The University will follow its bloodborne pathogens policy, University Policy No. 5.21.

H. Student enrollments in laboratory classes will not exceed the maximum number of student lab spaces available as determined by the Office of the Provost.

I. Unless there is a clearly demonstrable space need, non-science classes shall not be scheduled in laboratory classrooms.

J. Each faculty member is responsible for announcing by the second class meeting that students are to refrain from the use of any tobacco products, food and beverages in the classroom. These activities are confined to designated areas according to University policy.

K. In the case of imminent danger situations, the person(s) reporting such situations shall make the reports in the most expeditious manner available.

L. Bargaining unit members shall be afforded protection within reason from interference, coercion, discrimination, or reprisal for filing an internal report to the proper University administrative officer or director regarding an unsafe or unhealthful condition(s).

M. SEA shall have one (1) appointment to the University Safety Committee.

#### **Section 4. Academic Calendar.**

The University shall develop the academic calendar in consultation with the Association, which will be involved from the onset of the process. The Association shall appoint two (2) representatives to work with the administration in development of the calendar.

#### **Section 5. Academic Administrator Search Committees.**

The Association shall have the right to appoint one (1) member to search committees established for the purpose of selecting any administrative officer in the academic area at the level of Chair, if chairs are not in the bargaining unit, and Dean or above.

#### **Section 6. Use of Tobacco Products and Drug-Free Workplace.**

Smoking and the use of smokeless tobacco products is prohibited as provided in University policy 5.08. Smoking and the use of smokeless tobacco products shall be prohibited in all vehicles owned or leased by the University or groups and organizations connected with the University.

The University and the Association agree that it is their mutual goal to achieve and maintain a drug-free workplace in accordance with Federal legislation. Once the University has identified and documented that a faculty member is having recurring work-performance problems related to substance or alcohol abuse, a conference will be called (See Article VI, Section 5). The faculty member may be provided an opportunity to participate in an independent rehabilitation program. Refusal to participate may result in the appropriate disciplinary action (See Article VIII). The University may:

A. Request a regular report from the agency responsible for rehabilitation, which shall be kept confidential.

B. Require a statement of readiness from the agency before permitting the faculty member to return to work.

The SEA President and the University will agree to a plan for re-entry.

## **Section 7. Harassment**

It is the policy of Shawnee State University and the Association to maintain an educational and employment environment that is free from harassment and hostility as defined by University policy. If there is a complaint of harassment against a faculty member, the provisions in this Agreement shall be followed (see Article VI and VIII).