

**1. Title:** Workplace Safety and Health (Accidents & Workers' Compensation)

**2. Purpose:**

- 2.1 To provide policies and processes that are intended to support a safe environment for employees, volunteers, and others present on church property or at church sponsored events.
- 2.2 To inform employees of their rights under the federal Occupational Safety and Health law (OSH) and to assure them that any retaliation against them for filing a claim or reporting a safety concern or violation is not tolerated by the church.
- 2.3 To explain workers' compensation insurance for covered employees and workers.
- 2.4 To explain the reporting requirements and processes for work related accidents or illness.

**3. Policy:**

3.1 It is the policy of the First Presbyterian Church of Conroe to provide a safe environment for its employees, volunteers, and others who are present on church property or participating in church sponsored events. Because of this commitment, certain safety precautions and actions are required as explained in this policy.

3.1.1 The safety and health of every worker is a high priority. Church supervisors and leaders accept responsibility for providing a safe working environment, and workers are expected to take responsibility for performing work in accordance with safe standards and practices. Safety and health will only be achieved through teamwork. Everyone must join together in promoting safety and health and taking every reasonable measure to assure safe working conditions at FPCC.

3.1.2 If anyone sees or hears of an unsafe or unhealthy situation in the workplace, that person (regardless of his/her position or role in the organization) is expected to make leadership aware of the matter so that it can be addressed proactively before an accident or injury occurs.

3.1.3 Work-related accidents and illnesses, as well as safety concerns expressed by workers, shall be investigated on a timely basis. Any necessary corrective action shall be taken to prevent accidents or the

reoccurrence of situations that can contribute to an unsafe work environment.

3.2 Workers have a legal right to report work-related injuries and illnesses. No adverse action shall be taken against any employee or worker who files a safety or worker's compensation complaint, claim, or concern about unsafe working conditions, or for reporting illnesses or injuries perceived as work related.

3.2.1 Retaliation against such workers is not tolerated and will be treated very seriously.

3.2.2 OSHA's whistleblower statutes protect individuals from retaliation or an employer's adverse action against workers who report injuries, safety concerns, or other protected activity. The church intends to provide all the protections afforded by the law to its workers, but workers have a right to file a complaint with OSHA in a number of ways, as described at [www.osha.gov](http://www.osha.gov) and other places on the OSHA portal. Complaints may also be filed with the Houston North Area OSHA Office at 690 S. Loop 336 W., Suite 400, Conroe, TX 77304, 936-760-3800.

3.2.3 Nothing in this policy or any practice of FPCC is intended to discourage employees from reporting work-related illnesses and injuries as they occur.

3.3 The church will maintain a worker's compensation insurance policy for the protection of eligible workers in case of work-related illness or injury.

3.3.1 FPCC is required to provide employees with coverage information in writing when hired and whenever FPCC becomes, or ceases to be, covered by workers' compensation insurance.

3.3.2 Notice of such insurance coverage shall be posted on the employee bulletin board.

3.4 **Reporting of Injury/Illness.** Workers who are injured on the job or have contacted an illness due to work related circumstances are expected to promptly notify their supervisor and to cooperate with reporting of the situation to the workers' compensation insurance agent so that the situation can be handled properly and on a timely basis.

3.4.1 An employee, or person acting on the employee's behalf, must notify the employer of an injury or occupational disease not later than the thirtieth (30<sup>th</sup>) day after the date on which the injury occurs or the date the employee

knew or should have known of an occupational disease, unless the Texas Department of Insurance, Division of Workers' Compensation ("Division"), determines that good cause existed for failure to provide timely notice.

**3.5 Job Related Disability.** Worker's compensation benefits are paid to FPCC employees with a job-related disability, and the employee's position will be treated in accordance with applicable law upon timely return from a job-related disability absence. (See OPS 07.08 Time Off & Leaves of Absence.)

3.5.1 Workers' Compensation insurance provides a loss-of-earnings benefit and pays for authorized medical and related expenses when an employee loses time from work due to a work-related accident, injury or illness.

3.5.2 Employees shall be provided access to their own injury/illness records upon request to the Church Administrator, the Head of Staff, or a member of the Administration Committee.

**3.6 Cell phone safety.** Use of a cell phone while driving on behalf of the church, whether a private vehicle or a church-owned or rented vehicle, is prohibited due to the extremely unsafe conditions associated with such usage.

3.6.1 Anyone driving on church-related matters is expected to comply fully with state laws that regulate and restrict the use of cellular devices while driving.

3.6.2 Drivers are strictly banned from using a cell phone for texting, performing internet searches, making phone calls, or any other use of a smartphone while driving a moving vehicle and while not in motion at a stop sign or stop light. If a driver needs to use a cell phone, he or she must pull off the road into a safe parking space before using a phone or another digital device.

**3.7 Other safety policies and procedures.** FPCC may define other safety policies and procedures from time-to-time as needed and shall inform employees of expectations, responsibilities, and sources of safety information.

#### **4. Definitions:**

**Adverse action** as defined by the Occupational Safety and Health Administration (OSHA) in its whistleblower regulation includes such actions as firing or laying off, blacklisting, demoting, denying overtime or promotion, disciplining, denial of benefits, failure to hire or rehire, intimidation /harassment,

making threats, reassignment affecting prospects for promotion, reducing pay or hours.

**Engaged in secular activities** as defined by OSHA means any person who is *not* engaged in the performance of, or participation in, religious services (as distinguished from secular or proprietary activities). Workers engaged in religious services or participating in them to any degree are not considered secular workers while so engaged. Under this definition, clergy, music directors and musicians, ushers and other workers in a church service are not covered by OSHA when participating in a religious service.

## 5. References:

5.1 Occupational Safety and Health Act of 1970 (OSH Act), the federal law that provides for workplace safety and health.

5.2 Occupational Safety and Health Administration (OSHA), the agency of the Department of Labor that regulates safety and health and that handles employee complaints, investigations, and employer violations.

5.3 Hammar, R. R. *Pastor, Church, and Law Vol. 3 Employment Law*, pp. 198-202.

## 6. Applicability:

This policy applies to all church employees and workers *engaged in secular activities* as defined by OSHA, including Presbyterian Day School workers and certain contractors.

## 7. Procedures:

7.1 In the event of a work-related injury or illness, the individual affected is expected to inform his/her supervisor as soon as practicable and to complete or assist in completing appropriate paperwork, which is available from the Church Administrator. By law, certain injuries must be reported by FPCC within 8-24 hours of the occurrence. If it is not possible for the individual to report the incident or situation, it is the supervisor's or the Head of Staff's responsibility to ensure the circumstances are properly handled and reported.

7.1.1 The Church Administrator, Head of Staff, or member of the Administration Committee will provide information and forms to an employee for filing a worker's compensation claim. Additionally, the Texas Department of Insurance, Division of Workers' Compensation ("Division")

provides information about and assistance with how to file a worker's compensation claim. Division staff may be contacted at 800-252-7031.

7.1.2 The Division also has a 24-hour telephone number for reporting unsafe conditions in the workplace that may violate OSHA laws. This hotline number is 800-452-9595 if for some reason an employee wants to use this as an alternative, or in addition to, reporting a concern to FPCC.

7.2 All appropriate investigations and mitigation will be implemented as a high priority and in compliance with legal requirements when a work-related safety or health incident has occurred.

7.3 The supervisor, Head of Staff, and any other assigned member of leadership, will ensure that employee's rights are protected and appropriate benefits are provided. Reportable incidents under OSHA will be handled according to OSHA requirements and appropriate regular reporting will be conducted.

7.4 All legally required postings, included but not limited to OSHA's "It's the Law" poster, will be posted in an easily accessible area where employees and workers can see them. Such posted documents also will include the name of FPCC's current workers' compensation insurance carrier and any other employee notification requirements of the Texas Division of Workers' Compensation. The Head of Staff shall designate such posting location.

#### **8. Review Schedule:**

The Administration Committee Chairperson should review this OPS, at a minimum, on the triennium of the effective date and make any needed revisions for the Session's approval

#### **9. Approval:**

The policy provisional effective date established by the Administration Committee is October 7, 2016, and Session approved this OPS on the date indicated in this policy header.