The Commonwealth of Massachusetts

PRESENTED BY:

Adam Gomez

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act to ensure safe and healthy public higher education campuses.

PETITION OF:

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<tr>
<th>NAME</th>
<th>DISTRICT/ADDRESS</th>
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<tbody>
<tr>
<td>Adam Gomez</td>
<td>Hampden</td>
<td>2/25/2021</td>
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<td>Carmine Lawrence Gentile</td>
<td>13th Middlesex</td>
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<td>Adam J. Scanlon</td>
<td>14th Bristol</td>
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<td>Jack Patrick Lewis</td>
<td>7th Middlesex</td>
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<td>Carlos González</td>
<td>10th Hampden</td>
<td>3/4/2021</td>
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<td>Erika Uyterhoeven</td>
<td>27th Middlesex</td>
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<td>Michael D. Brady</td>
<td>Second Plymouth and Bristol</td>
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<td>James J. O'Day</td>
<td>14th Worcester</td>
<td>3/4/2021</td>
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<td>Joanne M. Comerford</td>
<td>Hampshire, Franklin and Worcester</td>
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<td>Anne M. Gobi</td>
<td>Worcester, Hampden, Hampshire and Middlesex</td>
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<td>Patricia D. Jehlen</td>
<td>Second Middlesex</td>
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<td>Patrick M. O'Conner</td>
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<td>Sal N. DiDomenico</td>
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<td>Maria Duaiime Robinson</td>
<td>6th Middlesex</td>
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<td>Mary S. Keefe</td>
<td>15th Worcester</td>
<td>4/5/2021</td>
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<td>Walter F. Timilty</td>
<td>Norfolk, Bristol and Plymouth</td>
<td>4/21/2021</td>
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By Mr. Gomez, a petition (accompanied by bill, Senate, No. 835) of Adam Gomez, Carmine Lawrence Gentile, Adam J. Scanlon, Jack Patrick Lewis and other members of the General Court for legislation to ensure safe and healthy public higher education campuses. Higher Education.

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Second General Court
(2021-2022)

An Act to ensure safe and healthy public higher education campuses.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to ensure the health and safety of the commonwealth’s public higher education students, employees and communities during the 2019 novel coronavirus pandemic, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Notwithstanding any general or special law, rule or regulation to the contrary, public institutions of higher education as described in section 5 of chapter 15A shall implement systems of COVID-19 testing for students and employees on every campus, provided, however, that the University of Massachusetts at Worcester shall be exempt from the application of this section.

The systems of COVID-19 testing shall include:

a. Daily symptom monitoring for all students and employees.

b. The capacity to test students and staff in accordance with the following schedule:
1) Undergraduate or graduate students who reside on campus shall be tested twice a week.

2) Undergraduate or graduate students who reside off-campus who come onto campus for face-to-face classes, research, or work shall be tested twice a week.

3) Employees who work in campus health care facilities or who provide in-person health care services shall be tested twice a week.

4) Employees who teach on campus or conduct research on campus or work on campus shall be tested once a week.

5) Close contacts of students or employees who test positive shall be tested as needed.

6) Symptomatic students or employees shall be tested as needed.

c. The capacity to provide test results within 36 hours of the time of testing.

d. The capacity to provide information and support for individuals, who may be students, employees, or close contacts of students or employees, who test positive, and the requirement that such individuals isolate in a manner and period of time consistent with guidelines from the Centers for Disease Control and Prevention and state and local public health officials.

e. Space on campus for individuals who have tested positive who must isolate.

f. Contact tracing for individuals within 24 hours of their receipt of a positive test result.

g. Notification to students or employees who are close contacts of an individual who received a positive test result, without revealing the identity of the tested individual, and in
accordance with medical privacy laws and regulations, within 24 hours of the close contact being identified.

h. Notification to employee organizations, as defined in section 1 of chapter 150E, whose unit members may include close contacts of an individual who received a positive test result, without revealing the identity of the tested individual, and in accordance with medical privacy laws and regulations, within 24 hours of the close contact being identified. Notification shall indicate the physical location in which the close contact was working. Unions may provide information from the notification to their unit members on a need-to-know basis, to be determined by location or likelihood of exposure to the individual who received a positive test result, so that potential exposed employees may take appropriate protective measures.

i. Monitoring of infection rates among students and employees and daily updates of infection rate information will be posted in a central online location such as the website for the campus of the public institution of higher education.

A close contact is defined as someone who (1) was within 6 feet of a person infected with COVID-19 for a cumulative total of 15 minutes or more over a 24-hour period starting from 2 days before illness onset until the time the patient is isolated; or (2) was within 6 feet of an asymptomatic patients for a cumulative total of 15 minutes or more over a 24-hour period starting from 2 days prior to being tested to time the patient is isolated; or (3) had direct physical contact with a probable or confirmed COVID-19 case; or (4) was involved in direct care for a patient with probable or confirmed COVID-19 disease without using adequate personal protective equipment.
Said testing programs, including but not limited to service provider contracts, testing supplies, personal protective equipment, and compensation for staff associated with testing, shall be operated at no cost to the public institutions of higher education and shall be paid for by available state funds or eligible federal funds committed to the commonwealth to provide financial assistance in response to the COVID-2019 pandemic. The testing programs shall be operated in accordance with the provisions of Chapter 150E of the General Laws. Nothing in this section shall restrict or limit more protective or stringent mandates from public institutions of higher education or local governments in response to the COVID-2019 pandemic.

SECTION 2. Notwithstanding any general or special law, rule or regulation to the contrary, and in accordance with guidance issued by the Department of Public Health, the Department of Labor Standards, the Occupational Safety and Health Administration, the Centers for Disease Control and Prevention, and best practices, public institutions of higher education as described in section 5 of chapter 15A shall enact policies to ensure that employees and students on all campuses have access to face coverings, masks and other personal protective equipment to prevent exposure to COVID-19, and that employees have access to any additional personal protective equipment necessary for conducting COVID-19 testing. Said personal protective equipment for employees shall be appropriate to the risk of exposure to COVID-19 for the particular work setting for each employee.

Each public institution of higher education shall enforce its policy with respect to the use of personal protective equipment by students and employees. The enforcement of the policy with respect to employees shall be consistent with the provisions of Chapter 150E of the General Laws or any agreements entered into in accordance with Chapter 150E of the General Laws.
Said personal protective equipment, and any additional personal protective equipment necessary for conducting COVID-19 testing shall be provided at no cost to the public institutions of higher education, and shall be paid for by available state funds or eligible federal funds committed to the commonwealth to provide financial assistance in response to the 2019 novel coronavirus pandemic. Nothing in this section shall restrict or limit more protective or stringent state or local government mandates, policies or guidance in response to the 2019 novel coronavirus pandemic; provided further, that nothing shall restrict or limit more protective or stringent policies with respect to personal protective equipment that are agreed to through collective bargaining.

SECTION 3. Section 7A of chapter 15A is hereby amended by striking subsection (b) in its entirety and inserting in place thereof the following subsection:-

(b) The board, in consultation with the presidents of the state universities and community colleges, shall identify peer institutions for the state universities and community colleges. The higher education accountability objectives shall include, but not be limited to, the following: (1) making public higher education more affordable; (2) improving student access and academic achievement; (3) recruiting qualified students; (4) responding to specific needs of the workplace, as defined by business and labor; (5) providing policy research addressing the needs of the commonwealth and local communities; (6) ensuring cost-effective use of resources at each institution and across all institutions, and manage campuses as efficiently as possible; (7) promoting collaboration among the campuses and with the private sector; (8) supporting early childhood to grade 12 education programs; (9) maximizing fundraising from private sources; and (10) maintaining healthy and safe campuses, including maintaining adequate pandemic planning.
SECTION 4. Said section 7A of chapter 15A is hereby further amended by striking subsection (i) in its entirety and inserting in place thereof the following subsection:-

(i) The board of trustees of the University of Massachusetts shall develop a performance measurement system for the university, in consultation with the secretary and the board of higher education. The objectives of the performance measurement system shall be: (1) to promote student access and affordability; (2) to recruit qualified undergraduate and graduate students; (3) to promote student success; (4) to pursue theoretical and applied research, scholarship and creative activity; (5) to contribute to the economic development of the commonwealth; (6) to support early childhood to grade 12 education programs; (7) to provide policy research addressing the needs of the commonwealth and local communities; (8) to ensure cost-effective use of resources; (9) to maximize fundraising from private sources; and (10) maintaining healthy and safe campuses, including maintaining adequate pandemic planning. The system shall include performance indicators for each of these purposes and identify data to be used in measuring performance. The board of trustees shall compare institutional performance with the performance of peer institutions with similar missions as part of its evaluation process.

SECTION 5. Chapter 149 of the General Laws is hereby amended by inserting the following new section:

Section 117B: Ventilation in Public Higher Education Facilities

a. Definitions

As used in this section, the following words shall, unless a different meaning clearly appears from the context, have the following meanings:
"Advanced technologies" means Ultraviolet Germicidal Irradiation (UVGI) or Bipolar ionization or other processes or devices for deactivating airborne viruses or airborne virus particles or other airborne agents of disease.


"Air changes per hour" means a measure of the fresh air volume added to or removed from a space in one hour, calculated by dividing the outdoor air supply volume in cubic feet per hour by the volume in cubic feet of the occupied space; provided, however, that said calculation may include filtered air as part of the outdoor air supply volume in an amount consistent with the efficiency rating of the filters used to condition the air.

"Board of Higher Education" or "Council" means the Board of Higher Education as described in Section 4 of Chapter 15A.

"Campus building" means any structure owned or operated by an institution of higher education, which is used for educating students, or which contains workspace for employees.

"Declaration of a pandemic" means the characterization by the World Health Organization of an infectious disease outbreak as a pandemic; or a declaration related to an infectious disease outbreak by the federal Department of Health and Human Services of a public health emergency in accordance with section 319 of the Public Health Service Act (42 U.S.C. 247d); or a declaration of a state of emergency related to an infectious disease outbreak by the Governor of the Commonwealth in accordance with Chapter 639 of the Acts of 1950 and Section 2A of Chapter 17 of the General Laws.
"Department" means the Department of Labor Standards.

"Employee organization" means any lawful association, organization, federation, council, or labor union as defined in section 1 of chapter 150E of the General Laws.

"Filtered air" means air that has been a) conditioned induct, in air handling units, or in other components of a ventilation system, by filters with a MERV-13 or higher efficiency rating, or b) conditioned by a portable air cleaner.

"Fresh air" means outdoor air free of outdoor air pollutants, or a combination of such outdoor air and filtered air.

"Institution of Higher Education" means the University of Massachusetts campuses set forth in Chapter 75, provided, however, that the University of Massachusetts at Worcester shall not be included in the requirements of this section; and State Universities and/or Community Colleges set forth in Chapter 15A and Chapter 73.

"Occupied space" means, unless otherwise specified, any area in a campus building used for educational, administrative, medical, toileting, or any specific purpose other than storage, including but not limited to classrooms, auditoriums, offices, hallways, laboratories, dormitories, dining facilities.

"Outdoor air" means air introduced from outside a campus building from intakes free of contaminated air.

"Personal protective equipment" means equipment worn to minimize exposure to hazards from infectious disease, including, but not limited to, gloves, face shields, masks, safety glasses, respirators, coveralls, or full body suits.
"Portable air cleaner" means a portable high-efficiency particulate air (HEPA) fan/filtration device or system with an appropriate clean air delivery rate.

"Relative humidity" means the amount of water vapor present in air expressed as a percentage of the amount needed for saturation at the same temperature.

"This section" means Section 117B of Chapter 149 of the General Laws.

"Ventilation" means the supply of fresh air, heat, and air conditioning (if available) to occupied space and the simultaneous removal by an exhaust system of air from an occupied space.

"Ventilation system" means the building system and its component parts dedicated to ventilation.

b. The Department shall, no later than 9 months after effective date of this section, in consultation with and with guidance from the Occupational Health and Safety Hazard Advisory Committee as described in section 6 ½ (c) of chapter 149, promulgate regulations related to ventilation in institutions of higher education consistent with subsections c through f below.

c. Minimum Ventilation Requirements

1) Except as otherwise indicated in subsection c (2), as soon as practicable but no later than two years after the effective date of this section, ventilation systems in campus buildings must provide ventilation to all occupied spaces, that meets at least one of the following measures:

i. A minimum of 4 air changes per hour of fresh air
ii. A minimum of 20 cubic feet per minute of outdoor air per person

iii. A maximum of 800 parts per million of carbon dioxide

2) The ventilation systems of bathrooms in campus buildings must comply with the current Massachusetts Building Code.

3) Unless provided for in any general or special law, rule or regulation, ventilation systems in campus buildings on an institution of higher education must maintain temperatures in occupied spaces between 66 degrees Fahrenheit and 78 degrees Fahrenheit.

d. Pandemic requirements

In the event of the declaration of a pandemic, campus buildings must meet the following measures:

1) The ventilation system must provide sufficient ventilation to all occupied spaces except those specified in (i) and (ii) below, to reduce the risk of airborne transmission of disease by 95%, through the use of fresh air, portable air cleaners, or advanced technologies; provided, however, that the following areas must meet additional requirements:

i. The ventilation system in nurses’ offices and designated medical waiting areas must comply with ASHRAE Standard 170.

ii. Bathrooms must have working exhaust systems capable of maintaining negative air pressure relative to the rest of the campus building; exhaust systems must run constantly.

2) The relative humidity shall be maintained at between 40% and 60%
3) Institutions of higher education must provide sufficient disinfectants, cleaning and handwashing areas, and personal protective equipment to comply with legal requirements and best practices as defined by guidance from governmental public health entities, public health research institutions, or occupational health research institutions.

e. The ventilation requirements described in sections c and d above shall be minimum requirements and shall not substitute for or detract from additional statutory, regulatory, or code requirements applicable to occupied areas dedicated to specific or technical uses, including but not limited to laboratories, power plants, computer centers, dining areas, dormitories, or health services facilities.

f. Testing, adjustment and balancing.

Institutions of higher education shall ensure that ventilation systems in all campus buildings meet and continue to meet the requirements in subsections c and d above by completing the following activities:

1) Conduct testing, adjustments, balancing, and repairs, which shall consist of:

i. An assessment of the ventilation system in each campus building to determine if each campus building meets the requirements of subsections c and d above, including but not limited to measuring outdoor supply air volume, total supply air volume, exhaust air volume, the volume of all occupied spaces, and calculating air changes per hour in each occupied space, and including providing an inventory of personal protective equipment currently available for use in each campus building. This will be completed as soon as practicable but no later than 18 months after the effective date of this section.
ii. The entity performing the assessment described in (f)(1)(i) above shall issue a report of
the results of the assessment, including the methods used, and results of the measurements and
calculation of air changes per hour.

iii. The report described in section (f)(1)(ii) shall be a public record as defined in section
10(a) of Chapter 66 and section 7, part 26 of Chapter 4, and shall be posted on the website for
each campus building or institution of higher education, and on the website of the Department of
Higher Education no later than 30 days after completion of the assessment. Physical copies of
the report shall be kept on file in the main library for each campus, and in the primary campus
administrative office, and shall be available for review or copying upon request of any person.

iv. If, after assessment, occupied spaces in campus buildings are determined not to meet
the requirements of subsections c and d above, as soon as practicable, but no more than 9 months
after completion of the first assessment, institutions of higher education must complete
adjustments, repairs or upgrades, and balancing sufficient to meet the requirements of
subsections c and d above, and must conduct a post-remediation assessment in accordance in
sections (f)(1)(i-ii) above to confirm that ventilation requirements are being met and that supplies
of materials described in subsection d (3) are adequate.

v. Reports documenting the repairs and upgrades made, and the confirmation through
assessments that the requirements of subsection d above have been met, shall be public records,
and shall be posted on the website for each campus building website for each campus building or
institution of higher education, and on the website of the Department of Higher Education no
later than 30 days after completion of the assessment. Physical copies of the report shall be kept
on file in the main library for each campus, and in the primary campus administrative office, and shall be available for review or copying upon request of any person.

2) Institutions of higher education shall conduct assessments that include testing, adjustments and balancing as set forth in subsection (f)(1) above no less frequently than every 2 years.

g. Enforcement

1) An employee or employee organization aggrieved by a violation of this section 117B may file a complaint with the Department, which shall conduct an investigation and issue preliminary findings and orders within 30 days of receiving the complaint. The Department shall have authority to order the institution of higher education to make repairs or upgrades to come into compliance with this section.

2) If the Department has not completed its investigation and issued preliminary findings and orders within 30 days, or if the Department has completed its investigation and issued preliminary findings and orders and the employee or employee organization is still aggrieved, the aggrieved employee or employee organization may, within 3 years after the violation, institute and prosecute in his/her/its own name and on his/her/its own behalf, a civil action for injunctive relief, for an order for repairs or upgrades, for any damages incurred, and for any lost wages and other benefits. An employee or employee organization so aggrieved who prevails in such an action shall be awarded the costs of the litigation and reasonable attorneys' fees.
SECTION 6. Notwithstanding any general or special law, rule or regulation to the contrary, the cost of assessments, upgrades, and repairs required in Section 5 of this act shall not be paid from the operating budgets of public institutions of higher education but shall be paid from available state funds or eligible federal funds committed to the commonwealth to provide financial assistance in response to the COVID-19 pandemic, or for other applicable purposes.

SECTION 7. Section 150 of Chapter 149 of the General Laws is hereby amended by striking the second paragraph in its entirety and inserting in place thereof the following paragraph:-

An employee claiming to be aggrieved by a violation of sections 6 ½, 18A, 33E, 52E, 113, 117, 117A, 117B, 148, 148A, 148B, 148C, 150C, 152, 152A, 159C or 190 or section 19 of chapter 151 may, 90 days after the filing of a complaint with the attorney general, or sooner if the attorney general assents in writing, and within 3 years after the violation, institute and prosecute in his own name and on his own behalf, or for himself and for others similarly situated, a civil action for injunctive relief, for any damages incurred, and for any lost wages and other benefits; provided, however, that the 3 year limitation period shall be tolled from the date that the employee or a similarly situated employee files a complaint with the attorney general alleging a violation of any of these sections until the date that the attorney general issues a letter authorizing a private right of action or the date that an enforcement action by the attorney general becomes final. An employee so aggrieved who prevails in such an action shall be awarded treble damages, as liquidated damages, for any lost wages and other benefits and shall also be awarded the costs of the litigation and reasonable attorneys' fees.
SECTION 8. Notwithstanding any general or special law, rule or regulation to the contrary, the Division of Capital Asset Management and Maintenance, shall, within one year from the effective date of this legislation, promulgate design requirements for capital construction projects consistent with the ventilation requirements set forth in section 117B of chapter 149 and any regulations promulgated thereunder.

SECTION 9. Chapter 15A of the General Laws is hereby amended by inserting, after section 44, the following new section:-

Section 45: Health and safety committees

a. Definitions:

As used in this section, the following words shall, unless a different meaning clearly appears from the context, have the following meanings:

"Campus" shall mean each location at which institutions of higher education are physically present and offer instructional services.

"Declaration of a pandemic" means the characterization by the World Health Organization of an infectious disease outbreak as a pandemic; or a declaration related to an infectious disease outbreak by the federal Department of Health and Human Services of a public health emergency in accordance with section 319 of the Public Health Service Act (42 U.S.C. 247d); or a declaration of a state of emergency related to an infectious disease outbreak by the Governor of the Commonwealth in accordance with Chapter 639 of the Acts of 1950 and Section 2A of Chapter 17 of the General Laws.
"Institution of higher education" means any of the State Universities or Community Colleges set forth in Chapter 15A and Chapter 73.

b. Within six months of the effective date of this legislation, a health and safety committee shall be established on each campus of all institutions of higher education.

c. The members of the health and safety committee shall consist of:

1) A representative of each employee organization, as defined in section 1 of chapter 150E whose unit members include employees working on campus.

2) A representative of the facilities management department for the campus, if such a department exists.

3) A representative of the environmental health and safety department for the campus, if such a department exists.

d. Each member of the health and safety committee shall have one vote. Decisions by the health and safety committee shall be made by a majority of members present, provided, however, that a quorum must be present to make decisions.

e. The duties of the health and safety committee shall be:

1) To conduct an initial assessment of health and safety issues on each campus, including but not limited to:

i. Issues related to physical buildings, such as structural issues, systems issues, life safety issues.
ii. Issues related to equipment in or conditions in buildings, such as the condition of appliances, furnishings, equipment, or physical conditions such as temperature control.

iii. Issues related to hazardous materials or conditions generated by activities on campus, such as generation of hazardous materials, storage of hazardous materials, noise levels, radiation.

iv. Issues related to supplies or lack of supplies of effective safety equipment, of effective personal protective equipment, of safety policies and procedures.

v. Reviewing and discussing health and safety suggestions from employees.

vi. Recommending actions to resolve health and safety concerns.

2) To generate a report of the findings of the committee’s initial assessment of health and safety issues, and of the committee’s recommendations for addressing the identified health and safety issues. The report shall be completed within one year of the date of the establishment of the health and safety committee, and shall establish priorities and a timeline for addressing identified health and safety issues. Copies of the report of the initial assessment shall be available on the website for each institution of higher education, and the findings and recommendations of the health and safety committee’s assessment shall be included in the five-year master plan of each institution of higher education.

3) To conduct periodic assessments every three years after the initial assessment. The scope of the periodic assessments shall be the same as the scope of the initial assessment, and the committee shall generate a report of the findings of the periodic assessments and recommendations for addressing any identified health and safety issues, similar to the report completed after the initial assessment. Copies of reports of periodic assessments shall be
available on the website for each institution of higher education, and the findings and
recommendations of the health and safety committee’s periodic assessments shall be included in
the five-year master plan of each institution of higher education.

4) Any other activities that a majority of the members of the health and safety committee
agree would benefit the institution of higher education.

5) In the event of a declaration of a pandemic, each campus health and safety committee
shall develop policies and procedures in accordance with guidance issued by the Department of
Public Health, the Department of Labor Standards, the Occupational Safety and Health
Administration, the Centers for Disease Control, and best practices, to reduce the risk of
transmission of disease.

f. At the request of a majority of the members of the health and safety committee,
members of the health and safety committee shall receive training to assist them in fulfilling the
duties described in subsection e (1) – (5) above. Such training shall be provided at no cost to the
members of the committee, and may include, but not be limited to, professional development
opportunities, training sponsored by governmental agencies, training offered by occupational
health and safety organizations or public health organizations, or training offered by
organizations with particular expertise in health and safety issues on campus. Training may be in
person or through an alternative medium.

g. Members of the health and safety committee shall receive a stipend, which shall be
paid by the commonwealth and shall not be taken from the operating budget of the institutions of
higher education, and members shall also be provided with release time in which to complete the
committee’s work. Membership on the committee shall constitute service to the institution of

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higher education for purposes of employee evaluations and promotions. The stipend shall be considered regular compensation for the purposes of Chapter 32.

SECTION 10. Chapter 75 of the General Laws is hereby amended by inserting, after section 47, the following new section:

Section 48: Health and safety committees

a. Definitions:

As used in this section, the following words shall, unless a different meaning clearly appears from the context, have the following meanings:

"Campus" shall mean each location at which the University of Massachusetts is physically present and offers instructional services as provided in G.L. c. 75.

"Declaration of a pandemic" means the characterization by the World Health Organization of an infectious disease outbreak as a pandemic; or a declaration related to an infectious disease outbreak by the federal Department of Health and Human Services of a public health emergency in accordance with section 319 of the Public Health Service Act (42 U.S.C. 247d); or a declaration of a state of emergency related to an infectious disease outbreak by the Governor of the Commonwealth in accordance with Chapter 639 of the Acts of 1950 and Section 2A of Chapter 17 of the General Laws.

"University of Massachusetts" means the institutions set forth in section 1 of chapter 75 provided, however, that the University of Massachusetts at Worcester shall not be included in the requirements of this section.
b. Within six months of the effective date of this legislation, a health and safety committee shall be established on each campus of the University of Massachusetts.

c. The members of the health and safety committee shall consist of:

1) A representative of each employee organization, as defined in section 1 of chapter 150E whose unit members include employees working on campus.

2) A representative of the facilities management department for the campus, if such a department exists.

3) A representative of the environmental health and safety department for the campus, if such a department exists.

d. Each member of the health and safety committee shall have one vote. Decisions by the health and safety committee shall be made by a majority of members present, provided, however, that a quorum must be present to make decisions.

e. The duties of the health and safety committee shall be:

1) To conduct an initial assessment of health and safety issues on each campus, including but not limited to:

i. Issues related to physical buildings, such as structural issues, systems issues, life safety issues.

ii. Issues related to equipment in or conditions in buildings, such as the condition of appliances, furnishings, equipment, or physical conditions such as temperature control.
iii. Issues related to hazardous materials or conditions generated by activities on campus, such as generation of hazardous materials, storage of hazardous materials, noise levels, radiation.

iv. Issues related to supplies or lack of supplies of effective safety equipment, of effective personal protective equipment, of safety policies and procedures.

v. Reviewing and discussing health and safety suggestions from employees.

vi. Recommending actions to resolve health and safety concerns.

2) To generate a report of the findings of the committee’s initial assessment of health and safety issues, and of the committee’s recommendations for addressing the identified health and safety issues. The report shall be completed within one year of the date of the establishment of the health and safety committee, and shall establish priorities and a timeline for addressing identified health and safety issues. Copies of the report of the initial assessment shall be available on the website for each campus of the University of Massachusetts, and the findings and recommendations of the health and safety committee’s assessment shall be included in the five-year master plan of the University of Massachusetts.

3) To conduct periodic assessments every three years after the initial assessment. The scope of the periodic assessments shall be the same as the scope of the initial assessment, and the committee shall generate a report of the findings of the periodic assessments and recommendations for addressing any identified health and safety issues, similar to the report completed after the initial assessment. Copies of reports of periodic assessments shall be available on the website for each campus of the University of Massachusetts, and the findings and recommendations of the health and safety committee’s periodic assessments shall be included in the five-year master plan of the University of Massachusetts.
422  4) Any other activities that a majority of the members of the health and safety committee
423 agree would benefit the University of Massachusetts.
424
425  5) In the event of a declaration of a pandemic, each campus health and safety committee
426 shall develop policies and procedures in accordance with guidance issued by the Department of
427 Public Health, the Department of Labor Standards, the Occupational Safety and Health
428 Administration, the Centers for Disease Control, and best practices, to reduce the risk of
429 transmission of disease.
430
431  f. At the request of a majority of the members of the health and safety committee,
432 members of the health and safety committee shall receive training to assist them in fulfilling the
433 duties described in subsection e (1) – (5) above. Such training shall be provided at no cost to the
434 members of the committee, and may include, but not be limited to, professional development
435 opportunities, training sponsored by governmental agencies, training offered by occupational
436 health and safety organizations or public health organizations, or training offered by
437 organizations with particular expertise in health and safety issues on campus. Training may be in
438 person or through an alternative medium.
439
440  g. Members of the health and safety committee shall receive a stipend, which shall be
441 paid by the commonwealth and shall not be taken from the operating budget of the University of
442 Massachusetts, and members shall also be provided with release time in which to complete the
443 committee’s work. Membership on the committee shall constitute service to the University of
444 Massachusetts for purposes of employee evaluations and promotions.
445
446  SECTION 11. Notwithstanding any general or special law, rule or regulation to the
447 contrary, funding to implement recommendations for addressing health and safety issues
identified by health and safety committees in initial or periodic assessments as described in Sections 9 and 10 above shall be made available by the commonwealth or shall be taken from eligible federal funds committed to the commonwealth.

SECTION 12. Sections 1-2 of this act shall be in effect for the duration of the governor’s March 10, 2020 declaration of a state of emergency.