

# KNOW YOUR RIGHTS!

## *Heat Protection*

### **A RIGHT TO AIR CONDITIONING**

In 2017 SDEA members won a new right in the union contract that required SDUSD to install air conditioning in “all classrooms and educational support spaces.” This includes *all* spaces where students are served. During hot weather, all classes (including PE classes) should be held in air conditioned settings, at sites with AC installed. As workers we have the right to safe and sanitary facilities, and those rights are protected in a variety of ways by our union contract and by state law.

### **UPDATED STATE PROTECTIONS**

Besides the protections in our union contract, CAL/OSHA has updated guidelines for employers as of July 2024. When indoor temperatures reach 82° F and beyond, employers are required to minimize the risk of heat illness by adjusting the building temperatures when possible, and by providing access to water and cool-down areas. Our contract requires the District “to maintain schools and other work locations in a safe and sanitary condition, and shall not knowingly violate applicable provisions of state and federal laws relating to health, safety, and fire.” We can grieve violations of state guidelines as well as the specific protections in our union contract.

### **NON-CLASSROOM SPACES**

Along with classrooms, any spaces where students are being served should have air conditioning. Some people might have workspaces (like an office) separate from where they serve students. While our



contract does not clearly say that separate workspaces must be air conditioned, as workers we have additional protections from the state that apply to any work space.

### **RELOCATING DURING HEAT WAVES**

Even with widespread installation of air conditioning, some locations will be more impacted by heat waves, especially if AC is not properly functioning or breaks down. During “extremely hot weather,” members may relocate their classes to cooler areas (for example, outside in the shade or to another cooler room on campus.) Site administrators should not “reasonably” deny these arrangements. We should never work in unsafe temperatures!

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### A RIGHT TO CLEAN AIR

During the COVID-19 pandemic, SDEA members won air filtration protections for themselves and their students. While the worst of the pandemic has passed, our need for clean air remains - and so do our contractual rights! In our most recent contract, SDEA members won the right to air filters in any classrooms or workspaces without working HVAC systems, and to loft-style classrooms or workspaces upon request.

### A RIGHT TO TIMELY REPAIRS

When it comes to repairing air conditioning and other requests related to safety and environmental concerns, we have a contractual right to timely responses. If your air conditioning is not working, email your administrator and custodial staff as soon as possible. If you have not gotten a response within **10 workdays**, you can escalate the issue to the central Physical Plant Operations (PPO) by filling out the **SDEA Contract Concern Form**.

### SDEA CONTRACT CONCERN FORM

The SDEA Contract Concern Form is only accessible from SDUSD wifi, and should be filled out by a SDEA member in order for contractual timelines to apply:



### REFERENCES & RESOURCES:

- SDEA Contract, Article 11
- [Know Your Rights: Maintenance Requests \(2026 Update\)](#)
- [SDUSD Hot Weather Operations](#)
- [California Indoor Heat Protections July 2024 update](#)
- [Cal/OSHA Heat Illness Prevention Guidance and Resources](#)
- [Cal/OSHA Indoor Heat Illness Prevention FAQ](#)