

OSHA 309-112-10000
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MINUTES OF THE OCCUPATIONAL SAFETY AND HEALTH COMMITTEE
TYLER PIPE INDUSTRIES
JUNE 5, 1975

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**PLAINTIFF'S
EXHIBIT**

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TPI-616

MEMBERS PRESENT:

James Milstead	Earl Davis	Charles Kuenemann
J. P. (Boe) Johnson	Jack Morris	Paul Lilly
Jerry Funk	Kenneth Clifton	J. B. Parker

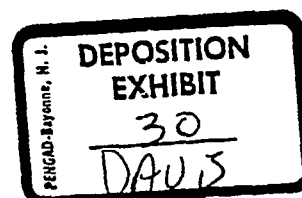
The meeting was called to order at 2:00 p.m. in Bill Speas' Conference Room with James Milstead presiding.

James opened the meeting by stating that the main purpose of the meeting today was to draft a letter to the officers of the company in regards to disciplinary guides and discuss things that we have decided to do to improve safety in our plant. Also to draft a letter for reply to the State Department of Labor and Standards.

Setting a procedure for disciplinary action for safety purposes is very difficult to say 1-2-3; but we need to leave room for the supervisor to use his own judgement. James suggested a warning, three-day lay-off, a week lay-off, then termination, or if third offense is severe enough, termination. The supervisor would be expected to use good judgement when applying the policy. The warning would be in writing, entered in the personal record of the individual, and the individual would also have to sign this written warning. A lay-off would also have to be documented in the records. The supervisor should use good judgement on other things or areas not specifically covered. If needed, he can get clarification on any unusual situation not covered by this directive from his supervisor.

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The important part of the whole procedure is recordkeeping. The records must contain accurate information on any disciplinary action taken by the supervisors. The main objective of disciplinary action is to promote safety and to improve housekeeping in the plants. Another purpose of the disciplinary action procedure is to help the supervisor in carrying out his duties.

People from outside areas coming into the plants, like from the offices or other people who work for us, need to be informed that they will be required to wear proper personal protective equipment when they enter the plants. The supervisor in the area is to mention to the individual that personal protective equipment is needed and ask him to please leave the area and if he wants to return, to have on the proper equipment. The supervisor should also call Charles Kuenemann to let him further clarify with that individual concerning entering the plant without approved personal safety equipment and what is required.

There was much discussion during James' presentation and Boe Johnson's presentation on whether we should separate safety from housekeeping. It was the consensus of the committee at this time to separate housekeeping, as far as possible, from disciplinary action taken for safety violations unless the housekeeping situation cited was detrimental to the safety of the unit or individuals of that unit. At that time it was determined that

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if the housekeeping caused a safety hazard, it would be put in the record, the employee would also be notified that it will be part of the disciplinary action taken for safety.

Toward the end of the meeting, James read the letter from the State on their inspection. The three areas cited by the State for mandatory correction were heat and temperature; dust and odor; and cleaning and wet floors. For the heat and temperature, we are planning to try screens and shields and other items that we can come up with. Gene Royle and Mike Stine, Sr. are working with Tommy Wyatt and Ro Dike to figure out what is the best way to shield the heat sources on the Cupola decks in the North and South Plants. Dust and odors: repair all installed equipment and get it operational and, if necessary, recommend installation of new equipment and other things we are doing to correct the dust problems. Mainly it is repair of existing installations to get them operational. Cleaning and wet floors in the Plastic Plant: Jerry Funk and Bobby Thomas are working to come up with some means of collecting water that is coming off of the pumps and tanks from sweating. They said they would have something by next week. The remaining items on the inspection list would be completed and be followed up by a letter stipulating what had been done, or what is in the process of being done on each of the items. The fork truck training program will be finished and instigated on June 23, 1975.

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Earl Davis stated that disciplinary action should be the same as with any other type of discipline problem, such as for absenteeism, tardiness, failure to do the job, etc. Earl pointed out that a good record needs to be kept in their personal file by the foreman. When we get where we cannot keep these records, we are in bad shape; these records are needed to back us up. Earl will get the letter out to John Warner about the proposed rules and we will try to get this letter finished and published so that the effective date of the new procedures will go into effect July 6, 1975. After the guide is finished, we will need to be consistent in following the disciplinary procedures. Good judgement on issuing any one of the warnings will have to be exercised by the supervisor. We cannot take all the decision-making responsibility away from the supervisor, but decisions must be based upon individual cases. Consistency is the word in the application.

Boe Johnson gave his views on termination. He agreed with James and Earl as far as what to do. A warning, three-day lay-off, one-week lay-off, and termination, or if the severity of it entails on the third time, to terminate the individual. The supervisor has the responsibility of determining the reasoning or the procedure followed for the offense. If a written notice is used, it must be signed by the employee. Boe then asked about clean-up and safety, as to whether we are going to enforce both in

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the same manner. Shall safety violations and housekeeping violations be considered together for termination at the same instance? We need to have some leeway on both of these items and be able to go either direction. As James said, house-keeping would become a violation for disciplinary action when it became severe enough to create a hazard in the unit. We then moved from that area to other parts on personal protective equipment and house-cleaning.

Charles Kuenemann was asked to get some signs stipulating that bottles and trash should be put in the proper places.

The question was posed about what should be done about the picking up of pay checks without proper safety equipment on in the plant. It was pointed out that some time back memos were to be put out to the effect that paychecks would only be given out on the shift that the person works and that if they were to be picked up at other times than on that shift, then the person would have to have the proper personal protective equipment on before they would be issued. Disciplinary action could be taken if the individual did not comply with this directive.

A general discussion was held on the need for side shields in all the areas. There are feelings, both pro and con, to keeping the side shields on in all areas. The major problem is when you put them on part of the people how are you going to enforce the wearing of side shields by some and not by all.

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The decision was made to leave side shields on. Boe's last comment was on the inspection by the State. We need to make sure that we have everything that was cited corrected to keep from being cited again on the same thing. By doing this we have shown good faith in complying with what they are trying to do. We will do all that is possible to comply with as many of the recommendations that Mr. Nash made as possible.

Paul Lilly asked the question about hard hats in maintenance areas versus hard hats in the garage area. At that time it was stated that the committee as a whole agreed that areas should be handled individually and the decision is made by the committee. So far that means that hard hats are required in some departments, which are the maintenance shops, machine shop, construction shop, and only when the garage personnel enter areas where personal protective equipment is required or when operating industrial equipment. Paul also asked about side shields. There was a general discussion by all.

Charles Kuenemann was asked to check the law for side shields to see if they are required, and if so, when they are required. Jack Morris also asked Charles to check on the distance from work areas to the restrooms to make sure that we have those in compliance. There was much general discussion held on both the citation, the disciplinary action procedures, side shields, hard hats versus no hard hats, and where also brought the committee

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up-to-date on what had been done in regard to the OSHA investigation of the fatality we had last Thursday.

The meeting was adjourned at 3:45 p.m. The next meeting is to be scheduled at a later date.

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