

cc: Beth Wood
J. W. Pruett

R. R. Barker

June 2, 1998

B A R G A I N I N G N O T E S

UNION-MANAGEMENT MEETING

Date: 6/2/98 Time: 1:15 p.m. Place: Personnel Conf. Room

Present: Management - R. R. Barker, J. W. Pruett

Union - J. D. Flickinger, S. R. Cason, M. Floyd,
B. Wood, L. B. Parr, R. Shifflett, G. Johnson,
G. D. Jordan, H. Henkel, T. Farley, Sr.

SUBJECT: 1. Safety
2. Occupational Health System Technician
3. COT Non-exempt Excess
4. CDS Administrative Procedures

SAFETY

Mr. Barker stated he would let Mr. Pruett talk about the situation in the BCF H&V system that was discussed yesterday.

Mr. Pruett said the chemicals used during the H&V clean-out were taken to the lab and mixed together and they neutralize each other. He said one was alkaline and one was acidic--there were no fumes, no significant heat. He said when they were used together in BCF, there was a lot more water used so there's even less chance of something happening. Mr. Pruett said we don't know what happened, but it's still under investigation.

Ms. Wood said she had talked with two employees last night who went to Medical with an irregular heartbeat. She said EKG's were run and the employees were told Dr. Shenk would read them, but they have not heard anything from Medical.

Mr. Pruett said we were just checking them after the H&V incident to be sure they were OK.

Ms. Wood said this was not a regular check. The employees came in on 4-12 Friday and were sent to Medical to be checked. They have not heard from Dr. Shenk about their EKG readings.

Mr. Pruett said he would check on that.

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SAFETY (cont'd)

Mr. Barker said we have talked before about our problems with zinc showing up in the outfall going to the river. He said Environmental thought they had it tracked down to the new roofing on the NAX building and that it was under control. He said in the last 3 to 4 weeks there has been at least one other sample showing high zinc both in concentration and volume going to the river.

Mr. Jordan asked is the demolition going on have something to do with it?

Mr. Barker responded we don't know but we are looking at it.

Mr. Farley asked does it happen when you have a big rain or something?

Mr. Barker responded it could be. The Environmental people are looking at that, too. He said we are taking this very seriously.

OCCUPATIONAL HEALTH SYSTEM TECHNICIAN

Mr. Barker said he wanted to address again a subject that has been discussed twice before. He said it deals with the fact that we have demolition work going on and Bernie Scott is going to retire. We proposed Bernie be detailed up to follow the demolition work and to put somebody behind Bernie so that person will be able to do the asbestos and lead work when Bernie leaves around the end of this year or 1999. Mr. Barker said we provided the Union a proposed job advertisement giving training needs, licensing needs, etc.

Mr. Barker said the last time we talked the Union pointed out that the COT agreement addresses the Occupational Health System Technician. We said we would look at that and respond. Mr. Barker said the item you referred in the COT Agreement dated 12/3/97 is part of the Rules of Seniority for how a person would be selected to go into that role. (Read Section E of Vacancy Staffing Procedures from COT Agreement dated 12/3/97.) It talks about how the role will be filled, not the qualifications for the role. He said what we have been negotiating and bargaining with you are the qualifications for that role. Mr. Pruett is now going to give you his thinking and reasoning why we feel the Engineering background is a critical qualification in being able to successfully do this work.

Mr. Parr said regardless of what you are about to say, this is not in the contract that's in effect. He asked do you have minutes that clarify the qualifications for this role?

Mr. Barker responded to my knowledge qualifications for this role have never been bargained--that's what we're here to do.

Mr. Parr said then the contract is not solid. He said if there's a qualifier for these jobs, it would be in the minutes. If you can't produce any references to the bargaining in this Agreement, then it's not solid.

Mr. Barker said as I understnad it when this role was originally established there was some understanding among the parties involved that the qualifications would be discussed at a later time and that's never been done.

CHECK
WITH PRUETT

NEED TO
VERIFY

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OCCUPATIONAL HEALTH SYSTEM TECHNICIAN (cont'd)

Mr. Parr said the job has always been done by a maintenance man, but that has never been bargained as a qualifier to do this job. He said anybody can learn to do it.

Mr. Barker said I am agreeing that qualifications must be bargained. He said I see us bargaining these qualifications now.

Mr. Parr said this is after the fact. He said anything in the COT or P&M Agreement that has any qualifiers or experience is referenced and we can go to it. There's no such thing in this Agreement. It's clear and to the point. Mr. Parr said again, if you have minutes when qualifiers were bargained for this in the COT Agreement and those qualifiers stated in the minutes, I am requesting the Union Board see those minutes.

Mr. Barker said as I have said, there are no minutes since it hasn't been bargained previously. I do not agree with your point that we cannot bargain these qualifiers now.

Mr. Parr said I don't think you can legally come back when the contract is in effect to bargain a change. We can bargain, but until this Union agrees on the qualifications, you can't implement or impasse to fill this job unless the Union agrees to it.

Mr. Barker said we're not bargaining a change to the Agreement; we're talking about qualifications to fill a specific role.

Mr. Parr asked for a recess.

After a brief recess, Mr. Shifflett said this is the Agreement and the Contract for COT. He said most of the jobs have a simple test you pass to qualify. All of a sudden you say we have to have 5 years' experience to qualify for this particular job. Right now you are going to promote someone from wage roll to supervision--there is no 5-year qualifier there. He said you are trying, in my opinion, to put too many requirements on the people of this site--P&M and COT--to be able to apply for what is essentially a Level 4 clerk. Mr. Shifflett said once you qualify, you go through school and you will be trained.

Mr. Barker said I understand what you are saying, but I think we have a basic difference of opinion. With regard to training someone for a specific job or role, sometimes it makes sense to start with a clean piece of paper. However, more and more these days, as we strive to stay competitive, the opportunities are going to go to the people who are best prepared or qualified when they apply. We just don't have the time or the resources to train people from scratch as much as we once did.

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OCCUPATION HEALTH SYSTEM TECHNICIAN (cont'd)

Mr. Pruett went on to say we truly believe in order to do this job it requires a mechanic or CE mechanic. We agreed to reduce the experience from 5 years to 2 years. The people who work on asbestos and lead are mechanics and CE people. He said the jobs you issue permits for are maintenance jobs like overhauls where they are removing materials. The person needs to understand the systems the people are working with. The people they are dealing with are mechanics. EGN-61 and lead procedures are maintenance procedures.

Mr. Parr asked you don't feel you can take a person with no maintenance experience and train them to have the ability to know what they are doing?

Mr. Pruett said I sincerely feel you need someone with either the mechanical background or the CE background, who knows the equipment, knows the systems, and knows the ins and outs of what they are doing. When issuing a permit there may be issues involving rigging, scaffolding or working using a full harness.

Mr. Parr said all piping systems on the site are supposed to be labeled and identified.

Mr. Pruett said we brought 17 retired maintenance people in to do that work--it took them a year to identify everything.

Mr. Parr said this person is to identify and know what they are dealing with and what protective equipment he should have to dismantle and take it apart. He said you don't mind putting a manufacturing man to supervise maintenance work. He said you can't convince me that you need a maintenance man to take insulation down.

Mr. Pruett said I am talking about this specific job--dealing with all kinds of people and technical stuff around this subject. He said the background this person has in maintenance is invaluable.

Mr. Parr said all this person needs to know is what is asbestos and what is the safe and right way to get rid of it.

Mr. Pruett said so many other things come together when you are doing other parts of the job--the maintenance experience is invaluable. He said it keeps you out of trouble and I strongly feel it's something this person needs.

Mr. Parr said that is your opinion. He asked do you have anything else?

Mr. Pruett said knowledge of the materials out there is critical--transite, other insulation, asbestos fibers, etc.

Mr. Parr asked how much does this person actually put in or deal with? He said his knowledge consists of how to install and dismantle.

* Mr. Pruett said Bernie came in as a mechanic; the people who held the job before him were maintenance supervisors--it's always been a maintenance function.

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OCCUPATION HEALTH SYSTEM TECHNICIAN (cont'd)

Mr. Parr said we have done many things around here for years one way and then we change. Does what you are saying mean we can't change?

Mr. Pruett responded no, I just feel very strongly an Engineering background will make this plant safer and easier for this person to deal with people he has to deal with--such as EPA and OSHA--and makes it easier for him to train somebody. Mr. Pruett said I help with the training but I talk about the occupational health part and Harry talks about sampling. Bernie tells them how you do it so you don't get hurt. He said it's very important to keep people safe. He went on to say if you see asbestos, it's not going to hurt you. It's the asbestos you can't see that causes the damage.

Mr. Jordan said it hurts your argument when you say you don't need a maintenance man to lead the maintenance shops but you do need a maintenance man for this job.

Mr. Barker said we can talk all afternoon about leadership and expertise. He said to me this specific situation we are talking about deals with both--some leadership and functional expertise--having the knoweldge and the know-how to train and instruct people on how to do some very critical tasks.

Mr. Parr said it's not like we are taking insulation out every day like we used to--Management has contracted those jobs out.

Mr. Barker said that's true but I'm sure our people still work a lot with insulation.

Mr. Parr said you have people out there now that have never taken down or installed insulation. If you give us the insulation jobs back, then we would have the expertise.

Mr. Pruett said we have offered to train anyone on this site to remove asbestos, but most people don't want to mess with it.

Mr. Parr said you gave that work away. He said our people want to do work but you have given those jobs to contractors. These contractors are getting all the good jobs.

Mr. Barker said we must continue to look at all kinds of things to stay competitive.

Mr. Shifflett went on to ask how much insulation work did Bernie do before he took that job? How many years experience did he have?

Mr. Pruett said Bernie is and always has been a good mechanic. He spent a year with 17 other mechanics doing asbestos assessments across the site.

Mr. Barker said it appears we have a basic difference of opinion around the qualifications to do this work.

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OCCUPATIONAL HEALTH SYSTEM TECHNICIAN (cont'd)

Mr. Parr said there's a great difference of opinion. He said you show us one thing and do something entirely different in the area, i.e., having a manufacturing person assume leadership for a maintenance crew.

Mr. Barker said I think there's a difference as I said before.

Mr. Parr said you put a manufacturing person over us who doesn't even know a pump from a valve.

Mr. Barker said a team leader's primary role is leadership, coaching and counseling.

Mr. Parr said to get back on the original topic, our position this job should be filled by plant seniority and no other qualifications.

UNIONS POSITION
* Mr. Barker said we understand your position. We feel maintenance experience is an important qualification.

Mr. Pruett said the person will also have to have 4 licenses that are required by the state--not DuPont. He said a test is required to obtain these licenses and they must be re-certified every year.

Mr. Shifflett said a lot of Level 4's have to be licensed and re-certified every year.

Mr. Parr said we are not saying this job is easy to learn at all. We are saying you can train anybody to do it. He said you don't have to be a maintenance expert to do this job.

Mr. Pruett said I think overall you need that maintenance expertise.

Mr. Barker said it seems like we are at impasse on this qualifications point. He asked if the Union had anything else to propose on this point at this time?

Mr. Parr responded not at this time but let us think about it.

Mr. Barker agreed and said we'll discuss it again next week.

COT NON-EXEMPT EXCESS

Mr. Barker said there's another situation involving an excess in another aspect of the non-exempt role. The employee (Molinda Nicholson) is currently assigned as an AA in the BCF area. He said we have wrestled with what's the best timing with regard to her placement. Now there are some things happening on the non-exempt role that we are taking a look at. Barbara Clark in the Mail Room is out and there's some uncertainty as to whether she will be able to return. He said she's been out since the first couple of weeks in April. Molinda is excess on the AA role in BCF. He said we don't plan to fill the Mail Room slot right now because we don't know whether we have a vacancy or not. Mr. Barker said what we are planning to do is loan one of the people from the AA group in BCF to cover the vacancy in the Mail Room until we can make a determination whether or not we have a permanent vacancy. We will go about that by asking if there are any volunteers first.