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## *From the Chair*

# We're Tackling Contractor and Fatigue Problems Head-On

Congratulations to Local 8-719 at the Marathon Petroleum refinery in Catlettsburg, Ky., for a National Labor Relations Board (NLRB) decision in their favor.

One month after the local settled its two-month unfair labor practice (ULP) strike in April 2015 it sent the company an information request on contractor costs. Having this data would be the first step toward bringing the daily maintenance work back under our union's jurisdiction.

Marathon refused to provide the information, so the local filed a ULP charge with the NLRB. Recently, an administrative law judge ruled the company must give the cost data to the local and post a notice on the plant bulletin board saying it violated employees' rights under the National Labor Relations Act.

### **Progress**

After much discussion with our union, Phillips 66 agreed to hire a class of electricians and machinists as proprietary employees at the Alliance refinery in Belle Chasse, La.

The company projects it will hire eight electrical and 10 machinists employees this year, and in 2017, it projects it will hire eight more electricians and 11 machinists.

We also discussed hiring a group of welders, but we didn't specify a number.

Later this month, our union will begin conversations with Phillips 66 about reducing the use of contractors and hiring proprietary craftsmen for daily maintenance work at the company's California refineries. We have a statewide labor agreement with the company at its Rodeo (Local 326), Arroyo Grande (Local 534) and Wilmington (Local 675) refineries.

### **Value**

I'm convinced the contractors are not saving money for the oil companies, and this alone should convince them to hire these workers as full-time employees. While contractors may earn less money per hour, I don't think the companies get the same full value as they do from proprietary employees.

There isn't the same vested interest in the equipment. Plus, contractors repair only the immediate problem and nothing more, as this guarantees future repair calls.

Proprietary employees understand the equipment, operations and consequences of equipment failure. Their future is tied to the company's success or failure. A contractor does not have the same allegiance.

### **Fatigue**

We still have 25-35% overtime at many of our refineries, and it is going to take effort from the locals to reduce this percentage to the 10-12% overtime that occurs even when a unit or department is adequately staffed. There are always going to be absences due to people being sick, on vacation, etc.

To get the relief people we need to cover for such absences, we need data for each unit or department on items such as vacation eligibility and time off for training. I sent to our staff reps. a list of 10 items we need data on for each unit or department and to include these items in our information request to the company.

Once your local and staff rep receives this information, both need to sit down together, review the data, and see if it makes sense.

For example, you know there needs to be a minimum of 12 people to run a unit or department—three people per shift and four shifts. Examine the data on each of the ten items for one unit or department. These ten items include such factors as vacation eligibility, absenteeism in the past, time off for work performed outside the unit or department, and time spent on training.

Add up the hours spent on these ten items and this number should tell you how many relief people are needed  
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Photo: Steve Dietz

# Oil Locals Urged to Increase Communication In Preparation for 2019 National Oil Bargaining Talks

To prepare for National Oil Bargaining Program (NOBP) talks in 2019, USW leaders urged over 250 local union delegates to the July 11-13, 2016 NOBP conference in Pittsburgh to strengthen the oil councils, expand the Oil Policy Committee's role and increase communication on company issues.

"We are going to start earlier to prepare for bargaining and work with the locals to administer their agreements," said President Gerard. "Also, the Oil Policy Committee will meet with the local unions to ensure accurate information is being passed on."

## Rebuilding the Council System

"We think going into the next round of bargaining the key is to rebuild and strengthen our council system," said Vice President Conway. "If we are stronger as a council, we all benefit in bargaining with that company."

NOBP Chair Kim Nibarger said that when he started in the refining industry, the locals worked through their oil councils to address company issues, and this benefited the union and the oil companies.

"It's so much easier and more efficient for everybody, including management. Why have numerous information requests coming from each local when only one can come from the council?" Nibarger said.

## Reorganizing USW Oil Councils

To make the Oil Multi-Company Council smaller and increase communication among facilities of a specific employer, Nibarger removed four company groups and created a new council for each of them. Three of the groups are now the CHS, HollyFrontier and PBF councils.

The fourth group is now the Specialty Council and it includes lube plants, waxes, coatings, related chemical sites, asphalt and other specialty groups.

The Multi-Company Council is now called the Multi-Refinery Council and includes local unions at small refining companies that have one or two locations.

## We Must Increase Communication to Bargain Effectively

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to cover these hours. There may be a need for three extra people to cover for the hours off the unit/department by the 12 assigned operators.

Once the local and staff rep. review the data and make sense of it, they need to send it to me with a copy to my assistant, Julie Lidstone, along with their comments, notes and questions.

### Communication

We improve communication and provide needed information when we work through company issues with our sister locals in our councils. This keeps us working together and allows us to see if there are any patterns in the company's actions at different locations.

Please contact your staff rep. and me if your local has company issues that you think are important enough to

come to our attention. We want to enter the next round of bargaining aware of any company issues that we need to address and settle through negotiations.

Another change is that the Pipeline, Transportation & Marketing Council now includes all pipelines, terminals and truck drivers. For example, local unions representing pipeline employees who work for Kinder Morgan, ExxonMobil and Enbridge would be in this council.

### Expanding Role of Oil Policy Committee

At the NOBP conference, the new councils established and voted on bylaws, and nominated and elected new council officers.

Nibarger is also expanding the role for the Oil Policy Committee so that membership is better informed and updated before, during and after NOBP negotiations.

"I want the policy committee to get the pulse of the members, know what they want, and get this information back to me. Then, I can get back to them on issues the company raises," he said.

Nibarger also wants to open up the communication channels between the oil councils, Oil Policy Committee and himself so members start preparing now for bargaining instead of waiting until six months before actual negotiations begin.

"I want a regular conference call each quarter with the Oil Policy Committee" he said. "I want to know what issues the locals are having with the companies and get ready to deal with them, so at the last minute we do not have a surprise of something that has been brewing for two years."

"I can't do my job effectively if the Oil Policy Committee, local unions and staff reps. don't communicate with me," he added.

Under Nibarger's plan, Oil Policy Committee alternates will be more involved in NOBP bargaining.

**"The idea is to prepare the alternates to step up if the Oil Policy Committee members leave. We have younger people coming in who haven't been exposed to the NOBP," Nibarger said.**

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**Kim Nibarger**  
**Chair**  
**National Oil Bargaining**  
**knibarger@usw.org**

# USW Leaders Encourage Locals to Continue Fighting For Daily Maintenance Work

At the July 11-13 National Oil Bargaining Program (NOBP) conference, President Gerard discussed the 2015 unfair labor practice oil strike, and along with International Vice President Tom Conway, urged locals to continue pressing for the daily maintenance work.

Gerard addressed the delegates and paid tribute to the union's 2015 bargaining team—former International Vice President Gary Beevers; Conway; Kim Nibarger, the current NOBP chair, and the Oil Policy Committee. He also congratulated and thanked the conference delegates who participated in the dispute.

**“I think we took the right steps in the right direction. Did we accomplish everything that we wanted? No, but we had to contend with contractors who were crossing our picket lines,” he said.**

## Battling Contractors

Gerard described his battle with the head of the building trades in Washington, D.C. over the union and non-union building trades members who crossed the oil worker picket lines around the country, particularly on the West Coast.

“At the AFL-CIO executive council meeting we got into it. He told me that they have a right to be in those plants because they have more members in there than we do,” said Gerard. “Many of those jobs had been ours prior to management replacing them with contractors.

“That’s why in the last negotiations, Gary (Beevers), the Oil Policy Committee, Tom (Conway) and the other advisors developed language to determine which jobs were under our scope and recognition provisions, so we could meet with the company to get these jobs transferred over to

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# Oil Conference Delegates Elect New Oil Policy Committee

During the July 12-13, 2016 National Oil Bargaining Program (NOBP) conference, delegates participated in regional meetings to elect a new slate of NOBP Policy Committee members and alternates.

Delegates elect the committee and alternates at the NOBP conference following the year the pattern agreement is settled. The committee members and alternates serve through the conclusion of the NOBP pattern negotiations.

This is the new NOBP Policy Committee members and alternates for 2016—2019 (see the map on this page for each region):

## NOBP Region A

**Committee Member:** Steve Bohney, Local 7-1, BP, [stevebohney@yahoo.com](mailto:stevebohney@yahoo.com)

**Alternate:** Eric Sweeney, Local 1-626, Ineos, [sweeman@yahoo.com](mailto:sweeman@yahoo.com)

## NOBP Region B

**Committee Member:** Jim Savage, Local 10-1, Philadelphia Energy Solutions, [jpsavagejr@aol.com](mailto:jpsavagejr@aol.com)

**Alternate:** DeVon Crawford, Local 10-234, Monroe Energy, [crawfsd12@aol.com](mailto:crawfsd12@aol.com)

## NOBP Region C:

**Committee Member:** Robert Cammarn, Local 241, HollyFrontier, [pug\\_chief69@yahoo.com](mailto:pug_chief69@yahoo.com)

**Alternate:** Robin Tokach, Local 10, Tesoro, [rltokach@hotmail.com](mailto:rltokach@hotmail.com)

## NOBP Region D:

**Committee Member:** Ryan Anderson, Local 12-591, Tesoro, [ryan105A@gmail.com](mailto:ryan105A@gmail.com)

**Alternate:** Casey Wardell, Local 12-578, HollyFrontier, [xcaseyxveganx@aol.com](mailto:xcaseyxveganx@aol.com)

## NOBP Region E:

**Committee Member:** Larry Burchfield, Local 13-1, Marathon Petroleum, [lburchfield2@comcast.net](mailto:lburchfield2@comcast.net)

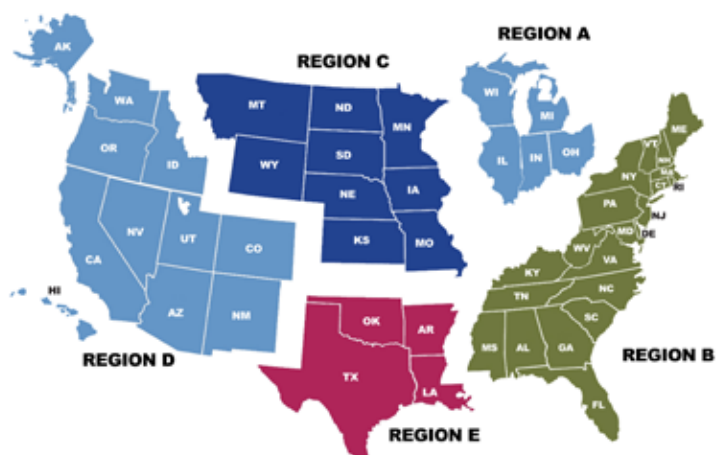
**Alternate:** Clay Bonin, Local 13-228, Huntsman Petrochemical, [13228clay@sbcglobal.net](mailto:13228clay@sbcglobal.net)

The NOBP Policy Committee reviews the lead company's proposals, consults with the locals and votes on whether or not to accept an offer during National Oil Bargaining.

NOBP Chair Kim Nibarger is expecting greater communication between the members, locals, committee and himself during the term of the pattern agreement and actual bargaining. Also, the committee will engage the locals in mobilization activities.

We interviewed each of the committee members and alternates, and will have their responses in following issues of the *OilWorker*.

## NOBP Policy Regions





# Great Flood of 2016 Impacts District 13 Locals

Once again District 13 is being affected by a natural disaster; this one caused by historic flooding in and around the Baton Rouge/Gonzales Area, causing many of our members to suffer losses. As of today, we have many members struggling to recover from the flooding who lost everything they owned.

We have Locals and businesses asking to make donations to our members who have experienced flooding. Monetary donations can be sent to Jordy Richardson Secretary/Treasurer of the District 13 Council with a notation for USW District 13 Flood Relief Victims and mailed to: District 13 Regional Council, PO Box 490, Gonzales, LA 70707.

Any donated items can be sent to the USW Baton Rouge Sub-District Office at the following address: 5723 Superior Drive, Suite B1, Baton Rouge, LA 70816.

In the past whether it was hurricanes or tornadoes the members and locals of District 13 and throughout the USW when asked have responded to help their fellow Union Brothers and Sisters in need. We are asking again for your help. Those who have not been affected please consider sending a donation.

Donations can also be sent to the USW Charitable Fund made payable to the United Steelworkers Charitable and Educational Fund and mailed to 60 Boulevard of the Allies, Pittsburgh PA 15222.

Money can be raised through plant gate collections or from the Local's General Fund.

The need is now so please treat this as urgently as possible. Keep in mind it could be you or your Local in the future asking for assistance. Please let's help our Brothers, Sisters, and their families in their time of need.

## WE SAY WE ARE UNION LET'S ACT AS A UNION.

Many District 13 Locals were affected by the Louisiana flood, and included oil, chemical, paper and other manufacturing plants. Two examples are Local 6296, Stupp Corporation & Stupp Coatings, contact Trent Courtney, PO Box 40462, Baton Rouge, LA 70835 and Local 5702, Noranda, CII, Gramercy & Norco, contact Brian Andermann, USW Local 5702, PO Box 177, Gramercy, LA 70052.

# Address Contractors Now to Increase Our Bargaining Power

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the USW. If the company didn't transfer these jobs, there was a process in place to find the best case and take it to arbitration.

"This remains an important challenge. As the company starts eroding our workforce, it starts weakening our collective bargaining," Gerard said. "It's the oil companies' long-term plan."

### Fighting for our Jobs

The contractor problem was decades in the making, said

Conway, and must be a priority.

"We have to continue pressing that those production and daily maintenance jobs are our jobs. We shouldn't accept that the company can hire contractors and not put in USW-represented employees. Long term, a lot of people are working in the refinery that ought to be in your local union.

**"The key, I think, is to get ourselves organized, strong and moving together," Conway said.**

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USW Oil Workers  
Organization SW GREENTOWN TX

USW Oil Workers  
March 19 at 10:00 AM  
Eaton M&B is trying to force USW Local 13-2001 in Baytown, TX to agree to new contract that fails to shift a lot of the industry. The offer doesn't include successorship language or any of the safety improvements won during the 2015 strike. Local 13-2001 is willing to reject the offer on next week. Like and share to show the members of Local 13-2001 that you support them in their fight for a fair contract.

**Fighting for SAFETY for In Our Community**  
Support USW Oil Workers in Baytown, TX

USW