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From the Chair

Winter is beginning to move into spring and in the South that means summer. Be sure to stay hydrated and watch out for bugs.

For those of you attending the International Convention in Vegas, there are a number of council meetings, so check for information prior to arrival. Also, check the hotel reader board for times and locations.

On Tuesday morning at 7:30AM, there is a general sector meeting for the oil groups. All oil industry locations are invited to attend. This will be a great opportunity to visit with your sisters and brothers around the country prior to next year's NOBP pattern-setting meeting.

Maintenance Hiring

We are making progress in getting the oil companies to hire maintenance workers, but it is not at the level we had hoped to reach by this time. Some employers refuse to move in this direction. They act more out of fear of giving the impression they are caving into the union and less about what is best for their business. A proprietary employee is always more valuable than a contractor.

A word of warning to operators: Don't think this can't happen to you. We are seeing instances where the company has 'supplied assistance' for operators in the form of contractors. Be sure you maintain control of your work. Write your own permits and do your own job walks. We are the ones with a vested interest in these facilities and we need to ensure they are operated in a safe manner. These are our jobs and responsibilities.

We need to hold the company's feet to the fire – maybe a poor phrase to use – on following the Process Safety Management standard. That means everyone – labor and management – has to adhere to the company's policies. If we find the company making exceptions to procedures, we must ensure they follow the Management of Change (MOC) procedure and include us in the process.

In recent months several fires and other accidents appear to have as contributing factors a failure to follow existing procedures. Do not be afraid to exercise your stop work authority if you see a safety hazard in the way a job is being handled. It pays to take the necessary

time to ensure it is done correctly, rather than rush or use a shortcut and suffer the consequences of an accident or fire. If you see something that's not right, speak up.

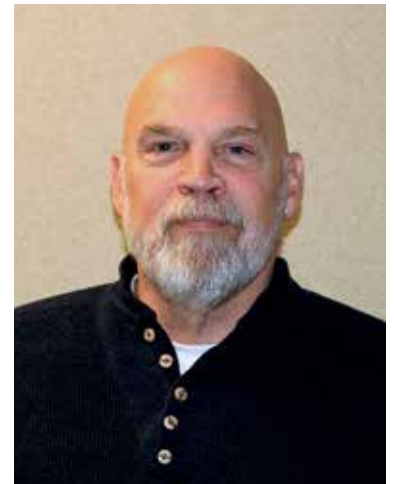
Administration's Actions

The current administration is certainly doing workers no favors when it comes to health and safety. The proposed cuts to OSHA's Susan Harwood grants could have devastating consequences on our worker trainer programs. The EPA protects not only our communities where our family and friends live, but also our worksites and us. The EPA cannot withstand to have its budget reduced. The proposal to not fund the Chemical Safety Board (CSB) would deprive us of a tool specifically crafted to keep our industry safer. These are all moves in the wrong direction, and I strongly encourage you to contact your elected representatives and demand that they do not support the currently proposed budget.

Council Activity

Councils continue to engage their member groups in responses to their parent companies' actions. This allows us to address issues as a group and not as individual locals. To slightly modify the USW tagline – Unity is Strength for Workers.

We are handling many other issues on a daily basis. Thank you again for the support you have given me in this role as we strive to make our industry better for workers. Without your support, I would not be able to do my job. Thanks to you all.



Nibarger

Your National Oil Bargaining Policy Committee Members

Robert Cammarn, Region C representative

Local 241 President Robert Cammarn says he wants to increase the partnership between the members and the National Oil Bargaining Program (NOBP) Policy Committee through personal visits, phone conversations and written communication.

The nine-year USW member says he decided to run for the Policy Committee to advance the unity of his oil union brothers and sisters.

“I see myself as the voice of my region’s workers,” Cammarn said. “I plan to partner with the local union leaders in my region to involve them in the oil bargaining process. When local union leaders are engaged and feel informed, they are better equipped to involve the rest of the local in solidarity activities.”

Cammarn works as a Breaker B operator in the Platformer Unifiner GasCon (PUG) unit at HollyFrontier’s El Dorado, Kan., refinery.



Robin Tokach, Region C alternate

When Local 10 President Robin Tokach saw that NOBP Chair Kim Nibarger planned to get the Oil Policy Committee alternates more involved in oil bargaining, she decided it “would be a great opportunity to be more active on an International level and learn how the Policy Committee functions.”

A USW member for 19 years, Tokach has been the local’s president since 2015. Before then, she was the operations representative on the local’s bargaining and joint health and safety committees. She is a process operator at Tesoro’s refinery in Mandan, N.D.

“My role on the committee would be to communicate problems or areas of concern from the members of my region to the Policy Committee, and help formulate plans to address these issues,” Tokach said.

“Communication between the committee and the membership is difficult since we have to be careful about what we publicize. Perhaps an email that summarizes what is happening could be sent to the local presidents and then they can report back to their memberships,” Tokach added.

She says she is thinking of establishing a forum for members within her region to report their issues and communicate what they feel should be part of the National Oil Bargaining platform.



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Local 13-1 Scores Two Major Labor Board Victories

Local 13-1 scored two major National Labor Relations Board (NLRB) victories last year concerning union apparel wear.

After the 2015 unfair labor practice strike, members at Shell's Deer Park refinery and chemical plant started wearing USW-insignia armbands and hats at work.

Management told workers they could not wear the union apparel, said District 13 Sub-District Director Ben Lilienfeld.

Lilienfeld and the local filed an NLRB charge in February 2016. The board investigated and determined the union was correct in being able to wear the union armbands and hats, Lilienfeld said.

In May 2016 the union and Shell reached a settlement agreement.

Settlement Agreement

Lilienfeld said that Shell wanted language in the settlement that items with the USW name and/or logo would be alright to wear as long as they did not "interfere or compromise Shell-issued safety protective equipment (which includes but is not limited to fire retardant clothing, hard hats, boots, safety eyewear, etc.) that is required in designated operating areas of the plant."

Then, Shell listed the seven "designated operating areas," Lilienfeld said.

He said that Local 13-1 members donned their hats and armbands until management said the armbands were a safety hazard and had to be removed.

"Management never fully articulated what the safety issue was," he said. "We made sure the armband was made from fire retardant material and had a Velcro closure so it could be quickly removed. From our perspective, there was no safety issue."

Second Charge

Lilienfeld and the local filed a second NLRB charge

Dear Brothers and Sisters,

It's important to get this newsletter into the hands of all of our oil members. Please copy *The OilWorker* and hand it out to your fellow members during non-work times (breaks, lunch, before and after work) in non-work areas (breakrooms, lunchrooms, plant gates, entrances into the plant). Also, if you have the home email addresses of your members, please email *The OilWorker* to them. In addition, please post *The OilWorker* to your own and your local's Facebook and web pages and to the union bulletin boards in the plant.

Thank you for all your support and help!

Lynne Hancock, *The OilWorker* editor,
lhancock@usw.org



Ben Lilienfeld



Michael Rochon

on June 30, 2016.

"We protested the behaviors and the intent of the ruling by the company. The conversation between the USW, NLRB and Shell was clear in the first ruling," said Local 13-1 Vice President Michael Rochon. "The company, in trying to be controversial and hard-headed, led to the USW filing the second board charge...."

Again, the NLRB investigated the charge. Lilienfeld said the board determined that Shell did not comply with the first settlement and agreed with the union that the company had no basis to say the armbands were a safety problem.

Shell and the union reached a second settlement agreement in late November/early December, Lilienfeld said, that rescinded the language on not wearing hats and armbands that cause safety concerns in certain areas of the plant.

"Now, members can wear their armbands and hats with no issues," he said. "The language limiting union paraphernalia in the units is still in effect, but it is specific in that it must not create a safety issue, which the armbands do not."

The second settlement agreement also included an unusual obligation.

"Because of the company's continued defiance of the first settlement agreement, the NLRB took the extraordinary step of requiring the company to have management personally read the second settlement to all employees in the presence of an NLRB representative," Lilienfeld said. "In the more than 20 years I have represented workers, I have never seen the NLRB take such action."

Management held these meetings with groups of employees on Jan. 26-27, 2017.

(Thanks go to Jana Pellusch, Local 13-1 newsletter editor, for submitting this story and the photo of Michael Rochon.)

Trump Proposes to Eliminate Chemical Safety Board in 2018

For eight years, oil workers and their unions pressed for an investigative board that would search relentlessly for the root causes of oil and chemical incidents.

Ten thousand accidents later—including 27 OCAW deaths from explosions and fires in the oil and chemical industries from February 1990 to October 1997—the U.S. Chemical Safety Board (CSB) received congressional funding on Nov. 1, 1997.

Today, President Trump is proposing to ax the independent agency as part of his proposed 2018 budget to hamstring agencies dedicated to necessities such as clean air and water, workplace health and safety and public education.

Congress set up the CSB to investigate chemical accidents resulting in death, serious injury or substantial property damage. Its purpose is to determine accident root cause(s) and make recommendations for reducing the likelihood and consequences of accidental releases and for improving the safety of chemical production, handling and storage.

Two notable industrial accidents moved Congress to establish the CSB under the Clean Air Act Amendments of 1990: the Oct. 23, 1989 explosion at the Phillips Petroleum Chemical plant in Pasadena, Texas, that killed 23 workers and injured 314 others and the July 7, 1990 explosion at the Atlantic Richfield chemical plant in Channelview, Texas, that killed 17 and hurt five.

A Great Learning Tool

“For those of us who work in the industry, findings from the CSB are a great learning tool,” said Barbara Hammett Turner on the USW Oil Workers Facebook page. “The CSB asks, ‘What went wrong? How do we prevent it from happening again?’ If you do not work in refining or any sort of chemical/manufacturing, then I do not believe you understand what we go through every day to keep our plants in safe conditions. CSB does help and it does have value.”

For over 20 years the CSB has investigated hundreds of incidents of high consequence.

These accidents included the 2005 BP explosion that killed 15 workers and injured 180 others and the 2010 refinery explosion at Tesoro’s Anacortes, Wash., refinery that killed seven employees.

Two other high-profile incidents included the 2010 BP fire and explosion at the Macondo offshore platform that killed 11 workers and dumped over 130 million gallons of oil into the Gulf, and the 2013 West fertilizer plant explosion in Texas that killed 15 people and injured 226.

Necessary Changes Made

Despite having only recommendation powers, the CSB is influential. Industry, labor, government officials, the U.S. Environmental Protection Agency (EPA) and the Occupational Safety and Health Administration (OSHA) often adopt the agency’s recommendations. Consequently, workers and the public are safer and the

environment is cleaner.

Examples of the agency’s effectiveness include the ban of natural gas blows in Connecticut; an improved fire code in New York City, and increased public safety at oil and gas sites across the State of Mississippi.

Additionally, the CSB’s reviews of major incidents have led to industry standards on worker fatigue, greater reporting of hazardous chemicals to first responders, and removal of nonessential personnel from areas where there is a possibility of harm during a unit start-up or shutdown.

The CSB’s work on the Deepwater Horizon disaster resulted in new standards for safety in the offshore oil industry and in well equipment.

Saving Workers’ Lives

“The CSB’s mandate is about making the oil, chemical, petrochemical and paper industries safer. It was specifically formed to get to root causes of accidents and help to prevent them through shared learnings,” said USW National Oil Bargaining Program head Kim Nibarger.

The chemical and oil industries have not commented much on the defunding of the agency, and their trade organizations issue generic statements about working with Congress and the administration during the budget process.

USW Director Mike Wright of the Health, Safety and Environment Department told the media that the CSB “is one of the best bargains in Washington. If it has prevented even one accident, it has saved far more money than its budget over its entire history.”

The agency has an annual budget of about \$12 million for conducting investigations—which can take six months to a year or more—travel to accident sites, salaries and other expenses. It has a staff of 48 employees and five board members.

CSB Creates Public Awareness

Investigators spend months interviewing workers, staff and management; reading company documents, examining the site of the incident and equipment, and undertaking other actions to search for the root cause or causes of accidents.

CSB investigators write preliminary and final reports, present their findings and recommendations at public meetings, and publish their work and safety videos on the Web and social media.

The agency’s investigations bring much publicity to incidents and keep them in the public eye for a long time through media stories and later through investigative news articles.

“The CSB contributes not only to the safety of workers, but also to the communities around these facilities. This agency’s far-reaching influence on safety affects many people. Defunding it would be a great disservice to many of our members as well as the communities where these processes are located,” Nibarger said.