

March 16, 2010: DOE Roundtable with Labor Unions Meeting Summary

“Our objective is to enhance productivity and achieve the Department’s mission goals while maintaining the highest standards of safe and secure operations at our facilities.”

Daniel Poneman, Deputy Secretary of Energy

Deputy Secretary Poneman held a DOE/Union roundtable discussion with 13 labor union representatives on March 16 to engage worker stakeholders in the Department’s Safety and Security Reform efforts. DOE Under Secretaries Tom D’Agostino (NNSA), Dr. Steven Koonin (Science) and Dr. Kristina Johnson (Energy and Environment) were in attendance to provide Line perspectives. Glenn Podonsky, Chief Health, Safety and Security Officer, who is tasked with assisting in a DOE headquarters effort to identify safety and security improvement options, provided insights into initial assessments for an improved oversight model and streamlining DOE directives.

The following is an overview of the key points made at the meeting:

- The purpose of the meeting is to initiate/open collaborative discussions on reform with labor unions and this Administration and to gain the insights of the workers who have a stake in safety and security at DOE facilities.
- DOE recognizes that the workers are the Department’s greatest asset and is committed to “keep them safe” and to “view safety as a core mission”.
- In a joint DOE Headquarters effort, Bill Eckroade (DOE, Office of Health, Safety, and Security), Jeff Smith (ORNL), and Al Romig (SNL) are leading a task force in which an internal DOE review was conducted to identify and analyze options for improved regulation of worker safety; and to begin a reformation of DOE’s approach to oversight and enforcement.
- The task force drafted end-state visions and a plan for safety and security reform submitted for review by, and soliciting input from, DOE Line organizations, the Defense Nuclear Facilities Safety Board, and labor unions. [*Attached DOE 2010 Safety & Security Reform Plan*]
- The pillars of the DOE safety and security reform initiatives were identified:
 - Directives Review: DOE is working to “get our own house in order” by reviewing worker safety requirements and removing redundancies - outdated, duplicative requirements and/or those that do not clearly optimize worker safety.
 - Assistance/Performance: To move beyond compliance based oversight with a focus on an expanded assistance function and performance based oversight.
 - Ownership: To place safety and security accountability squarely with Line Operations.
- Each of the Union roundtable participants were asked to express their representative views on the options of internal (remaining with DOE) vs. external (outsourcing to OSHA) safety oversight. **The unions were in accord that the oversight function should remain within DOE.**
Expressed points included:
 - The responsibility should be kept in the Department where the owner is accountable
 - DOE has institutionalized knowledge; OSHA transition would delay/stall implementation. A transition to OSHA would be unimaginable in light of current transitions, particularly in the EM environment.
 - Much is learned from best practices and near miss programs. It is accountability and being part of the process, which allows all to be part of the solution. “Complacency kills”
 - Ownership and fostering a safety culture were elements identified as critical to enhancing safe and secure operations.

- Issues and examples of OSHA inefficiencies, loopholes and malicious compliance were cited by several union representatives. OSHA was not seen as a viable alternative.
- “Prior to DOE taking responsibility for safety “safety” was only a word used when someone got hurt”. There is today a safety culture at DOE – oversight should remain in DOE, and the history since the formation of HSS has been good, to include openness and transparency.
- Other key points made by the Unions
 - United Steel Workers - appealed to the Department for expanded assistance in ensuring timely compensation for cold war workers; and expressed enthusiasm in being a part of the Department’s “reinvention” of Energy
 - Unions expressed the importance of standardizing of worker safety training requirements.
 - HAMMER asserted the importance of engaging the worker in safety discussions –“Labor has firsthand knowledge of DOE operations”. They are seeing successes in work with DOE’s National Training Center in standardization of protective force training that has involved worker input.
 - Both the IAFF and HAMMER expressed the need for focus on safety issues associated with an aging workforce.
 - IAFF expressed the desire for DOE to provide “an umbrella of protection” for the worker in which “the training comes before the hazard, not after”.
 - BCTD stressed that a safety culture starts with the **owner** and the early engagement of workers.
 - IAMAW reported that a safety culture has been embedded as part of their work, part of daily operations. They contend that it can be driven forward through incentive programs and long term thinking. They have offered to bring their insights “to the table”.
 - Several of the unions expressed concerns with behavioral vs. process safety and emphasized the need to focus on process safety which leads to the best safety performance. Examples were cited where a behavioral approach (focus on human error) failed to ensure workers safety.
 - The IBEW raised a question with regard to Executive Order 13522: Creating Labor-Management Forums to Improve Delivery of Government Services. Specifically interested in labor involvement in the development and review of DOE’s implementation plan that was to be submitted to the Labor Council.

Deputy Secretary Poneman again expressed DOE’s personal commitment to the mission of safety and reiterated that the cultural aspect of safety is a critical path for the Department. He acknowledged the importance of worker involvement early on in discussions related to worker health, safety and security. He captured the landmark event as the first such roundtable meeting involving the most Senior DOE leadership and committed to continue the dialogue with worker representatives: *“If you want someone with you on the landing, you should have them with you on the take-off -- this is a take-off.”*

Attachments

- (1) Contact List of Union Invitees and Actual Attendees
- (2) *DOE 2010 Safety & Security Reform Plan*
- (3) Meeting Agenda