

Ronnie L. Bates
Senior Vice President
Planning, Sales and
Service

Bin 10240
241 Ralph McGill Boulevard NE
Atlanta, Georgia 30308-3374
Tel 404 506 7328
Fax 404 506 3090



December 18, 2002

Mr. J. D. Woodard
Executive Vice President
Southern Nuclear Operating Company
BIN B0222
40 Inverness Center Parkway
Birmingham, Alabama 35242

Re: Georgia Power Company v. U.S. Department of Labor and Mr. Marvin B. Hobby, 11th Circuit Federal Court of Appeals Decision; Nuclear Regulatory Commission Matter EA 95-171 - *Supplemental Response to Prior Correspondence*

Dear Jack:

Georgia Power filed an appeal of a decision of Robert B. Reich, Secretary of the Department of Labor, in Department of Labor Case No. 90-ERA-030, ARB No. 98-166 before the 11th Circuit Federal Court of Appeals in Atlanta on February 21, 2001. In an earlier and related letter dated January 13, 1997, the NRC Regional Administrator informed Georgia Power, then the operating licensee of the Vogtle Electric Generating Plant and the Edwin I. Nuclear Plant, that a supplemental response to the Notice of Violation in EA 95-171 would be required after completion of judicial reviews and issuance of an ultimate decision in the matter, should Georgia Power's appeal be unsuccessful.

As you are aware, subsequent to January 13, 1997, Southern Nuclear Operating Company became the exclusive licensed operator of these nuclear plants and Georgia Power retains neither officers nor staff engaged in licensed nuclear operations. My responsibilities include interface with Southern Nuclear in my position as nuclear managing board representative for Georgia Power. The purpose of this letter is to provide you with information sufficient to supplement Georgia Power's prior response to the Notice of Violation.

The Court of Appeals affirmed Secretary Reich's 1995 order. A copy of the Court of Appeals decision was previously forwarded to the NRC's Region II Counsel by letter dated October 9, 2002. As noted in the Court of Appeals decision, the various officers alleged to have engaged in retaliation no longer work for Georgia Power. Mr. Hobby has been reinstated to a Level 10 position at Georgia Power, has been paid "back pay" from the date of his 1990 termination to reinstatement, has been paid or reimbursed the specified value of compensatory damages and lost benefits, and will be welcomed back to his new position with an appropriate announcement. Mr. Hobby has elected to take his accrued vacation time for 2002 prior to returning to work, tentatively scheduled for January 6, 2003.

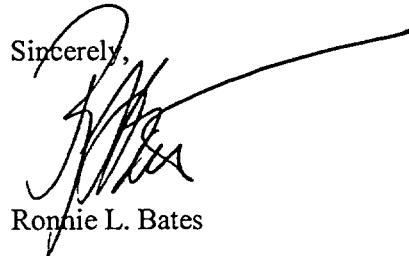
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Mr. J. D. Woodard
December 18, 2002
Page Two

Georgia Power remains committed to assuring that its employees have multiple avenues to voice their concerns, whether or not related to activities licensed by the NRC. Earlier this year a Workplace Ethics department was formed from the consolidation of Georgia Power's Equal Employment Opportunity and Employee Concerns Program. Workplace Ethics will continue to investigate employee concerns and administer a review process for appeals of findings. The program is designed to "lower the threshold" for submission of concerns so that "unfair" and "inappropriate" actions are questioned in addition to violations of Company policy or laws. Moreover, by written policy, any harassment, intimidation or retaliation for raising a concern to the Workplace Ethics department is prohibited. Violation of this prohibition is subject to discipline, including possible termination. A copy of the Guidelines for concern investigation and resolution is enclosed, as well as Questions and Answers for employees that explain the process. My view is that these practices and policies, revised and reemphasized since the early 1990s, reflect the continued focus and improvement of our employees' work environment.

We consider this particular matter concluded. Should you have any questions, please feel free to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ronnie L. Bates', with a long horizontal flourish extending to the right.

Ronnie L. Bates

Attachment

WORKPLACE ETHICS

Investigation and Concern Resolution Guidelines

POLICY: When an employee, supervisor or manager ("concerned individual") concludes that any employee, supervisor or manager has acted unfairly, inappropriate or in violation of company policy that concerned individual may contact Workplace Ethics and have the matter investigated. If the resolution is not satisfactory, he or she may have the decision reviewed by either an employee review panel or the company review officer depending on the subject matter.

I. INTRODUCTION

Georgia Power is committed to open communication and participative problem solving. In keeping with that commitment, we have established a dispute-resolution process that includes an Employee Review Panel or a Review Officer option as the final step. The goal of the company is to establish an effective, neutral dispute-resolution process that builds and maintains trust and collaboration, produces fair and timely resolution, provides opportunities for meaningful employee participation, and serves as a feedback tool to facilitate awareness throughout the organization with regards to workplace ethics.

Through employee involvement and shared responsibility, this process provides eligible employees with a formal means of addressing individual concerns regarding the application of policies, procedures, and issues of ethics and fairness.

This process is designed to encourage collaboration among all employee levels, create opportunities to contribute ideas, and facilitate effective problem solving. It will enhance, not replace, communication between an employee and his supervisor or manager. This process is **not** intended to prevent anyone from communicating with any level of management regarding work-related issues. We encourage concerned individuals to contact supervisors and management before bringing an issue to Workplace Ethics but understand that in some circumstances, the concerned individual may wish to contact Workplace Ethics first.

II. ELIGIBLE EMPLOYEES

This process applies to all full-time and part time employees, including those employees in covered classifications.

III. DEFINITIONS

1. EMPLOYEE REVIEW PANEL AUTHORITY

The Employee Review panels review management and supervisor actions affecting individual employees, supervisors or managers after a Workplace Ethics Coordinator has investigated the matter. The panels investigate concerns submitted by concerned individuals regarding the proper and equitable application of organizational policies, procedures and practices. Panels have the authority to investigate all relevant facts to ensure the applicable policies or practices were followed correctly and fairly. If a panel finds otherwise, it has full authority to change or remedy the situation so it will be consistent with organizational procedures and past practices. All panel decisions are internally final and binding with one exception. Decisions made by arbitrators or other legal authorities override panel decisions.

Employee Review Panels will not review actions or issue decisions that involve changing policies and procedures, work rules, rates of pay, or employee benefits. Additionally, the panels cannot render decisions that would violate state or federal law or the collective bargaining agreement. Panels can not issue a harsher punishment than the employee originally received. The panel will only hear cases involving the demotions, discharges or the application of positive discipline.

Employee Review Panels may make non-binding recommendations of policy revisions or clarifications to management when the results of the panel investigation suggest that such a change would improve understanding and consistency in the future.

2. REVIEW OFFICER AUTHORITY

The Review Officer exercises within the same authority as the Employee Review Panels with the exception of the types of cases heard. The Review Officer can hear any case and must hear cases involving discrimination, harassment and other violations of the Company's EEO policies. The review officer must also hear cases where the concerned individual has pending legal action against the Company and the attorneys have made contact with the Company. As with the panel, the Review Officer's decision is internally final and binding with one exception. Decisions made by arbitrators or other legal authorities override panel decisions. Review Officers can not issue a harsher punishment than the employee originally received.

IV. PROCEDURE

The concern-resolution procedure consists of formal steps that must be taken in specific order. The procedure is designed to encourage concern

resolution at the earliest possible opportunity and provide employees with options for resolution at higher levels when necessary.

The concerned individual should initiate the concern-resolution process within 60 days of learning about the problem. This and other established timeframes may be extended in extenuating circumstances as determined by the manager of Workplace Ethics in his or her sole discretion.

The concerned individual should initiate the process by informally discussing the concern with his supervisor/manager. If the informal discussion fails to produce an acceptable resolution, or the concerned individual feels uncomfortable discussing the problem with their manager/supervisor, the concerned individual may proceed to **Step 1**.

Step 1:

1. The concerned individual contacts Workplace Ethics and discusses the concern with a Workplace Ethics Coordinator.
2. Workplace Ethics will enter the concern into the tracking/record keeping system and begin an investigation to determine the appropriate actions.
3. The Workplace Ethics coordinator will investigate the concern by talking to all involved parties and viewing all relevant documents.
4. The Workplace Ethics coordinator will meet with the concerned individual and management separately to convey the results of the investigation. If this fails to produce an acceptable resolution, the concerned individual may proceed to Step 2.
5. When the concerned individual contacts Workplace Ethics to file a new concern regarding disciplinary action resulting from the Workplace Ethics coordinator's recommendations, a new investigation will not be conducted. The concerned individual will go directly to the panel or review officer step.

Step 2:

The concerned individual completes a request for an employee review panel or the review officer. The request must be submitted to Workplace Ethics within 10 days after receiving the investigation results. The concerned individual selects one of the following:

Option A: Review Officer

- 2a. The concerned individual completes the Appeal portion of the concern form, indicating his desire to meet with the Review Officer.

- 3a. The Review Officer will meet with the concerned individual, management, and all relevant parties. He/She will also review all pertinent documentation.
- 4a. The Review Officer will provide the concerned individual with a decision within 30 days after the meeting. The decision of the Review Officer is binding and cannot be appealed.

Option B: Employee Review Panel

(This option is only available for concern issues that are included in the Employee Review panel authority.)

- 2b. The concerned individual completes the Appeal portion of the concern form, indicating his desire to convene an Employee Review panel.
- 3b. The concerned individual will select an employee panel where the majority of the panelists come from the concerned individual's own non-management/non-supervisory or management/supervisory group.

4b. Individual Contributor Panelist Selection:

If the concerned individual is an individual contributor, ten names will be randomly generated from the individual contributor pool (non-manager/non-supervisory). The concerned individual picks three of the ten to be panelist and two to serve as alternates. The concerned individual contributor can either draw from a pool of all hourly, all salaried non-supervisors or a mixed pool.

If the concerned individual is a manager/supervisor, seven names will be randomly generated from the pool. The concerned individual selects two names to serve as the panelists and one to serve as an alternate.

5b. Management Panelist Selection:

If the concerned individual is an individual contributor, seven names will be randomly generated from the management pool. The concerned individual selects two of the seven to serve as panelists and one to serve as an alternate.

If the concerned individual is a manager/supervisor, ten names will be randomly generated from the management pool. The concerned individual selects three names to serve as the panelists and two to serve as alternates.

- 6b. The panel will convene within fifteen days after selection. They will meet with the concerned individual, his or her manager or supervisor, and any other relevant witnesses. They will review all documents and facts relevant to the concern. Panelists may

request additional information and interview other employees, as they deem necessary.

- 7b. The panel decides, by majority vote, to grant, modify or deny the requested remedy.
- 8b. The facilitator will provide the concerned individual with a decision within two days after the hearing. The decision of the Employee Review panel is binding and cannot be appealed.

V. CONFLICTS OF INTEREST

Management and non-management employees will be disqualified by Workplace Ethics prior to the concerned individual selecting panelist if they have a pending concern, are under positive discipline, or fall within the concerned individual's chain of command.

Selected panelists are disqualified if they have a conflict of interest including, but are not limited to, employees in the same work unit at the same location, individuals up and down the chain of command within the business unit in question, or a witness to the disputed act.

Selected panelists are expected to disqualify themselves if they feel they will be unable to render an impartial decision.

VI. ADMINISTRATION AND GENERAL INFORMATION

1. A neutral, non-voting Workplace Ethics facilitator is responsible for administering and coordinating the concern-resolution process and enforcing the provisions of this policy/procedures document. The facilitator will be a Workplace Ethics coordinator who did **not** investigate the case. Workplace Ethics will determine if the concern issues fall within the Employee Review Panel authority.
2. Concern forms can be obtained from the Workplace Ethics Department. The Workplace Ethics Coordinators will assist concerned individuals and his or her supervisor or manager throughout the process, as requested.
3. All panelist and witness participation will be voluntary.
4. Individuals must complete panelist training and sign a Panelist responsibility form before they are eligible to serve as panelists.
5. Information gathered as a result of a concern is confidential and will be maintained separately from the concerned individual's personnel files.
6. All individuals involved in this process will respect the privacy of the concerned individual, witnesses, and panelists. All information disclosed through this process shall be kept in strictest confidence.

Violations of confidentiality will be subject to disciplinary action, including possible termination.

7. No employee will be harassed, intimidated, or negatively affected as a result of filing a concern or participating in the concern-resolution process. Violations of this provision are subject to disciplinary action, including possible termination.
8. Attempts to influence witness testimony or panelist votes are prohibited and subject to disciplinary action, including possible termination.
9. The Employee Review option will be reviewed on a regular basis. The company reserves the right to discontinue or modify the process.
10. Questions regarding the Workplace Ethics process will be answered by either sending an electronic mail to Workplace Ethics, GPC or calling the Workplace Ethics office at 8-506-6078.

**GEORGIA POWER
WORKPLACE ETHICS PROCESS
Q&A**

- 1. How does the new process differ from Employee Concerns and EEO?**
 - Workplace Ethics is a new department that has been formed from the consolidation of Georgia Power's EEO and Employee Concerns program. Workplace Ethics will continue to investigate employee concerns and administer the Employee Review Panel and the Review Officer process.

- 2. Can an employee call the Workplace Ethics hotline and remain anonymous?**
 - It depends on the type of case. In many cases we will need to know your identity in order to do an investigation.

- 3. What is the Employee Review Panel? What is the Review Officer?**
 - As before the employee will file a concern with Georgia Power Workplace Ethics (WPE). If the employee does not agree with the outcome, the employee may appeal to either the Employee Review Panel or the Review Officer, to hear the case, depending on the type of case. The Review Officer is a designated company officer. The employee panel will consist of other company employees.

- 4. Why are we installing Employee Review Panels?**

We are installing the employee review process as a part of our 33 Diversity Initiatives. We hope to establish an effective, neutral dispute-resolution process that:

 - Builds and maintains trust and collaboration between employees and management
 - Produces fair and timely resolution of employee concerns
 - Provides opportunities for meaningful employee participation in the dispute resolution process
 - Serves as a feedback tool to facilitate awareness throughout the organization regarding workplace ethics issues

- 5. What is the authority of the Employee Panel?**
 - Issues regarding the application of discharge, demotion, and positive discipline are included in the panel's authority. Cases involving alleged discrimination or harassment based on sex, gender, age, national origin, religion, and/or disability under the ADA will go to the Review Officer because of the confidentiality and sensitivity of these matters. Cases within the scope of the panel can also be reviewed by the Review Officer upon request by the employee, in lieu of a panel. The panel does not have the authority to change or make company policy, rates of pay, benefits, work rules, or make any decision that would violate state law, federal law, or the collective bargaining agreement.

- 6. What will be the size of the initial panelist pools?**
 - Five percent of the workforce participating in the panel process will be the target size of the panelist pools.

7. Do the employees have to request a panel?

- The Employee Review Panel and Review Officer processes are voluntary. However, if the employee requests a panel or the Review Officer, management must participate.

8. Who can request an Employee Review Panel?

- Only employees who have had an issue investigated by WPE and whose case involved a discipline, discharge or demotion with no allegation of discrimination or harassment may request a panel. [All employees (full-time and part-time) can file a concern with the Workplace Ethics Department (WPE) and have it investigated].

9. Will the employee panels be immediately available to all employees?

- Because of the number of employees involved in a company wide roll out, the Employee Review Panel and the Review Officer will be available to employees in Transmission, Distribution and Customer Service early next year. All other employees can file concerns, but they will not be scheduled for Employee Review Panels until spring 2002 when panelists for Generation and Corporate have been solicited. Only matters that are reported to Workplace Ethics after January 2002 are eligible for a panel or for review by the Review Officer.

10. What is the make-up of an employee panel?

- The employee will select an employee panel where the majority of the employees on the panel come from the employee's own peer group. Peer groups are divided into three categories:
 - All hourly employees
 - All salaried, non-supervisory employees
 - All supervisory/management employees
- The employee will be allowed to participate in the selection of the panel through a random drawing of names from the aforementioned pools.
- The representation on the panel will be a 2:3 or 3:2 ratio of hourly/salaried, non-supervisory employees to supervisory/management employees. The majority of the panelist on any particular panel will reflect the concerned employee's peer group.
- The employee cannot choose between a covered or non-covered panelist, only between hourly or salaried.

11. How will employees be selected for the panelist pools? How long will selected employees remain in the pools?

- Employees are selected on a voluntary basis if performance evaluations indicate the employee is in good standing with satisfactory work appraisals and no current disciplinary actions. Length of service in the pool has not been determined at this time. Employees can volunteer for the pool by signing the volunteer form or contacting Workplace Ethics directly.

12. When will the panels be open for new membership?

- After the initial kick-off, Workplace Ethics will establish routine dates for new enrollment.

13. Who will serve as management panelists?

- All Georgia Power supervision and management can serve from the first-line supervisors and up.
*Supervisors are defined as those who have performance management responsibility.

14. How will panelists be selected for hearings? Will alternates be identified?

Concerned Individual Contributor Employee (hourly/salaried non-supervisory employees):

1. The concerned individual contributor employee draws 10 names from the individual contributor pool and picks three of the ten to be panelists and two to serve as alternates. The concerned individual contributor can either draw from a pool of all hourly, all salaried non-supervisors or a mixed pool of salaried, non-supervisor and hourly.
2. The concerned individual contributor draws seven names from the management pool and selects two of the seven to serve as panelists and one to serve as an alternate.

Management concerned employees:

1. The concerned management employee draws seven names from the pool and selects two names to serve as the non-peer panelists and one to serve as an alternate.
2. The concerned management employee draws 10 names from the management pool and selects three names to serve as the peer panelists and two to serve as alternates.

15. What panelist's information will be provided to the concerned employee to assist them in picking their panelists?

- The panelist's name and job classification.

16. Will there be any disqualification criteria for panelists?

- Panelists who have an obvious conflict of interest, such as being related to the concerned individual or manager involved, having a concern pending, being under positive discipline, or falling within the concerned employee's chain of command are disqualified. Conflicts also include, but are not limited to, employees in the same work unit at the same location, individuals up and down the chain of command within the business unit in question, or a witness to the disputed act. Persons disqualified to be a panelist will be removed from the list prior to the employee making his or her choices. Panelists are expected to disqualify themselves if they feel they cannot render an impartial decision. All regular and part-time employees who have been with the company at least six months can participate as a panelist if they have been trained.

17. Will there be training for the panelist prior to the panel hearing?

- The panelist will receive 1 day of training after they volunteer. The training will cover full panel procedure and protocol. Additionally, the neutral non-voting facilitator from Workplace Ethics will be present to assist the panelists during the hearing.

18. Who will coordinate the panel hearing process? Who does the panel turn to for witnesses, records, and other resources? How can we ensure hearing consistency?

- A neutral, non-voting facilitator will assist each panel. The non-voting, neutral facilitator will:
 - Coordinate the panel hearing process
 - Prepare both employee and management for panel review
 - Facilitate panel hearings
 - Provide the panel with materials, including coordinating resources
 - Ensure consistency of process
 - Provide format for panel review, including presenting the statements of the employee and management and helping the panel identify the issue
 - Provide documentation supplied by the WPE Coordinator who performed the investigation
 - Keep the panel on time
 - Arrange for witnesses (during panel process only)
 - Ensure that the panelists don't violate rules/procedures
 - Deliver the decision to employee and manager

One of the WPE coordinators who did not investigate the case will be randomly selected to serve as the facilitator.

19. Who will the panel hear from during the hearing?

- The panel will hear from the employee, the manager or supervisor, and any other relevant witnesses. The panel will also hear from subject matter experts like HR and Labor Relations, as needed.

20. May an employee withdraw themselves as a witness without being disciplined?

- Yes.

21. Will the Review Panel conduct the hearing as a trial?

- No. Lawyers will not be present. The panel will talk individually to the witnesses, concerned employee, and manager. Each person will make their statements to the panel then leave the room.

22. What information will the Panel and the Review Officer have access to?

- The Panel and the Review Officer will have access to all relevant information necessary to resolve the case. The concerned employee will be given a statement explaining that panel members or the Review Officer will have access to relevant personnel information obtained during the case investigation. Reasonable efforts will be made to insure the confidentiality of all personal data disclosed to the WPE coordinator and the panel or Review Officer.

23. How will panel decisions be communicated to the concerned employee? Who will do it? Who else will be notified of the panel's decision?

- A letter from the facilitator stating the panel's affirmation, amendment, or denial of the disputed action will be delivered to the concerned employee and management.

24. Can a panel issue a "stiffer penalty" than the concerned employee originally received?

- No.
- 25. Will panelists be paid for training and hearings? Will concerned employees be paid for hearings and required preparation?**
- All participating employees will be paid by their business unit according to company policy and guidelines. Workplace Ethics will not pick up the expenses.
- 26. Will the concerned employee receive time off to gather evidence for their case?**
- No, but management will allow the employee appropriate time on the job to gather the necessary information.
- 27. Where will the panel hearings be held?**
- The hearings will be held close to the concerned employee's work location.
- 28. What happens if the Review Officer or the Employee Review Panel overturns my decision?**
- The company has agreed that all decisions of the Review Officer and the Panel are final and binding on the company. The decision of the Panel or Review Officer will be followed unless it changes or makes company policy, changes rates of pay, benefits, or work rules, or the decision would violate state law, federal law, or the collective bargaining agreement.
- 29. Will bargaining-unit employees be allowed to use the Employee Panel system?**
- Bargaining-unit employees are encouraged to use the employee review system at any time, either alternately or simultaneously with the grievance process defined in the Memorandum of Agreement, except when the grievance being pursued has been certified for arbitration. Once the grievance is certified for arbitration, the panel review process stops immediately.
- 30. May an employee withdraw from either the Employee Review Process or the Review Officer Process?**
- Yes, however, they will not be able to reissue the concern, and the original WPE determination will stand.
- 31. When will a manager be notified of concerns?**
- If the concern involves your manager or someone on his staff, he will be notified by the WPE coordinator as appropriate during the investigation.
- 32. Will there be a "statute of limitations" for issues that can be brought before the panel? How will old problems pre-dating the Employee Panel be handled?**
- Concerns must be filed as soon as they occur but no later than 60 days after the concerned employee's knowledge of the problem. Problems pre-dating the Employee Panel installation (January 1, 2002) will be handled through Workplace Ethics but will not be eligible for Employee Panel Review. The Review Officer can consider exceptional situations outside this process.
- 33. What will be the steps and time frames of the dispute resolution process?**

- The employee has seven days after receiving a response from Workplace Ethics to request further review by an Employee Panel or a Review Officer. The Employee Panel will hear the employee's case within 15 days after the panelists are selected, and the decision will be given to the employee within two days after the hearing. The Review Officer will decide cases within 30 days after the employee has requested a review by the Review Officer.

34. What will be done to prevent retaliation against concerned employees, supervisors, and other employees who participate in the process?

- Senior management and the WPE office will continuously stress that retaliation is not permitted. Those found to have retaliated against an employee who participates in the process will suffer discipline up to and including termination of employment.

35. I am an employee in a covered position and have been advised by the union that the new process is illegal and should not be used by members of bargaining unit. Can I use the process?

- The company has made the Workplace Ethics process available to all employees. It was very important to management that all employees have the opportunity to voice concerns and have them addressed through Workplace Ethics and that all employees be able to serve on Employee Review Panels. In fact, the Workplace Ethics process being advertised today is simply an enhancement of the Corporate Concerns and EEO processes. Both of these processes were open to all employees and bargaining unit members used the processes without restriction for years. As for the legality of the new process, the company believes that offering the expanded process to employees in covered positions does not violate the collective bargaining agreement or the law. The company also strongly believes that neither the union nor the law should prohibit any employee from voluntarily and fully participating in any aspect of the Workplace Ethics process. It is unfortunate that the union has taken this position and seeks to deny persons in the bargaining unit the opportunity to participate in the process and to threaten to charge and fine those members who exercise a right open to all employees.

36. Will the union file an unfair labor practice case against an employee?

- The employees will not get an unfair labor practice charge filed against them. Doyle is speaking of a union internal charge that could result in a fine.

37. If a covered employee goes before an employee panel and a decision is made prior to the Union informing the Company that the grievance is going to arbitration and the decision is in favor of the Company, will the arbitrator have access to the decision of the employee panel? The concern is that the decision the employee panel made would influence the arbitrator's position.

- The arbitrator will not have access to the employee panel results.

38. If I use the Employee Review Panel, can I have my shop steward present?

- No. The Employee Panel and Review Officers will not involve discipline being given. Attorneys and other persons not a party to the incident will also not be allowed to attend the panel hearings or the meetings with the Review Officer.

39. Should temporary employees attend the meetings or be able to use the Employee Panel or Review Officer?

- Yes, all employees paid by Georgia Power can participate can bring a concern to Workplace Ethics. Temporary employees are not able to serve on a panel. Temporary employees paid by an outside vendor can file a concern and it will be handled as appropriate.

40. As a union member, I do not want to vote against another union member. What is the union's position on union employees serving on a panel?

- The panelists need to be fair and objective. If for some reason they cannot be fair and objective, the employee should not sign up as a panelist. For information on the union's position, employees should talk to the Union leadership.

41. If I am on a panel and the employee disagrees with the decision and sues the Company, can I be held libel?

- No.

42. How many cases are handled annually by Workplace Ethics?

- Between 120 - 150 cases

43. What are the criteria for signing up to be a panelist?

- Must not be on Positive Discipline
- No current concerns within Workplace Ethics
- Not have a needs improvement or Below expectation as the overall rating on the employee's most recent performance appraisal.

44. Are cases often reversed by the panel?

- We do not have statistics on how often panel's reverse decisions of management. However, panelist can and will reverse decisions where the facts do not support the actions of management.

45. Can the panel's decision be reversed?

- Panel decisions are binding on the company. However, all employees maintain the option of pursuing their case outside of the company.

46. If an employee volunteers as a panelist and later changes their mind, can they withdraw themselves from the panelist pool?

- Yes.

47. What is the "spirit of intent" behind this new process?

- Feedback says employees do not trust management
- Hopefully employees will feel they have a place to go and know the company is committed to resolve the issue.
- Place for employees to come when unable to talk to their management
- A way to build trust among employees

48. Do you talk to a real person when you call the 1-800 number?

- Yes.

49. Is it possible for a lineman to draw from his pool and have no other lineman's name on his list?

- Yes, you will mainly draw names from the pool based on an employee's job classification. There is a chance you may pick another lineman, but not necessarily.

50. Can a lawyer accompany the employee filing the concern to the Employee Panel Review?

- No.

51. Can the employee tape record or take notes during the Employee Panel Review?

- The employee can not tape the panel review process or remove notes or documentation from the hearing room.

52. Can a manager or supervisor appeal the Workplace Ethics Coordinator's recommendation?

- Not really. The coordinator is only making a recommendation. The manager or supervisor does not have to abide by the recommendation.

53. What is Workplace Ethics doing to check on how the process is working?

- Everyone who uses Workplace Ethics, the Panel Review process, or the Review Officer will be given a survey to complete at the end of the process to make sure they feel they were treated fairly and received a thorough investigation.

54. In the event a covered employee has his concern going through both processes for a period of time, and the workplace ethics coordinator stops their investigation due to the grievance going to arbitration - does the union have access to the information the workplace ethics coordinator collected? Or is that information confidential and kept in the WEC files?

- The information gathered during the Workplace Ethic's process is confidential and kept out of the arbitration process.