

Rulemaking Comments

From: Michelle Medrow-Kielski [mmkielski@gmail.com]
Sent: Wednesday, December 15, 2010 12:14 PM
To: Rulemaking Comments
Subject: Work Hour Rules Petition
Attachments: NRC Letter.doc

Attached and enclosed is a letter regarding the Wourk Hour Rules and the affects felt through out our industry.

Thank you,

Michelle Medrow-Kielski

DOCKETED
USNRC

December 15, 2010 (4:00pm)

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

NRC
Rulemaking.Comments@nrc.gov

WHR's and the Undesired Impact on Our Industry

The impact of the Work Hour Rules had adversely affected my personal and professional life and work place environment. This is by in large the consensus amongst my colleagues. I am currently a Non-Licensed Operator at LaSalle Station in Marseilles, IL.

I appreciate the chance to address this overwhelming issue.

The development and implementation of the Work Hour Rules was, I'm sure, with the best of intentions to have a well rested workforce. This may have been an intention by has not been the outcome, it is in fact producing opposite affect. Workers that would normally be willing to take a shift of work are now prohibited, which now FORCES another employee to fill the spot. How does that benefit anyone? It certainly does not. Forcing an employee to fill a shift that they did not intend to fill, was that one of the intentions of the Work Hour Rules? Does having a worker that did not intend to be at work make for a content worker? This seems like it would be an unhelpful and undesirable to all concerned.

Template = SECY-067

There are many workers willing to take these forced shifts but due to WHR's they are unable. We as workers generally know what we are capable of. We have the ability to say we don't feel that we are "fit for duty", if this is the case. We have supervisors that are there to look for signs of "fitness for duty" and fatigue. There are also our co-workers that have the opportunity to examine the people around them. Do we need Work Hour Rules to determine this for us? The 10 Hour Off Rule is a perfect example. This Rule bars an employee from staying over or coming in early to work the entire shift, when they work days in a row, because they now need 10 hours off between shifts. This means that two workers must now fill the spot. This means more turn over time and a greater potential of an Event to occur due to having to turn over in the middle of a task and re-brief additional workers. The 10 Hour Off Rule would be better suited to prohibit someone from being forced on to a shift but if a worker is willing and volunteers to fill the spot, why shouldn't they be able? The 10 Hour Off Rule should be more of a guideline for the benefit of a forced employee but not a strict overall RULE. The 24 in 48 rule seemed to fulfill a beneficial rest requirement acceptably. The 34 Hour Off is another sore subject. How is this not redundant and excessive? I can understand that we have to be off for a day, 24 HOURS. What is wrong with the 24 Hours Off? Why do we have the additional 10 hours added to it? It just doesn't seem logical.

The Work Hour "Rules" are themselves a burden. They are cumbersome and laborious to follow with extremely many restrictions on hours that can be worked over far too long of a time frame. It is very hard and entirely a complicated process for the timekeeping staff to implement much, less the worker, who is also responsible to know if they could violate the Work Hour Rules. There are also the workers that are required to perform emergent call outs, who are extremely intimidated by the process. The prior rules made it reasonably trouble-free to determine who was able to work an open shift, but the new WHR's have turned it into a complex assignment. This in turn takes a worker away from a task they should otherwise be performing.

The WHR's are causing people that normally prefer to work a fair amount of open shifts, and blocking them from the ability to work them. This in turn makes the shifts that are available to these workers to often be working until 3 am or coming in at 3 am. These are not normal work hours for anyone. We are already

working a rotating schedule due to the nature of our industry. We knew getting into this job the hours that we would be subject to work, but the WHR's have thrown a wrench in the spokes. There are also many instances of only being able to work 4 hour blocks but they are separated and bridged by hours in-between. Often you can see where there may be an 11pm to 3 am shift then the same worker takes an 11 am to 3 pm shift. This doesn't seem conducive to the well rested intent of the WHR's. These shifts follow the WHR's and workers are willing to work them, but this is due to the fact that these shifts are all that become available to workers that prefer to work extra hours. The impact of the WHR's is negatively affecting many workers income. I realize this is not necessarily a concern but inevitably it has been the affect of the rules and it distresses many in the industry.

There are also other instances that arise, due to the WHR's covering a 6 week time frame. We have found that if your take a day or days off during your six week cycle this can now cause you to be able to work even less during that 6 week cycle. Another time I ask, how does this make any sense? You have had more days of rest because of taking vacation or holiday days off, but this causes the amount of hours that you are able to in turn work decrease; seems very contradictory.

The WHR's are also causing an undue burden on the families of affected workers. An employee, who did not choose to take an additional shift, may now be forced to remain at or come in to work. This ultimately is having a negative impact on employees and their family's lives. We are forced to work when we don't want to. We have to try and get sleep now at inopportune times. Families have gotten used to the rotating schedule and the recently implemented WHR's are causing additional undue stress and tension. A worker should not be forced to cover shifts that another worker would often be willing and voluntarily cover, but the WHR's have now left this worker FORCED to cover this unwanted shift. I understand that the likelihood of a forced shift is still feasible, but the instance of forcing, amongst us, has drastically and significantly increased due to the WHR's realization. This is truly an adverse affect of the WHR's.

The need for rules and regulations regarding our Work Hours is a necessity, but not at the expense of the workers and their families. The current Work Hour Rules are having an undesired affect, and are far too draining on our industry as a whole. I would hope that the result of this NEI's petition of the Work Hour Rules can have a positive impact on the workers as well as the industry. The previous rules that were in effect were significant and unproblematic to follow and implement. I implore to the NRC to re-evaluate the current Work Hour Rules and the impact that they have made on all of us.

Thank you again,

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Date: Wed, 15 Dec 2010 11:13:39 -0600

Message-ID: <AANLkTin4ZGPoodhmN2SD+nX4s6_EvKTqmk86Vs-7HoKJ@mail.gmail.com>

Subject: Work Hour Rules Petition

From: Michelle Medrow-Kielski <mmkielski@gmail.com>

To: Rulemaking.Comments@nrc.gov

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