

## RulemakingComments Resource

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**From:** Jeffrey Wimette [jcw@ibewlocal300.org]  
**Sent:** Monday, May 27, 2013 10:05 PM  
**To:** RulemakingComments Resource  
**Subject:** Access Authorization  
**Attachments:** NEI Petition 5-2013.pdf

Dear NRC:

Attached for your review are the comments from International Brotherhood of Electrical Workers, Local Union #300 relative to access authorization. Should you have questions, please contact me.

Regards,

Jeffrey C. Wimette  
Business Manager & Financial Secretary  
IBEW, Local Union 300  
3 Gregory Drive  
South Burlington, VT 05403  
(w) 802 864-5864 x 12  
(cell) 802 922-4662  
[jcw@ibewlocal300.org](mailto:jcw@ibewlocal300.org)





## International Brotherhood of Electrical Workers - Local 300

AFL – CIO – CLC

3 Gregory Drive – South Burlington, VT 05403

Telephone (802) 864-5864

Fax (802) 862-6379

[www.ibewlocal300.org](http://www.ibewlocal300.org)

May 23, 2013

Annette L. Vietti-Cook  
Secretary of the Commission  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

Re: Docket ID NRC-2013-0024.

Dear Ms. Vietti-Cook:

I am the Business Manager of IBEW Local Union #300 in Vermont. My local union represents approximately one-hundred and eighty (180) employees who work for Entergy Nuclear Operations, Inc. at the Vermont Yankee Nuclear Power Station in Vernon, Vermont

I have reviewed NEI's petition for rulemaking, and I am writing to explain why my local union opposes that petition.

Our experience has been that the procedures used by Entergy to deny or revoke access authorization are patently unfair. Employees rarely receive a full or clear explanation of why their access has been revoked or denied or why their internal management appeal has been denied.

Arbitration, without limitations or restrictions, provides the only opportunity an employee has to defend him or herself and the only forum in which the employer's determination must be explained and can be challenged.

Imposing limits on arbitration would adversely affect employee morale. Employees will conclude that the process is unfair and that the NRC is looking out for Entergy and not its employees. At a minimum, restrictions on arbitration will be a distraction which could undermine performance of the workforce and create potential safety issues.

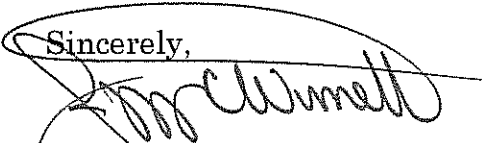
There is no reason for the NRC to intervene in collective bargaining between Entergy and Local 300. Our collective bargaining agreement contains an



arbitration clause on which both parties have agreed. If Entergy wants to negotiate something narrower, it is free to do so. The terms of our agreement should be established through collective bargaining, not by regulations issued by the NRC at the industry's request.

Local Union #300 is fully committed to protecting security and public safety. We have no interest in protecting anyone who might constitute a genuine threat. Most access issues, however, arise from minor infractions and off-duty conduct that have nothing to do with security. Without arbitration, the access arbitration procedure will simply be a means for employers to terminate employees they want to terminate, without having to explain or defend their actions for just cause.

Sincerely,



Jeffrey C. Wimette  
Business Manager