

RulemakingComments Resource

From: Mike Smith <MikeSmith@local223uwua.org>
Sent: Thursday, June 06, 2013 11:26 AM
To: RulemakingComments Resource
Subject: NRC-2013-0024

Dear Ms. Vietti-Cook,

My name is Michael Smith I am the President of UWUA Local 223 located in Dearborn Michigan. I represent the 3600 Utility workers that are employed by DTE Energy. One of the plants we represent is the Enrico Fermi II plant located in Monroe Michigan that employs approximately 250 Represented Nuclear Operators and Tradespeople.

The Union and its membership is very concerned over the possibility of the new rules being proposed by the Nuclear Energy Institute, which would limit our ability to arbitrate cases. Our contract with DTE Energy has a mutually agreed to the grievance procedure which has 5 steps including the final step of which is Arbitration. This contract was recently negotiated to the satisfaction of both the Union and the Company and at no point in time did the Company propose any changes to the Grievance procedure we use. We believe the terms and conditions of a contract should be established through collective bargaining by the parties, not by regulations issued by the NRC at the request of the industry.

This rule if adopted will severely limit the rights of Union and its membership by restricting the opportunity an employee has to defend him or herself. Placing restrictions on arbitration will engender anger among the employees that we represent. The perception will be that the grievance procedure is now fixed in the employers favor. This could adversely affect morale and the relationship employees and the Union has with the employer. At worst it could be a distraction for the employees, which may undermine the human performance of the workforce in the plant which could potentially create a safety issues.

The Union and its membership, like the NRC, is committed to protecting the security and public safety. We have no interest in protecting anyone who might be constitute a genuine threat. Most cases we represent generally arise from minor infractions or off-duty conduct that has nothing to do with security. Without unrestricted arbitrations the grievance procedure will simply be a means for employers to discharge employees they want to discharge.

We believe the proposed changes by NEI will make working conditions at a nuclear plant unfair and onerous without making the public any safer.

Thank you
Michael Smith
President
Local 223
UWUA AFL-CIO