

International Brotherhood of Electrical Workers System Council U-8



AFL-CIO

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June 10, 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:

Please allow me a few moments of your time to introduce myself. My name is Edward A. Mobsby, Jr. I am the Business Manager of International Brotherhood of Electrical Workers (IBEW) System Council U-8 in Florida. System Council U-8 includes IBEW Local Union 433 which represents employees working at the Crystal River Nuclear Power Plant in Crystal River, Florida. The plant is owned by Duke Energy.

I am writing to explain why System Council U-8 believes that the NRC should reject the petition filed by the Nuclear Energy Institute, which would place unfair and unreasonable restrictions on arbitration under our collective bargaining agreement.

Those who work in this industry know that the procedures used by licensees to deny or revoke access authorization are frequently unfair. Employees almost never receive a complete or clear explanation of why their access has been revoked or denied. And, the internal management review panel never reverses management's original decision or even explains the basis for that decision.

Like other IBEW local unions and system councils, System Council U-8 agrees that arbitration, without restrictions, provides the only chance an employee has to defend himself and the only place in which the Company has to explain its decision. Without arbitration, the entire process becomes unfair.

Imposing limits on arbitration would remove the employees' rights to a fair hearing. Imposing limits on arbitration would create an unbalance where an employer could either knowingly or mistakenly limit an employee to their workplace access and therefore diminish or eliminate their livelihood. This would also

substantially harm the morale of the employees and that we represent. It is our opinion that the NRC would not want to be seen as a government agency that limits the rights of employee to a fair and balanced due process.

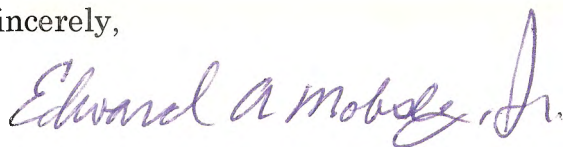
Our collective bargaining agreement provides for arbitration. That arbitration agreement is the result of good faith collective bargaining. The NRC should not intervene in the collective bargaining process to change the meaning of our agreement. If the employer wants to negotiate something else on arbitration or on any other mandatory subject, it can do so and we will bargain in good faith.

An additional area of future concern is in regards to employees becoming reluctant to report potential problems and safety violations to management or to the NRC, because the absence of meaningful arbitration would allow the employer to target them and take retaliatory action.

System Council U-8 understands and agrees that safety is important. We will never attempt to protect any employee who poses a safety hazard. But, most access issues arise from minor problems and infractions that have nothing to do with safety. Without arbitration, the access arbitration procedure will simply be a means for employers to rid themselves of employees they want to discharge, without having to explain or defend their actions.

The work environment will be fairer and the plants will be safer if the NEI's petition is denied.

Sincerely,

A handwritten signature in purple ink that reads "Edward A. Mobsby, Jr." The signature is fluid and cursive, with the first name "Edward" being the most prominent part.

Edward A. Mobsby, Jr., Business Manager
IBEW System Council U-8

cc: System Council