

## **NRR-PMDAPem Resource**

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**From:** John Rayment <johnrayment1289@gmail.com>  
**Sent:** Friday, February 10, 2017 9:27 AM  
**To:** Lappert, Glenna  
**Cc:** Ed Stroup; Munyan, Jeffrey Robert:(GenCo-Nuc)  
**Subject:** [External\_Sender] Access Authorization comments from IBEW Local 1289.

Dear Glenna,

Below are my comments regarding Access issues in regard to our recent history.

The grievance and arbitration process has worked very well at Oyster Creek. No negative impact from terminations that were overturned. In addition, our ability to settle issues through the grievance process would be severely hampered without the possibility of arbitration to encourage both the Union and the Company to come to a settlement short of arbitration. I will follow up with any specific questions if they come to mind, thank you.

Oyster Creek history of access restriction in recent history between 2003 and the present:

Arbitration;

- 2 Mechanical Maintenance Technicians had their Access Restricted and were terminated for going on an authorized strike when they held Fire Brigade positions. The NRC had notified the Union that the only positions that were required to stay until relieved were Control Room Operators.

The termination was overruled but a suspension of several months was allowed.

4 individuals were terminated and their Access Restricted for forwarding pornographic emails.

2 individuals were allowed to retire and 2 went to arbitration.

The Union argued that all of the discipline was consistent in management and bargaining unit.

The 2 terminations were upheld by the Arbitrator.

Grievance Settlements short of Arbitration;

- An individual was terminated and her Access Restricted after being arrested for shoplifting and not immediately notifying the Company.

We did not arbitrate the decision but were able to agree with the Company to allow the individual to retire.

Fitness For Duty Issues;

- An Operator had their Access Restricted for breaking a coffee cup.

Through the grievance process we were able to prove that the incident was grossly exaggerated by the supervisor and the FFD procedures were violated on several points.

- An individual had their Access Restricted after a supervisor notified the nurse that the individual showed adherent behavior after being told he could not come back to work without a doctor's note after going home sick in violation of the CBA. The supervisor violated the Fitness For Duty protocol and procedures in several areas. When the individual returned to work after several days, his breathalyzer showed 0.02% and instead of sending him home until the following days since it was not a violation of the FFD Program, the Company Restricted his Access indefinitely.

Through the grievance process we came to a settlement with the Company that made the individual whole for all missed time since FFD and Access procedures were violated by the Company.

- An individual blew a .02% on a breathalyzer and had his Access Restricted although, once again, the FFD procedures were not followed and by the procedure he should have been able to return to work the following day and gone through another breathalyzer test.'

Through the grievance process we came to a settlement with the Company that made the individual whole for all missed time.

In no case did Security's Appeal process result in overturning any decision.

Other;

- An individual was terminated and his Access Restricted after being out on workman's compensation for an extended period of time.

The individual decided to use his own lawyer and came to a release settlement with Exelon.

Thank you,

John Rayment  
IBEW Local 1289 Assistant Business Manager.

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John Rayment IBEW Local Union 1289

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**From:** John Rayment

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**Recipients:**

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"Munyan, Jeffrey Robert:(GenCo-Nuc)" <jeffreYROBERT.munyan@exeloncorp.com>

Tracking Status: None

"Lappert, Glenna" <Glenna.Lappert@nrc.gov>

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