

Standing Committee
July 15, 2009

USC: Ken Enneberg, Paul Burgher, Mike Bouse, Vince Leonard, Brandon Kent, Curt Ollila

MSC: Ross Procter, Chad Davis, Ron Kramer, Tom Day, Frank Walsh, Mike Tompkins

Mike Tompkins joined the meeting to talk about the company. The company is doing about 20% better YTD than last year in number of injuries. HIRA training was conducted last month. This training helps mill employees address risk differently. Also the SCAT Process has been implemented for incident investigations. SCAT is a systematic approach to root cause and allows the incident investigators to identify every facet of the root cause. The annual outage went well, there were no employee recordables. There was a fire involving contractors in the Kamyr. OSHA came out to review the incident and had no findings for the company. The Wauna team did a great job responding to the incident. There is a new rollout of QNBT coming and a new sparkle rollout is underway. These new rollouts allow us to be more inline with the competition. Reliability training for converting hourly employees has been completed. We had 19 new hires in June. Mike Tompkins left after listening to the Third Step Grievances.

Third Step Grievances:

09-32: Probationary Pay Rate

USC: The intent of having someone rate retained is to compensate for losing their position. They are rate retained and put back into Labor pool. It may take them awhile to find the right position. The withholding of 10% was intended to stop the habitual bidders from taking multiple bids in the year. Now they are limited to 2 bids per year. It was never the intent to penalize the rate retained employee for trying to find a permanent position. It has never been administered consistently. When someone is rate retained we know that they are going to be bidding someplace else.

MSC: When groundwood went down was there an agreement?

USC: No there was no agreement. Right after groundwood the 10% started.

MSC: This was created after that event?

USC: It is not part of the intent of rate retention. Most people have come from a job they held 15 to 20 years. Some of them need to try a few jobs to determine what else they can do. It's a burden to some of the employees and causes a disruption in their lives.

MSC: How long was the employee in the position?

USC: Over the 60 days. He agreed to stay longer to get the storeroom through the outage through special agreement.

MSC: After the sixty days his regular rate was restored, but he has not been reimbursed for the 10%.

USC: The issue is not the money but how rate retained works.

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09- 41: Scheduling

USC: The employee was scheduled nights through the down. After working eleven days straight, the supervisor told the employee that she did not need to report to work on Thursday and Friday. The people on night shift were sent home and the day people stayed on days. We believe this is covered by two sections in the Labor Contract, Section 15 Paragraph A and Section 16 Paragraph D. Section 15 Paragraph A states "The parties to the agreement are committed to maintain the principle of a basic work week of forty (40) hours". Section 16 Paragraph D states "An employee who has been required to work overtime, or has been required to work on his assigned day or days off, shall not be laid off on one of his scheduled work days in the same week solely for the purpose of limiting his hours of work to forty (40)".

MSC: Did the supervisor ask the employee if she wanted to work?

USC: The employee was not asked.

MSC: We believe that three employees were asked if they wanted to work.

USC: The employee wanted to have the overtime and work.

MSC: The employee did not ask to work or indicate that they wanted to work.

USC: The answer to the grievance states that labor pool employees were being trained and did not displace the employee. The labor pool employees were doing more than training they were doing job duties also. The grievance came in Thursday Morning after the employee completed their Wed night shift. The answer was completed Friday morning so the employee could have been called in to work Friday night.

Grievances:

08-43: 1097 Mechanics Committee – Contracting out Phone Work, 08-96: USW Local 1097 – Benefits during Disciplinary Layoff, 08-108: Scheduling Employees 16 Hours

MSC: Awaiting Arbitration Panel Request by Union

08-65: Pension Pay

MSC: Panel ready for striking.

08-86: USC – Filling Vacancies

MSC: USC Held Timely at Third on 6/24/09.

USC: Labor pool employees are being scheduled every week.

MSC: So there is an opening in the progression ladder that we are not filling.

USC: The department used to be larger, so the progression ladder was cut down. Now those positions are being filled with labor pool.

MSC: The Company has the right to blue slip vacation reliefs or not.

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USC: We were told in standing committee that six positions would be added in. This has not happened yet.

MSC: We will go back and look at that. If labor pool is in the department to fill for vacations, leave of absence or absenteeism, the company has every right to do that.

MSC: We are in the process of filling 12 B Pool positions for #6PM.

USC: We had permanent vacation reliefs in the department.

MSC: There were three permanent vacation reliefs. We let you know that we would not be filling the positions for vacation reliefs. Now you have 12 B-Poolers and no vacation reliefs.

USC: If you are staffing more than 6 months with labor pool they need to become bid jobs.

MSC: When we discussed vacation reliefs previously the problem with vacation reliefs is that we need them to be flexible to cover different shifts where the vacancies occur and if they have to follow a lettered crew we cannot do that.

08-90: Local 1097 – Mechanics Committee, 08-91: Local 1097 – Mechanics Committee – Call Time – Shift Changes, 08-104: USW Local 1097 Mechanics Committee – Call Time – Shift Changes, 08-106: Call Time – Shift Changes per week, 09-06: Call Time – Shift Changes per week, 09-10: Local 1097 - Schedule Changes, 09-16: Local 1097 Mechanics Committee- Call time – Schedule Change

MSC: Mediation set for 7/23/09.

08-97: USW Local 1097 – Disability Retirement Health Benefit Premium

MSC: Fourth Step Answer issued by Company 6/1/09

09-12: Scheduling

MSC: This was held timely because you wanted to know if there were department scheduling guidelines. We will follow up this Thursday.

09-21: Post Accident Drug Test, 09-23: Rate of Pay

MSC: Company issued Third Step Answers.

09-31: Recognition Clause

USC: This is regarding the audits being done on the permits by the clockroom. This is our work and has been given to them.

MSC: The clockroom reviews the permits, and highlights the fields not being done correctly. These are forwarded to the Safety department for filing and the metrics are reported out in the morning meeting. In the Kraft Mill our employees are still doing their lock out tag out audits.

USC: Not all areas are doing the audits anymore. They are just being sent through the process.

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MSC: This work is not exclusively Local 1097 work. We want to keep both hourly and salaried employees involved in safety. Safety work is not exclusively Local 1097 work.

USC: Our work on down days with audits is going away. We no longer have the ability to look at the lockout audit forms after they were done.

MSC: Are you saying that if you make a correction to the Lock out form that the form is just being sent on to the clockroom?

USC: On #6PM we have not made a correction to the Lock outs in about 8 months. The supervisor stated that they were now doing the audits.

MSC: We cannot speak to what is being done on #6PM. After the outage the employees on special assignment were kept on a couple of weeks to go through the forms. Then the forms were sent on to the clockroom. If the lock out corrections are not being done that is a different matter.

USC: We feel that this is our work and we are willing to move this on to Third Step.

MSC: Before we move it on, are you aware that what the clockroom is doing for audits is not what employees have done. Do you still maintain that is your work?

USC: Yes, we will move on to Third Step.

09-33: FMLA

USC: We believe this employee has visited another doctor.

MSC: Did you receive enough information from what was shared last time to see that physician filled out the form indicating that it was not a serious illness.

USC: Yes, when this happens, does H.R. let the employee know why their leave is being declined?

MSC: Yes, but the problem is that we are not allowed to interface with the employee's physician unless the employee signs a form allowing that.

USC: Do we know if H.R. has received any forms or other information from a physician for this employee?

MSC: We are not sure. We will follow up on the next break.

MSC: We were able to find out more information on break. The employee did not follow up on the original paperwork but filed a subsequent leave request that was approved.

USC: Where will his absenteeism be at?

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MSC: The problem with trying to change things is employees only have a certain number of days to follow up per the FMLA laws.

USC: We believe that he followed up in a timely manner within 30 days. We need to look at it his absenteeism.

MSC: We do not know how many days they have. We will have to find out from Kim Groulx.

MSC: Kim Groulx is here to answer our questions.

USC: The original date in question was the 9th of May for being absent and not eligible for FMLA because of the form.

MSC: You have 15 business days from the date of the leave to request leave of absence. It was turned in within 15 days but the doctor did not fill out the form indicating it was a serious illness.

USC: And is that the law?

MSC: State and Federal Law actually give 15 days but we have given them 15 business days.

USC: But that is the minimum, you could give them more days correct?

MSC: If we hear from the employee we can grant an extension if the doctor is not completing the forms quickly. But we did not hear from the employee.

USC: The employee filed the grievance on the 19th. The denial letter was sent out on the 18th. Where does the 15 days fall into that?

MSC: There is nothing legally we can do.

USC: We need to wait until we can talk to the employee.

MSC: Did the employee try and go back to the physician?

USC: We believe that was a second incident. What is his absenteeism?

MSC: We do not believe that a grievance is the proper way to resolve this issue.

USC: Remove his absenteeism and that would resolve the issue.

MSC: We cannot change FMLA.

USC: We are not asking you to change FMLA but to change his absenteeism.

MSC: His absenteeism is 1.85.

USC: Hold Timely.

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09-34: Scheduling / Staffing Level

USC: The crew has a concern about safety by running with this many people.

MSC: What is the status at this time?

USC: Kay was going to investigate who has bump rights and where they would go.

MSC: Yes, she is preparing this now.

USC: Once the employees can exercise their bump rights then when there is a permanent position that they exercise their grandfathered rights. We want to move the grievance forward on the grounds that one employee cannot run four pieces of equipment safely.

MSC: Yes, they are running two wrappers and two casepackers. Wouldn't this issue be properly addressed in a Safety Committee meeting rather than in the Joint Standing Committee?

USC: Can we refer the safety aspect to the safety department and leave the grievance held timely until we get the bump rights and grandfathered rights resolved?

MSC: We will hold timely until we provide you with the information you have requested and then you can let us know where to go from there.

USC: When will we get this information?

MSC: We will check with Kay this week.

MSC: While you were on break we had Kay prepare the list for you on the bumps.

USC: Will you send out a letter?

MSC: Yes, they will receive a packet to complete and turn back in.

USC: They do not have to bump though.

MSC: No, they can choose labor pool as their number one choice and the process would stop there. Do we want to send this out?

USC: Yes, it within their contractual rights.

09-35: Call In

USC: The employee was being trained as a warehouse utility. On his nights they couldn't find anyone to fill in and he ended up doing the job. Everyone working with him said he did all aspects of his job. Then when a call list was prepared he was not called in because he was training. If he did the job on a regular shift, why wouldn't he be able to perform the job for overtime?

MSC: Are you disputing the answer to the grievance?

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USC: We disagree with the comments stating that the employee was not instructed to load the barges. But he was also not instructed to not unload the barges. It was assumed that he would do the job. Barge unloading is not their primary job.

MSC: What is the grievance asking for?

USC: He is asking to be made whole.

MSC: What you are saying is that on day three of his training he should be called in to do overtime?

USC: He could be called in because he did the job.

MSC: He did a portion of the job. We do not understand how on day three he could be signed off?

USC: We asked the barge loaders and they all said he fulfilled the job of a warehouse utility. This is a safety issue if you are letting an employee do a job by himself.

MSC: We would have to see the sign off sheet to see what he was trained in.

USC: He performed the job it doesn't matter what he was signed off on.

MSC: An employee in training should not be doing jobs without the proper training. It would be preferable to be late unloading the barge than to use someone that was not qualified.

USC: We talked to the people working with him if he did the job and they said he did.

MSC: How long does it take someone to sign off?

USC: It varies by person. You are not teaching them to drive a hyster you are just teaching them the tasks that need to be done.

MSC: We need to follow up with the supervisor. Hold timely.

09-36: Relief Supervisor Work

USC: We withdraw this grievance because the relief supervisor was in training and not moved up.

09-37: OT for Employees on Special Assignment

USC: Looking at the schedule we couldn't see where anyone was moved out on a special assignment for the entire week. We will get back to you after speaking to the employee. Hold timely.

09-38: Local 1097 Mechanics Committee – Area Call Ins, 09-40: Call In

USC: Hold timely while we do further research.

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09-42: OT in Warehouse

USC: It has always been the practice in shipping to schedule overtime in the job classification. The shop steward explained to the supervisor who should get the overtime, but it was scheduled incorrectly. The shop steward tried to correct it before it was final. The employee is asking to be made whole. This is warehouse utilities work.

MSC: The shop steward filed the grievance but who is the employee asking to be made whole.

USC: We believe it is Tim Johnson.

MSC: And who was the person that came in and did the work?

USC: We do not know.

MSC: This department's guidelines specifically say that we would call in.

USC: We have a grievance from 2000 that is the same situation. The answer to the grievance says that we would fill the vacancy where the vacancy occurred.

MSC: If you have the department guidelines that say the department schedules that way we would pay the grievance.

USC: We have a grievance 2006-06 that did not get paid for the very same reason.

MSC: We will look at the grievance. This is not extra work but work overload?

USC: Yes. Each department has their own guidelines. Just because we do not have them written here does not mean that they did not exist. Each department has latitude to schedule work in different ways. This grievance reflects that.

MSC: We need to read the other grievance and do further research. Hold Timely.

Agenda Items:

Grandfather Rights

MSC: The employee is an operator on 7/8 TT. He was on #6 PM when we eliminated the positions. He bumped down the ladder and bid out. We allowed the other employees to grandfather back to #1 /#2 PM when the positions opened.

USC: When did he bid?

MSC: He bid 12/31/07. The deal with the 5th hand and machine tenders was 1/28/08.

USC: In discussing this we believe he bid before the announcement was made. If he was eligible for grandfathered rights he would have come forward for some of the earlier bids.

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MSC: We created an agreement that allowed two other employees to bid out of the ladder and keep rate retained, and grandfathered rights. Take a look at the timing on this to compare to the other employees that were allowed. We defer to what you think is best. Kay will provide you with some dates of other bids around the same time.

2010 Outage Dates

MSC: The dates of the outage have moved to the week of May 10th. Maintenance, Stores, Utilities, Kraft Mill, and 6&7 PM vacations will be restricted for May 10 and 17th.

USC: What if people already have vacations approved for May 10th?

MSC: If they were granted they would get to keep them. If vacations needed to be cancelled, this would be on a case by case basis.

Time off and Overtime

USC: We are denying people time off, we should not have people moved out of the bargaining unit covering for salaried in move up positions.

MSC: Do you have specific instances?

USC: Now that we have gotten rid of the reliefs, DATV is becoming hard also. People are being denied DATV even when they request two months ahead of time. Supervisors can have time off but not the hourly employees. An employee was denied DATV on 7/8 TT but there were two people moved out of the bargaining unit. She's being denied time off because of the overtime.

MSC: You are asking the company to consider who is out of the progression ladder when someone requests time off, and move them back into the ladder so the employees can take the vacation.

USC: This occurs quite often. If you look back in Standing Committee minutes you can see the instances it occurs.

MSC: We are trying to decrease the amounts of set ups we are using but there are some in Converting for supervisors. We are aware that it creates overtime to cover for them. DATV waiting until seeing what staffing looks like prior to approving them is reasonable on the company's part. This was suggested to us by a past Local 1097 President because we were getting burned by approving them in advance.

USC: By eliminating Vacation reliefs, everything creates overtime.

MSC: Using several move ups is not completely responsible for the overtime to cover absences. It also is leaves of absence. We will have a conversation with Kay. If you hear of anything please let Ron Kramer know so we can look at the situation.

USC: How many labor pool people do we have? Who decides who gets their time off approved and gets covered and who doesn't get their time off?

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MSC: Kay Crist would be the key person on a week to week basis. You do not know the staffing levels until 13 days prior.

USC: It is an issue with people moved out of the bargaining unit and time off requests are being denied.

Discipline on the Barges

USC: There was a meeting for the employees letting them know that they will be disciplined for errors on the computer. Some of these are decisions that are made to make things work better. This is a concern for the employees there.

MSC: We are getting barge errors saying we have certain product on a barge but when it arrives at the receiving end the product isn't there. We have not heard of any discipline involved.

USC: That is why the employees came to us.

Bennett Mechanical Tests

USC: Someone took the Bennett Mechanical Test. The employee asked Linda Castro if they could retake the test. She let him know that he would have to come to standing committee to have permission to retake the test. This was not something we heard of before.

MSC: We can look at how long it has been since he took the test. We will speak with Linda to find out the information.

Safety Coordinators

MSC: This is a follow up to the conversation we had with Vince and Jim Cochran yesterday.

USC: We did not have time to really cover it well before this meeting. We need to discuss it further.

#1/2 PM Bids

USC: You have a bid for people on 5/20/09. You also have a bid on 6/17. Why was the bid on 5/20 not continued and started with the bid on 6/17.

MSC: Same position?

USC: Yes.

MSC: The first bid has to be completed or closed before we start with the next bid? Kay Crist has joined us to explain the process. The first bid someone took it. We have not been able to get a hold of Heath Gibson who is next on the bid.

USC: I thought we had determined that he would be scheduled and not contacted.

MSC: That is what we decided. What happens is Kay moves them in to the ladder and schedules them. Then the employee will come in and say they do not want the position. Then all

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the scheduling work has to be undone. The bid protects their seniority so the first bid employees would be more senior.

USC: There are so many people in labor pool. Why wouldn't you just schedule them?

MSC: We do not have the resources to bring them in at the same time.

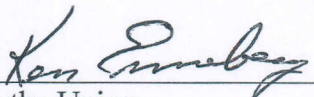
USC: You can continue this process just come to standing committee to let them know, as long as their seniority is protected on the bid.

1946 Labor Agreement

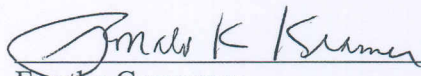
USC: Uniform Labor Agreement allows people to arrange to take a day off and trade on their days off to cover it. There would be no penalty to the company and we are being told at mechanics committee that this will no longer be allowed.

MSC: The Company believes it has the right to deny such requested trading of days off.

Meeting Adjourned.



For the Union



For the Company