

Standing Committee
November 19, 2008

USC: Patsy Rudat, George Brajcich, Mike Bouse, Ken Enneberg, Brandon Kent, Vince Leonard, Paul Burgher

MSC: Frank Walsh, Chad Davis, Shawn Wood, Fred Ceruti, Ron Kramer

GUESTS: Mike Tompkins and Tim Ellsworth.

JSC: Both

Mike Tompkins spoke to the committee about the mill results for October and the challenges we will be facing into the New Year. Some challenges include running slow on the TAD Machines and having some curtailment days on the TAD machines and in Napkins. Another challenge is to decrease costs for the mill, and the hope that employees will look for ways to decrease costs.

Tim Ellsworth was introduced to the Committee. He came to Wauna Mill from the Camas Mill. He has worked in the industry for 25 years.

Mike Tompkins and Tim Ellsworth left the meeting.

Grievances:

08-23: Don Calvert – Pulp Slab

JSC: Issue resolved.

08-26: #6 Converting, 1&2PM – 08/09 Vacation Sign up Guidelines

JSC: Pending Decision on Grievance 08-82

08-27: Danny Poe – 1&2PM Curtailment

JSC: Third Step Answer issued on 10/31/08

08-33: Supervisor Working- Electrician #6 ABT, 08-34: Supervisor Working – ABT Area Electrician, 08-35: Supervisor Working – Kelly Day & Kaufman – Line 6 ABT Palletizer

JSC: Fourth Step, under review by Mike Tompkins

08-43: Phone Contractor Work

JSC: Fourth Step, Vince Leonard to discuss with Steward.

08-65: Pension Pay

JSC: On Hold pending name of person John has talked with.

08-74: Ron Jones Maintenance Scheduling

JSC: Grievance Resolved.

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MSC: You are saying that their regularly scheduled day shift they work as normal is the first shift in this scenario?

USC: Yes.

MSC: So this would constitute a separate call time than others that may be applicable?

USC: The intent is to compensate for lost time due to the shift changes. The penalty for a day worker is if they are moved to another shift and then moved back to day shift again. They may end up losing time in the work week.

MSC: How does this relate to posted schedules?

USC: We do not recognize EAS as a posted schedule.

MSC: What we want to know is what constitutes a schedule change? If someone was scheduled for different times to start during the week, would that be considered a schedule change?

USC: It is a change to the shifts during the week even if it is scheduled.

MSC: We still do not understand how there are three shift changes in the scenario. We see it as two changes. The contract says that it is more than two changes of shift.

USC: If a day worker is moved to graveyard shift and then moved back to days, the worker would only be able to work four hours. The day worker loses time.

MSC: We have had multiple complaints through mechanic's committee about working employees 16 hour days. So we looked at having some come in at a different start time to help cover outages. We see it as 2 shift changes. The change to swing shift would be change one and then the change back days would be change two.

USC: Past practice and the intent show that it is three shift changes and a call time is payable. We have a difference of opinion and will move on to the third step.

07-144: Scott Green

USC: This grievance was mistakenly withdrawn. This was resubmitted on October 16, 2008.

MSC: How come it took so long?

USC: It was moved to fourth step. The employee was on special assignment to work on the LGV's, while working the employee kicked a pallet loose and started to feel a little pain. An hour after it happened he went home because he had been working so many

08-76: Richard Hermo – Final Rate Property Protection Rep

JSC: Pending Mill Job Rate Committee Meeting

08-78 George Brajcich – Contracting Annual Shutdown Work

JSC: Third Step

08-79: Mike Gwinner – Staffing on PM 1&2 during Multi-Cut Trim

JSC: Referred back to Step 1 for further discussion

08-80: Lanny Szcurek – Attendance Policy, 08-81: Monty Geisler – Premium Pay, 08-82: USW Local 1097 – Vacation Allotment, 08-83: Don Dailey – Return to Work, 08-84: Farid Ismagilov – Break Rooms, 08-85: Peter Fessler – Job Bid, 08-86: USC – Fill Vacancies, 08-87: Mechanics Committee – Equipment Removal, 08-88: Local 1097 – Contracting Out, 08-89: Roger Maki – Discipline

USC: These grievances have been moved to 3rd step given the Company did not respond within ten days at step 2.

MSC: This was a misunderstanding about the timeliness of grievances. We understand your position, and will work to have a path forward on each grievance prior to the end of the JSC meeting. Does the Union Standing committee meet prior to this joint meeting to determine whether or not to send grievances on to 2nd step? The Company recommends that the USC make joint decisions about moving grievances to second step as they have in the past. Historically, the USC has made joint decisions around moving a grievance to the second step. This allows the USC the opportunity to make sure the grievance is actually a possible contract violation and makes sure the USC is knowledgeable about the grievance as a group and is aligned on a path forward and can speak accurately about the grievance during JSC. The MSC does not want to spend time and resources investigating grievances, prior to JSC that are ultimately going to get dropped. The USC has an obligation to communicate with a grievant/shop steward if a grievance is not pursued to the second step. JSC meetings need to be reserved for grievances with merit.

USC: The grievances are sent on if not resolved at 1st step.

MSC: In the interest of working through the grievances, we recommend that the Union Standing Committee meet and determine which grievances will move to 2nd Step. This has historically been done over the years and is a practice that needs to be implemented.

08-90: Local 197 – Mechanic's Committee

USC: At lunch break we will try and contact the grievant to get more detail. The Union was unable to make contact and the foreman couldn't offer enough information.

08-91: Local 1097 – Mechanic's Committee

USC: If you are put to work on day shift, then come in on swing or night shift, and then come back to day shift during any single work week, a call time is payable for three shift changes. There is a memorandum of agreement that addresses this in the 1995 negotiations.

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hours. He had a floater the next day, and then came back and reported the injury. He was disciplined for late reporting of the injury.

MSC: Did the union withdraw the grievance? Our records show that December 11th, James Jordan answered saying that he reported late having gone three days before reporting. Vince Leonard moved it to forth step and then the next month Larry Reandean wrote to withdraw the grievance. We are unsure that this should be allowed to be re-opened because it would open the door to other grievances to be re-opened.

USC: The employee was not aware of the 24 hour reporting rule. He was given a letter of reprimand and did not get p-pay awarded.

MSC: The Company considers this grievance resolved as a prior JSC committee came to resolution on the grievance and declared it settled. The Company does not feel that this grievance meets Section 27 – Step 5 of the contract regarding reinserting a grievance. This practice has been reserved for significant grievances such as grievances that went to mediation, NLRB charges, arbitration, etc. The Company does not feel this grievance meets the intent of the language. The Company would need a written letter from the USW international representative requesting the reinsertion, and merits, of the grievance to consider reprocessing.

08-92: Larry Fischer Call In

USC: We intend to withdraw this grievance, before we do, we want to point out that the grievance was filed on 10/25 and the supervisor answered on 11/6 which violates the contract for timeliness. We withdraw the grievance.

08-93: Miguel Carillo – No Call No Show

USC: On a Friday, the employee overslept, called in to the mill and came in and worked the rest of the day. The next day, another employee overslept also, but chose not to come in to work. The supervisor asked Brandon Kent, who was the shop steward, to discuss the situation and they agreed that the employee would be considered a tardy. The employee was notified a few days later that he was getting a no-call no show. The Union felt that the supervisor and the steward had previously reached agreement on how this situation would be handled. Historically you have held us to agreements that were reached outside of the full Standing Committee, we expect the same.

MSC: The supervisor has the ability to settle a grievance at first step. Also, the Company has the right to counsel the supervisor and make any necessary adjustments to the grievance, discipline administered, etc.

USC: The employee came to work and did not miss his shift; we feel this would be a tardy.

MSC: The contract defines a no call no show in section 19. If an employee called in four hours prior to the start of their shift, to let the Company know they will be late, it is not a no call no show. If an employee calls and let's the Company know they will not be at

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their work station at their start time within four hours, it is a no call no show. The Company will use its discretion whether to administer a no call no show, as done historically, if an employee calls within four hours of their assigned shift start depending on the employee's circumstance and overall attendance record. The Company agrees to remove this no call no show in good faith, on a non-precedent setting basis, since the USC is so adamant that an agreement was reached at the first step. We want to be clear that the MSC does want grievances to be worked at the lowest level but, as always, has the right to correct decisions that are not within policy or the collective bargaining agreement.

08-99: Mike Keyser – Rate of Pay

USC: This has to do with going from three shifts to two shifts. We do not see anything wrong with it if no one is being displaced.

MSC: When the market softens, instead of displacing workers, we go to two shifts, and go into training mode. If we were not training, people would be displaced.

USC: We withdraw the grievance. That makes good business sense.

08-100: Gary Gates – Attendance

USC: When you are off work for a considerable length of time exhausting all available FMLA and sick leave and then return to work, it is felt these employees are held to a higher standard for attendance.

MSC: Has there been a contract violation?

USC: We feel this violates the code of conduct.

MSC: This is the policy. Employees who continue to be out after exhausting their FMLA protected time off are missing work.

USC: We do not contest that the policy is there. We feel this is violating the code of conduct.

MSC: Sometimes we look at it on a case by case basis and will consider taking it off.

USC: What you are referring to is someone that has several events of missing work. This is a situation where the work was missed because of being beyond the twelve protected weeks.

MSC: We understand what you are saying, and know that you feel that it is unfair. However if we gave them special rights to not include that, we do not feel it is fair to someone who manages their attendance within the policies here at the mill.

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USC: But with instances where an absence is covered by Worker's Compensation they are not counted towards absenteeism. But if the injury is non worker's compensation, it isn't covered.

MSC: This does not make the employee a bad person. It just happens that the employee is outside their protected leave. This should be communicated to the employee when they return to work, so that they understand that their absenteeism will drop down after a rolling year passes.

USC: We think at least you should have this conversation with them before they are out on leave so they do not go over and do not realize that they will be penalized for going over their absenteeism.

MSC: This was a first step verbal warning. We had the conversation with the employee so he knew where he stood on absences. We try to help employees whenever possible. We will hold timely until we can explore all options.

08-101: Jim Price – Call In Penalty Pay

MSC: The employee worked one hour over into the next day. But the employee was not on his day off and did not work two or more hours so no call time is payable.

USC: We withdraw the grievance. We ask that you post the law when we go into daylight savings time. We agree but wanted to publish in minutes to inform members.

08-102: Michael Drabandt – Call In

USC: We would like to point out the timeliness of the grievance answer again. A fourth hand was moved up and bypassed the winderman to be backtender, but the employee should have been called in on his day off.

MSC: So we understand, an employee was called in as fourth hand on his day off. Later in the day a backtender was moved to work another job, and they moved the fourth hand up to be backtender. The backtender on their fourth day off should have been called in. We need to follow up with the supervisor to understand the situation better.

MSC: After speaking with the supervisor we will move it back to first step and pay it.

08-103: Massey and Rigsby – Assigned Days Off

USC: This grievance does not have merit as there was only one period of work and only one call time would be payable even though it included part of 2 days off.

08-104: Local 1097 Mechanic's Committee

USC: This is another situation where schedule changes resulted in workers losing time.

MSC: So the employee worked Monday days, Graveyard on Tuesday which was midnight to noon the next day, then worked days on Thursday and Friday. This makes a 36 hour week.

USC: This is correct; the penalty would apply because of the lost time.

MSC: Is this what you are calling three shift changes?

USC: Yes, Day shift to night shift and then back to day shift. This will go to Third Step.

Agenda Items

Curtailments

USC: #6PM and the Napkin machines are down today and there are two employees working. They fall under the less than 48 hours ruling they fall under the shift seniority. Whoever is most senior on the shift will be worked which are the machine tender and back tender. If it's over 48 hours the senior employees on the shift may not be the most senior in the department. Right now a machine tender and b-pool operator are working. This is covered on page 22 of the labor agreement. On holidays the people who work are the people who were scheduled to work.

MSC: The supervisor thinks that he is using the correct employees.

USC: In this case, it is a curtailment of 48 hours or less, so shift seniority would apply.

MSC: Did you explain this to the supervisor the way you have explained it to us?

USC: We have tried in the past but have been told that this should be handled by the grievance process. It is wrong on both machines, 6 and 7pm.

MSC: We will look into this.

Calling at home and Call Time

USC: An employee was called at home and asked for technical advice. The shift mill manager approved the shift instrument technician to call the employee for technical advice and authorized the payment of the call time, but the supervisor did not pay it.

MSC: Do we know more details about this? In the past we've had trouble with people calling for a quick conversation about where tools or parts might be and wanting to get a call time.

USC: The employee got called at home and then got called back later to come in and work. The employee tried to fix the problem over the phone.

MSC: So he was paid a call time for coming in and is asking for a second call time?

Wayne Horness - Paper Machine Downs

USC: A salaried employee instead of waiting for workers to come in and open the steam valve started the work on his own on the shutdown on #6PM.

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MSC: How would we do this, they will be in daily.

USC: Any clean up type of work when we have lay offs, we take offense to that. If a contractor needs to be in for a prolonged period, we are given the scope of work and the dates they will be here. Phillips will have employees doing general clean up which is work our layed off employees should be able to do. This is work that does not require special skills or equipment.

MSC: Does the company go to a person?

USC: They would go to the Standing Committee.

MSC: We have them in every day doing work. And have no idea what jobs they will do.

USC: This is planned work.

MSC: It also is unplanned work; we have situations that are unplanned that we bring them in to do. What is the process we would use? In the past, Phillips was on a clean list where we only had to do yearly notifications. Then on a shutdown they did work that they shouldn't have. Then we took the jobs to mechanic's committee for review. Through the RT Processes, we tried to contract yard crew work through the mechanics committee, and they said that this was union work and that in the future operational work would be reviewed by Standing Committee.

USC: We will have to work together to determine a process. This hasn't happened yet where workers get displaced but with the curtailments, this will become a problem. We need to work to figure out what jobs our people could be doing that contractors are doing.

Pulp Slab Relief Jobs

USC: We understand the company is calling back relief positions to the pulp slab.

MSC: Are they being asked to come back and do the same jobs as before?

USC: At a lower job. We have a pulp slab worker who received a letter asking him to come back to relief position. The problem is that they are only required to be a department for six months, and could spend six months in the labor pool.

MSC: We will look into this.

Sixteen Hour Rule

USC: The union is notifying you that if there continue to be problems with the sixteen hour rule we will take that away.

MSC: We use the flexibility of sixteen hours to help with coverage during shutdowns. The belief is that we cannot schedule 16 hours because it violates the contract and we do

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MSC: So you are saying this is a case where a supervisor was performing bargaining unit work.

Stand-By Time

USC: A crane operator was asked to stand by for call in to work. We do not have stand by time, and he is asking to be made whole. They called someone else in to do the work but never called him back.

MSC: The issue is that we do not have standby time, and cannot ask him to hang by the phone and wait to be called in to work. What is he asking for?

USC: To be made whole.

MSC: We will follow up with the supervisor.

Product Hazard Analysis Control (PHAC) Plan Training

MSC: Craig Puzey is here to talk about the Product Hazard Analysis Control Plan. The corporation as part of our product compliance standard requires that the mill have a sanitation policy. We took the base policy being used by Camas and ran it through legal and made some changes. Because it is a policy we have to run it through standing committee.

USC: Because there is discipline involved, we have to review the policy. It will have to be posted and everyone will need to be told.

MSC: We will get copies to the standing committee members and cover any questions at the next meeting.

Quality Technician Rate of Pay

MSC: Craig Puzey would like to speak about the quality technician rate of pay. We would like to eliminate the lower job code and pay both positions the same rate of pay.

USC: All you have to do is eliminate the job on the ladder and pay the people under the other job code. You will want to make sure the seniority is correct.

Napkin Curtailment

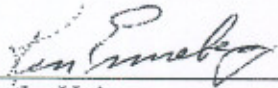
MSC: We are laying off the week of the November 24th, the week of the December 8th and the week of the December 22nd. There are three options for employees; voluntary layoff, take the time off or go into the labor pool. We will be keeping 4-6 employees to get some work done; the rest will fall under the three options.

Contract Phillips Services Corporation

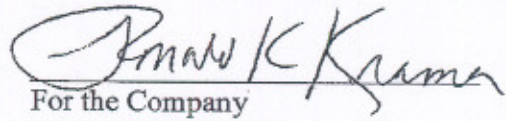
USC: We want the company to know that if they displace workers by using Phillips we will protest this work. This is non-A2 package work that needs to be reviewed by the Standing Committee. We used to review it in the Mechanic's Committee.

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not feel that is correct. The grievance that was cited is a special case and does not pertain to this situation.



For the Union



For the Company