

Construction Worker Safety Training Subcommittee Meeting 09/02/2009

Attendees:

Pat Aldridge	Randy Coleman	Dave Davis
Jim Gamin	Harlan Hall	Lloyd Keith
Mike Keizer	Dave Leeth	Bob Legard
Chris Lesperance	Steve Maki	Mark Manderbach
Karen McGinnis	Justin McClendon	Red McKennon
Pete Nicacio	Alan Rodgers	Stan Scott
Jim Spracklen	Chris Tannahill	Bill Taylor
Mike Warren	Dennis Williamson	Rick Zimmerman

Safety Topic:

This was presented by Bob Legard. handed out a document that talked about Why Worry About Falls. He said it was out of the Smart Mark Training Guide.

Stan Scott also presented a safety topic on the accident that recently happened involving someone falling 50 feet in the 300 Area on July 1. He covered the conclusions from the DOE's accident investigation report.

Karen McGinnis also had a safety topic talking about the accidental discharge of the weapon at the State Department Building. It was in the PNNL Border Protection training class. She said we are right in the midst of the investigation.

Review/Approval of Meeting Minutes:

The meeting minutes from the June 3, 2009 meeting were approved.

June Board of Directors Meeting:

Red McKennon said they ran the team down through a review of what the four focus area were about. They talked about progress areas and where we are going. We talked about the advent the need to continue on with the centralized training database. Little bit of time spent on training reimbursement which I'll come back to. Then we looked at near focus activities as a resolve reimbursement implementation challenges, resolve tuition cost recovery challenges, finalize evaluation of all affiliate training equivalency areas, and continue program briefings to subcontractors.

Bob Legard said part of that discussion was Mr. Brockman was concerned that we would be putting tuition out for people that might not never get a job at Hanford and to realize the payback for sending them to class and paying tuition. He put together a slide (*Construction Worker Safety Training Program slide*). Surveyed all the affiliates and came up with about 80 percent will allow hiring by training qualification; 10 percent will allow hiring by training qualification with limitations.

Dave Brockman really felt that was going to be the real stumbling block. That's clear. There's no legal objection to the reimbursement. Where we get a stumbling block is on the payment of tuition because the Federal acquisition regulations talk about allowability for DOE contractor personnel and there's no allowability for non-site employees. How do we find a work around for paying of tuitions for non-employees really, potential future employees, but current non-employees.

Jim Spracklen said the whole program has been reviewed by Chief Council and DOE. Surprisingly there were two things that gave concern. One was the reimbursement to the workers and the other is the tuition thought (?). There was enough justification to declare that the reimbursement part of the program would be justified and allowable. This is good news since it was believed to be a stumbling block. It is clear that there is no legal objection to the reimbursement. Dave Brockman asked Leif Erickson and Jim Spracklen to continue to work this issue with the council. Legal provisions are still being reviewed to remove this block. (Block payment rather than student by student) The goal is to close the gap as much as possible to make sure that a person who goes through the class, is reimbursed, and does actually gets to a jobsite at Hanford so that there is more legal justification. At this time there is no total guarantee.

Jim Gamin asked if based on qualifications do we have the ability to say this addresses what Dave Brockman's concern was with respect to training a number of people and never having them step foot out at the Site? Jim Spracklen agreed that it goes a long distance. The Legal Council wants one hundred percent assurance, but it may not be possible. Randy Coleman said there are some parallels to the program and it had recruits from RCTs a few years ago when they provided schooling after hours and then a percentage were hired based off the success of that school. The tuition for this course was covered. Can we look at that program for ideas? Jim Spracklen said he would like to look into that. Jim Gamin wanted to look into the costs of that service (and where the funding came from) that we provided for that. There were two ways that this was handled before. Karen McGinnis added that the first method was that Training paid the costs with interest and the second method was the student paid his/her expenses through EnergX and then was reimbursed by the employer if they were hired.

Jim Spracklen said they would find a way to make it legal and continue the path forward. Bob Legard will brief Dave Brockman on the call-out process.

Projects Plan

Jim Gamin said everything is on schedule for completion of all the activities, subjective only to reimbursement of tuitions as discussed. The equivalencies are being processed on schedule. Bill Robinson has been assisting also.

Training Equivalency Update

Bill Robinson said the task has been to get equivalency (in the apprenticeship program) into Hanford training records. The concept is easy, and the difficult part is working this through multiple contractors, multiple training records, multiple subject matter experts and interpretive authorities. The review of material was expected to be completed by the end of this fiscal year. (the end of this month). This will be a living database where courses will be added or deleted as needed and the curriculum may change. The tricky part is keeping track of the updates without creating chaos.

Two hundred and fourteen thousand sixty-nine man hour cost saved (training hours multiplied by a medium wage such as \$65 an hour). Total savings in dollars was \$296,920.00. Jim Spracklen suggested showing this information at the Board of Directors meeting.

Reimbursement Procedure

Bob Legard said the issue now is not with the reimbursement procedure, but it is with tuition. Jim Gamin added that they did talk with Washington Closure to discuss their concerns with regards to the reimbursement procedure. There were some issues with the flow down of the money transfer, because of the mechanisms in the place in their contract in relation to their subcontractor. The simplest way is to use a pool of HAMMER funding and have the subcontractor (whether it is a second or third tier contractor) reimburse HAMMER. It is our understanding that the proposal was accepted with no objections. Notification will need to be given when the implementation begins. The question is how will this be implemented and what is the plan to get the word out to the subcontractors. Bob Legard said meetings will be set up to inform all subcontractors of the program. The subcontractors should also know that Bob Legard is there to assist in facilitating the mobilization of the workforce. HAMMER believes there is a lot of training being documented in field files that would have application across the Site, but this information is not always entered into the database. Therefore, when this worker goes to another subcontractor it won't show all of his qualifications in their database and the process will have to be repeated.

Karen McGinnis added that HAMMER may need their own subcontractor database and use it as an information "flow-out." Something discovered from the Recovery Act was that it is almost impossible to understand or find information from our own contracts people. Karen offered Bob Legard and Bill Robinson as information contacts. Then there are actually two issues: tracking the training that everyone takes and authorizing pre-training. Jim Gamin said the subs will want to know who is trained and what are they trained for. Bill Robinson said we need to educate the contractors on the tuition process and we also need to educate the students that it's a new program and contractor may not know it exists.

Jim Spracklen said he would like an informal flow chart to keep things from becoming confusing.

Items for Discussion:

Jim Gamin stated that when the Pilot Program was presented at the Board of Directors (BOD) meeting, Pete Knollmeyer suggested considering as a pilot program to receive leniency from some of the legal department requirements. There is some validity to this since currently we don't know how many contractors will benefit the most once implemented. As a pilot program data can be assembled that shows after the first year, 40% (non-specific percentage) of the people who benefited by the program went to work for CHPRC, and so forth for each company. That would give historical data to base future decisions on how to fund the program. That would also give some ability to show where the money is going during audits.

Red McKinnon warned that we could over-engineer this. How much further can we go than to say we're going to have a pilot, there is a beginning point and an end point and let's get the students in here and start training them and putting them to work. All the basics have been covered and Red said we should go ahead and commit to a pilot program. Jim Gamin added that we could run the program for two years and then perform an assessment to see if it can be implemented as a normal business process. Bob Legard and Bill Robinson will continue to assemble the data for the pilot program.

Lloyd Keith said another issue is the cost and time spent on tracking the equivalencies not just through our staff, but through other contractors/coordinators who have access to *Item*. One complaint by the contractors at this time is that they do not have access to *Item*. In order for those contractors to obtain information on costs and availability of training they have to call HAMMER and request it. Jim Gamin said most of HAMMER's focus has been going to the affiliate and finding out from an equivalency perspective what areas of training can we take credit for. There are also a lot of equivalency requests coming in for Building Trades members for training received through a manufacturer that's providing equipment for use on Site. For the most part there was a gap for each that needed to be filled. Gap training has been developed that allows the supervisor to cover that information so there is an assurance that that worker is knowledgeable of all requirements so that no events occur due to lack of knowledge or training.

Randy Coleman said the intention of the program is to work with locals to get equivalency for the courses that we control, not to chase equivalencies for a whole bunch of interests. We have a process in place that says we will give anybody on Site who receives equivalent training the documentation to show approval. Randy said that will create a lot of work to keep up with it.

Future Direction of Subcommittee:

Jim Gamin aside from the main focus to get the program up and running, has the committee focus changed during the switch from development to sustaining and maintaining phase. The charter should be sent out for review and updated as necessary. Everything looks current, how do we close the gaps and the two or three outstanding issues? Jim Gamin offered that in the database area one change under MSA is the Enterprise Learning Management (ELM) system, a companion program to the PeopleSoft system that all contractors use. ELM has the capability of improving the overall training management system tremendously and may allow an opportunity to share more information in a database system.

Capturing Requirements for Training:

Due to an action a few years ago the HAMMER Steering Committee said "There are classes that can be taken off-site, but these are the classes that must be taken on-site: Lock Out/Tag Out, etc." As CH took over the contract and adjustments were made, a new call was made on Building Trades Equivalencies. The concept is as the scope is communicated to the contractors and although some of the courses can be taken off-site, specific equivalencies must be met. Rick suggested reviewing the contractor's statement of work and adding a section that states how to communicate and how to do exactly what's being discussed; how do you know if they have been trained or not. Another method is to put a special provision on training that is the instructions to do what we're talking about so every contractor ends up where they should be.

Rick's current concern is the equivalencies and the Building Trades people going through our classes now. Right now the trend is we're not seeing the equivalencies that we used to. In the Procedure 179, the document used to document equivalencies, it is only able to document an equivalency for a specific training course. In many cases what you are talking about (Rick) is a qualification that is not documented such as a Track Hole Operator. Where does that best fit? That is something we are trying to figure out. Rick said at BCH they are making that same decision. Jim said each contractor has to make that decision for themselves, it cannot be deferred to HAMMER. This process will ensure that each of the contractors has agreed to that. How do you handle those areas where they can take the training off-site? There would have to be a certification process. Jim asked if BCH would then require the certification to be put in an equivalency. Rick said that is not part of his scope and he'd have to pass the question. Jim said MSA's legal department would not allow him to sign off on qualification for contractors working under BCH.

Dave Davis said once the skill of the craft has been added to the training it becomes better and consistent training. Initially this began as sharing the training that was delivered at HAMMER or other sites so that the initial courses didn't have to be repeated. Building Trades wants the new employees to be trained by the workers because that is consistent training to put the workers at the level they need to be. This should eliminate the redundant training and recognize equivalencies out of the apprenticeships, but not to contaminate the training by accepting anyone from any worksite with any kind of certification.

When someone calls and asks for a specific skill set, the correct worker or worker with that correct training is not always who is sent to do the job. Lloyd Keith asked where the elections came from he said he strongly disagree with the list. Rick answered that the far right-hand side was HAMMER Training/COE generated. Jim Gamin said the group needs to discuss with Dave Jackson the standardized safety program and they should be reflected as a partner as well.

Upcoming Board

Bob Legard said he would like to summarize today's discussion and the equivalency summary, the hiring procedure summary and statistics. Jim Spracklen said the Board had hoped that on the

heels of today's meeting we would have the Board of Directors (BOD) meeting, other safety incidents forced the BOD meeting to be moved out. There are specific DOE issues that have to be worked; funding, tuition issues. Jim would like to have Dave directing the Chief Council and the finance people to drive the issues to resolution before the BOD meeting. Jim said he would talk with Leif Erickson to see if he concurs to this interim briefing. Jim Gamin confirmed that the Board's plan will be to continue to prepare the presentation for the Board that focuses on the four primary areas unless someone from the Board has something specific that they would like presented contact Bob Legard. Karen said the BOD meeting is usually scheduled prior to the Steering Committee meeting, but that will not happen at this time. Because of the Building Trades Internationals who will be attending the Steering Committee meeting who would be interested in this topic, a brief presentation should be given at that meeting and to the Medical Surveillance Subcommittee, and during the Labor meeting.

Comments

Jim Gamin directed everyone to the action items from the last meeting. The first action was for Bob Legard to set up a meeting with Stan Scott and that was completed. The next action was to set up a meeting with Frank Blowe and Jim completed that action. Randy Coleman and Bob Legard had an action to discuss core set courses and that was completed. Dave Leeth obtained names of individuals from Savannah River to complete another action. The question on liability by Det Wegener was a concern for the process of training non-employees and if they had an incident during training would HAMMER be liable. HAMMER has a liability policy and MSA is continuing that policy so that issue has been taken care of. Bill and Jim took care of an action with RL. There was another action to make sure our DOE counterparts are kept current on our progress and that was covered.

Karen and Bob Legard brought up a Tribal training grant that is an apprenticeship program set up by the Nez Perce with the Building Trades. They have an existing program with the UA at the international level.

The meeting adjourned.