

**MINUTES OF A MEETING OF THE JOINT SAFETY COMMITTEE OF THE LMCC OF DAYTON, OHIO HELD ON Monday, December 27, 2010, AT THE UNION HALL**

**PRESENT:** Paul Chaney, Bob Shaffer, Russell Huff, Roger Dawson (arrived at 5:30), Greg Smith, Rick Swabb, Barry Smallwood, Dan Neal, Jeff Davis

**ABSENT:** Sean Roberts, Nick Comstock, Tonya First, Mark Nagel, Fred Breidenbach

**ALSO PRESENT:** Cindy Tucker, Tucker Communications

**I. CALL TO ORDER**

**II. MINUTES**

The Minutes of December 14, 2010 were presented. The minutes were reviewed and were approved with noted edits.

**III. FINANCIAL REPORT**

Financial report was presented and approved.

**IV. TOPICS DISCUSSED**

**A. MOU with Code of Excellence and Article X**

- Dan Neal recently had a meeting with Nick Comstock, Jim Taylor and his NECA Labor Committee to discuss the Safety Program and Article X. The following is under consideration:
  - Sign the CBA with the existing Safety clause
  - Since both parties have already adopted the Code of Excellence, portions of the Code that deal with Safety and Article X will be included in an MOU. This would free up the JSC from the administrative task of negotiations and allow them to act on their objectives.
  - Under the Code of Excellence, Stewards are already on the job to report Safety accidents. In addition, they would be trained to report any Safety incident and submit that information to the contractor and the JSC.
  - A Code of Excellence Steward would be assigned to each contractor to monitor smaller jobs.
  - The JSC has not received a copy of the new changes made on 12-23 on the Article X language presented by Nick Comstock to Dan Neal and his Labor Committee.
  - The MOU has not yet been accepted. A copy will be made available to the JSC once it has been adopted.

**B. Form 173**

- Form 173 would be completed by either the injured worker or the Steward, so there would be no need for a confidentiality waiver.
- In addition, a second form would be used by the Steward, to cover safety incidents, if

- there is no lost time involved in the accident.
- Bob Shaffer and Paul Chaney met to amend Form 173.

#### Discussion

- Concern about the following content on the form:
  - “Check if this accident has been investigated by federal or state agencies:”
  - “If investigation has occurred, enter comments:”
  - “Has a citation been issued by federal, state, provincial or other government? Yes \_\_\_ No \_\_\_”
- Will asking for this information actually encourage a worker to contact a government agency about the accident?
- And if the accident has just taken place, there would not be time for an outside agency to get involved in an investigation?
- This information can only be gathered in a follow up investigation to an accident, by the Safety Chairman.
- In addition, the form should include contact information:
  - “Attn: Safety Director”
  - “Fax #: 937-264-2040”
- A motion was made, duly seconded and passed to accept Form 173, with the exclusion of the investigation content noted above and with the addition of the contact information.

During the meeting two Side Bars were called. One by Labor and one by NECA.

#### C. Accident report used by Local 701 JSC

- This form should be used to track safety accidents, outside the parameters of Form 173 (for lost time accidents).
- It would be a useful tool for collecting accident and safety violation information. To this end, Paul Chaney will create a check list of all the items in the Accident Trend graph.
- This form will be available at First Aid stations on job sites so they can be easily filled out and faxed in by the Foreman or Steward.
- The following information will remain on the form:
  - “Contractor:”
  - “Contact information: Optional”, “Name:” and “Phone:”

#### D. Time Frame for submitting accident reports

- The requirements for sending in the report will state: “As Safety Director of the IBEW, I (Paul Chaney) need Form 173 from the Contractors within 36 hours.”
- The “Medical Treatment beyond First Aid” forms (based on Local 701’s form) will need to be faxed in bi-weekly.

#### E. Follow up investigation by the JSC

- After a report is received, if both parties (the injured and the contractor) are satisfied with the outcome, then no investigation is required.
- However, if either party is not satisfied with the outcome, then the JSC will investigate

the incident.

#### Discussion

- Who is going to investigate? How will it be performed? What training is necessary to be an investigator? Will employers allow a member to leave work for an investigation? Should there be a salaried Safety Director?
- First, we need to identify who wants to be an investigator from Labor and Management then list alternatives.
- Qualifications include taking 70E and OSHA 30.

## V. NEW BUSINESS

### A. Safety Policy

- If the JSC adopts a Safety Policy, how does implementation take place? The Contractors, Safety Managers and the Stewards would need to be informed that a Safety Policy is in place
- In addition to a Safety Policy, the JSC also needs to develop Safety Language to pre-empt any accidents.
- A motion was made to accept the NECA Electrical Contractors Safety Program as a working document, then edit each section monthly. The motion was duly seconded and passed.

#### Discussion

- Are there any copyright infringements?
- Can we get a copy as a Word Document for editing purposes?
- Tucker will follow up with Dan Neal on these issues.
- For the next meeting on January 10, the committee will edit the “Administrative Procedures” and on January 24, will review the “Electrical Safety Program” in the manual.

### B. Nominations for Elections on January 10

- Russell Huff nominated Bob Shaffer as Chairman. Seconded by Rick Swabb. Bob accepted the nomination.
  - NECA representatives include Rick Swabb, Russell Huff and Barry Smallwood (with Dan Neal as an alternate. But this is in question because as Treasurer he is not a voting member).
  - Bob Shaffer recommended that in circumstances where only one member plus the Chairman is present, that the Chairman should be allowed to be a voting member. This will be considered as a possible amendment to the By Laws.
- Greg Smith nominated Jeff Davis as the Co-Chairman. Seconded by Roger Dawson. Jeff accepted the nomination.
  - Labor representatives include Roger Dawson, Greg Smith and Paul Chaney (with Nick Comstock and Mark Nagel as alternates).

#### Discussion

- Questions arose concerning serving out a full term. For example, if you are elected to a three year term as a voting member, then are elected to a one year term as Chairman, do

you still serve out the two years remaining in your original term? The consensus was that if you leave an existing post for a new one, then you forfeit the previous position.

## **VI. ADJOURNMENT**

There being no further business, the Joint Safety Committee adjourned at 7:00pm and agreed to meet on **Monday, January 10, 2011 at 4:00pm** at the NECA office at 3131 S. Dixie Dr., ground floor conference room. In addition, another meeting was scheduled for **Monday, January 24, 2011 at 4:00pm** at the Union Hall.