

CWA District 3 Occupational Safety and Health Conference Call

Thursday, March 28, 2019 from 1 PM – 3 PM

Participant Reports:

Local 3902 reported there are “This building may contain asbestos” signs posted at a work center. The Local should request information from the Company/CRE regarding the notice to determine the next steps. If asbestos has been identified but not disturbed in any way, no extra precautions are necessary but it should not be handled. If the asbestos has been disturbed, CRE should be contacted to provide asbestos remediation.

Local 3121 reported a law suit was filed against the Company for an accident where a customer tripped over a buried service wire that was installed across a sidewalk. The Company has trialed a “micro-bore” in which the concrete is sawed to allow the wire to be below grade. They have not reached a permanent solution. Several Locals reported issues with sidewalk bores, and it was noted that there are different utility locate State laws that address when a utility locate ticket is required.

Local 3611 reported that “One Man Bore Training” was being performed (in accordance with the Tennessee OSHA abatement agreement) but the Company did not notify the Local per the TOSHA agreement.

District 3 contacted the Company and the notification to Local Presidents issue has been resolved

*Several Locals reported the training had been conducted in their area and the overall response was positive. There was discussion around the TOSHA abatement agreement and the memo to all AT&T Southeast Local Presidents from Billy O’Dell dated December 11, 2018 which described the events leading up to the agreement.

Local 3201 asked if Utility Operations managers could have Machine Operators “FaceTime” a job when requesting help.

*There are no OSHA requirements and no contractual language that addresses how the Company views a job site when an employee makes a request for help, however when an employee does request help on a bore they will be provided help per the TOSHA/AT&T/CWA abatement agreement mentioned above.

Several Locals reported that Wire Techs are being instructed to wear respirators when working in attics (and crawl spaces).

*The OSHA standard for respirators that would be applicable can be found here: <https://www.osha.gov/Publications/3352-APF-respirators.html>. The standard lists the following as a respiratory hazard that may be present: “**Dusts and fibers** are solid particles that are formed or generated from solid materials through mechanical processes such as crushing, grinding, drilling, abrading or blasting. Examples are lead, silica, and asbestos”. Employers who allow their employees to voluntarily wear respirators on the job must “provide their employees with a copy of Appendix D of OSHA's Respiratory Protection Standard or the equivalent State OSHA Agency document”. The Locals should request the Company EH&S policy regarding the use of respirators and if it conflicts with the OSHA standard, request assistance with filing a grievance and/or an OSHA complaint. CWA State Staff Representatives are available to assist with the OSHA process. A map of State OSHAs can be found at <https://www.osha.gov/dcsp/osp/index.html>.

Local 3808 reported there was an OSHA suit that addressed the manager conducting a safety investigation without being on-site (Facetime). Upon further research it was determined this case (Michigan OSHA Docket No. 12-000672-MIOSHA Case No. D-11-311.1) was a discrimination case brought against AT&T under MIOSHA Section 65 which contains the same language described in Federal OSHA Section 11 (c). Also known as the “Whistleblower Statute”, these sections provide in general that no person shall discharge or in any manner discriminate against any employee because the employee has:

- (a) Filed any complaint under or related to the Act;
- (b) Instituted or caused to be instituted any proceeding under or related to the Act;
- (c) Testified or is about to testify in any proceeding under the Act or related to the Act; or
- (d) Exercised on his own behalf or on behalf of others any right afforded by the Act.

The OSHA Incident Investigation Guide is a recommendation (not a Standard) from OSHA for employers but it is not a requirement they must follow. It can be found here:

https://www.osha.gov/dte/InclnvGuide4Empl_Dec2015.pdf

District 3 Occupational Safety and Health Committee:

Isa Shabazz reported issues that have been addressed in the District 3 Occupational Safety and Health Committee.

*The Company should have ladders inspected annually. If they aren't conducting annual inspections, Isa advised the Locals to contact him.

*The Company should provide refresher training annually for employees who are subject to pulling trailers.

*VIPIT – Vehicle Incident Personal Injury Tool allows employees to upload pictures, etc. Contact Isa if there are any issues with VIPIT.

*Summer will be here soon and the Committee discussed heat stress awareness.

*The Company advised the Committee they are still finding technicians over-riding safety switches and controls. We have had several fatalities in District 3 where the employee may have survived if the safety controls were not over-ridden, please don't do it!

*Isa committed to posting the D3 OS&H Committee minutes to the District 3 web site going forward. They will be posted under the "News & Events" tab.

CWA/USW Occupational Safety and Health Training:

Billy O'Dell reported there is a new focus on OS&H training in District 3 as we are looking to improve our OS&H network. We hope to get approval for new CWA/United Steel Workers Grant Trainers this year to assist our current Trainer Susan Moss. The CWA/USW training is available to all D3 Locals at no cost as Locals are reimbursed for all participants' lost time. To schedule a training class, please contact Susan at: smoss@cwa3204.org

CWA/USW Health, Safety and Environment Conference:

A "Save the Date" notification was released for the upcoming USW/CWA Health, Safety and Environment Conference in Pittsburgh, PA September 9 – 13, 2019 at the Westin Convention Center in Pittsburgh, PA. More information will be provided at a later date.

Workers' Memorial Day:

Workers' Memorial Day is April 28, 2019. It is a time we remember and honor the men and women who have lost their lives on the job. April 28 is also the day OSHA first opened its doors in 1971, after Congress passed the Occupational Safety and Health Act of 1970. Locals should send pictures and notices of planned Workers' Memorial Day events to Billy O'Dell at wodell@cwa-union.org.

Next Conference Call Date/Time:

The next CWA District 3 Occupational Safety & Health conference call will be held on Thursday, June 6, 2019 from 1:00 PM Eastern – 3:00 PM Eastern.