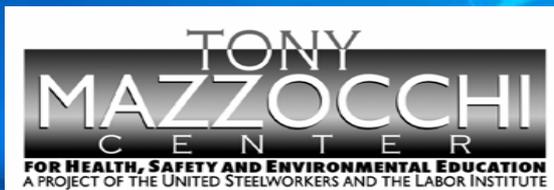


Eight-fifty What?

10 CFR 851: Assessing Its Implementation



New Perspectives

10 CFR 851–The Promise

- (a) With respect to a covered workplace ..., the contractor must:
 - (1) Provide a place of employment that is **free from recognized hazards** that are causing or have the potential to cause death or serious physical harm to workers;

The Worker Safety and Health Program (WSHP)

- Each DOE contractor was to develop a WSHP that met the requirements of 851.
 - The written WSHP must describe how the contractor complies with requirements set forth in Subpart C of 851

(d) *Labor Organizations*

- If a contractor employs or supervises workers who are represented for collective bargaining by a labor organization, the contractor must:
 - (1) Give the labor organization timely notice of the development and implementation of the worker safety and health program and any updates thereto; and
 - (2) Upon timely request, bargain concerning implementation of this part, consistent with the Federal labor laws.

Informally we heard ...

- That some DOE contractors had:
 - Not given adequate notice to unions for purposes of bargaining over 851
 - Not substantively involved workers or their unions in developing their WSHPs
 - Had their WSHPs approved by DOE without having met these requirements

851—What's goin' on?

- We decided to:
 - Look into what is really happening at DOE sites where we represent workers, and
 - Get to work ensuring that the promise of 851 is delivered.

Gap Analysis and Training Needs Assessment Program--GATNAP

- Initiated by the USW, Tony Mazzocchi Center, the Labor Institute, and New Perspectives Consulting Group.
- Others welcome. Some unions have been part of our workshops.

GATNAP

- A participatory process of:
 - Deciding where:
 - Gaps exist (851—WSHPs—reality)
 - Training is needed
 - Priority areas of interest:
 - Union involvement
 - Worker involvement
 - Worker training

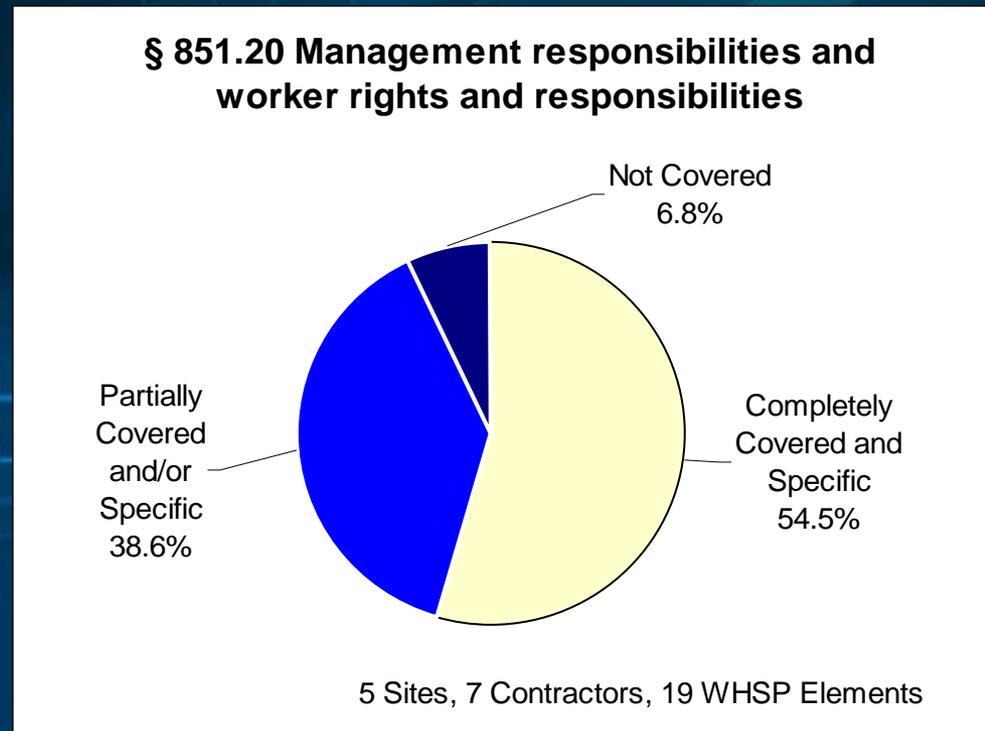
GATNAP – The Process

- Multiple face-to-face and conference call meetings of staff and workers to develop:
 - Study plans and processes
 - Data collection instruments
 - Data collection strategies and methods
 - Document, records and curricula review
 - Surveys of workers involved in special roles
 - Plant-wide worker survey

Reviewing WSHPs

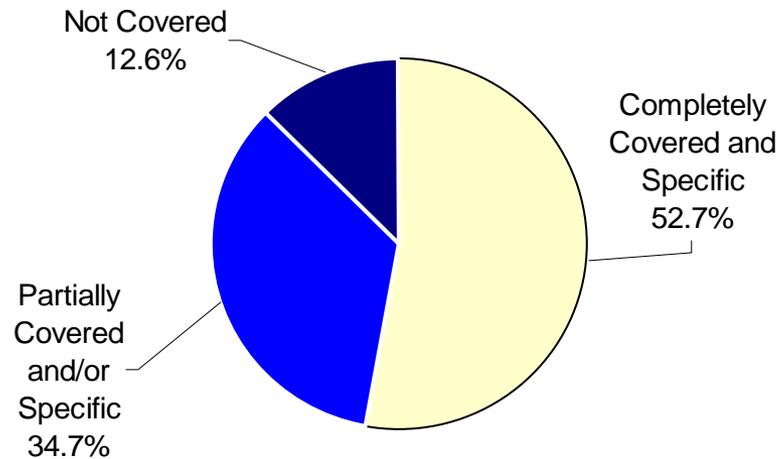
- Formally requested WSHPs from contractors
- Evaluated WSHPs against 851 requirements (52 elements)
- Reviewed WSHPs from 7 contractors, 5 sites
 - Were required program elements covered
 - Were program elements “specific enough to facilitate effective implementation”
 - Scale: completely / partly / not at all

Preliminary Data From WSHP Reviews



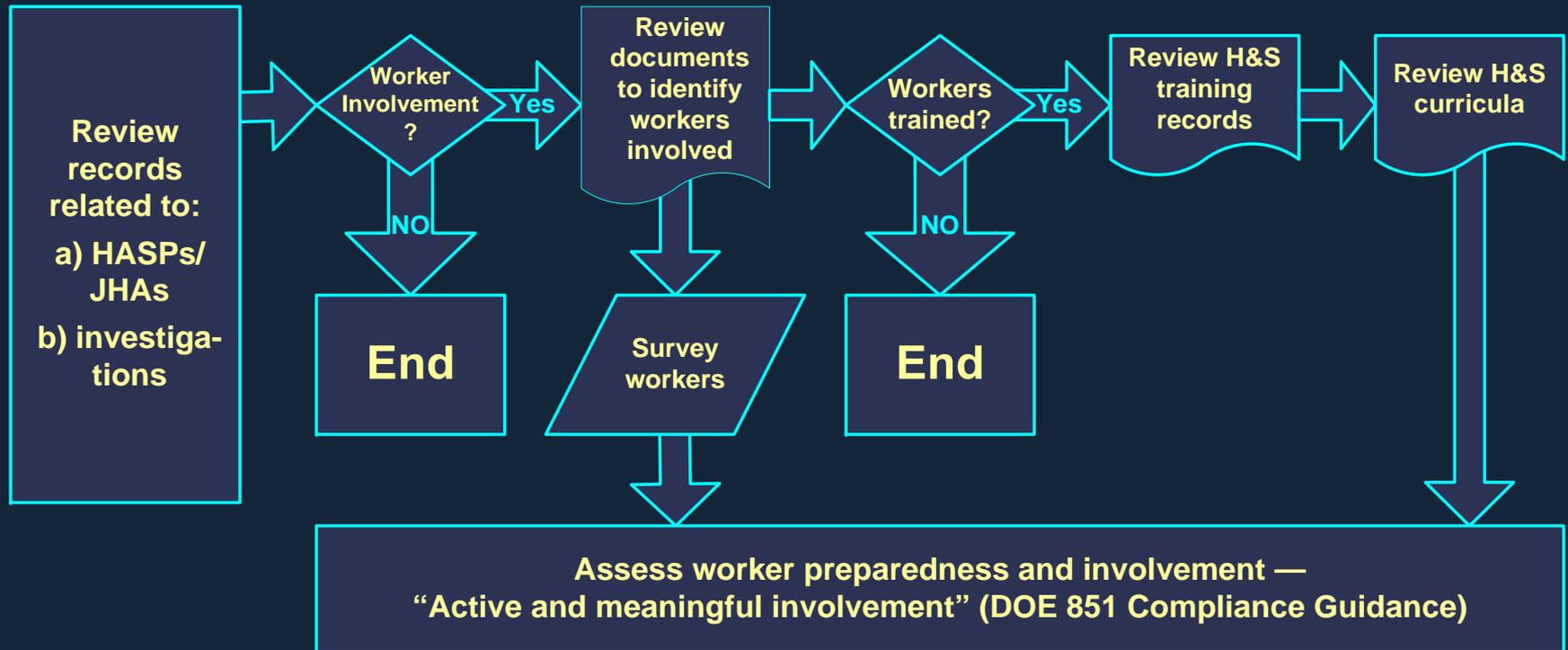
More Preliminary Data

851 Section C. Specific Program Requirements



5 Sites, 7 Contractors, 52 WHSP Elements

Worker Involvement in Addressing Hazards and Investigations



General Worker Survey

- To find out about:
 - Worker awareness of rights and responsibilities under 851
 - Worker involvement in various aspects of:
 - Reporting, assessing, eliminating and controlling hazards
 - Investigating near-misses and incidents

General Worker Survey (cont'd)

- To find out about:
 - Worker reporting of problems and potential barriers
 - Worker training and its effectiveness
 - Contractor support for worker and local union involvement and push for H&S

Keys to GATNAP's Success

- Excellent team of workers leading process
- High level of participation from workers to tell us what is going on
- Strategic use of the information to ensure:
 - Workers are well-trained
 - Each contractor meaningfully involves union and workers in 851

The Process Has Begun

- Teams of worker-researchers have launched data collection
- The USW-Tony Mazzocchi Center welcomes others to join us
- Ask us about it