

Message from Shell PSR Bargaining Unit Chair

December 21, 2011

Oil bargaining is a huge and multifaceted endeavor. A lot of folks think of Shell, PSR when they think of oil bargaining since this is the “world” we live in. But Oil Bargaining begins at the International level with direction from the rank-and-file. And not all oil companies are included in the National Oil Bargaining process. This will be a long winded writing but hopefully you will come away with a better understanding of what oil bargaining is, how it affects us, how we fit in and some of the issues which affect us all.

In the past, each specific site location, for each oil company, bargained their own contract. This was extremely difficult to manage for both sides. This is why we have such a wide range of language between our contracts, even within the Shell/Motiva owned facilities. The development of National Oil Bargaining first began in 1965. Six weeks after the election of former Oil, Chemical & Atomic Workers President A.F. “Al” Grospiron in that year, a combination of aggressive action and shrewd timing enabled the union to achieve a common expiration date of December 31, 1966, for collective bargaining agreements covering most workers in the oil industry. The establishment of the common expiration date and of a mandatory oil policy allowed OCAW to function like an industrial union for all oil workers organized in the industry. Grospiron accomplished his goal of improving industry wide bargaining within oil despite resistance from the industry, resistance which was fierce and very public as to who held the upper hand in bargaining.

One continuous problem among the oil companies is who will speak for the entire industry at the bargaining table? This is up to the companies to decide and they have not always been in agreement with who should represent their individual desires during the NOB process.

During each bargaining term, delegates from each bargaining unit attend the National Oil Bargaining conference. Brother Cantu and I attend this conference during the week of September 19th, 2011. During this conference, many things take place but two primary objectives rank above them all.

One, a body of members is elected to serve as the National Oil Bargaining Policy Committee, representing USW Districts across the nation. This committee works directly with the International Union and helps direct the International Vice-President, Oil, during negotiations with the industry. The NOBP committee also aids in researching the strengths and weaknesses of each oil company and developing strategies relevant to those.

Second, the National Oil Bargaining Policy is developed and adopted by the voting membership in attendance. The NOBP becomes the basis for our bargaining. This will eventually be bargained to a “National Package” which each oil company, included within oil bargaining, must agree to. In 2009, Sunoco was adamant they were not going to adopt the National Package. The Union told them we would strike every location they have. Sunoco ultimately agreed to accept the National Package at all of their locations.

But, before we have a National Package, the NOBP is brought back to each local across the country and the membership is given the chance to vote on whether to sanction the Policy or not and to give strike authorization to the International. This is a one-person/one-vote process with a majority of votes needed to adopt. A member must vote to be counted as either a yes or no vote.

Some folks may be wondering what companies are included in National Oil Bargaining. Off the top of my head, there is Shell/Motiva, Chevron/Texaco, Conoco/Phillips, BP, Tesoro, Marathon/Ashland, Sunoco, Exxon/Mobil, Ineos, Citgo, Valero and many other companies. These companies employ folks in refining, chemicals, labs, terminals, pipelines, transportation, lubes and more. National Oil Bargaining is much bigger than Shell, PSR.

The International has put a huge amount of resources into this round of bargaining. Recently a representative for the International told me this is the largest mobilization effort he has ever seen in USW for any contract in any industry. Representatives for the International have been traveling across the country all year providing a wide range of training on topics such as solidarity, communication, community outreach, activism, strike preparation, political action, legal strategies and much, much more. I attended our Strike Preparation training in early December.

The International has come up with several different ways to communicate with us, the worker. They have developed a web site devoted to us and oil bargaining. Here you will find all things related to oil including news releases, press releases/advisories, videos, pamphlets/brochures, and much more. We had a concern when we migrated from OCAW to PACE and now to USW if our voice would be heard. It has and the International has responded. They may not have liked our old ways but we have definitely influenced the legacy USW membership and leadership.

Here is the link - www.usw.org/our_union/oil

Locally, we have developed and maintained our CAT, but outside of that, the International has developed a newsletter specific to oil. It is called "The Oil Worker" and is free to every member. You can find it on the USW web site. You can also sign up to have it delivered directly to your inbox if you wish.

Here is the link - www.usw.org/media_center/publications_the_oilworker

Another good publication the International develops is "USW@Work". This covers every sector within USW and is a good resource to hear about all of the different things USW is doing across the nation and globe fighting for our member's rights.

Here is the link - www.usw.org/media_center/publications_usw_at_work

Also, the International has developed a Facebook page and a Twitter page. I don't tweet or Facebook so if you want information from those sources, here are those links.

Facebook - www.facebook.com/OilBargaining

And

Twitter - <http://twitter.com/USWOilWorkers>

Also, you can follow Oil Bargaining updates from your cell phone. Any cell phone will work. No Smartphone needed.

1. Text START to 40404
2. Follow the instructions to set up Twitter on your phone.
3. When you have twitter set up on your phone, text 'follow USWOilWorkers' to 40404.

Once you're signed up, you'll get periodic text messages on the National Oil Bargaining mobilization program and updates on negotiations.

Also, I will be sending regular communications through our CAT updating folks on NOBP happenings.

Finally, while your workers committee is bargaining our contract in April, we will be posting regular updates on our Local web site.

Here is the link - www.usw12-591.org

Right or wrong, justified or not, one of the complaints in the past has been about communications. We should never hear another complaint about communications given the resources that have been put in place for each us to be informed.

Health and Safety will be the primary focus for this round of bargaining. A report recently released by the National Wildlife Federation titled "Assault On America: A Decade of Petroleum Company Disaster, Pollution and Profit", covers multiple health, safety and environmental disasters attributed to the oil companies we work for. The information included within the report is current as it covers the decade from 2000 to 2010. During this time the oil and gas industry accounted for hundreds of deaths, explosions, fires, seeps, and spills as well as habitat and wildlife destruction in the United States. These disasters demonstrate a pattern leaving in their wake sacrifice zones that affect communities, local economies, and our landscapes.

This report provides a sampling of the oil and gas industry's performance over the past 10 years--the first decade of the new millennium. These 'lowlights' and examples from each year shed light on how the oil and gas industry has continued to show negligence and experience accidents all over the country. While not exhaustive, the listing offers a cross-section of spills, leaks, fires, explosions, toxic emissions,

water pollution, and more that have occurred in the last decade--the post- Exxon Valdez era, the post-Oil Pollution Act of 1990 era, when the industry said “we’ve got it under control.”

This industry continues to knowingly endanger its own workers, the environment, wildlife, and our communities in states across the nation. Our International President, Brother Leo Gerard, is sick of it and demands that it stop. He intends to do this through meaningful and enforceable Health and Safety language firmly embedded in our contracts. The USW had recently chased the Goodyear Tire Company around the globe when they tried to close down US manufacturing jobs and move them overseas. Millions of dollars and man-hours were spent trying to save American jobs until Goodyear finally cried Uncle. If the International spent that amount of time and resources trying to preserve jobs, I cannot begin to comprehend the lengths Brother Gerard will go to protect human life. One thing I have noticed about Brother Gerard in my dealings with him is that he is honest, transparent and passionate about what he does. He does not back down from a fight he believes is worth fighting. Since the failed Health and Safety discussions with the industry in 2009, the International has orchestrated a multi-pronged approach to address Health and Safety this bargaining round. We have effected change within the legislature helping to draft and help pass some minor legislation to promote Health and Safety within the workplace. And we continue to do so but this is a very long means to achieve our goal. We will get firm Health and Safety language in our contracts or, as brother Gary Beevers has said, “We’ll withhold our work”. I believe them.

The International has also been busy meeting with the legislature and briefing Congress on what NOBP is and our concerns leading in to this round of bargaining. Health and Safety will be the primary focus for this contract period. The International decided to brief Congress so if there is a work stoppage, they would already know why and what the situation at hand means. Therefore it would not be as much of a shock when the majority of their domestic oil production, distribution and supply come to an immediate halt. Brother Gary Beevers, International Vice-President, Oil, has stated he is expecting a strike. The International has been preparing and helping us to prepare. Have you prepared as well?

Now, closer to home. Each Bargaining Unit Chair within the Shell/Motiva owned facilities collectively comprises the Shell/Motiva Nationwide Council. There are roughly 20 voting delegates to the Council and as a council we meet twice per year to discuss all things relevant to us and our parent company. Brother Cantu and I brought forward the issues which were important to our membership for consideration to the Council as items we collectively wish to discuss during bargaining. As a Council, each item is voted upon and a list of “Council Items” is developed and adopted to be presented at each Shell/Motiva bargaining table. I keep in regular contact with the Sisters and Brothers of the Council throughout the year and more so during contract years. Shell was decided by the industry to be the lead company this round of bargaining. With that, several of our Council sites began bargaining a little early and this was sanctioned by Brother Gary Beevers. When Brother Beevers engages the industry at the National level, he does not want any local items to impede the work he needs to do. In other words, Brother Beevers will not strike Valero because of an overtime issue at Shell.

I have been involved with several conference calls with our Nationwide Council including one this week to discuss how bargaining is going at each location, what the company is doing, how they are acting at each table and what items they are bringing to those tables. Some locations across the Nationwide Council have bargained their local items to a tentative agreement which is in place pending a National Package. Bargaining at the local level has not been overly problematic so far. It is expected the real battle will take place at the International table.

International Vice-President Gary Beevers met with the lead company, Shell Oil on Dec 9, 2011 to present the National Oil Bargaining policy. In the recent conference call, it was reported that Shell has rejected over 80% of the Health and Safety language. I hate to say it but this was anticipated. Through multiple discussions within the Council, the feeling is that Shell does not believe we are serious. As previously mentioned, Brother Beevers has been given the green light to do whatever he needs to do to ensure this industry stops killing our Brothers and Sisters. Shell had better open their eyes. Brother Gerard is not going away. Congress has been prepped, each local across the nation has been prepped and each bargaining unit has and is being prepped. If we strike, it will be nasty. Count on it.

What can you do? SAVE YOUR MONEY! Every spare penny you can muster. The average strike within USW is 7 months. Now, as an individual, some may tell themselves that "I won't strike". But guess what, the decision to strike is not singular, it is by majority vote and chances are the company will not let folks back in the plant until after a strike ends. When Sue Krienen was here, she stated if there is a work stoppage they would shut down the refinery because they cannot operate the facility within PSM. One or two people who think they would cross a picket line will not change that.

So, there it is. A brief snapshot of the oil bargaining process. A person could easily write a 1,000 page book on the various aspects of the National Oil Bargaining process. Hopefully this has given you a little more information to help you better understand what oil bargaining is, how it affects us, how we fit in and some of the issues which affect us all.

Oil bargaining will be a topic of regular communication at the meetings each month until we have a signed contract. Please do what you can to attend the meetings and get informed.

Have a safe holiday season. Take care of each other.

In solidarity,

Paul Demmon

You make it to work for your family. Make it to the Union Hall for the same reason. You are the Union.