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John M. Driscoll, *General Manager*

Light Commissioners' Meeting November 17, 2015

Members present were: Dana Blais, Gregg Edwards, Chris Stewart

Employees present were: John Driscoll, Tom Berry, Nick Houston

The meeting was called to order at 7:00 p.m. by Dana.

The agenda was approved on a motion by Chris, seconded by Gregg, 3-0 in favor.

Old Business:

Brian Pierce, the Local 104 Business Representative, was in attendance to address the Manager and the Board directly regarding their proposal of 9-30-2015 and our counter-proposal of 10-27-2015.

Brian began the meeting by handing out copies of their initial proposal to the Board, the Manager and the Superintendent. Chris was visibly upset at this since Local 104 had 21 days already to prepare a second proposal as a response to the TMLP's first counter-proposal but instead Local 104 appeared to be re-submitting their initial offer as if it was a new document. Chris informed Brian that Local 104 was wasting the Board's time. Brian stated that he had merely passed out this document to begin a review session of what article items had already been agreed to and thus need not be negotiated any further. The Manager was confused by this since he had already included a cover sheet with 6 responses to their 6 items on their initial proposal:

1. 3-Year Agreement Term
2. 5%, 5%, 5% Wage Increases for 2016, 2017, 2018
3. \$5.00 per Hour Wage Increase for Wind Tech work
4. Job Re-Classifications for 5 of the 8 in union group
5. 50% Sick Time Buy-Back Upon Retirement
6. Increased Clothing Allowance due to New FR Regulations

Brian started off the discussion by informing the Board that the Manager had changed *will* to *shall* a total of forty-three times in the document that he had presented to Local 104 as the TMLP's counter-proposal. The Board already knew this since they had been given a copy of the counter-proposal by the Manager on October 27, 2015.

The discussion continued back and forth with a virtual play-by-play of all of the redlined items that the TMLP had proposed to Local 104. Brian insisted that some items that were previously included had been left out of this counter-proposal document, namely the standby vehicle Article

19 language and the future vehicle air conditioning Article 15 language. The Manager stated that this must have been an oversight on his part, as neither the Board nor he had any desire to re-negotiate the standby vehicle or the vehicle air conditioning. The Manager stated that he would present Local 104 with an updated version of a draft agreement with those items included once again.

At one point Brian had asked for clarification on the TMLP's proposal to take back 2 personal days and 4 sick days and re-classify sick time as non-accumulating. Brian stated that this was going from 13 paid time off days to 7, another affirmation required by the Manager in order to move on. Brian also asked for clarification on the short-term disability plan being offered by the TMLP as to how many paid time off days the carrier would require in advance of releasing compensation benefits. The Manager stated that this was a run-of-the-mill policy, with coverage for injury on Day 1 and for illness on Day 8; hence the five non-accumulating sick days.

Most of the rest of this meeting in Open Session consisted of the Manger and/or the Board's affirmation of any and all article language that the Manager had redlined previously, whether it was a wholly new concept or an effort toward consistency (like changing all 43 words to either *will* or *shall* and actually referring to the TMLP as *The Employer*).

Brian stated that Local 104 had no intention of releasing Brigid Lambert as a member to another union as he thought that she "did a lot for the light department" (his words) and said they planned to negotiate just as they had in past years. The Manager offered no response to this at this time, but was visibly disappointed.

This portion of the Open Session was concluded with Brian stating that he and Nick were to have a conversation with Brigid on her job duties and responsibilities and that Local 104 would be providing the TMLP with a job description for her (as of December 9, 2015 no such description has been received by the TMLP).

One main point that clearly Local 104 and the TMLP were not in agreement with was over existing job descriptions for the union members in Local 104. Both Brian and Nick stated that all of them had been given job descriptions to follow when they were hired and those were the ones that Local 104 wished to have re-done because of the wind turbine work. The Manager and the Board were of the mindset that because there were no formal job descriptions within the current contract that had been accepted by vote by either the union or by management then in fact there were no electric job descriptions inside the light union at all. The Manager stated that he (John) and the Superintendent (Tom) and the Business Manager (Kathy) are the only three light employees with job descriptions.

The Manager did expand on this point to say that if Local 104 were to pursue this idea of job re-classifications for 5 of the 8 in the union group then there would in fact be job descriptions for everyone, not just the ones working on the wind turbine. He stated that this had the potential to be a long drawn-out process, whereas both Local 104 and the TMLP would have to mutually agree to said job descriptions, and since none formally existed to date, their formation would be a give-and-take process, not just a take.

Brian stated that he and Nick planned to go back to the entire group with our latest counter-proposal, which happened to be still our original counter-proposal. The Board and the Manager were not sure why this had not been done already through meetings with Local 104 and the union group here. This particular Open Session meeting between the TMLP and Local 104 was not a productive one to say the least and at its conclusion neither management nor the union were clear on where the negotiating status stood.

[The Board, Manager and Superintendent had all taken great offense to several indirect accusations made by the light union group here thru Local 104 that safety was not being taken seriously here at the TMLP when it related to the wind turbine. Both the Manager and the Superintendent had worked to promote a safe work environment both inside and outside of the wind turbine going back to September 2010, its commercial operation date. Neither of them had any recollection of ever saying NO to any additional equipment, tools or safety training necessary for wind turbine work, yet there were allegations being made throughout tonight's conversation with Local 104 that such an unsafe work environment had been pushed onto 5 of the 8 in this light union group here.

The greater shock experienced tonight, at least by the Manager and by the Superintendent, was the deafening silence of Nick Houston the Shop Steward here throughout much if not all of Brian's monologue on wind turbine safety. At no point in the Open Session was Brian corrected by Nick on any of these indirect accusations against John and against Tom. It shall forthwith be our opinion that the ENTIRE group feels this way and not just Nick, his being the representative of the light union group in Local 104.

It shall further be a matter of public record that allegations of safety violations were made against the TMLP by Local 104 in an open public meeting which has necessitated an internal investigation by John and by Tom. Both of us will be going through work orders and tailboard discussion worksheets and having discussions about past morning meetings going back to September 2010 in Tom's office with the Working Foreman and the two Lead Linemen in an effort to come upon instances documented where the TMLP has said NO to workplace safety.]

New Business:

The Manager had prepared copies of a proposed light budget for 2016 as well as some suggestions for light rate decreases in generation charges for 2016. There was no substantial conversation about either topic since it made little sense to make these types of decisions tonight while in the midst of what was appearing to be a long union negotiation process. Basically the light budget and the light rate changes were to be tabled till further notice.

The Manager informed the Board that the scheduled re-fueling outage for Seabrook Power Plant thru October 31 had been extended to November 14. The Manager was not concerned about the cost of replacement power since November ATC power for the WCMA Load Zone was averaging only 2.59¢ per KWH. It would not have a detrimental effect on November Power Supply Costs, the Light Plant having an additional 2.4 MW open to the market for 14 extra days.

The Manager had received from APPA via e-mail a 2014 electric utility retail rate survey for the entire country, broken down by state. He had made copies of the Massachusetts page for the Board to view. Templeton had an average retail electric rate of 13.23¢ per KWH compared to Northeast Utilities at 16.25¢, National Grid at 16.63¢ and Unitil at 20.81¢ per KWH for 2014.

The October Sales Summary for KWH and Revenue was given to the Board for their review by the Manager. The figures for 2015 were 4,460,663 KWH and \$558,449. The figures for 2014 were 4,427,790 KWH and \$555,481. There appeared to be no appreciable difference in KWH sold or revenue collected from October 2014 to October 2015.

There were four (4) hand-outs that the Manager had prepared for the Board that did not particularly require any specific discussion:

- September 2015 Power Supply
- October 2015 Wind Generation
- November 2015 Residential Electric Rate Comparisons
- Q3 2015 MMWEC Electric Rate Comparisons

At this time a roll call vote was taken as follows (8:15 p.m.):

"A motion was made by Dana, seconded by Chris, 3-0 in favor for the Board to enter into Executive Session to conduct strategy sessions in preparation for negotiations with union personnel. The Light Commission believed that if it were to conduct such strategy sessions in Open Session it would have a detrimental effect on the Light Plant's collective bargaining position."

Dana – Aye

Gregg – Aye

Chris – Aye

There being no other Open Session business to discuss, on a motion by Gregg, seconded by Chris, 3-0 in favor the Light Commissioners' Meeting adjourned at 9:15 p.m.

Respectfully Submitted,

John M. Driscoll



General Manager