United Steelworkers
USW
Unity and Strength for Workers
Oil Workers

THE OILWORKER

www.oilbargaining.org

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From the Vice President's Desk

Taking a Look Back in Order to Step Forward

When I think back over this year I remember USW staff representative Gary Fuslier. Gary passed away last February at his home in Sulphur, La., after a long battle with cancer.

He was a close friend of mine and a true trade unionist. He serviced southwest Louisiana and southeast Texas.

His last assignment, before he became ill, was to settle the North American Salt (Carey Salt) contract in Cote Blanche, La. He led Local 14425 through an unfair labor practice strike and the resulting charges against the company with the National Labor Relations Board (NLRB). His hard work paid off. Our union won the charges at all levels of the NLRB, and the local reached a three-year agreement with the company last February because of the help provided by District 13 Assistant to the Director Jim Lefton.

Carey Salt appealed the NLRB's ruling that it had violated federal labor law numerous times during its negotiations with Local 14425. In November a federal appeals court upheld the NLRB's order that Carey Salt rehire the striking workers with back pay. This decision is worth a lot of money for the strikers and their families and it couldn't have happened without Gary's initial help.

There was standing room only at Gary's memorial service. Speaker after speaker spoke of his kindness, desire to make life better for people and uncanny ability to tell a joke and make people laugh when times were tough. He also was a gifted musician.

We could all aspire to be like Gary. He was a good person. I know it's been a rough year for Gary's wife, Debbie, and their children and grandchildren. This Christmas will be especially tough for them, but I want them to know that we hold them close in our hearts and won't forget Gary.

Saving More Jobs

Last January Tesoro announced it would close its Kapolei, Hawaii, refinery in April if a buyer could not be found. Immediately, the International and Local 12-591 went to work lobbying Hawaii Governor Neil Abercrombie and state legislators for assistance in making conditions favorable for a new owner.

Members lobbied their congressional delegation in Washington, D.C. and wrote letters to their elected officials. They gathered thousands of signatures for a petition hand-delivered to the governor.

The local held sessions on how to write a letter to the editor so members could point out the necessity of keeping the refinery open. Another tactic used was to have radio ads requesting listeners contact Governor Abercrombie and other politicians to find a buyer and keep the refinery operating.

Local 12-591's solidarity and hard work paid off. Tesoro kept workers on the payroll and postponed the closure date. Then in June Par Petroleum Corporation agreed to purchase Tesoro's Kapolei refinery, logistics and retail system.

Since we have a successorship clause in the National Oil Bargaining settlement agreement, which Tesoro agreed to, the workers at the company's Hawaii refinery did not lose their jobs and Par Petroleum had to honor the existing three-year contract through its expiration date on Jan. 31, 2015.

We not only saved 119 production, maintenance and lab jobs at the refinery, but thousands of other jobs dependent on the refinery's operation. This included contractor jobs and jobs within the community that serve the plant and its employees.

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Check Out the Oil Website

Go to www.usw.org, click on "Our Union," and scroll down to "Oil Workers"

OR Go to www.oilbargaining.org

Proposed Maine Ordinance Narrowly Defeated

In South Portland, Maine, an ordinance that could have put 200 USW oil workers' jobs at risk was narrowly defeated by roughly 200 votes on Election Day.

Citizens initiated the measure to prevent Canadian tar sands oil from being loaded onto ships in the South Portland harbor.

Opponents argued that the ordinance was overly broad, hindered commerce in the area and failed to protect the waterfront.

The regulation would have prevented the "enlargement…reconstruction or alteration" of any aspect of the six oil terminals located alongside the harbor, even though five of them did not handle crude oil and would never be involved with the transportation of tar sands, editorialized the *Portland Press Herald* before the vote.

USW District 4 Director John Shinn said the ordinance would have directly threatened the jobs of 100 USW Local 366 members employed at the Portland Pipeline Corp. Another 100 USW-represented jobs would have been impacted at Gulf Oil Corp. and Cumberland Farms, which has a tank farm that serves numerous gas station/convenience stores throughout Maine.

"The so-called Waterfront Protection Ordinance would not only have devastated family supportive jobs we represented at the tank farm, but would have hurt the regional economy dependent on heating fuel, jet fuel and fuel for commercial vessels and fishing fleets," Shinn said.

He said the terminal and tank farm industry serves as the anchor for the entire Port of Portland, accounting for 84% of the port's cargo vessels and 94% of its total cargo.

A turning point in the campaign happened after an economic impact study estimated 5,600 jobs and $252 million in accumulated earnings would be lost over the next decade if the petroleum industries closed as a result of the ordinance.

USW mobilized local union leaders and members in Portland to vote "No" on the local ballot. Our union also joined the Save Our Working Waterfront coalition to educate voters about the poorly-written ballot proposition and to defeat it.

Even though the ordinance did not pass, the tar sands issue is likely to come up again. Ordinance proponents are determined to not allow tar sands into the city and the Portland Pipe Line Corp. is prepared to get out the facts and sit down with proponents to collaborate and determine a future that is not divisive.

Tar Sands Moratorium

The American Petroleum Institute (API), the oil industry's trade association, sent a letter dated Dec. 3 to South Portland officials, warning that it will sue the city if it proceeds with a six-month moratorium on loading Canadian tar-sands oil onto ships at the city's waterfront.

The trade organization said the proposed moratorium on some waterfront development violates state and federal laws.

The city will determine on Dec. 16 whether or not to allow Portland Pipe Line Corp. to reverse the flow of its 236-mile underground pipeline between tank farms in South Portland and a refinery in Montreal, reported the *Portland Press Herald*.

If reversed, the pipeline could be used to transport tar sands crude from reserves in the Alberta province. Volatile chemicals are added to the mixture of sand, water and raw petroleum so it can flow through the pipeline.

Environmentalists say that development of tar sands oil will accelerate global climate change and be a risk to the environment. The oil industry says it does not pose more of a risk than other types of oil.

If the six-month moratorium passes it will begin immediately and end May 6. The *Portland Press Herald* said the moratorium is intended to buy the city council time to draft its own ordinance governing waterfront activity, and to decide whether to ban the export of petroleum through the city's port.

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Go to www.usw.org, click on "Our Union," and scroll down to "Oil Workers" OR go to www.oilbargaining.org

Taking a Look Back in Order to Step Forward

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We helped save a local community and that's important in this age of plant shutdowns and work moving overseas.

In this issue you'll read a story about how District 4 was able to save several hundred jobs by winning a ballot issue. This will remind you why it's important to stay politically engaged and to get out and vote.

Keeping Engaged

To help keep you informed on a regular basis Lynne Hancock from the USW's communication department posts material concerning the oil sector on the oil web page of the USW website. To get to it go to www.usw.org, pull down the block OUR UNION, and click on Oil Workers. You also can reach the site by typing in www.oilbargaining.org.

I encourage you to check it out. Lynne keeps the site refreshed with new material. Currently, there are over 100 articles in the news section, a listing of process safety refinery events, useful downloads and back issues of *The Oil Worker*.

Almost every day Lynne posts one or more items to the oil Facebook page to keep it fresh and current. If you're on Facebook, go to the search bar and type USW Oil Workers and that will bring you to the page. Please click "like;" 2,108 people have done so already. Since the page is kept up-to-date, some folks check it every day.

We also are producing *The Oil Worker* on a monthly basis to further increase communication to the membership. If you have a story or idea for the newsletter please email it to the editor, Lynne Hancock, at lhancock@usw.org.

Holiday Greetings

I'd like to thank the local union officers, stewards, activists and staff for their hard work in representing the workers at their sites. It's not an easy job, especially in the anti-union climate in which we live. Their commitment to improving the lives of working people is commendable.

It's time now for us to be with our families and friends to celebrate the holidays. Rest up because next year we will begin the National Oil Bargaining process.

May you and your loved ones have a Merry Christmas and a peaceful New Year!

Gary Beevers
International Vice President
Chair, National Oil Bargaining Program
gbeevers@usw.org

OSHA Proposes Workplace Injuries, Illnesses Be Made Public

The Occupational Safety and Health Administration (OSHA) announced in November that it is proposing that large companies file their injury and illness reports electronically so they can be posted online and viewed publicly.

Greater transparency would let people identify businesses with poor safety records and pressure companies to follow safety rules, safety advocates told the *Associated Press (AP)*.

OSHA Head David Michaels said that posting the injury and illness material publicly would "nudge" employers to identify and eliminate hazards.

In a news conference he said, "We believe that responsible employers will want to be recognized as leaders in safety."

The change in reporting rules would require companies with 250 or more employees to submit injury and illness data electronically on a quarterly basis. Companies with 20 or more employees in certain industries with high injury and illness rates would have to electronically submit a summary of this data once a year. The changes would cover close to half a million businesses.

Currently, businesses are required to post annual summaries of injury and illness reports in an area where employees can see them. OSHA's website contains raw data about incidents at certain workplaces, but does not tell what the injury was or how it happened, said the AP.Michaels said OSHA would remove personal identifiable information before it posted the data online. He said that given the agency's limited resources, the new reporting rules would help it target its enforcement more effectively where there is the greatest risk of harm for workers.

Business groups, like the U.S. Chamber of Commerce, told the AP that making this information public could be misleading and intrusive. The chamber said that reporting an injury does not reveal the circumstances surrounding it or indicate whether or not a company has a good safety program.

There is some truth to this because having a good injury and illness record in a refinery does not indicate the place is safe. Conditions could be ripe for a breakdown in process safety resulting in an explosion, fire or release into the air, water and ground.

The former BP-owned refinery in Texas City, Texas, had a great safety record in recordable injuries and illnesses at the time of the March 2005 explosion and fire that killed 15 people and injured 170 others. Further investigation found that the company did not have a strong safety culture. That cannot be determined solely by an injury and incident rate.

The public has 90 days from Nov. 7 to submit comments on this proposal. OSHA will consider the comments and hold a public hearing on Jan. 9, 2014 before deciding whether to approve the plan.

Protests Over Renewable Fuel Standard Impact EPA Rule

After protests from the oil industry and organizations like AAA auto club the US Environmental Protection Agency (EPA) in November revised downward its 2014 Renewable Fuels Standard (RFS).

At issue was the blend wall—the point at which ethanol exceeds 10 percent of the total fuel supply. Auto manufacturers, the oil industry and others argued that the 2014 original statutory requirement of 18.15 billion gallons of biofuel being mixed in with gasoline would hit the blend wall and cause engine trouble.

The original standard from the Energy Security and Independence Act of 2007 was based on a higher consumption of gasoline in the U.S. Since then, the recession, higher gas prices, more fuel-efficient automobiles, electrical cars and greater use of public transportation have decreased the U.S. demand for transportation fuel.

As a result, a greater amount of ethanol is being blended into less gasoline and transportation fuel, increasing the amount of ethanol in relationship to fuel.

EPA's proposal for 2014 of 15 billion to 15.52 billion gallons of biofuel, with a recommended target of 15.21 billion gallons, is nearly 3 billion gallons less than the original mandate.

The agency also proposes a range of 2 billion to 2.51 billion gallons of advanced biofuels with a recommended target of 2.2 billion gallons. This also is below the proposed target of 3.75 billion gallons under the 2007 energy act.

Congress passed the RFS in 2005 and expanded it in 2007. The standard requires increasing annual amounts of biofuels to be blended in with transportation fuel supplies. The EPA can adjust the annual amount, based on projected biofuels supply and transportation demand.

Biofuel producers are not happy with EPA's actions and while the oil industry is pleased the targets have been reduced, it still is lobbying to repeal the RFS.

EPA held a public hearing on Dec. 5 to solicit comments on its proposed renewable fuel standard for 2014. It is expected to finalize the rule by next spring.

Industry Groups File Suit

The American Petroleum Institute (API) and American Fuel and Petrochemical Manufacturers (AFPM) announced Dec. 10 that they filed a brief with a federal appeals court to overturn the 2013 RFS mandate.

The groups said the EPA violated the Clean Air Act by issuing the 2013 rule late. The EPA was statutorily required to issue the 2013 rule by Nov. 30, 2012 and instead issued it Aug. 15, 2013. This caused the oil companies to scramble to comply, the trade groups asserted.

They also claimed that the EPA was too optimistic in its forecast on the availability of cellulosic biofuels, and they accused the agency of circumventing the law by granting Alon USA's Krotz Springs refinery in Louisiana an exemption from the 2013 RFS.

The oil industry previously sued the EPA over its 2012 RFS, claiming the cellulosic biofuels requirement was impossible to meet because there was not enough supply of the fuel. Last January a federal appeals court ruled in favor of the oil industry, saying the EPA was too "aspirational" in setting its cellulosic target.

Tell Us Your Story

What is your local doing and what issues are affecting you and your coworkers? *The Oil Worker* would like to hear from you!

Articles should address the five "W's": Who, What, When, Where and How. It's best if the stories are 600 words or less.

If you have a Letter to the Editor send that in too!

Keep in mind that we reserve the right to edit contributions for length, clarity and grammar.

Be sure to put your name, local union number and phone number where you can be contacted during the day or evening in case we have questions.

You can send your articles to *The Oil Worker* editor, Lynne Hancock, at lhancock@usw.org.