

IR newsletter

Volume 14 - # 4

Date: January 12, 1972

Place: Olympian Hotel (Chariot Room)
1903 W. Olympic Blvd., Los Angeles

Time: 6:00 PM - No Host Cocktails
7:00 PM - Dinner - \$4.75 per person
8:00 PM - Speaker

Speaker: Thomas Stover, Regional Director,
~~Labor Management~~ Services Administration,
U.S. Department of Labor

Topic: WHERE HAS THE LANDRUM-GRIFFIN ACT TAKEN US,
OR LANDRUM-GRIFFIN 1959 TO IMSA 1971!

Please make reservations by returning the enclosed card or by calling Miss Sonia Pieper, 825-3180 as soon as possible.

THE SPEAKER

Thomas Stover, a career government employee, was State Labor Commissioner under Governor Winthrop Rockefeller in Arkansas, Field Examiner for the National Labor Relations Board, and has been with Labor-Management Services Administration in the Department of Labor for the past few years. The latter agency administers a wide range of federal employee relations statutes involving such areas as veterans employment rights, union pension funds, internal union election problems, and labor-management disputes arising in the federal employment sector. Mr. Stover is an excellent and highly qualified speaker whose views on the Landrum-Griffin Act should be most informative.

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SUMMARY OF DECEMBER 8, 1971, MEETING

Our scheduled speaker, Anthony Mignano, Area Director of the Office of Occupational Safety and Health Administration, was unable to be present. In his place was Barney Tibbetts, Assistant Director of the Office, who has been involved in occupational safety measures for the U.S. Government for 21 years, and who spoke on his extensive experience in that area.

The statute (OSHA) now being administered by his office, has the task of policing some 4,100,000 employers in the U.S. In short, the new law requires that the employer provide a safe and healthy place to work. Employees are required to conform with all safety regulations, including, for example, the wearing of safety equipment. The law, as it now stands in its latest printing in the Federal Register, contains 300 pages of "fine print." Also, the rules and regulations of the agency may be supplemented by OSHA without holding hearings or argument until April 1973; after that date, the provisions of the Administrative Procedure Act with respect to hearings, etc., would become effective. The scope and content of OSHA certainly is expected to grow. The complex problems that may arise before enforcement programs can get off the ground is illustrated by the chemical industry. Here OSHA staff has been compiling a list of toxic chemicals, which now contains some 15,000 items.

OSHA enforcement staff is low, and additional personnel is badly needed. The agency presently has 500 compliance officers in 43 field offices. However, OSHA investigates any valid complaint: "we'll have a man on his doorsteps the next morning," says Mr. Tibbetts. Penalties can be assessed as high as \$1,000, but they can be reduced by considering factors such as first offense, intent to comply, compliance, and size of company. When inspections are performed both management and labor representatives should be present. If there is no union to appoint a representative, the OSHA official may meet with the employees and let them vote to choose a representative for purpose of the inspection.

The key issue for an employer is "abating the hazard" with a time limit designated by OSHA; guidelines are being issued that help employers determine their position with respect to any violations. Time limits in processing cases have been firmly established and are being observed, says Mr. Tibbetts. If the employer and the OSHA area office cannot agree on a settlement that abates the hazard, the case can go to trial before a trial examiner from the Department of Labor, whose decision is subject to review by a Review Commission, and from the Commission to the U.S. Courts.

The speaker emphasized that in situations where it was found that "imminent danger" existed, all employees in the danger area could walk off the job after they were so notified by the OSHA official. This means that OSHA also is turning in such cases to the U.S. district courts for injunctive relief.

California will need additional state legislation to meet OSHA standards before it can assume OSHA duties. Meanwhile, OSHA and state inspectors investigate violations and all complaints found by state inspectors have to be cleared through OSHA.

Mr. Tibbetts emphasized that special seminars are being conducted for union and employer representatives, in which they learn more about OSHA and its operation and meaning to the industrial life of the United States.

NEWS

The Institute of Industrial Relations, UCLA, invites you to participate in the following forthcoming conferences and seminars:

Management Programs - Private Sector

- SIMULATED NEGOTIATION IN PUBLIC EDUCATION, January 5-7, 1972, in
9383 Bunche Hall, UCLA Campus
- MANAGEMENT OF CONFLICT, January 13-16, 1972, at Santa Ynez Inn,
Pacific Palisades
- EMPLOYEE BENEFITS, February 16-17, 1972, at Santa Ynez Inn, Pacific
Palisades

Further information concerning these programs can be secured by calling Mrs. Lisa Rosenberg or Mr. Angus MacLeod (213) 825-1888 or 825-3089.

Management Programs - Public Sector

- SURVEY CONFERENCE ON EMPLOYEE RELATIONS - PUBLIC SECTOR, January 20-21,
1972, at Olympian Hotel, Los Angeles
- COLLECTIVE NEGOTIATIONS FOR PUBLIC MANAGEMENT - STRATEGY & TECHNIQUES,
February 17-19, 1972, Bunche Hall, UCLA.

Further information concerning these programs can be secured by calling Mr. Philip Tamoush (213) 825-7609.

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