

MEMORANDUM

TO: Kay Packett

November 22, 1991

FROM: Ogilvy Adams & Rinehart
Savarese and Associates

RE: OSHA Request For Information

During meetings held this week, several additional ideas were incorporated into the existing strategies to solicit labor comments on OSHA's Request for Information on indoor air quality (IAQ). This memo is intended to bring these ideas together and to provide you with a budget based on the most recent version of the strategy.

The comments that we will solicit are intended to express positions on OSHA's involvement in IAQ from a perspective outside the industry. As we understand it, there are seven categories of labor submissions that we have discussed. The categories are as follows:

1) NEMI Submission -- NEMI is preparing a comprehensive submission based on its studies and experiences with IAQ. It will address all appropriate questions in the Request for Information, excluding Questions 5-12, 17-19, 37-38, 59 and 60. They have begun drafting the document and are including as much site-specific information as possible. You have already reviewed their outlines of the submission and proposed recommendations. We will monitor NEMI's progress on this element.

2) AFGE Comments -- We are currently working with AFGE to produce a submission relative to its work on IAQ. These comments will include results from its Safe Workplace Air Coalition survey as well as reference the serious work that the union has done on IAQ problems in the public sector workplace. These include building studies of U.S. Information Agency and the AFGE headquarters. It will also include work they have done in the Environmental Protection Agency and the Social Security Administration building in Richmond, CA. Dave Schlein's numerous appearances before Congress on IAQ will also be discussed. In some cases, separate submissions from the local unions will be drafted.

*Friscoff
Savarese
Suzanne*

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3) NEMI and HBI Building Studies -- We have reviewed each of the NEMI and HBI building studies and identified the union requesting the study. We will contact each union and encourage it to submit comments that explain the situation leading up to

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the building study and briefly summarize results of the study. ~~In virtually all cases, we will draft the submission for the union's approval.~~ The study will then be attached to the submission.

4) Other Building and IAQ Studies -- Based on conversations we had in Detroit, MI with state federation officials and regional NEMI representatives, we believe that in some states there may be unions that have commissioned studies of IAQ contaminants or buildings on their own. We have instructed LMC consultants to attempt to locate any additional IAQ studies in their regions that could supplement those mentioned above. We have also discussed this with NEMI, and, with our assistance, they are contacting their regional offices requesting the same information. We will work with the consultants and NEMI to identify the subjects of these studies and to encourage them to submit comments to OSHA. ~~Again, we will draft most of these submissions.~~

5) Anecdotal Labor Comments -- We have already told the LMC consultants that they are expected to help us identify labor bodies in their states that have a specific interest or experience in IAQ but that have not requested a building study. These submissions, ~~which we will also draft,~~ will identify the specific IAQ experience and concerns and call on OSHA to address the problem through a "systems' approach. State federations and appropriate local unions are currently being asked to sign onto this project. In some instances, the submitting organization may provide several anecdotes per submission depending on specific circumstances.

6) Submission of scientific studies by international unions -- We have cataloged the scientific studies provided by Covington & Burling and identified which international union might be interested in each study. A majority of the studies will be submitted by NEMI and the Sheet Metal Workers International Association. We will also approach other LMC unions including the United Brotherhood of Carpenters and Joiners of America and the International Union of Bakery, Confectionery and Tobacco Workers. *Fascy
Dross*

7) Smoking/Collective Bargaining Submissions -- We will work with our labor contacts to submit comments that express opposition to government imposed smoking bans as infringements on collective bargaining agreements. When it makes sense, these statements can be interwoven into some of the above submissions. In addition, we will determine which unions could appropriately file smoking specific submissions that resulted from experiences with grievance procedures and arbitrations. We will include references to the AFL-CIO statements on smoking bans when appropriate. This category of submission will be the last completed so that we can determine the number needed. *110-*

Because of the sensitive and complex nature of the project, it

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will be necessary to spend considerable time with the LMC consultants, walking them through the process and ensuring that letters are written and mailed to OSHA. ~~We will draft the documents, edit them, review them and make sure they are submitted to OSHA in a timely fashion.~~ It is important to note that each letter will be different based on the individual union's experience. While the messages will be similar throughout, the actual letters will differ substantially. ~~We envision each letter will be reviewed and edited several times prior to submission.~~

Submit

To ensure that we have as many quality submissions as possible, we intend to enlist resources beyond the national LMC staff and the state LMC consultants. These include Stan Gordon, who can be helpful with federal employee unions, and John Brown, who can be of particular assistance with the Building Trades. LMC Consultant Harry Kaiser will help us coordinate labor consultants in key states. In addition we will use Omi Walden to work within the Sheet Metal Workers and within the industry.

*also check AFGE
NEMU
NEMI*

Budget:

Ogilvy Adams & Rinehart

We anticipate that our staff time on this project will run between \$30,000-40,000 per month for November, December and January. This amount includes the staff time of all OA&R staffers including Tom Donahue, Jr. Since much of the work that normally falls within the Public Smoking category of our retainer will now revolve around OSHA (primarily working with NEMI and AFGE), we will offset our Public Smoking monthly retainer (\$15,000) against this total amount.

write out problem of weekly late retainer

Savarese and Associates

We anticipate increased spending of between \$8,000-\$12,000 per month for November, December and January. We propose to use John Brown and Stan Gordon exclusively on this project though January. We expect that their current level of activity -- roughly 20 hours per month -- will increase to 30 hours per month during November and 40 hours per month in December and January. In addition, Savarese and Associates projects \$15,000 in increased billings over the three month period.

Reduce to same level

per month or total?

cc: Martin Gleason
Susan Stuntz

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