

## ARTICLE 28: SUBCONTRACTING

To meet customer requirements and successfully operate its business, the Employer may, at its sole discretion, contract or subcontract work, functions, or processes normally performed by bargaining unit members.

Any subcontracting decision that would result in the direct layoff of a bargaining unit member will be subject to bargaining between the Employer and the Union.

LLNS will agree not to assign unit members as the “Responsible Individual” for a subcontractor’s employee, unless there is an emergency or an official inspection by a State or Federal inspector or other official assessor or an informational visit by an equipment vendor. An employee who escorts a subcontractor’s employee but who is not a “Responsible Individual” shall bear no responsibility for the unsafe act(s) or omission(s) of said subcontractor’s employee provided, however, and notwithstanding the Employer’s use of subcontractors, bargaining unit employees will always be expected to cooperate in a professional manner with a subcontractor’s employee and to follow LLNL’s workplace health and safety policies and practices and the Administrative Escorts Procedures as developed by the Employer, as outlined in Article 2.

In general it is the policy for bargaining members not to perform Lock Out and Tag Out (LOTO) for subcontractors. The subcontractor will comply with the LOTO requirement of one lock per each worker performing work under the LOTO.

Subcontractors are responsible for performing all steps in LOTO, and in general will be designated as the Primary LOTO Authorized Worker with the following exceptions:

- High Voltage (greater than 600 volts) Electrical utility distribution systems or components
- Mechanical utility distribution systems or components (examples would include City Water, Compress Air, Natural Gas, and LCW)
- Life Safety Systems that are maintained by the EMD Alarms Division
- Work performed within Nuclear Facilities, as defined with the DOE Standard
- At the request of the Facility Managers when in support of Mission Essential Real Property Assets (defined in DOE O 430.1B as those facilities and infrastructure assets that directly contribute to accomplishment of the program assigned missions or mitigation of environmental, safety, or health issues, which if not available, would adversely impact the mission).
- During Emergencies

These activities should be planned in advance to assure appropriate scheduling with LLNL workers. LLNL workers shall perform primary LOTO, up to and including absence of energy verification with the subcontractor present. Once the subcontractor hangs their individual locks, the LLNL workers shall transfer the LOTO and remove their locks for the performance of subcontractor’s work activity.

The Facility Manager for the facility or asset, and the Construction Managers for construction projects, will be responsible for planning and preparation of direction for the subcontractor regarding the accurate lock out points. Part of this planning and preparation may require the services of bargaining unit members.