

Exh. GF-1T
Docket U-180680
Witness: Glen Freiberg

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

DOCKET NO. U-180680

TESTIMONY OF

GLEN FREIBERG

NORTHWEST LABORERS-EMPLOYERS TRAINING TRUST

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I. INTRODUCTION AND SUMMARY

Q: State your name, affiliation, and address.

A: Glen Freiberg, Northwest Laborers-Employers Training Trust (“NWLETT”), 27055 Ohio Ave NE, Kingston, WA 98346.

Q: Please summarize your relevant background and professional expertise.

A: I am the assistant training director of NWLETT. In this role, I am responsible for the day to day operations of NWLETT, including scheduling classes, maintenance of the facilities, ordering supplies, approving videos and curriculum for our instructors, supervising and monitoring the instructors, setting up “train the trainers” training, hiring instructors, interfacing with the students, administering the Joint Apprenticeship Training Council, overseeing the apprenticeship program and the apprenticeship coordinators, assisting with NWLETT’s budget, and performing human resources functions for NWLETT’s 40 employees, etc.

I have also served as a NWLETT instructor and taught several classes, such as excavating, trenching and shoring, pressure pipe classes and fusion welding, plan reading. I am also a flagging instructor, and one of only approximately 10 instructors certified in Washington to teach traffic control supervisor (“TCS”) class. Prior to working at NWLETT, I was a foreman with Granite Construction. Prior to that, I had approximately eight years of general construction and heavy highway construction for Tri-State.

Q: What is the purpose of your testimony?

A: My testimony will provide information regarding NWLETT, including how the training courses it offers help to train and prepare workers for careers in construction, particularly in the natural gas field. It will also focus on the ways in which safety and

1 reliability can suffer when utilities do not utilize sufficient training.

2 **II. NWLETT'S OPERATIONS**

3 **Q: Describe the Northwest Laborers-Employers Training Trust Fund's training**
4 **operations.**

5 NWLETT works with contractors and unions to produce employees trained in safe
6 utility operations. NWLETT provides training to more than 2,000 individuals each year.
7 NWLETT has two primary focuses – apprenticeship education and general training for
8 members of the Laborers' International Union of North America ("LIUNA").

9 NWLETT is an affiliate of the LIUNA Training and Education Fund. The LIUNA
10 Training and Education Fund develops high quality curriculum (including, where necessary,
11 Washington state-specific curriculum) for our training courses, coordinates the certification
12 of our instructors through the American National Standards Institute ("ANSI"), and supports
13 our program to train Construction Craft Laborers throughout Washington and Northern
14 Idaho.

15 NWLETT also runs an apprenticeship program that is registered with the
16 Washington Department of Labor and Industries, Washington State Apprenticeship and
17 Training Council ("WSATC"). The WSATC develops and regulates apprenticeship
18 standards, which our program must meet. The apprenticeship program consists of 6,000
19 hours of on the job training. Additionally, for every 1,000 hours of on the job training,
20 apprentices must complete 80 hours of in-classroom education, with a large focus on safety
21 training. This is referred to as "RSI," or required supplemental instruction. We currently
22 have almost 1,100 apprentices participating in the apprenticeship program.

23 We also provide training to all 11,400-plus LIUNA members in our jurisdiction,

1 primarily in Washington and Northern Idaho, including journeymen Laborers. We provide
2 classes on whatever topics our members require and are constantly assessing what training is
3 most needed by our members and signatory contractors. Much of our training is focused on
4 providing our members with certifications that Laborers need to work in various fields.

5 **Q: To what standards are NWLETT's training programs held?**

6 **A:** We take pride in offering the highest quality training for our members and
7 apprentices, and ensuring that we are offering the most comprehensive and up-to-date
8 training programs available in the construction industry.

9 Our instructors are accredited by the ANSI, which is a third-party entity that certifies
10 NWLETT's instructors. NWLETT's instructors are unique in this regard, as most training
11 programs in the construction industry are not certified by an independent third party.

12 All of our instructors participate in the ANSI-accredited "Instructor Certification
13 Program." This multiyear certification program ensures that our instructors are held to the
14 highest standards and use the most effective adult education techniques in a dynamic and
15 interactive learning experience. As part of the ANSI certification process, our instructors
16 complete exhaustive training on adult learning methods, and must demonstrate several
17 competencies. Eventually, instructors take a test to receive their ANSI certification.
18 Certified NWLETT instructors must conduct at least 160 hours of LIUNA Training and
19 Education Fund-approved training annually, and must also fulfill a biannual requirement of
20 completing a week of continuing education. Every NWLETT instructor must also maintain
21 certain certifications to teach certain subjects. They attend annual instructor conferences
22 and receive other ongoing training.

23 In addition to the ANSI certification requirement, the LIUNA Training and

1 Education Fund develops our curriculum, and NWLETT's program must comply with
2 LIUNA's standards as well. All LIUNA training programs must meet the International's
3 standards regardless of state. This ensures uniform certifications and the highest quality
4 training for our members. This translates into increased productivity and the highest caliber
5 skilled workforce for employers.

6 **Q: What subjects related to natural gas pipeline work does the Apprenticeship**
7 **Program cover?**

8 **A:** NWLETT's apprenticeship program covers several topics pertinent to the work
9 that a Laborer would perform in the natural gas industry, including: OSHA "10 and 30"
10 (OSHA 10 is a ten-hour safety course that covers basic awareness training on the
11 recognition, avoidance, abatement and prevention of workplace hazards; OSHA 30 is a 30-
12 hour safety course that provides greater depth and variety of training on an expanded list of
13 topics associated with workplace hazards), general pipeline safety, flagger certification/work
14 zone safety, trench and excavation safety, confined space awareness, environmental
15 remediation, hoisting/rigging and signaling, fencing, forklift, force mains/pressure
16 mains/gravity flow lines, work zone safety, repair work and repairing live lines, capping
17 water lines, pipe fusion/polyethylene, traffic control plans, Personal Protective Equipment,
18 tool operation and maintenance, site prep and maintenance, site layout, blueprint reading,
19 construction math, line and grade checking, concrete placement, cutting, and repair, material
20 handling, tending pumps, potholing.

21 **Q: What other training does NWLETT offer that is pertinent to gas distribution**
22 **or transmission work?**

23 **A:** There are several courses available to our members relevant to performing work

1 in the natural gas industry, including but not limited to basic concrete, first aid, OSHA 10
2 and 30, erosion control, plan reading and road excavation, asbestos abatement, AC pipe
3 removal, gravity sanitary sewer and storm installation, OSHA standard hoisting and rigging,
4 traffic control and traffic control supervisor courses, pressure pipe installation (ductile),
5 safety and hazard awareness for tunneling, utility installation for tunneling, rail installation
6 for tunneling.

7 **Q: How does NWLETT's training compare to "in-house" training offered to**
8 **utility employees by contractors?**

9 **A:** Without a doubt, NWLETT's training is superior to that offered in-house by
10 most contractors. NWLETT instructors are third party certified is in and of itself a
11 differentiating factor as well as a way to ensure that NWLETT training is held to an
12 objective, high standard. NWLETT itself holds its instructors to the highest standard. For
13 instance, we do not allow a flagging instructor to teach their own class until they have
14 shadowed another instructor for at least six lessons, co-taught at least two courses, and
15 become certified by the Evergreen Safety Council. I am not aware of any in-house traffic
16 control training that imposes similar requirements on its instructors, and I am generally
17 aware of the training offered by traffic control contractors in Washington and Idaho.

18 As further indicia of the credibility of NWLETT's training, I note that as an outside
19 party, NWLETT has no stake in whether or not an individual is able to successfully pass the
20 training course—we will give passing grades only to those individuals who we conclude
21 have demonstrated the requisite skills and knowledge. There are different pressures that can
22 affect contractors that perform in-house training for utility employees. I've seen some
23 contractors who have cut corners because of financial pressures. For instance, I have seen

1 contractors that will simply sign everyone off and have 100% of their students pass because
2 they don't want to slow down work and feel pressure to get everyone signed off on safety
3 training even if someone doesn't necessarily demonstrate that they're proficient. NWLETT
4 has no similar self-interest that would lead us to take such actions. NWLETT's sole focus is
5 on imparting the information necessary to ensure that Laborers are able to work as safely as
6 possible.

7 Our OSHA instructors are dedicated to conducting OSHA training exclusively.
8 Accordingly, they are able to develop expertise in their field and to develop highly
9 specialized curriculum that is cutting edge. In fact, contractors frequently ask if they can use
10 NWLETT's OSHA curriculum and training materials for their people to use for in-house
11 training, recognition of its high caliber. Some contractors that perform their own in-house
12 OSHA training even send their instructors to NWLETT to attend the courses necessary to
13 obtain recertification as an OSHA instructor (the OSHA 502 class).

14 **III. SAFETY RISKS ASSOCIATED WITH PSE'S OPERATIONS**

15 **Q: What safety risks exist for Laborers performing work related to natural gas**
16 **transmission and distribution pipeline?**

17 **A:** Working on natural gas facilities poses many significant risks, both to individual
18 worker safety and overall system reliability. Working with natural gas is extremely
19 dangerous and, when installing or maintaining gas lines, it is critical to minimize the risk of
20 line ruptures or punctures, which can cause accidental ignition or explosion. Even absent
21 ignition, the high pressure in the pipes could cause life-threatening damage if there were a
22 rupture. Laborers perform the work of digging out a line when it is necessary to access the
23 line for repair, maintenance, or replacement. While operators using mechanized equipment

1 dig up the area within two feet of an existing transmission lines, Laborers dig the rest by
2 hand. Given the risks associated risks, this job requires painstaking accuracy.

3 Along with rupture, ignition risks, there are concerns when trenching about the
4 potential for “cave ins.” This can happen when laborers or welders are in the ditch or if
5 laborers or welders are walking along the ditch above ground along the edge of the ditch.
6 To minimize this risk, laborers employ safeguards, such as using creating shielding or
7 shoring around a trench. Any trench that is four feet or deeper must be “boxed in,” which
8 refers to installing a steel box around the edge of the trench for support to ensure it won’t
9 fall in. Any trench that is more than two feet deep must also have a ladder to assist Laborers
10 in entering and exiting the trench.

11 There are also risks associated with working in extreme climates, as Laborers are
12 frequently required to do. Terrain can really affect these risks. For example, if a Laborer is
13 taling in some pipe and they fall down because of uneven ground, they can be badly injured
14 or worse. Laborers must constantly be aware of their surroundings, and these concerns may
15 be heightened when working in poor weather conditions.

16 Working with and directing heavy equipment and machinery presents other safety
17 risks. Laborers are responsible for acting as the Operator’s eyes because the Operator can’t
18 see everything going on around him. For instance, the Laborer must be alert to unexpected
19 things like a child or dog coming near the heavy machinery, and be prepared to signal the
20 Operator to stop immediately. Laborers must ensure that there are no lines, branches, trees,
21 or other items in the Operator’s “360 degree swivel” that could create a problem. Of course,
22 a Laborer must also be alert to the possibility that the Operator could hit a line that had not
23 been located correctly. Acting as the Operator’s eyes requires having good communication

1 skills and a well-established relationship of trust with the Operator. The reason that the
2 latter is important is that each party needs to be able to read the other's signals. Accidents
3 are more likely to occur if hand signals are used incorrectly or there is bad communication
4 with the operator, or a Laborer is not anticipating properly what the Operator is going to do.

5 **Q: How does the training and experience of the laborer performing pipeline**
6 **work impact their ability to perform assigned tasks in a safe and responsible manner?**

7 **A:** The training and experience of the people working on a pipeline will have a
8 direct effect on the quality of the work. Using inadequately or improperly trained or
9 inexperienced personnel can result in damage both to the utility and the public. NWLETT is
10 vigilant in ensuring that Laborers have been through rigorous and extensive training in dig
11 laws, OSHA regulations, the safe operation of equipment, etc.

12 **Q: Does a construction contractor employee's length of tenure have a**
13 **relationship to their ability to perform their job duties safely?**

14 **A:** Yes. In my experience there is a direct relationship among sufficient training,
15 experience on the job, and safe and effective job performance. Natural gas crews work
16 together in a very integrated way. It is important to develop relationships, good
17 communications, and to learn what to expect from each other. A crew that has worked
18 together not only can read each other's hand signals. They've seen (or made) mistakes
19 together, have learned from them together, and will all be working to ensure the same
20 mistake is never repeated. Crews who have been together for a long time have encountered
21 situations together and have shared experience learning how to remedy them by working
22 collectively. Some contractors who just throw crews together, or throw new people into the
23 mix, and those people must not only learn job basics, but must also learn from each other at

1 the same time. When you have an experienced crew, there are no steps wasted – that crew
2 will be able to go out there and get the job done safely and efficiently.

3 A Laborer that has been working for a contractor for a long period of time also
4 develops a deep and nuanced understanding of the contractor’s equipment (and how to avoid
5 any particular issues with that equipment), the contractor’s policies and particular
6 techniques, etc., all of which allow lead to fewer safety incidents.

7 IV. PROPOSED TRANSACTION

8 **Q: Does the proposed transaction make any commitments with respect to**
9 **training provided to PSE’s contracted out workforce?**

10 **A:** No.

11 **Q: Does that absence present any risks to ratepayers, in your opinion?**

12 Yes. Contractors are responsible for performing a large and seemingly increasing
13 portion of PSE’s operations. Failing to have any enforceable standards in place presents
14 risks that PSE could utilize contractors that have less than adequate safety and training
15 practices, to the detriment of contracted employees and PSE customers.

16 **Q: What commitments with respect to the training provided to PSE’s**
17 **contracted workforce would you recommend to ensure that ratepayers are protected?**

18 **A:** I would recommend the following commitment:

19 PSE and Puget Holdings commit to utilizing contractors with access to
20 high quality training and apprenticeship programs. Specifically, all
21 contractors must: 1) have access to third party training programs that
22 are jointly trusted by labor and management and that utilize
23 independently certified instructors, and 2) have “approved training
24 agent” status with an apprenticeship program registered with the
25 Washington State Apprenticeship and Training Council as well as a
26 demonstrated history of utilizing apprentices.

27 **Q: How would such a commitment protect PSE ratepayers?**

1 **A:** This commitment would ensure that PSE utilize contractors that had access to
2 and utilized rigorous training programs on par with that administered by NWLETT, ensuring
3 safer practices by the contractors performing work on the front lines of the PSE system.
4 There is overwhelming evidence linking lower on the job injuries to high quality safety
5 training. Having a safer workplace with better trained employees will lead to fewer injuries,
6 less claims filed with the Department of Labor and Industries, and lower costs for the
7 contractor and utility.

8 Requiring PSE to utilize contractors that have access to using apprentices and a
9 demonstrated history of utilizing apprentices is beneficial because it assures that PSE will
10 not run into a problem plaguing the natural gas industry nationwide of a shortage of
11 qualified workers to ensure that work on the PSE system is able to be carried out in a timely
12 and safe fashion. NWLETT's experience has been that contractor utilization of Laborers
13 apprentices promotes longevity and continuity of the workforce. The workforce of Laborers
14 is aging. Training new apprentices and bringing them into the field helps ensure that the
15 next generation will be ready to continue performing the work. I have seen contractors who
16 did not utilize apprentices and instead had crews who had chosen to stay with that contractor
17 for their career, and saw how that created challenges when a large portion of that workforce
18 hit retirement age or left for other reasons. Apprenticeship utilization ensures that a
19 contractor always has a fresh crop of new Laborers being trained on its operations.
20 Apprenticeship utilization also saves contractors money because they pay them a reduced
21 rate as compared with what a journeyman Laborer would earn. There are ratios that are
22 strictly enforced to ensure that contractors do not use so many apprentices as could
23 compromise safety. Those ratios change, with less journeymen supervision being required,

1 as the apprentice gains more experience on the job.

2 **Q: Does this conclude your testimony?**

3 **A:** Yes, it does.