



UTILITY REPORTER

OFFICIAL VOICE OF IBEW LOCAL UNION 1245 AFL-CIO

Successful Public Agency conference held in Sacramento



Participant, Pete Guidry, U.C. Berkeley.



Business Representative Pete Dutton, Business Manager Jack McNally.



State Senator, John Garamendi.

Shop Stewards from Public Agencies throughout our jurisdiction recently participated in a day-long information and training session conducted by IBEW Local 1245 in Sacramento.

State Senator John Garamendi was featured speaker during the program. He encouraged public employees to be-

come more involved in their destinies at work.

His presentation was well received by our members.

Other program participants included Business Manager Jack McNally, who focused on legislative impact of the Local's members, and Pete Guidry, Instructor, U.C. Berkeley Labor Research Center, who presented ways to improve negotiating skills.

IBEW Local 1245 Public Agencies Coordinator, Pete Dutton, and Staff Attorney Tom Dalzell, also made presentations during the session.

Members attending the conference included, Ed Myle — City of Oakland; Bill Rich — Modesto Irrigation District;

SEE Page Twelve



Public Agency Shop Stewards at conference.

Photos: Mickey Harrington

Local welcomes new members in San Joaquin Irrigation unit

Forty-two employees of the South San Joaquin Irrigation District have recently voted to be represented by Local 1245 after a successful organizing drive led by Business Representative Mickey Harrington.

Although Local 1245 has only been on the property for a few weeks, several important issues have already arisen. First, the District like many other irrigation districts represented by Local 1245, was faced in August with the loss of its current Blue Cross plan which it had through the Association of California Water Agencies.

Working with the District, Business Representative Harrington located two health maintenance organizations in the area which the District agreed to add to the prudent buyer, and full service plans, which it had selected to replace the ACWA Blue Cross plan which it lost in August. Furthermore, Harrington has gotten the District to agree that if the savings to the District are as high as expected by December, vision care will be added to the employee benefit package.

The second major issue is Agency Shop. By a greater than 3:1 margin, the District employees voted to have a full Agency Shop. The Board of Directors of the District was scheduled to consider this proposal just as this issue of the Utility Reporter went to press, and the outcome of bargaining on agency shop will be reported next month.

Davey Tree: On the job

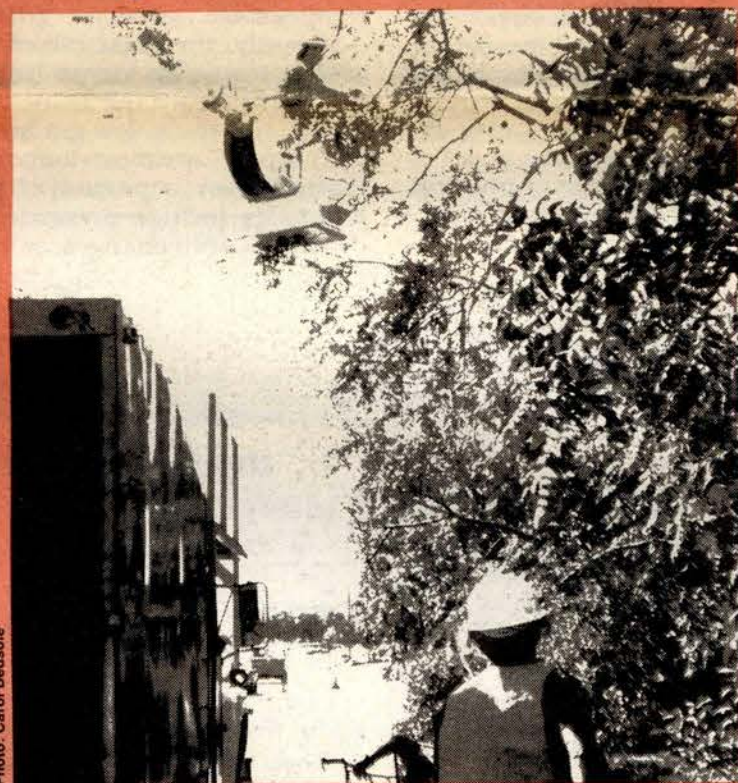


Photo: Carol Bedsole

See Pages 6-7

Tent work issue goes to arbitration

On November 12, 1982, the Gas Department in the Sacramento headquarters began experimenting with the use of tents to perform routine work during inclement weather. The Union immediately filed a grievance, and after almost two years the case was heard before Arbitrator Barbara Chvany at the PG&E's headquarters in San Francisco on October 23, 1984.

Company witnesses at the arbitration focused on the increased productivity which they felt the tent would provide. They argued that

SEE Page Twelve

Arbitrator reduces letter for Steward

On October 19 the Union received the results of an important arbitration concerning clearance procedures at the Sacramento Municipal Utility District's Rancho Seco nuclear facility. For several years the Union has been concerned about the District's lax enforcement of the clearance procedures which constitute a critical part of worker safety and the safe operation of the plant.

Of particular concern was the District's lack of consistency in walking down clearances and observing clearance procedures while repairs were being made by the

SEE Page Twelve

Operator killed at Moss Landing

Lloyd Hansen, Senior Control Operator, at PG&E's Moss Landing Power Plant, died following an accident at the site on Friday, October 19.

He is believed to have died from hydrogen sulfide gas inhaled during a routine maintenance operation. Reportedly, he was attempt-

ing to remove water from a tunnel that leads from a recirculation pump at the plant's intake area, and travels to condenser unit No. 7.

Hansen had been a member of IBEW Local 1245 since 1953. Deepest sympathies are extended to his family.

In Memoriam
LLOYD HANSEN

Feb. 25, 1934 — Oct. 19, 1984



YOUR LEGAL RIGHTS

Utility Reporter

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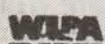
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Dutton, Business Representative, and
Member Jerry Cepernich.



By Joan Zoloth Foster

Workers Compensation: stress and heart disease

A worker who has suffered from heart disease sometimes won't think that the problem might be work-related. Stress may be one cause of a heart problem. There are three kinds of stress that can cause or aggravate a heart problem that may entitle you to Workers Compensation benefits.

First is acute physical stress, the type of stress with which people are most familiar. Specifically, heavy physical labor, moving a large piece of machinery, or lifting a heavy object, all might precede the onset of heart pain. If this type of physical stress was the precipitating event, then it is clearly compensable.

The second general area is acute emotional stress. This is stress suffered due to intense emotional trauma. For example, witnessing a co-worker fall off a pole or being assaulted may constitute acute emotional stress. This type of emotional trauma must be followed by an immediate onset of symptoms to be compensable.

Recently, the most talked about area concerning stress linked to heart disease is the third type of stress — chronic, low-grade stress. By "chronic", we mean long-term or lasting over a period of years. Examples include pressured time deadlines, shift changes, or frustra-

tion due to emotional tension which exists between a worker and his or her supervisor.

Here, stress arising out of employment can cause or aggravate a heart condition. Even if the symptoms manifest themselves off the job, the stress might be compensable if a link can be found due to any stress on the job.

A frequent question asked is "How soon after the precipitating on-the-job factor must symptoms occur in order to be compensable?" Usually, symptoms closely associated to the event or incident can be shown to be compensable, but chronic stress problems may not result in health problems until years later, and yet may still result in compensation.

The other issue to bear in mind is that an injury for Workers Compensation purposes is any industrial injury caused or aggravated by something that occurs at the workplace. Therefore, work stress need not be the sole cause of your heart condition, but it need only be one cause to entitle you to Workers Compensation.

Because this area has so many variables, it is important that anybody suffering from a serious heart condition, particularly coronary artery disease, should consult a Workers Compensation attorney in order to determine if he or she is entitled to Workers Compensation benefits.

SHOP STEWARD: Davey Tree

Meet John Ruiz



Photo: Bob Choate

Davey Tree Shop Steward John Ruiz,
Las Vegas.

I have been a Shop Steward for about five years. Being a steward in a "right to work" state has additional problems and responsibilities. The main problem is keeping the membership together as one group.

Members are always asking "why should they stay in the Union?" I try to answer their question by setting an example as a good leader.

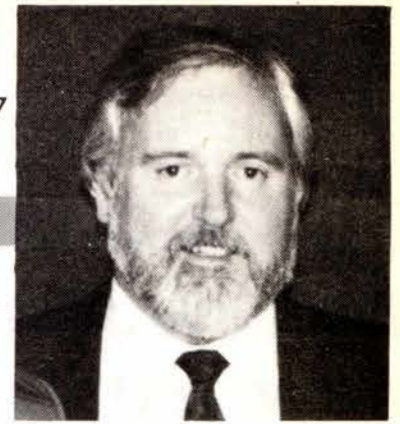
As a Steward I have vowed to protect the membership's rights. Working together with Shop Steward Ron Freeman and Business Representative Bob Choate we have been very successful in keeping the membership informed on the Union's activities. The members in Las Vegas intend to have a strong voice in the next contract negotiations, for we believe that united Davey Tree workers are more powerful than being divided.

I believe in the Union. It is the best insurance that I have. As a Steward it gives me the right to enforce the working agreement on a level with the management of Davey Tree. We have had a few problems, but it has always been worked out. I have a good relationship with Davey Tree, and if a problem should come up, I can take care of it.

Being a Steward has its headaches, but I get satisfaction from the guys I work with. They trust me with their problems and they respect the answers I give them.

We all work well together and I guess we have to, because of the type of business we are into, but Union members work more closely.

It is great to get together with the guys after work, and sit around and listen to their concerns, and know we can do something about it as Union members.



IBEW 1245 Business Manager

APPOINTMENTS

CITY OF ALAMEDA, BUREAU OF ELECTRICITY

1984 Negotiating Committee

Dennis Gow
Ray Young
Greg Jourdan

CONFERENCES AND CONVENTIONS

AFL-CIO Conference on
Occupational Safety and Health
Ron Fitzsimmons

National Safety Congress
Ann Miley

TRUCKEE-DONNER PUBLIC UTILITIES DISTRICT

1984 Negotiating Committee

Ron Reynolds
Larry Russell
Bruce Grow

USBR

1984 Negotiating Committee

William E. Chambers
Larry Mather
James Muilenburg
Chester A. Wright
Robert Kerr
Robert Gonzales

OUTSIDE LINE

Joint Safety Committee

Don Brown
Bill Paynter
Tom Conrad
Ron Pendergrass

CHANGE OF ADDRESS

If you have just moved, or are about to move, please complete this form to insure your continued receipt of all Union mail. Send completed form and your mailing label from the front page to:

UTILITY REPORTER
P.O. Box 4790
WALNUT CREEK, CA 94596

Old label: _____

Name _____

New Address _____
(Street and Number)

(City and Zip Code)

Changing with times essential for survival

Earlier in 1984, Pacific Gas and Electric Company announced that they intended to restructure the internal makeup of the Company. The intent of the restructuring is to provide better service to the rate payers.

Over the last ten years, the price of fuels and capital has drastically escalated. The result has been higher and higher utility bills for the consumer. The rate payers and regulators demand more from utilities and expect that utility companies be run efficiently and productively.

With this in mind, PG&E has developed a new design which they feel will better serve the customers. To start, the Company is currently testing two "Optimal Service Delivery Units" (OSDU). These units are similar to current large districts, or "C" Divisions, which serve roughly 75,000 to 150,000 customers. The purpose of the Optimal Service Delivery Unit is to, and I quote:

"... achieve, first and foremost, the highest level of customer satisfaction through cost-effective delivery of quality energy services to each customer of record and applicant in the unit's service area. The primary purpose is supported by continuous development of competent and motivated employees who make responsiveness to customers their first priority. In addition, PG&E is committed to being a responsible corporate citizen concerned with the well-being of the communities it serves."

Diablo District of East Bay Division and Santa Rosa District of North Bay Division are the two districts that are being used as a test, operating as Optimal Service Delivery Units.

The second part of this restructuring is to eliminate the current 13 geographic divisions and to establish six geographic regions. The intent is that six to ten Optimal Service Delivery Units would make up a region. The function of the regions will be to provide support to the OSDU's, in a manner similar to that of the current divisions.

The Company recently announced the geographical areas of the six regions, which are as follows:

- Sacramento Valley Region would include Shasta, DeSabra, Colgate, Drum, and Sacramento Divisions.
- San Joaquin Valley Region would include San Joaquin and Stockton Divisions.
- Redwood Region would include North Bay and Humboldt Divisions.
- Golden Gate Region would include San Francisco Division and Peninsula District of San Jose Division.
- East Bay Region would include East Bay Division.
- Mission Trail Region would include Coast Valleys and San Jose Divisions, excluding Peninsula District.

Beginning January 1, 1985, the Company intends to begin implementation of the regional concept.

We have been in discussions with PG&E as they have progressed with their organizational plans. We have a minor problem with respect to the grievance procedure, which involves the question of who handles what level of the procedure.

The most obvious problem, however, is the job bidding and promotion procedure and the demotion and layoff procedure with respect to the elimination of the current geographic divisions and the establishment of regions. The Union and the Company will have to reach agreement on any proposed changes as a result of the reorganization.

These are big changes for PG&E. Sierra Pacific Power Company recently reorganized into smaller companies under a holding company. I have talked to other utility business managers, and they say that their companies are looking at changing as times and conditions change.

The escalating cost of fuels required to generate energy has put the utilities and their employees in a fish bowl. Times and conditions have changed. In order to survive in this world, one must change with the times, and changing conditions, or be left behind.

In Unity—

Jack McInerney

Local works to establish new ventilation regulations for indoor air pollution

By Juliann Sum, Industrial Hygienist

"Indoor Air Pollution" is a fairly recent problem in office buildings. Employees affected by indoor air pollution experience tiredness, dizziness, nausea, eye irritation, respiratory problems, and other symptoms during the workday. The problem is also called "tight building syndrome," because many of the complaints occur in new buildings which have been designed and built to be "air tight" for the purposes of conserving energy.

A soon-to-be released report by the Environmental Protection Agency, which measured exposure to toxic substances by 850 individuals nationwide, concluded that "indoor air in the home and at work far outweighs outdoor air as a route of exposure to these chemicals." The EPA study was undertaken in the face of great opposition from the Reagan administration, which has tried to eliminate funds for the research since 1982, only to have them restored by Congress.

Although further research is still needed to determine the exact causes of indoor air pollution, it is known that improvements in ventilation often alleviate the symptoms. Unfortunately, although the law requires that adequate ventilation systems be installed when buildings are constructed, there are no requirements for adequate operation or maintenance of these systems.

IBEW Local 1245 in 1982 joined the Indoor Air Pollution Coalition, a group of unions in California working together to obtain improvements through educational projects and changes in the law.

The Coalition filed a petition with the Cal/OSHA Standards Board in 1982 for a standard to address indoor air pollution and has actively participated in three meetings of a special committee convened in 1983 to develop recommendations for Cal/OSHA regarding the establishment of minimum ventilation regulations.

This Minimum Ventilation Advisory Committee, which comprises technical consultants and equal numbers of labor and management representatives, has agreed that regulatory language and a research project should both be considered at this time. However, Cal/OSHA officials disagree as to the feasibility of ventilation regulations in California. The issues revolve around the scientific uncertainty regarding the exact causes of indoor air pollution and jurisdictional problems in offices where the employers themselves do not own or manage the buildings.

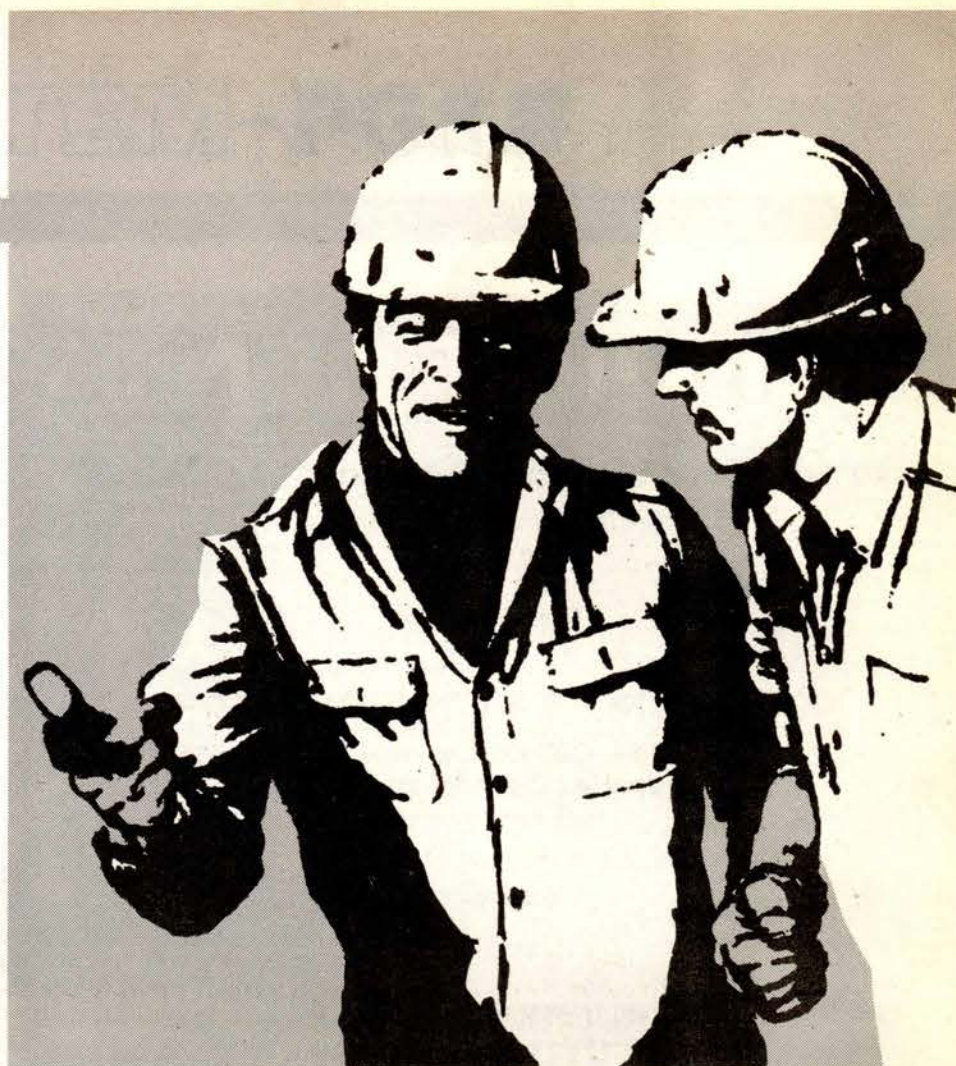
Due to these differences within Cal/OSHA, the Coalition is currently investigating other avenues such as legislation which would require that a ventilation standard be established.

Question over providing required safety gear still being considered

The Union continues to pursue the issue of whether safety gear required by PG&E in its Accident Prevention Rule Book should be furnished and paid for by the Company. The Union participated in a six-month-long Cal/OSHA study in 1981 to determine what gear was actually required for the work done by PG&E. Based on the *Bendix Forest Products* decision, the Union maintains that the employer should pay for all safety gear that the employer calls for on the job.

By letter dated July 23, 1984, the Union reiterated its request for a determination on the issue from

Cal/OSHA and followed up with a copy of the Accident Prevention Rule Book and some additional information on October 1, 1984. To date we have received no answer.



Health and safety training guaranteed under law

Your right to receive health and safety training and information on the job is covered under numerous governmental standards and regulations.

Accident Prevention Program (California General Industry Safety Order 3203)

Employers regulated by Cal/OSHA must have an effective accident prevention program including, but not limited to the following:

1. A training program designed to instruct employees in general safe work practices and specific instructions with respect to hazards unique to the employee's job assignment.

2. Scheduled periodic inspections to identify unsafe conditions and work practices. The employer shall correct unsafe conditions and work practices found as a result of the required inspections.

Training on how to handle hazardous substances

Employers are required to provide special training on a number of carcinogens and certain other very hazardous substances. These substances include inorganic arsenic, asbestos, and lead.

Employers regulated by Cal/OSHA are also required to provide employees written information or training programs on approximately 800 hazardous substances. See IBEW Local 1245's LIFELINE manual, page 17, regarding the Material Safety Data Sheets regulations in California (General Industry Safety Order 5194). The MSDS regulations will be in effect until 1986.

Manufacturing employers who

must comply with Federal OSHA standards are required to retain MSDS's and provide labeling and employee training on hundreds of hazardous chemicals. (Hazard Communication standard — Code of Federal Regulations, Title 29, Section 1910.1200)

Noise

All employers must provide annual training to employees regarding the effects of noise on hearing, information and instructions on the selection and use of hearing protectors, and an explanation of the hearing tests which the employers are required to provide. (Code of Federal Regulations, Title 29, Section 1910.95, and California General Industry Safety Order 5095-5100)

Respiratory Protection

For all workers who must use respiratory protection, employers are required to provide training on the proper use and limitations of the respirators. (Code of Federal Regulations, Title 29, Section 1910.134, and California General Industry Safety Order 5144)

Access to your exposure and medical records

Within 15 days of your request, your employer must provide you access to exposure or medical records. See LIFELINE manual, pages 13-17 for further information. (Code of Federal Regulations, Title 29, Section 1910.20, and California General Industry Safety Order 3204)

For further information regarding these standards and regulations, we recommend that you contact your Shop Steward or Business Representative.

'Non-PCB' capacitor label still can pose hazard

According to a memorandum issued by Pacific Gas and Electric to all Division Managers, PG&E has in operation approximately 800 Westinghouse capacitors, which are labelled "non-PCB", but which in fact contain at least 50 to 100 ppm of PCB.

The capacitors were manufactured between December 1976 and April 1978 and bear the serial numbers 76-12-0000 to 78-03-9999.

The PCB contamination resulted from the retrofilling of Inerteen capacitors which had originally been filled with PCB. When the Federal government banned further manufacture of PCBs, the capacitors were drained and refilled with a non-PCB fluid. However, because of the pervasive nature of PCBs, residuals remained in the system and contaminated the new fluid.

The Local Union became concerned about the possibility that workers who reported to a PCB spill clean-up site would see the "non-PCB" label and not realize that they should wear protective gear and take other precautions as specified in T & D Bulletin 2-50, Revision 5. The Union raised this issue with the Company at the quarterly Joint Health and Safety Committee meeting held on May 23, 1984. The Company states that they did not know where the capacitors were installed and had no intention of relabelling them.

The Company felt that the employees could call headquarters when they arrived at a spill site and check the serial numbers to deter-

mine whether or not the capacitors were PCB contaminated. Unfortunately, by then both the clean-up crew and the public could have been unnecessarily exposed to PCBs.

The issue was again raised at the next quarterly meeting on August 22, 1984, at which time the Union informed the Company that a supervisor in the North Bay had initiated a search for the mislabelled capacitors by serial number and had completed the task in a short period of time. In response to a suggestion that the Company follow this procedure system-wide, the Company declined. Instead, the Company representatives proposed to include a procedure specifically contemplating this type of clean-up in the next revision of T & D Bulletin 2-50 and, in the meantime, to see to it that all workers who may have to handle such a clean-up have access to the Company's memo of April 5, 1984.

Discouraged by the Company's unresponsiveness, the Union filed a complaint with Cal/OSHA for mislabelling of PCBs on September 14, 1984. In a recent telephone conversation with a Cal/OSHA representative, the agency does not appear inclined to issue a citation unless, and until a worker is actually exposed to a concentration of PCB greater than 50 ppm. The Union will continue discussions with Cal/OSHA and plans to file a complaint with the Environmental Protection Agency in the event Cal/OSHA refuses to take action.

Behavior modification shows reduced heart attack risk

By Susan Beauchamp,
American Physical Fitness
Research Institute

It's both scientifically and popularly known that the aggressive, hard driving, competitive, "Type A" personality is at greater risk of suffering a heart attack than the easier going "Type B" individual.

What's new is that, just as modifying one's diet or stopping smoking or adding an exercise program to one's schedule can lower the risk of heart disease, so can psychological counseling aimed at reducing "Type A" behavior. In fact, such counseling can cut a "Type A" individual's chances of having a heart attack in half.

In a recent study, conducted at the Mt. Zion Hospital and Medical Center in San Francisco and the Stanford University School of Education, heart patients were divided into two groups. While both groups received cardiological advice regarding diet and exercise, only one group received counseling to modify their "Type A" behavior.

The results were dramatic. The

counseled group had almost 50 percent fewer heart attacks than their uncounseled counterparts, and nearly 80 percent of those in counseling were able to handle stress more effectively, slow down their lives and improve their self esteem by the end of the three year study.

Other experts in the field of cardiology feel this study is important because it is the first evidence that modifying behavior can help reduce coronary disease.

It's also important because it adds hope and a new form of help to those across the nation who suffer from heart disease.

Experts warn that "Type A" individuals often deny that they have any problems, but it is to be hoped that the current information will encourage at least some to look into this new avenue toward heart health. After all, if such counseling can improve a patient's chances of staying heart attack free by 50 percent, isn't it worth a try?

Time to prepare for Scholarship Contest

AL SANDOVAL MEMORIAL COMPETITIVE SCHOLARSHIP

● The purpose of the scholarship contest is to provide a grant in aid to students for scholarships to colleges and junior colleges, thereby making financial assistance toward the attainment of a higher education.

1. The grant will be as follows:

\$500.00 per year, up to four (4) years, as long as a C (2.0) average is maintained and the parent maintains their membership in good standing in Local Union 1245.

2. In order to be a candidate in this contest, you must be a daughter or son, natural, legally adopted or a legal ward of a member of Local Union 1245. You must also be a high school student who has graduated or is graduating in the year of the contest. A copy of your diploma or a letter from your high school stating that you will graduate in 1985 must be attached to your scholarship application.

3. The Scholarship Grant will be made only to that candidate who intends to enroll in any college certified by their State Department of Education and accredited by the local accrediting association.

Applications may be secured by addressing the Recording Secretary of Local Union 1245 or by calling the Union Office or by using the form printed in the Utility Reporter.

4. Applications may be secured by addressing the Recording Secretary of Local Union 1245, or by using the form printed here.

5. Checks will be paid directly to the college upon presentation of tuition bills to the Local Union.

6. All applications shall be accompanied with a written essay, not to exceed five hundred (500) words, on the subject "HOW DOES ORGANIZED LABOR IMPACT THE UNORGANIZED WORK FORCE?"

7. Essays should be submitted on 8-1/2" x 11" paper, on one side, preferably typed and double spaced with applicant's written signature at the conclusion of the essay.

8. Applications and essays must be mailed to I.B.E.W., Local Union 1245, P.O. Box 4790, Walnut Creek, California 94596, by registered or certified mail only, and be **postmarked no later than the first Monday in March of each year.**

9. Each year the scholarship shall be presented at the Advisory Council meeting in May; the contest Judge and a guest, and the recipient and parents shall be invited, at Local Union expense.

10. A suitable trophy or plaque shall be purchased by the Local Union to be presented to the scholarship recipient.

APPLICATION FOR THE AL SANDOVAL MEMORIAL COMPETITIVE SCHOLARSHIP

Sponsored by

LOCAL UNION 1245, INTERNATIONAL
BROTHERHOOD OF ELECTRICAL WORKERS, AFL-CIO

DATE _____

I hereby make application to enter the Competitive Scholarship Contest sponsored by Local Union 1245, I.B.E.W., AFL-CIO:

NAME _____
(Last) (First) (Init.)

ADDRESS _____
(Street) (City) (State) (Zip #)

Date of Birth _____ Home Tel. _____

NAME OF PARENT _____

COMPANY _____

WORK LOCATION _____

I GRADUATED OR WILL GRADUATE FROM _____

HIGH SCHOOL IN _____

WHICH IS LOCATED AT _____

I EXPECT TO ATTEND _____ COLLEGE OR SCHOOL

LOCATION _____

(Candidate's Signature)

This is to certify that the above named candidate is currently enrolled as a student at

(School name)

and has or will be

graduating in _____
(Month and year)

Official's signature and position

This is to certify that I am a member in good standing of Local Union 1245, I.B.E.W. and the Candidate, whose name is signed to this application is my _____, 1985

Parent's signature and Card No.

ON THE JOB



Working Foreman Ron Barreras in bucket, cutting limbs near power lines.



Groundman Paul Cutino prepares to set cones.



Traffic diverted from Concord crew work area on a busy street.



Climber Terry Hatton, left, cuts limbs, as Cutino puts trimmings in chipper.



Las Vegas Shop Steward John Ruiz trims tree.



Dan Davis, Las Vegas member.



Crew members in the Las Vegas yard are, L-R, Wayne Horelly, Shop Steward Ron Freeman, and Bill Brown.



Close-up of Shop Steward Ruiz. See his story, page 2.

Davey Tree at work

More than 600 workers at Davey Tree are proud members of IBEW Local 1245.

Davey Tree members work out of various headquarters throughout California and Nevada.

The Company is contracted by PG&E to keep power lines clear of trees, and to assist in storm-damage tree removal.

Sometimes our Davey Tree members work in conjunction with PG&E on storm damage.

Our members are skilled. They have expertise in recognizing detailed characteristics of tree growth patterns, and how to best cut trees to avoid disease contamination, as well as considering aesthetic values. The crews want their trees to look good, and they want their work to reflect their strong technical abilities.

Davey Tree members work closely with Business Representatives: Bob Choate, Joe Valentino, Sam Tamimi, Veodis Stamps, Bill Twohey, Larry Pierce, Wayne Weaver, Frank Hutchins, Mickey Harrington, Bob Gibbs and Frank Saxsenmeier throughout the system.

Crews pay particular attention to safety as they work with chain saws, tree pruners, and chippers. They also have to be alert to potential chemical spray hazards which property owners or cities may have used for pest control.

Climbers qualify for their assignments after meeting certification requirements. Other crew assignments may also require special qualifying.

Members also have to exhibit good communications skills in working with the public.

Our Tree members are continuing to learn more about their rights as they participate increasingly in Unit Meetings and Shop Steward training. Most recently a new Davey Tree Unit was established in Watsonville. We'll be meeting this new group along with other members working with other Tree companies in our jurisdiction in future issues of the Utility Reporter.



Posing in early morning light at the Willow Creek yard in Humboldt Division are crew members, L-R, Kathy Pitcher, Groundman; Dave Stevens, Groundman; Steve Redding, Climber; Rick Susavilla, Climber; Ron Middleton, Foreman; Scott Ford, Climber; Darrell Henderling, Foreman; Mike Loftis, Vegetation Control Foreman; Duane Gower, Groundman; and Todd Watkins, Climber.



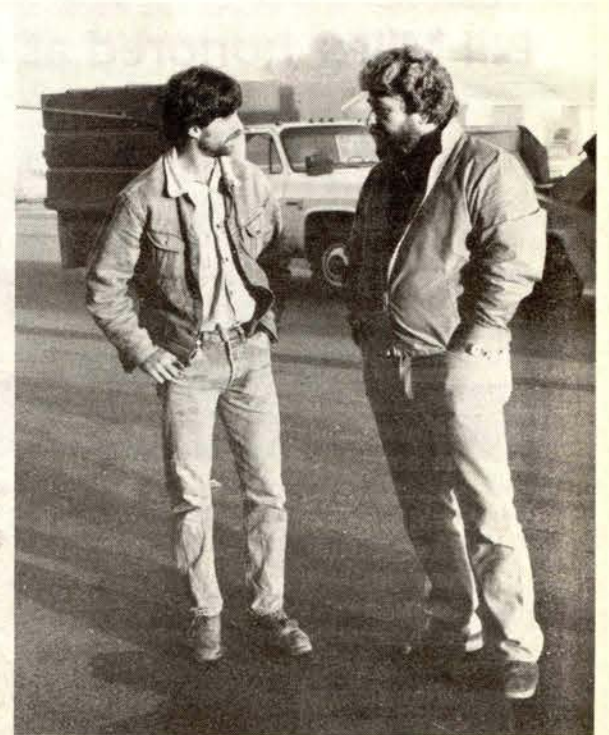
Willow Creek crew members get set to start the day.



Photos: Carol Bedsole



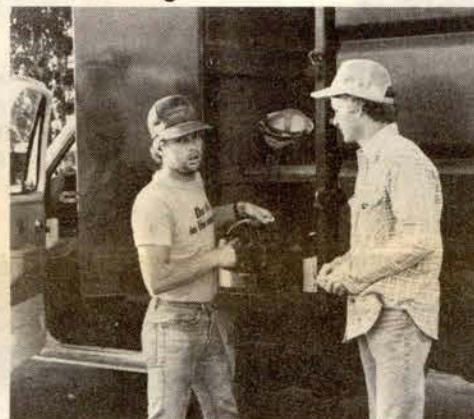
Eureka crew member Wayne Rocha heads for truck as crews prepare to leave yard on brisk autumn morning.



Business Representative Bob Gibbs, right, at Eureka yard with Shop Steward Scott Luis.



Crews discuss day's assignments prior to leaving yard.



Crew members Mark Rose and Steve Danielson load gear.



Gibbs talks with crew members at Eureka yard.



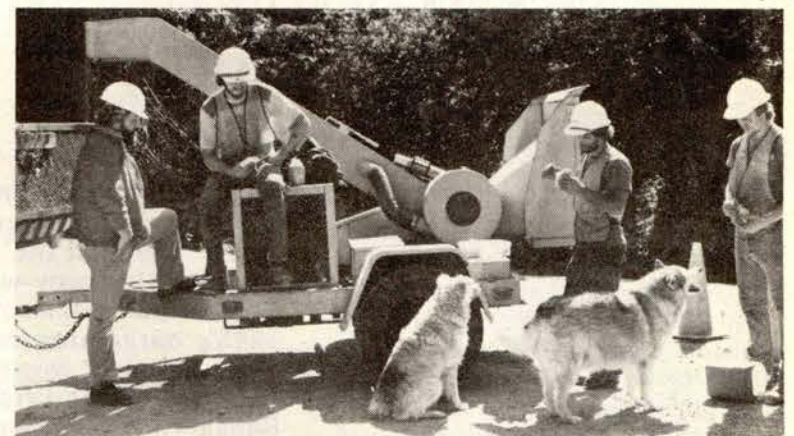
Tall task — as trees are topped prior to removal. Crew removed a stand of 26 second growth Redwood trees in this area.



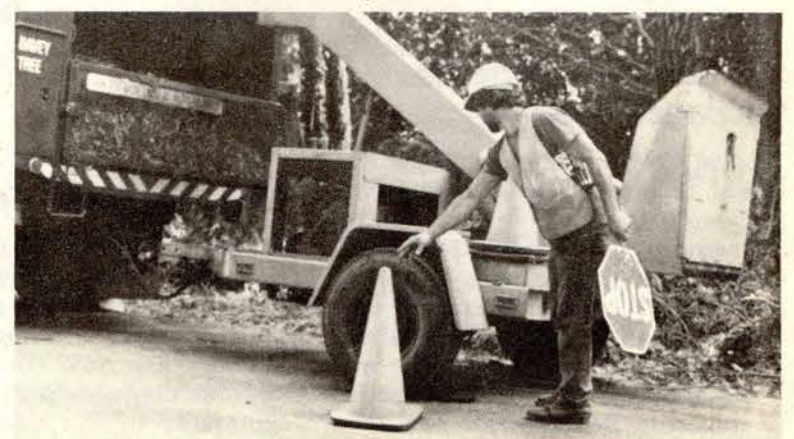
Working Foreman Walt Vance trims limbs from power line obstruction.



Chris Williams, Groundman, directs traffic on narrow country road outside Eureka.



Business Representative Bob Gibbs meets with crew as area pets get in on lunch break. Left to right are crew members Chris Williams, Walt Vance and Steve Roland, Climber.



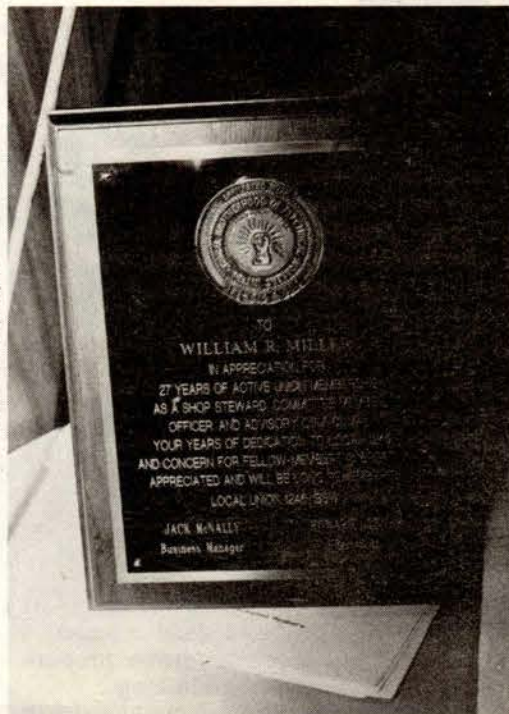
Vance sets cone.

Bill Miller honored at Advisory Council



Business Manager Jack McNally recently presented Advisory Council member Bill Miller a plaque honoring Miller for 27 years of loyal service to IBEW Local 1245.

Photos: Veodis Stamps



Handsome silver-toned award plaque presented to Miller, who recently retired as a Working Foreman, WAPA, Tracy. Miller has been active as a Shop Steward, Committee Member and Officer, as well as serving as a member of the Advisory Council. We all extend best wishes for a very happy retirement.



President Howard Stiefer, left, also congratulated Miller for his many years of service to the Local Union.

City of Gridley

Business Representative Jack Osburn reports that things are running fairly smoothly at the City of Gridley. "Given the troubles we've had in the past, things could hardly be better" reports Osburn. "The only problem we have going now is a grievance involving a bypass on a promotion, and that involves a legitimate difference of opinion over contract language." The bypass issue is being pursued through contractual channels.

City of Berkeley

Business Representative Bob Choate reports that the City of Berkeley recently agreed to pay the entire first month of the increased PERS contribution negotiated in our last Memorandum of Understanding with the City. The City had initially stated that because it could not begin increased payments in the middle of the month it would not make any payments until the beginning of the next month, but after several weeks of back-and-forth with the Union, agreed to go backwards, not forwards, to make the full month of increased payments.

1245 UPDATE

Sonic Cable — Watsonville

Business Representative Larry Pierce reports that the Company has reconsidered its proposal to eliminate the Working Foreman position after several discussions of the issue with the Union. The Working Foremen, who are within Local 1245's bargaining unit, will not have their positions eliminated.

C.P. National Benefits Package Rejected

Local 1245's members at C.P. National recently rejected the Company's offer on improvements to the retirement, long term disability, and life insurance plan benefits. Assistant Business Manager Orv Owen reports that the membership's chief concern was the absence of improvements in the benefit formula during the two-year period of the Company offer. A negotiating session with the Company is now scheduled for December 17.

Pacific Tree

Local 1245 has sent its bargaining proposal for a new contract to Pacific Tree and the first meeting with the Company was scheduled for November 14. Members of Local 1245's bargaining committee include Assistant Business Manager Orv Owen, Douglas Bonham, Ronald Hiteshaw, Morris "Bill" Colbert, Jr., and Michael Higgins. Results of the November 14 meeting and subsequent meetings will be carried in next month's issue.

Concord Cable Television

The Company's attorneys have completed their review of the draft Trust agreement for a health and welfare trust, and Local 1245's attorneys are now considering the several changes proposed by the Company in the trust document. After implementation of the health and welfare trust, the parties will turn their attention to a pension trust fund.

Citizens Utilities Company of California

On January 24, 1985 Arbitrator John Kagel will hear testimony in the ongoing dispute between Local 1245 and the Company involving the proper level of payment for orthodontic work since the effective date of the most recent contract. The delay in getting this case to arbitration has resulted from the illness of the arbitrator who was originally scheduled to hear the case in July and the eventual necessity of selecting another arbitrator.

In another matter, on October 17, Arbitrator Gerald McKay upheld the termination of an Installation and Repair Technician by the Company on the grounds that his operation of a small telephone sales and installation company constituted a conflict of interest under the contract. The arbitration arose largely because the grievant had begun his own company outside of Citizen's regulated area several years prior to the deregulation of the telephone industry. When Citizens created a subsidiary of its own to do business outside its regulated area, the Company charged that the grievant was then in conflict with its subsidiary and therefore with itself. The Arbitrator was not swayed by the argument that Citizens and its subsidiary were two separate corporations or that only Citizens

Utilities employees were covered by the collective bargaining agreement. He held instead that the work performed by the grievant was similar to the work performed by his employer through its subsidiary and thus upheld the termination.

State Cable Television

December 18 has been set as the hearing date for an arbitration between State Cable Television of Chico and Local 1245 involving State Cable's recently implemented dress code policy. Arbitrator Barbara Chvany will hear the case at the San Francisco offices of State Cable's attorneys.

GEO Construction

Local 1245 members met on October 27 to submit their bargaining proposals for a new contract to Business Representative Bob Choate. Choate, reports that GEO's new owners are seriously interested in breathing new life into the company, and expects negotiations to get underway shortly.

Truckee-Donner Public Utility District

Local 1245 members employed by the Truckee-Donner Public Utility District met during the week of October 22 to prepare bargaining proposals to be submitted to the District. On October 30, the District's new General Manager Peter Holzmeister suggested to Business Representative Leland Thomas that the parties meet during the month of November and resolve whatever issues are brought up prior to Christmas. Although the District has suffered from a rapid turn-over in management over the past several years, Business Representative Thomas expressed guarded optimism about chances for a timely and fair resolution of this year's negotiations with the new General Manager.

Oroville-Wyandote Irrigation District

On November 5, 1984, Business Representative Jack Osburn and his bargaining committee were scheduled to hold their first meeting with the management bargaining committee from the Oroville-Wyandote Irrigation District. Among Local 1245's proposals are agency shop, payroll deduction, and a general wage increase based upon a survey of comparable job classifications within the Oroville area.

Merced Irrigation District

Five meetings have been held to date with the Merced Irrigation District, and Business Representative Frank Hutchins reports that tentative agreement has been reached on several issues, including the trading of weekends off, access by Local 1245 representatives to District property, inclement weather, and notice of lay-offs. Five bargaining sessions were scheduled, which began on November 15.

Town of Paradise

Management and Union representatives will meet again in November to continue the meet and confer process begun in October with the presentation and explanation of Local 1245's bargaining proposal by Business Representative Scott Thomas. The Union's proposal was then taken by the Town management to the Town Council for its consideration before the November meeting with Local 1245.

Glenn-Colusa Irrigation District

Local 1245 members meeting to consider ratification of a new Memorandum of Understanding with the Glenn-Colusa Irrigation District on October 22 unanimously directed Business Representative Scott Thomas to communicate with the District management and request rebalancing on the District's last proposal on contract terms. The District's ballot, the members felt, was misleading and was improperly sent to management, clerical, and exempt employees.

Yuba County Water Agency

Business Representative Ed Fortier reports that a negotiating session was held with the Yuba County Water Agency during the week of October 22. Among the Union proposals were several important issues, including agency shop, medical benefits for retirees, and a vacation schedule similar to that enjoyed by PG&E employees. Further meetings were scheduled for mid-November.

Nevada Irrigation District

A second meeting has been held in this year's meet and confer process, and Business Representative Ed Fortier reports that the District's attorney Paul Minasian offered a general wage increase of 2 percent at that meeting. It is felt that the offer was a result of miscommunication between the District management and its attorney and that a more realistic offer will be forthcoming.

City of Oakland

Staff Attorney Tom Dalzell appeared before the Oakland Civil Service Commission on October 18, October 25, and November 2 in a hearing involving the 1983 suspension and termination of an electrician for substandard work performance. The hearing is not yet concluded, and it is possible that it will not be concluded until January.

On a different front, Business Representative Joe Valentino reports that the City has embarked upon an expensive and lengthy study of the issue of comparable worth. The City expects that its consultants will conclude with their study in late 1986 and come to Local 1245 with its findings and any proposals then.

Richvale Irrigation District

Two pre-negotiation meetings have been held to prepare proposals for changes in the Memorandum of Understanding with the Richvale Irrigation District. Business Representative Jack Osburn and bargaining committee member Steven L. Higgenbotham will be representing Local 1245 in the meet and confer process. Business Representative Osburn reports that at the top of our agenda is straightening out two recent changes made by the District, one involving the medical coverage and the other involving the removal of a position from the bargaining unit.

City of Chico

Business Representative Scott Thomas reports that the Chico City Council has recently authorized the City Manager to undertake a study of comparable worth. No timeline has been developed yet for the study, which could have a considerable impact on Local 1245's membership at the City.

Modesto Irrigation District

Business Representative Mack Wilson reported at the November staff meeting that negotiations have gotten underway for a new Memorandum of Understanding with the Modesto Irrigation District. The District has proposed a number of language changes, and the Union has proposed both language and economic improvements.

Instead of meeting once a week, Business Representative Wilson scheduled daily negotiation sessions which got underway November 5. "We hope to build up a head of steam and keep meeting until we can come to an agreement to take to the membership for ratification" said Wilson at the staff meeting.

United States Bureau of Reclamation

Business Representative Pete Dutton reports that proposals for a new agreement were exchanged with the United States Bureau of Reclamation during the first week in October and that the first actual bargaining session had been scheduled in Sacramento on November 13. According to Dutton, the Bureau has raised many of the issues which it raised in past negotiations.

City of Lodi

Business Representative Mickey Harrington reports that interim bargaining is being held between Local 1245 and the City of Lodi involving the Sewage Treatment Plant. Included in the negotiations are the terms of a relief agreement and procedures for employees to schedule and take vacation.

Alameda Bureau of Electricity

Local 1245's bargaining committee, consisting of Business Representative Joe Valentino and employee members Dennis Gow, Ray "Chumley" Young, and Greg Jourdan, met with the membership on November 7 to solicit bargaining proposals for this year's meet and confer process with the Bureau. Interim bargaining continues on the issue of job descriptions.

Sacramento Municipal Utility District

Union and District representatives exchanged bargaining proposals for a new Memorandum of Understanding between Local 1245 and the Sacramento Municipal Utility District during the week of October 22. In a series of five meetings, the representatives explained their respective proposals in depth.

Business Representative Mack Wilson, who is heading Local 1245's bargaining committee this year, reports that SMUD has raised two major issues in its bargaining proposal. The first is a proposal that employees make co-payments on their medical insurance premiums, and the second is that all employees who are members of the emergency response team at Rancho Seco carry "beepers".

As for the Union proposal, Mack reports that one of the most important issues with our membership is agency shop. "Our members are tired of carrying the freight for the small percentage of die-hard free loaders" said Wilson. "We have proposed an agency shop because we think that every employee should pay a fair share of the cost of Union representation."

Local 1245 hopes that negotiations will be concluded by the end of the year, and Wilson scheduled continuous bargaining sessions with the District which started on November 14. The results of the bargaining will be reported in the next several issues of the Utility Reporter.

AROUND THE SYSTEM-PG&E

New Company Reorganization

Business Manager Jack McNally met with Company officials on Friday, November 9 to hear the Company's proposed reorganization of the Company. Because the proposed change in Divisions would have a significant impact on the collective bargaining agreement, particularly in the areas of bidding and demotion, it is anticipated that the Company and Union will enter an intense set of interim negotiations once the Company has communicated its internal proposal to the Union. Details of the Company's plans for reorganization as well as the various options available to the Union in the bargaining process will be reported in future issues of this newspaper.

Public Utilities Commission — Rule 15

On November 19, Local 1245 filed its response to the positions of all other interested parties in a proceeding before the Public Utilities Commission involving the possibility of modifying Public Utilities Commission Rule 15 to permit contractors to bid on Rule 15 line extension work. Local 1245 and a number of utilities and developers filed their initial comments with a Public Utilities Commission Administrative Law Judge on September 1. As may be expected, contractors and builders are the strongest supporters of the suggestion that line extension work be put out to bid.

Rerate Bargaining

Assistant Business Manager Corb Wheeler and his Rerate Bargaining Committee met with Company representatives in the last week in October to exchange proposals for changing the ratings given to the Company's various substations.

At this meeting, the Union proposed that nine substations be upgraded and the Company proposed that eight substations be downgraded. The next meeting is scheduled for November 29.

According to Assistant Business Manager Wheeler, there will be no "horse trading" of one upgrade for one downgrade. "We will consider each Union proposed upgrade on its merits, and each Company proposed downgrade on its merits. We don't agree with the Company's rating system, so the process won't be a fast one. We feel very strongly that our proposed upgrades are justified."



Inclement Weather

Business Manager Jack McNally and I.W. Bonbright, PG&E's Manager of Industrial Relations, have recently executed a Letter of Agreement resolving the inclement weather issue which first became a problem in 1983. The Letter of Agreement contains two major provisions. First, the Company agrees to cancel its letters of December 7, 1983, issued by the Managers of Electric Transmission and Distribution, and Gas Distribution and that its inclement weather practice will remain unchanged from the practice that was in effect prior to

October 1, 1983.

Secondly, the Company has agreed to provide rain gear to employees who normally work in inclement weather in unprotected areas. In his cover letter to PG&E, Business Manager McNally stated that while Local 1245 "is not opposed to improved productivity ... we are also interested in the health and safety of our members and we do intend to protect the current working conditions of our members and to oppose unilateral attempts to diminish such conditions."

CP National

Local 1245 has recently entered an appearance and submitted evidence to the Public Utility Commission in CP National's South Lake Tahoe rate case.

Pursuant to the Public Utility Commission's decision in the employee discount case earlier this year, the Commission will be considering the two California utilities which grant their employees a 50 percent employee discount — Sierra Pacific and C.P. National.

The evidence submitted by the Union argues that the 50 percent

discount is part of the total compensation received by C.P. National employees and that their total compensation is reasonable.

Although the number of employees involved is small, the principle of free collective bargaining is extremely important and the same effort which went into protecting the 25 percent discount for 17,000 PG&E employees will go into protecting the 50 percent discount for 15 CP National employees in South Lake Tahoe.

Arbitration Case No. 117

On September 25, 1984, Arbitrator Adolph Koven issued his decision in Arbitration Case No. 117, upholding the right of the Company to relocate three Troublemakers from Walnut Creek to Concord.

In transferring the three Troublemakers, the Company cited "other economic considerations" under contract Section 206.17. At the arbitration held on March 15, 1984, the Union challenged the Company's factual presentation and argued that the facts did not support the Company claim that the relocation was necessitated by "economic considerations."

Arbitrator Koven concluded that the Company did not violate the agreement by relocating the Troublemakers and held that the Company's "judgment as to the economic necessity for a transfer is entitled to considerable weight." He noted several advantages which the Company felt resulted from the transfer and elected to "accept this assessment of management."

The Union is presently attempting to obtain a clarification of Arbitrator Koven's decision with respect to future interpretation of Section 206.17.

As things now stand, the precedential value of the decision to the Company would appear to be extremely limited because of the unique facts of this case. Despite Arbitrator Koven's decision, Local 1245 believes that Section 206.17 is meant to protect employees and limit the Company's right to transfer employees from one headquarters to another, and Local 1245 will continue to defend employees from arbitrary headquarter transfers.

Positive Discipline

The issue of mitigation was the focus of the bi-monthly meeting on Positive Discipline held in the North Bay Division on Friday, October 26.

Assistant Business Manager Corb Wheeler, who along with Business Representative Perry Zimmerman, Lineman Larry Wood, San Rafael, and Subforeman Arlis Watson, Santa Rosa, represented Local 1245, reports that the parties agreed that the system is working well in most areas.

The major concern expressed was that many Company supervisors felt that they had lost the flexibility to consider mitigating circumstances in handling discipline cases. The parties agree that mitigating circumstances should be considered in all discipline cases and that the various steps of positive discipline are not automatic, and should not be blind to underlying circumstances.

General Construction

Senior Assistant Business Manager Darrel Mitchell reports progress in the two sets of interim negotiations which he is leading involving the Company's General Construction operations.

The first set of negotiations involves lines of progression in the Service Department. Committee members Marvin Rubendall and Bob Balderson are presently waiting with Mitchell for a Company response to a Union counter-proposal.

The second issue being bargained is the tool list for General Construction employees. Local 1245's committee, which in addition to Mitchell includes Marv Rubendall and Fred Pedersen, met with the Company on September 27 and November 1 and has worked through about one half the tool list. The next meeting is scheduled for the week of December 10.

Arbitration Case No. 119

On October 29, 1984, Arbitrator Robert Burns issued his decision in Arbitration Case No. 119, upholding the suspension and discharge of a San Francisco Meter Reader for what the Company termed repeated acts of insubordination.

The Company originally suspended the grievant in early 1983 for three days after a customer complaint of rudeness. In August 1983 the Company terminated the employee after a supervisor claimed that the Meter Reader refused to turn over his meter book, and eventually assaulted him during a routine audit.

During the arbitration, which was held on June 18, 1984, the Union attempted to show that the facts were not as claimed by the Company. Each incident required the Arbitrator to make a credibility resolution. With respect to the customer complaint, the Arbitrator found the version of the incident given by the customer and his girl friend more credible than that of the grievant; Arbitrator Burns then used the fact that he had discredited the grievant on one issue to support his finding that the supervisor was more credible than the grievant with respect to the second incident.

Union members of the Board of Arbitration, Assistant Business Representative Roger Stalcup and Business Representative Dorothy Fortier dissented from the decision of Arbitrator Burns.

Switching

Since the last issue of the Utility Reporter, Company and Union members of the Switching Bargaining Committee and Review Committee met to discuss both the two dozen pending grievances involving switching, and future assignments of switching and clearance work. The Company made an oral proposal to settle the issue at an October 23 meeting, and is presently putting the offer into writing. After receiving the written offer from the Company, Local 1245 committee members will study the proposal and prepare an appropriate counter-proposal if necessary.

Accident Prevention Rules

Business Manager Jack McNally and Assistant Business Manager Ron Fitzsimmons met the Company officials on November 6 to discuss Company proposed changes to the Accident Prevention Rulebook. The session was not a bargaining or negotiating meeting, but gave Union representatives an opportunity to offer their suggestions and comments on Company safety rules. Assistant Business Manager Fitzsimmons, who is in charge of Local 1245's Health and Safety program, reports that there are approximately five areas in which the Company agreed to respond to specific concerns raised and suggestions made by the Union.

Upcoming Arbitrations

Arbitrator Robert Burns will hear Arbitration Case No. 124 on December 7, 1984. The case involves the termination of a Gas Serviceman from Antioch for alleged energy diversion. The grievant voluntarily submitted to a lie detector test which vindicated his claim that he did not tamper with his meter, but the Company has refused to accept the results of the polygraph or to reconsider the grievant's termination.

On December 13 and 14, Arbitrator Sam Kagel will hear Arbitration Case No. 125, which involves the suspension and termination of a North Bay Lineman for refusing to work on PCB clean-ups.

Arbitration Case No. 121 is set for hearing before Arbitrator David Concepcion on January 8. The case involves the termination of a probationary employee, a Gas Transmission and Distribution Helper in San Rafael, after an argument with his supervisor. Two issues are to be decided — does the grievant have the right to challenge his termination, and, if so, was his termination for just cause.

Gas Serviceman Audits

A meeting scheduled for October 26 was cancelled due to the Company's inability to release one of the Union's bargaining committee members from work. The committees will meet again as soon as the attendance of all bargaining committee members can be guaranteed. Although the language in the cover letter has for the most part been ironed out, the proposed modifications of the audit manual still must be finalized.

Joint Trenching

Members of Local 1245's Joint Trenching Bargaining Committee met with the Company on October 11, 12, and 30. Assistant Business Manager Ron Fitzsimmons reports that on October 30 the Company presented a proposal to establish two new classifications with lines of progression from both Electric Transmission and Distribution and from Gas Distribution. The Union committee met on November 13, 14, and 19 and presented and developed a counter-proposal to be presented at a meeting with the Company scheduled to be held at Local 1245's headquarters in Walnut Creek in late November.

Construction Representative Arbitration

As was reported in the October issue of the Utility Reporter, Arbitrator Sam Kagel heard testimony on September 13, 1984, in Arbitration Case No. 123, which involves the assignment of work which the Union believes to be bargaining unit work to management Construction Representatives. Since the last issue of the Utility Reporter, the date for filing briefs has been changed to November 30, 1984, which means that a decision will not be expected until early 1985.

Retirement Bands

Assistant Business Manager Manny Mederos reports that new retirement bands have recently been calculated for employees who retire after January 1, 1985. The new bands have been sent to the printers and will be distributed for insertion in existing agreements, updating the 1984 bands. Mederos expects the printing to be completed and the inserts distributed by the end of December.

Benefit booklet available

HEALTH, DENTAL AND VISION

Benefit Agreement

by and between

LOCAL UNION
1245 I.B.E.W.

and

PACIFIC GAS &
ELECTRIC COMPANY



Effective as amended January 1, 1984

Updated benefit booklet is now available. Contact your Shop Steward, Business Representative, or Local Union Headquarters to obtain a copy.



Retirement Guide available



Manny Mederos, Assistant Business Manager, and Jerry Cepernich, General Negotiating Committee member, have compiled a "Retirement Planning Guide" which will be available to our membership at PG&E sometime in early 1985.

The Retirement Plan is fully explained in the guide which includes examples and worksheets for your individual computation.

The table of contents of this 51-page standard sized document includes the following:

- Your Choice of When to Retire
- Annual Income and Expense Statement
- Your Income Tax Deduction Options
- Savings Fund

Plan Benefits • Taxation of Savings Fund Plan Distributions • Basic Pension Formula • Forms of Pension • Early Retirement Reductions • How to Compute Your Basic Pension • Retirement Plan Contributions • Pension Adjustments • Life Insurance Benefits • Medical Benefits • A Healthy Retirement • Vacation Benefits • Social Security Benefits • Pacific Service Employees Association • The Importance of Wills • Retirement Planning Decisions.

This guide is not only intended to assist the member who intends to retire in the near future, but also to prepare those members who will be planning retirement in 5, 10 or 15 years.

This Retirement Planning Guide will be provided to all PG&E Bargaining Unit Employees upon written request. Please contact us by writing Local Union 1245, I.B.E.W., "Retirement Planning Guide", P.O. Box 4790, Walnut Creek, California 94596 for your copy. You may also request a copy from your Shop Steward or your Business Representative.

Arbitrator reduces letter for Steward

FROM Page One

routine work such as grade 2 leaks, Avon seal bell joint repairs, galvanic anode installations, C.I. bell joint clamp repair jobs, and main insulation jobs could be performed during inclement weather under temporary canopies without violating the contractual provisions on inclement weather.

Union witnesses Cleo Thompson and Robert Hessee, both Light Crew Foremen, who have participated in the pilot program, testified that the tents do not provide adequate shelter from the elements and that they actually result in a loss of productiv-

ity, not an increase.

While Local 1245 wholeheartedly supports the concept of improved productivity, we are also concerned with the health and safety of our members and we intend to protect the current working conditions of our members and to oppose any unilateral attempts to diminish their working conditions.

Briefs will be filed with Arbitrator Chvany 30 working days after receipt of the transcript of the arbitration hearing, which means that a decision should be issued in early 1985.

Public Agency conference held in Sacramento

FROM Page One

Roy Johnson — Modesto Irrigation District; Ken Raven — Modesto Irrigation District; David Pittman — Modesto Irrigation District; Sam Bologna — South San Joaquin Irrigation District; Robert Geer — South San Joaquin Irrigation District; Jerry Bodenhorn — South San Joaquin Irrigation District; John Thien — South San Joaquin Irrigation District; Joe Vienna — South San Joaquin Irrigation District; Scott Southerland — SMUD; Dick Daugherty — SMUD; Ruben Guerra — SMUD; Dennis Kremer — SMUD.

Brian Knox — SMUD; Marilyn Hogaboom — SMUD; Howard Sutton — SMUD; Jim Payseno — SMUD; Calvin Pilkay — SMUD; Robert Williams Jr. — SMUD; John Callahan — SMUD; Sam Jackson — Bella Vista Water District; Richard Welch — Bella Vista Water District; Allen Cordes — City of Santa Clara; John Trunnel — City of Redding; Mike Cronin — City of Redding; Jesse Smyth — City of Chico; Larnell Gill — Regional Transit; Gary Mai — City of Lodi; Thomas Santos — Nevada Irrigation District; Larry Russell — Truckee-Donner PUD.



Tent work issue goes to arbitration

FROM Page One

Electrical and Mechanical Maintenance Departments.

When the Union had previously raised the problem in the context of a mere verbal reprimand given to an employee who had deliberately violated the clearance procedure, the District had stood by its disciplinary decision.

Therefore, when Chief Shop Steward Jim Payseno received an 18-month written reprimand for unintentionally cutting out a valve marked with a clearance tag, the Union filed a grievance and took the case to arbitration.

At the arbitration hearing, testimony by the grievant, Business Representative Mack Wilson, and Journeymen Electricians Ed August and Brian Knox, established that other individuals had indeed been treated more favorably by the District when clearance procedures were violated.

Local 1245 attorney Ann Miley argued that the violation of any clearance was an important violation and might warrant a 6-month letter, but that to make an example of Shop Steward Payseno in the face of prior District policy amounted to disparate treatment.

Arbitrator Kathy Kelly agreed: "The discipline issued to Payseno was substantially more harsh than that issued to another employee. It was not appropriate for the District to do this *before* assuring that all employees expected strict enforcement of the District's clearance procedures." A six-month letter was deemed appropriate and, as the decision was issued four months beyond the six-month period, the letter was ordered immediately removed.

Agent Orange Alert

Deadline for filing with the Veteran's Administration for Agent Orange exposure during the Vietnam War is January 2, 1985.

For further information, contact Staff Attorney Ann Miley.