At Joint Session

Local's Policy Discussed

The first quarterly meeting of the Advisory Council took place in Oakland on the weekend of February 15–16. One of the highlights of the meeting was the informative reports made by the members of the Advisory Council. The reports covered such subjects as:

- Membership attendance at unit meetings
- Safety problems in the area
- Political and economic conditions in the area
- Civil Rights
- Labor-management relations in the area

It was generally agreed, and two Executive Board members specifically commented that, the Advisory Council’s members’ reports were highly informative.

First of the reports to the Advisory Council was made by Harry Dederman, in behalf of the Trustee Committee. He outlined the duties of the Trustee Committee.

Sam Cassadina, Local 1245's Safety Consultant, reported in behalf of the System Safety Committee. He emphasized the California Safety Code states that every employer shall provide a safe place of employment.

Local 1245's Safety Consultant, reported in behalf of the System Safety Committee. He emphasized the California Safety Code states that every employer shall provide a safe place of employment and the equipment nec-

President Leland Thomas Jr. entertains a motion to adjourn the weekend meeting, with a record of part of the Advisory Council's work written on the blackboard.

(Continued on Page 7)

Landmark Workmen’s Comp Decision on Employer’s Serious And Wilful Misconduct

SAN FRANCISCO—A landmark opinion in workmen’s compensation law has been handed down by the District Court of Appeal in upholding a State Industrial Accident Commission finding of serious and wilful misconduct against a painting contractor.

Commission Chairman J. William Beard said today the opinion “opens to some speculation of 24 feet and no safety lines which prohibit the use of such scaffolds at heights above 18 feet and require safety lines.

The scaffold had been erected under the supervision of the employer and his foreman, in violation of State safety orders which prohibit the use of such scaffolds at heights above 18 feet and require safety lines.

The men fell from a height of 24 feet and no safety lines had been provided. The Commission ruled that the employer knowingly violated the State safety orders and that the injuries were “proximately caused” by this serious and wilful misconduct.

The employer contended that although the scaffold was in violation of the safety orders, the accident did not involve serious and wilful misconduct because he had taken reasonable safety precautions in testing the scaffold before allowing its use.

Summarizing the Court's upholding of the Commission finding of serious and wilful misconduct

(Continued on Page 6)

Despite the immense task Linemen faced in restoring power after the big storm, work crews were lowered first. Here a Lineman installs grounds in a remote area of Placer County before proceeding with line repairs.

7 Key Words For Crucial '64

“Register, Vote, Give a Buck to COPE.”

These seven words are of key importance in this crucial election year.

If union members register, and union members vote, if union members give a buck to COPE — the AFL-CIO Committee on Political Education — then the chances are enough liberals will be elected to the U.S. Senate and House of Representatives to assure progressive government and new laws that will benefit working people and their families.

This is a World Series year in politics. The presidency is at stake. Thirty-four Senate seats and all 435 House seats are up. In 26 states, a gubernatorial election will be held.

Union members will have a strong voice in deciding which way the elections will go — that is, they'll have a strong voice if they use it. And the way to use it is to register, to vote and give a buck to COPE.

In politics, you're most if you fail to register to vote. You can conduct endless living room and neighborhood arguments in behalf of your favorite candidate. They're of use to him only if you can back up your arguments with your ballot.

So your vote is your voice, and to make your voice heard you've got to show up at the polling place on election day.

That voice — your vote — draws strength from, and is amplified by, the dollars you and other union members give to COPE.

COPE dollars believe in an America of full employment and job security, where a constitutional right to COPE.

For Crucial '64

Last month I discussed some of the problems found in the operation of grievance procedures up to the top level of joint committee operations. This is not the end of the story. If the grievance procedure cannot settle the issue and one or the other party invokes the contractual right to use the machinery of arbitration.

I won't go into the language of our contracts which covers this matter but I suggest that interested readers do so.

ARBITRATOR'S ROLE

Briefly, both sides have the right to present their cases to the arbitration board but the real wheel in the deal is the so-called "impartial arbitrator," who is selected by mutual consent of the parties and has the power to render a final and binding decision, subject only to what is regarded as a grossly unfair award. The arbitrator is placed upon him by the parties and of course, a possible negation or limitation of his award as a result of an appeal to the civil courts.

This stage is where the "win or lose" factor replaces the "attempt to settle" factor and both sides usually pull out all the stops to gain a favorable award. In our case, both sides used attorneys in the procedure and the rules are similar to a court procedure.

ARBITRATION RESULTS

We have been involved in some twenty arbitration cases since I have been in office and the win and lose columns over the past dozen years doesn't show a lopsided picture for either party, nor, in my opinion, does the record show that much good was derived from the whole operation for either party.

It is an expensive operation.

It is an extremely slow process and it leaves scars at times which can have a last effect on a labor-management relation-

ship. Let me also add that at the present time, some cases must be arbitrated if the basic

(Continued on Page 2)
The record of the C.I.R. is well, the number of complaints and the number of cases are decreasing year by year. The C.I.R. provides a fair and impartial forum for the resolution of disputes. The concept of certification, if established, could be the basis for collective bargaining agreements in the electrical industry.

While there are all sorts of natural objections to such a principle, the idea seems to provide food for thought. The first strike, the strike that is not authorized by the union, is prohibited by no strike basic disputes. In our case, the interests of the parties are to pages over grievances. Thus, the public service character of the present agreements and the use of the strike or the lockout as a method of resolving disputes arising out of the agreements is peculiar to the I.B.E.W. and it was set up years ago by the authority to hand down arbitration is an alternative to representatives of western utility managements kick—ass arbitration process and provides joint energies and talents to solve disputes, and this development indicates that a close look might well be given to more internal self.

Editor, I would like to take this opportunity to congratulate those employees of the Bureau of Reclamation who have recently become brothers of Local 145. It is gratifying to me that so many of you care enough about your job to want to improve it. I think that you have chosen the best way possible to do so.

Raymond D. Spence.

On War and Peace And the Poor

"Why should the resources of human genius and the riches of the people turn more often to preparing arms—perfidious instruments of death and destruction—than to increasing the welfare of all classes of citizens and particularly of the poor?"

"We know, it is true, that in bringing about so laudable, so praiseworthy a proposition and to level the differences there are grave and intricate differences in the way, but they must be victoriously overcome, even if by force; this is in fact the most important undertaking connected with the prosperity of all mankind."

Utility Reporter —February, 1964—Page Two

New Workmen’s Comp. Ruling

(Continued from Page 1) The statute expresses a ful-

realized concept and gives every indication of a legisla-

tive purpose to occupy the entire field. The brotch is com-
plete without the addition of judicial ingredients. Hence, the Commission makes the fire

New Workingmen’s Compensation Act of 1963, as amended, which the Union asserts is applicable to the field.

Frank Covington, retired March 1, 1964, from San Francisco Division.

A. L. Hanson, retired January 1, 1964, from North Bay Division.


Lawrence G. Dahlgren, retired March 1, 1964, from East Bay Division.
The Co-op and Labor: Goals In Common

"We hold that it is just as essential that a workingman should get $10 worth of actual value for his wages when he spends them as it is that he should get the $10 that he is entitled to for the labor that he performs." — A W. Winn<small>"What we need is the production of goods of the same quality as the goods which the worker himself is using."
</small>

A new study by a co-op organization reveals that there is a basic conflict between the goals of the co-op and the labor movement.

"The Co-op keeps money within the community, rather than deflecting it to absentee ownership in other states." — The study concludes.

The report, "The Co-op and Labor: Goals In Common," was released by the Consumer Cooperative Service of the United States Department of Agriculture. It is the first comprehensive study of the relationship between co-ops and labor organizations.

The study finds that the goals of co-ops and labor unions are often in conflict. Co-ops focus on providing goods and services to members at lower prices, while labor unions focus on improving conditions for workers.

"The Co-op and Labor: Goals In Common" is available for free download from the Consumer Cooperative Service website.

---

The Co-op and Labor: Goals In Common

"We hold that it is just as essential that a workingman should get $10 worth of actual value for his wages when he spends them as it is that he should get the $10 that he is entitled to for the labor that he performs." — A W. Winn

A new study by a co-op organization reveals that there is a basic conflict between the goals of the co-op and the labor movement.

"The Co-op keeps money within the community, rather than deflecting it to absentee ownership in other states." — The study concludes.

The report, "The Co-op and Labor: Goals In Common," was released by the Consumer Cooperative Service of the United States Department of Agriculture. It is the first comprehensive study of the relationship between co-ops and labor unions.

The study finds that the goals of co-ops and labor unions are often in conflict. Co-ops focus on providing goods and services to members at lower prices, while labor unions focus on improving conditions for workers.

"The Co-op and Labor: Goals In Common" is available for free download from the Consumer Cooperative Service website.

---

The Co-op and Labor: Goals In Common

"We hold that it is just as essential that a workingman should get $10 worth of actual value for his wages when he spends them as it is that he should get the $10 that he is entitled to for the labor that he performs." — A W. Winn

A new study by a co-op organization reveals that there is a basic conflict between the goals of the co-op and the labor movement.

"The Co-op keeps money within the community, rather than deflecting it to absentee ownership in other states." — The study concludes.

The report, "The Co-op and Labor: Goals In Common," was released by the Consumer Cooperative Service of the United States Department of Agriculture. It is the first comprehensive study of the relationship between co-ops and labor unions.

The study finds that the goals of co-ops and labor unions are often in conflict. Co-ops focus on providing goods and services to members at lower prices, while labor unions focus on improving conditions for workers.

"The Co-op and Labor: Goals In Common" is available for free download from the Consumer Cooperative Service website.
On this page you see our Stewards on the organized tree trimming companies in the Far West. These men work for fair employers at union rates. When you need expert help in keeping the trees on your place green and growing (even if you don't want "redwoods" like the ones pictured on this page) — think of the following firms: Davey Tree Surgery Co., Ltd.; Frank L. Nolan Tree Surgery Co.; Sohner Tree Service, Inc.; Utility Tree Service, Inc. — and their Union Men.

Steward Jim Black, of Tucson, Arizona, is shown on a different kind of line clearance job.

Dick Heath, standing, of the law firm of Neyhart and Grodin, gave the Tree Trimmer Stewards an enlightening talk on Workmen's Compensation. Seated, left to right, Jim Wilson, Marvin Parker, Business Representative Scott Wadsworth and Ed Couch.
The case for line clearance! This ugly old brute got into PG&E lines on Middlecamp Road in the Twain Harte area during the first big storm of 1964.

Business Representatives John Wilder and Larry Foss, at left, spoke on discipline, discharge and demotion as defined by recent arbitration cases. Business Representative Scott Wadsworth, Clarence Hughes, John Pittman, Herb Cothern, Jim Proft (partially hidden), Don Barnhill and Tom Barnhill listen attentively.
On the Job Safety Interest Grows

Recent meetings with Local 1245 members indicate a mounting interest in their safety as the key to doing a job. In the past this interest took the form of nagging, unanswered doubts that were constantly booted un raining until brought to the surface by an injury or fatality. The Local's program is developing with a view toward providing answers to safety questions before a member is hurt.

The following is a portion of my report to your Union's Advisory Council on this subject of safety goals and the means available to attain those goals.

The past year has been a busy one. In an effort to reduce the number of fatalities and disabling injuries, we have probed many areas and methods of implementing the employer's safety programs. We have developed a safety program with the needs and suggestions of our members, and the responsibilities outlined by the California Labor Code.

I think it wise to review our goals periodically to make sure that we're doing a job, and that the job we are doing is the one we want. To help guide our own aims, perhaps we should look at the basic concept of safety. Safety is a personal thing. All of the posters, slogans, rule-books, and gimmicks become useless unless the individual becomes receptive and consciously aware of what he's doing all the time. To those of us in safety, it's always a source of amazement that you should have to beg a man to watch out for himself and his fellow worker. But is this "safety awareness," the whole answer, or is it really tied into a larger picture? Ideally, a worker has a good safety attitude, is provided by his employer with the proper equipment and rules to help him do a job safely, and can count on a competent governmental agency to refer to a job situation if a doubt exists.

We have introduced three factors: Attitude, Equipment, and Enforcement. Where does the moral and legal responsibility for these lie? I believe that we all share the responsibility for the attitudes which are so vital that they may determine life or death or a lifetime of impairment. We should continue through every medium at the disposal of this Local to attempt to instill the attitude of "safety awareness."

The responsibility for the second factor, equipment, belongs to the employer. The California Labor Code states that every employer shall provide a safe place of employment and all of the equipment necessary to make it so. It also states that the employer shall provide the necessary guidance and surveillance to prevent accidents. That management often has failed to do this, is reflected in a recent statement by the State Division of Industrial Safety which reads: "Whenever our safety engineers investigate an accident resulting in injury, they invariably find some let down in proper supervision and instruction of the disabled worker."

We shall therefore continue to press the employers to provide the proper instruction and equipment.

On the subject of equipment, let me point out that the labor code also gives the employer the responsibility of checking the equipment to make sure that it is safe to use.

The last factor is enforcement. The enforcement agency for the Labor Code is the Division of Industrial Safety. They are supposed to see that the working conditions are safe, and that the proper safety equipment is provided. We have maintained a high degree of liaison with the DIS, the EDC, and the ABC to insure that accident investigation and potentially hazardous conditions are being assessed as quickly as possible.

In the coming months, we should expand our safety efforts within the limits imposed by time and budget. We were fortunate in 1963 to come through that year with no fatalities and a slight reduction in the number of accidents among Local 1245's people. The Division of Industrial Safety representatives feel that we contributed to this saving of human resources. Let us continue in this direction.

It may be of interest to the members of this Council to learn of the leadership attained by this Local in the field of safety in California. During recent talks with the utility locals and their joint meetings with the utility companies the representatives of this union were asked repeatedly to act as spokesmen for the California unions. We can maintain this leadership merely by serving our membership to the best of our abilities.

I do not, however, want to give the impression that all of the answers to our safety questions lie within easy grasp. In trying to shape our program, we sometimes must grope, and move in directions which may lead us to blind ends. But we must realize that in many ways, we are pioneering in this field of the stewardship of union members' safety. If in some areas we stumble at least we will profit by our mistakes, and the program will be that much better because of it.

It may be of interest to the members of this Council to learn of the leadership attained by this Local in the field of safety in California. During recent talks with the utility locals and their joint meetings with the utility companies the representatives of this union were asked repeatedly to act as spokesmen for the California unions. We can maintain this leadership merely by serving our membership to the best of our abilities.

I do not, however, want to give the impression that all of the answers to our safety questions lie within easy grasp. In trying to shape our program, we sometimes must grope, and move in directions which may lead us to blind ends. But we must realize that in many ways, we are pioneering in this field of the stewardship of union members' safety. If in some areas we stumble at least we will profit by our mistakes, and the program will be that much better because of it.

Sometimes in exploring these questions of safety, we discover attendant problems. But if our goal is truly members' safety, we should be able to point out the advantages and necessity of performing the work according to the law.

We also intend that our safety program remain flexible, so that we can meet the ever-changing conditions and situations to today's utilities. From A to Z and from atoms to zircon, we should be prepared to face any safety problem and then benefit from the solution.

A fallen pole is manhandled by this crew in the Twain Harte area after the storm.

NEW STEWARDS

The following Shop Stewards were appointed during January:

CITIZENS UTILITIES COMPANY OF CALIFORNIA

Carl A. Swanson
DAVEY-TOBERGREN COMPANY LIMITED
L. E. Heilman
PACIFIC GAS & ELECTRIC COMPANY

Norman L. Ratters, Coast Valley Division; Lawrence H. Casserly, Jr., Colgate Division; Eric Glaser, North Bay Division; Ronald R. Shipley, North Bay Division; Jack N. Bradford, Coast Valley Division.

PACIFIC GAS TRANSMISSION COMPANY
Edward G. Nagy
F. E. Decker
SIERRA PACIFIC POWER COMPANY
Janet N. Marsh
Richard L. Melillo
UNITED STATES BUREAU OF RECLAMATION
James C. Bair
Glenn C. Beach
William H. Peitz

The following is a portion of a recent film which will be purchased by Local 1245 for showing at Unit Meetings, as recommended by the Advisory Council upon a motion by Ermano Paganini of East Bay Division.

"I am here today to talk about the right to work, the right to have a job in this country in a time of prosperity in the United States, that is the real right to work issue in 1963... I think that this issue of economic security of the job is the basic issue facing the United States in 1963, and I wish we could get everybody talking about it... Last year's loss of man-hours in terms of those willing but unable to find full-time work was a staggering one billion work days but, equivalent to shutting down the entire country for three weeks with no pay..."
**Policy Matters Discussed at Joint Session**

(Continued from page 1)  

**Treasurer’s Report**  

Treasurer James Lydon read the financial report on Local 1245 for 1963.

**Assistant Business Manager L. L. Mitchell shows statistics which indicate Local 1245’s advances over the years.**

**Mitchell Reports**  

Assistant Business Manager L. L. Mitchell reported on the functions, objectives, reasons for, and accomplishments of Local 1245. In delivering the goods, we have been so busy we have failed to blow our own horn," he declared. "Further than this," Mitchell continued, "I believe that because we are so familiar with the facts and the problems that we have had to overcome to make the record, . . . we feel this must be obvious elsewhere." This is a mistake," he concluded, "and we are not going to change this with an all-out campaign of spreading the word. He went on to list the advances (too numerous to list here) which have been made in the last decade and a half.

**Need for Political Activity**

Assistant Business Manager M. A. Walters, in his report, reiterated the need for legislative activity which protects the gains made through collective bargaining and promotes our ability to organize in the growing public sector of employment. In 1964, he pointed out, "We will not only be electing a President of the United States but also: • the entire delegation to the State Assembly • the entire delegation to the State Senate from California, the entire delegation for the House of Representatives from this state, ½ the State Senators in California, and the entire delegation to the State Assembly. These primaries are more important now because of the need to select candidates who will carry labor’s banner willingly, he said. A California citizen must be registered by April 9th if he is to vote in these primaries.

**Assemblyman Byron Rumford was a guest speaker at the joint session of the Advisory Council and Executive Board.**

Rumford Speaks  

A special guest speaker at the weekend meeting was Assemblyman Byron Rumford of Berkeley. He discussed the background and history of legislation in the area of equal opportunity and touched on the constitutionality of the proposed amendment which would deny such opportunity. First legislation in this field was passed in New York in 1896 so Irish immigrants could obtain housing, he said. The Rumford Act is a combination of three Acts which have been on the books since 1939, he related. Included in it is a California Real Estate Association-sponsored clause which reads: "Nothing contained in this part shall be construed to prohibit the establishment of tenants based upon factors other than race or ancestry." This was their own suggestion," he declared, "We adopted it and put it in the legislation."

But the CREA-sponsored amendment to the California Constitution not only intends to legalise discrimination against American citizens. It also strikes at the 14th Amendment to the United States Constitution and goes so far as to give the property holder "absolute discretion" which might serve to exempt him from laws which non-property holders must observe.

**What Does the Proposed Amendment Say?**

The proposed amendment to the State Constitution reads in part: "Neither the State, nor any subdivision of the State, nor any agency thereof shall deny, limit, or abridge, directly or indirectly, the right of any person who is willing or desires to sell, lease or rent to the public any part of his real property to decline to sell, lease or rent such property to such person or persons or for such purposes as his ABSOLUTE DISCRETION CHOSES." Would not this absolute discretion put landowners above the law with respect to zoning laws, rent abatement, and access to roads and highways?

Policy Recommended By Advisory Council

On the recommendation of the Advisory Council, again under new business, passed unanimously the following recommendation to the Executive Board which the Board adopted: ••• That this Local Union go on record as opposing the proposed amendment to the Constitution of the State of California which would legalize discrimination in housing.

In Memoriam

BOSE GOLD, a clerk-stenographer in San Jose Clerical Department, died on February 9, 1964. Sister Gold had been a member of the I.B.E.W. since her initiation on September 1, 1956.
Marion Williams says: "If I were limited to just one choice for trout fishing, I'd settle on night crawlers." He offers the following tip for coaxing those wiggling dandies to the lawn's surface, a method that's been discovered by coincidence:

"Before the fishing season starts in the spring, I always fill up a barrel of water, attach my outboard motor to the side and run the motor for a spell in the back yard. Last year I did just that as it was getting dark."

"When I directed the light from my lantern on the lawn nearby, the night crawlers were coming up all over the place. I gathered enough for a couple day's feeding. I guess it's the vibration that brings 'em on to the surface."