Local 1245 recently won an important arbitration decision in San Jose, involving the suspension of six line department employees in the San Jose Line Department for refusing to participate in a PC cleaning-up.

Hailed as one of the few arbitral decisions in the nation dealing with the right of workers to refuse unsafe work involving toxic chemicals, the arbitration decision awarded back pay, benefits and the right to work to six Local 1245 members who had been suspended, as well as all workmen who had been suspended, as well as all workmen faced with unsafe or unhealthy work assignments.

The rights of these six IBEW Local 1245 grievants to refuse unsafe work involving a PCB toxic chemical clean-up were upheld by Arbitrator Armon Barsamian in a recent decision. The members employed by PG&E in the San Jose Line Department are, l-r, John Hernandez, Bill Fimbres, Dan Neale, Richard Ortez, Doug Stowell and Paul Quillici.

Local 1245 wins key arbitration; grievants awarded back pay, benefits

Local 1245 recently won an important arbitration decision in Pacific Gas and Electric Company Arbitration Case No. 94 which involved the suspension of six line department employees in the San Jose Division for refusing to participate in a PCB clean-up.

Hailed as one of the few arbitral decisions in the nation dealing with the right of workers to refuse unsafe work involving toxic chemicals, the arbitration decision orders the Company to pay the six employees for their lost pay and benefits and remove all references to the discipline from their files.

The facts of the case . . .

On June 20, 1980, a capacitor in Sunnyvale ruptured, spilling PCBs over the cap rack, the pole, and surrounding lee plant foliage. The six grievants, none of whom had been trained in PCB clean-ups, refused to participate because of their lack of training, the Company's failure to provide protective equipment and clothing, and the Company's failure to follow established procedures for PCB clean-ups.

The Company suspended the six employees because of the refusal, and the Union subsequently filed a grievance. Four days of arbitration were concluded in early December, 1981, and briefs were filed on March 1, 1982.

The Arbitrator's decision . . .

Arbitrator Armon Barsamian issued his decision on April 30, holding that the suspensions had been in violation of the IBEW contract. Noting that PCBs are classified as a suspected human carcinogen by every applicable governmental agency, Barsamian summarized his decision as follows: "In sum, the lack of training and experience of Grievants, the exempt supervisor and sub-foremen, the lack of protective clothing and equipment . . . and the Company's failure to follow T&D Bulletin 2-50, Revision 3, together created a real and apparent hazard to the health of Grievants and they, and each of them, acted reasonably and in good faith in refusing to work the PCB spill on June 20, 1980."

MEMBERS RIGHTS UPHELD

Cal-OSHA ORDER

Climbing restriction lifted

On April 7, 1982, the Division of Occupational Safety and Health issued an order lifting the restriction on climbing "tested Carney Pine Poles" and listed the following special order on specific testing procedures:

Special Order

A pine pole supplied by B.J. Carney Co. and installed (3 miles W. of W. End of Roosevelt Rd., Merced) broke on May 30, 1980, fatally injuring a workman who was on the pole. Climbing of these B.J. Carney Pine Poles shall be prohibited until such time as any pole to be climbed has been checked, inspected, and marked as being safe in accordance with the inspection, testing, and marking criteria developed by PG & E and submitted to the Division of Occupational Safety and Health on December 28, 1981. Elements of that inspection, testing, and marking criteria are as follows:

1. Visual inspection by a qualified pole inspector to determine if the pole meets company standards for shape, circumference at groundline, knot size, spiral grain, etc.
2. Physical inspection near the brand mark on the pole. a) Four Pilodyn readings evenly spaced around the pole's circumference (average reading of 22 mm or greater constitutes rejection). b) Removal of wood density to determine wood density (0.32 g/cc or less constitutes rejection).
3. Any poles found to be unsafe for climbing as a result of inspection and testing in accordance with the PG & E plan will only be worked on from an elevated basket, or after being safety blocked or guyed to prevent the poles falling. In case of pole failure of any kind. In lieu of the above provisions of this paragraph, any pole rejected by the plan shall be replaced prior to any further work on said pole.

Photo by Gary Nakamura
For the past several weeks the Local Union has been busy defending the interests of its members from growing attacks by the California Public Utilities Commission and the Legislature.

Amid a splash of somewhat inaccurate publicity, the Public Utilities Commission formally launched its investigation of the employee discount at a pre-hearing conference of the Public Utilities Commission, May 3 in San Francisco. Although the conference was called only to establish a schedule and other procedural considerations, numerous television crews and other media representatives were present as the Commission’s Administrative Law Judge explained his plan for hearing the case.

Local 1245 was represented at the hearing by Staff Attorney Tom Dalzell, who also was speaking on behalf of the 150,000 members of the Coalition of California Utility Workers. According to Dalzell, the Commission will first consider the employee discount at gas and electric utilities, including PG&E, Sierra Pacific, CP National, Southern California Edison, San Diego Gas and Electric, and Pacific Power and Light. Written testimony and exhibits from all parties, including the Coalition, must be filed by June 30, and hearings on the case will start in San Francisco during the second week in August.

Business Manager Jack McNally led a meeting of the Coalition of California Utility Workers in San Francisco 10 days later to plot strategy for the different unions. Responses and testimony will be carefully coordinated, and the various unions will continue to speak with a single voice in arguing that the principles of free collective bargaining contained in the National Labor Relations Act will simply not permit intervention in the bargaining process by the Public Utilities Commission.

The Coalition will further argue that an analysis of the statistical information submitted to the PUC by the utilities shows that employees receiving the discount are no less conservative-minded than other customers.

The discount benefit costs the average PG&E customer about 5 cents a month. To replace the benefit, as would be required by the PG&E contract, and the National Labor Relations Act, would cost rate payers about $2.37 for each dollar currently spent on the discount. The substitution of a taxable benefit for the non-taxable discount would result in an increase to rate payers.

With the recent increases in PG&E rates creating a groundswell of public outcry, the attacks on the utility industry and utility workers have spread from the Public Utilities Commission to the State legislature in Sacramento. Dozens of investigators have been introduced over the past few months addressing utility rates, the structure and funding of the Public Utilities Commission, and the PUC’s rate-making procedures.

Because many of these bills would affect Local 1245 members employed in the utility industry, Business Manager McNally on May 4 led a delegation consisting of Local 1245 President Howard Stiever, Executive Board Members Barbara Symons and Bill Peitz, and Staff Attorney Tom Dalzell on a one-day whirlwind lobbying trip to Sacramento.

The group met at length with Assembyman Doug Bosco of the Assembly Select Committee on Utility Rates, Senator Joseph Montoya of the Senate Energy and Public Utilities Commission, Dan Richards of the State Energy Commission, and Roger Carrick of the Governor’s office to explain the impact which the proposed legislation would have on the thousands of workers employed in the utility industry.

In each case the input by Local 1245 was welcomed, and further meetings with the leadership of the legislative and executive branches have been scheduled to maximize the influence of Local 1245 and consideration of worker issues in the legislative process. Details of the legislation and the Local’s progress in Sacramento will be reported in the next issue of the Utility Reporter.
BUSY AGENDA IN STORE FOR REMAINDER OF 1982

As we come to the midway point of 1982, there is a considerable amount of activity scheduled for the remainder of 1982 for Local 1245. In June, the primary elections will be held to determine the party candidates for the November elections. There are a number of propositions and many local races to be decided. This then sets the stage for the November general elections where the leaders for the ensuing years will be elected.

Also in June, thirteen Local 1245 delegates will be elected to represent Local 1245 at the 32nd Convention of the International Brotherhood of Electrical Workers, which will be held in September of this year in Los Angeles. This is the first time since 1946 that the IBEW Convention has been held in California, when it was held in San Francisco.

As reported in previous issues of the Utility Reporter and in this issue, we are preparing for the hearings before the California Public Utilities Commission over the question of employee discounts and intrusion in the collective bargaining arena.

The weeks of hearings are scheduled for August and a decision on the issue by the California Public Utilities Commission will probably not be made before the latter part of the year. The discount issue involves four properties that Local 1245 represents—Pacific Gas & Electric Company, Sierra Pacific Power Company, CP National, and Citizens Utilities Company. The first phase of the hearings will cover only the energy companies with telephone and water companies later. We are involved with other utility unions in a coalition and are fighting the issue as a united group.

We are gearing up for negotiations with Pacific Gas and Electric Company and hope to commence bargaining early in September. We are calling for proposals from the membership in the May and June Unit meetings, so that a package proposal can be formulated and be ready for submission in September. There will be a need for understanding and unity as this will be a difficult bargaining year.

We are currently in negotiations with both Pacific Tree Company and Davey Tree Company. We are experiencing difficulty with Pacific Tree Company to the point that Local 1245 filed Unfair Labor Practice charges with the National Labor Relations Board in an effort to get de-polarized and obtain an acceptable offer for our Pacific Tree members. Davey Tree Company bargaining is just getting off the ground, and hopefully, we will have a meeting of the minds and reach a successful conclusion.

We have been in bargaining with Sacramento Regional Transit District, and it appears we may well end up in interest arbitration to settle the issue there. There are a number of public agency agreements due for bargaining toward the end of the year.

As a result of the outcry on electric rate increase, there have been over twenty bills introduced in the legislature so far this year. These bills run the gamut from good to outright idiocy. We are monitoring and lobbying these bills to be sure to protect the interest of utility workers.

All of this activity plus the day to day business will keep Local 1245 Business Staff pretty busy for the remainder of the year.

'Speedy recovery, Jay!'

Executive Board member Jay Burton is recovering from extensive surgery following five arterial bypasses. His wife Susan reports that doctors are optimistic about his recovery. Get well wishes may be directed to Burton at Peninsula Hospital, 1783 El Camino Real, Burlingame, CA 94010.

POV

By Jack McNally

IBEW 1245 Business Manager

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)

PUT YOUR MUSCLE INTO IT!

NOTICE

(Members employed by PG&E, Stan Pac Inc., and PGT)

Proposals for 1983 General Negotiations should be submitted at Unit meetings through June 1982.

Members are urged to attend their Unit meetings and participate.

In Unity—

Executive Board member Jay Burton is recovering from extensive surgery following five arterial bypasses. His wife Susan reports that doctors are optimistic about his recovery. Get well wishes may be directed to Burton at Peninsula Hospital, 1783 El Camino Real, Burlingame, CA 94010.

IBEW 1245 BUSINESS STAFF PRETTY BUSY FOR THE REMAINDER OF THE YEAR.

'Speedy recovery, Jay!'
EPA IGNORES HAZARDS

Ill-founded proposal gives o.k. on PCB use in capacitors

The dangerous effects of PCBs have been ignored in a new proposal by the U.S. Environmental Protection Agency.

Since its creation more than 50 years ago, polychlorinated biphenyls have been known to cause skin and liver injury in people. Animal studies showing effects of cancer and reproductive impairment further incriminate this toxic chemical.

PCBs persist in the environment, accumulating in the food chain and in fatty parts of the body.

Because of these dangerous properties, the U.S. Congress declared a manufacturing and distribution ban on PCBs. The ban was issued in the Toxic Substances Control Act of 1976 (TSCA).

The Environmental Defense Fund, a leading environmentalist group, later sued the EPA for not following some of the requirements in the ban.

A court decision in 1980 ruled that the EDF was correct on two counts. The court ordered the EPA to re-evaluate their 50-parts-per-million control level and their permission for PCBs to be used in electrical equipment that leak and rupture.

EPA's new proposal addresses the issue of PCBs being used in electrical equipment. They propose to continue allowing PCBs to be used in capacitors for the next 10 years and in all other equipment indefinitely. Other equipment includes transformers, circuit breakers, reclosers, voltage regulators, switches, cables, and electrical systems.

By industry estimates, this will allow half a million pounds of PCBs to continue to be released into the environment annually. However, only 500 milligrams of PCBs was the minimum dose causing illness in a major poisoning incident in Japan, according to PG&E's slide show on PCBs. The five hundred milligrams is less than one-tenth of a teaspoonful of PCBs.

EPA's new proposal reflects President Reagan's bias against protecting the health of workers and the public. Reagan's bias is clearly in favor of industrial management interests. The official document even states "this proposed rule allows uses of PCBs in electrical equipment to continue that would otherwise be prohibited by...TSCA."

Local 1245 intends to continue full involvement in fighting this proposed rule and other attempts to relieve employers of their responsibility to workers and their families.

Cal-OSHA order lifts restrictions on climbing Carney Pine poles

From PAGE ONE

4. Poles shall be marked to indicate their condition with regard to being safe for climbing in accordance with the plan. No poles will be climbed until and unless they have been marked as safe for climbing as a result of the inspection and tests outlined in the PG & E program for Carney Poles, or until the conditions of paragraph 5 have been met.

5. In addition to the testing of B.J. Carney Company pine poles set forth in this Special Order, PG & E will continue to adhere to the terms of Pacific Gas and Electric Company Accident Prevention Rules 414 and 417 regarding Working in Elevated Poles and Stubs, respectively. Therefore, if clear evidence exists that a pole has been damaged after the pole has been inspected, tested, and marked in accordance with the foregoing procedures, the pole would not be safe for climbing in the absence of such evidence, the pole would be safe for climbing.

As a result of this Special Order, PG and E held meetings in the San Joaquin Division starting May 3, 1982 to explain the testing and marking procedures to be used. If, in the future, incidents arise which relate to the Carney Pine Poles, that question the safe working operation of "poles tested good," they should be reported to the Union and Company.

The Union will submit any evidence of unsafe conditions to the Division of Occupational Safety and Health which reserves its rights to further investigate and establish other special orders.

Cableman and helper suffer burns; rushed to hospital following accident

On May 7, 1982 two IBEW 1245 members were injured on the job. Arnold Covarrubias, 41, Cableman and Harold Daniels, 35, Cableman's Helper were engaged in switching procedures on Treasure Island Naval Station when an electrical flash caused second and third degree burns to both members.

Brother Covarrubias suffered burns to the left side of the face and body. Brother Daniels the more severely injured of the two suffered burns on both hands, arms, face and left side.

Brother Covarrubias has been a Local Union member for nearly 12 years, and Brother Daniels, nine years.

The Local Union was notified at the time of the accident by Shop Steward and L.U. Safety Committee member Steve Lee.

Ron Fitzsimmons, Safety and Training Representative and Frank Saxenmeier Business Representative met in San Francisco to investigate the accident and talk to the injured members at Saint Francis Hospital where they were taken.

At this time an investigation as to the cause of the injuries is continuing.
JOSEPH P. AQUILIO

Francisco Physical. Employed by PGE as a Lineman in San Francisco. Has served as the Central Area Executive Director since 1979 and was Advisory Council Member for San Francisco, 1979-1980. Member of Local Union's Health and Safety Committee since 1980. Has served as Shop Steward since 1980. Has served on the following committees: Local Union 1245 Health and Safety Committee; Citizens Utilities Safety Committee. Notable local union activities have included: Ballot Committee, Citizens Utilities Safety Committee, and Campaign Committee for Sacramento San Francisco.

JOSEPH ARMSTRONG
Initiated into IBEW Local Union 1245 on April 2, 1966. Is a member of Unit 1245, Jackson Division. Is employed by PG&E as a Lineman in Bakersfield. Has been a member of the San Francisco Joint Grievance Committee since 1973 and is presently Chairman. Was a member of the Advisory Council 1974-1977, 1980-1981. Is a member of Local Union's Health and Safety Committee. Has served as Shop Steward since 1980. Has served on the following committees: Joint Grievance Committee 1972, 1973, 1974; and Delegate to Sacramento San Francisco.

RICHARD ARMSTRONG
Initiated into IBEW Local Union 1245 on April 2, 1966. Is a member of Unit 1245, Jackson Division. Is employed by PG&E as an Operator by PG&E as an Operator in Bakersfield. Has served as Shop Steward since 1980. Has served on the following committees: Local Union 1245 Health and Safety Committee; Citizens Utilities Safety Committee. Notable local union activities have included: Ballot Committee, Citizens Utilities Safety Committee, and Campaign Committee for Sacramento San Francisco.

KENNETH L. BALL, JR.
Initiated into IBEW Local Union 1245 on April 6, 1973. Is a member of Unit 122, Monterey Division. Is employed by PG&E as a Business Representative in Coast Valleys Division. Has served as an IBEW delegate to the National Telephone Convention, 1980; a delegate to the National Grievance Committee, 1980; a delegate to the Joint Labor-Management Conference, 1980; and a delegate to the Joint Ethics Committee, 1980.

Is a member of Unit 3411, Alturas. Is employed by Citizens Utilities Company as a Central Office Maintainer in Alturas. Currently serving as Chairman of Unit 3411, Alturas. Currently serving as a Shop Steward in Alturas. Has served on the following committees: Medical-Dental 1979-1980; Contract Negotiation 1980; Deliberate to Golden West Safety Conference, 1980; Delegate to Inter-Union Gas Conference, 1980; Delegate to California State Federation AFL-CIO Legislature Conference, 1980; Delegate to the California State Federation Legislative Conference, 1980; and Delegate to the California State Federation Legislative Conference, 1980.

NANNETTE R. DOMINGUEZ
Initiated into IBEW Local Union 1245 on March 1, 1982. Is a member of Unit 1245, Sacramento Division. Is employed by PG&E as a Business Representative. Has served as a Shop Steward since 1982. Has served on the following committees: Local Union 1245's Joint Grievance Committee 1980 and 1981; Local Union's Negotiating Committee since 1981; and Delegate to the Sacramento Central Labor Council since 1981.

Continued on next page
Ronald G. Fitzsimmons — Continued from page 5

WAYNE R. JOHNSON

C.P. "RED" HENNEBERRY

N.V. HUSS

P. MANDT

JOHN A. MARTINEZ

JIM "MACK" McAuley

MARIE KIZZEE

FRANK LAZARD

STEVEN LEE

VERNON D. LOVEALL

N.V. HUSS

MIKE D. JOHNSON

HARVEY L. INESS

MARGIE McCAULEY

MARGIE McCAULEY

MANNY A. MEDEROS

N.R. MERCER

EDWARD L. MILES
Initiated into IBEW Local Union 1245 in August, 1971.

JAMES T. MITCHELL
Initiated into IBEW Local Union 1245 in June, 1975.

JAMES W. MITCHELL
Initiated into IBEW Local Union 1245 in March, 1978.

WILLIAM "BOB" NELSON
Initiated into IBEW Local Union 1245 in May, 1967.

ROBERT MORANTE
Initiated into IBEW Local Union 1245 in February, 1974.

DANIEL W. MOREY
Initiated into IBEW Local Union 1245 in October, 1971. Is a member of a Unit 1112, Bakersfield. Is employed by PG&E as a Gas Mechanic. Currently serves as Recorder, Unit 1112. Currently serves as a Shop Steward in Bakersfield. Currently a member of San Joaquin Joint Grievance Committee. Currently serves as a delegate to Kern Inyo Mono Central Advisory Council Advisory Committee.

ANTHONY MORGADO
Initiated into IBEW Local Union 1245 in November, 1967. Is a member of a Unit 1112, Bakersfield. Is employed by PG&E as a Apprentice Machinist in Pittsburg Power Plant. Currently serves as Recorder, Unit 2301 from January 1968 to present. Currently serves as Shop Steward in Pittsburg. Currently a member of San Francisco Joint Grievance Committee. Currently serves as a delegate to San Francisco Division Grievance Committee.

LORNE L. MONATH
Initiated into IBEW Local Union 1245 in April, 1971.

DAVID L. MORRISON
Initiated into IBEW Local Union 1245 in March, 1975.

LOUISE G. MUSIC
Initiated into IBEW Local Union 1245 in August, 1967. Is a member of a Unit 2301, Emeryville. Is employed by PG&E as a Meter Reader in Oakland. Currently serves as Shop Steward in Oakland, Meter Reading. Has served on the Political Education Committee. Other Local Union activities have included: Organizing Committee for Mean Readers Conference in Walnut Creek, 1987.

WILLIAM "BOB" NELSON
Initiated into IBEW Local Union 1245 in May, 1967.
PATRICK D. WASTON

Initiated into IBEW Local Union 1245 in June 1951. Is a member of Unit 1112, San Francisco. Is employed by IBEW Local Union 1245 as a Business Representative and Chairman of the Executive Board of Local Union 1245. Is a member of the Joint Local Union Committee on Grievances, past Henry S. Corning (Chairman) and currently serves as its Vice-Chairman. Served as Advisory Council member, Pipe Line Operations Department, SF/GU, since 1967. Has served as Unit Recorder of Unit 1245, 1964-1966. Chairman of Unit 1245, 1965-1966; has served as National Political Director. Served on the following committees: Joint Local Union Committee on Grievances (2001-2003), National Political Committee (2004-2006), National Political Committee (2007-2009), and National Political Committee (2010-2012). Has served as an Executive Board member for the past three years. Has served as an Executive Board member for the past five years. Has served as an Executive Board member for the past seven years. Has served as an Executive Board member for the past nine years. Has served as an Executive Board member for the past eleven years. Has served as an Executive Board member for the past thirteen years. Has served as an Executive Board member for the past fifteen years. Has served as an Executive Board member for the past seventeen years. Has served as an Executive Board member for the past nineteen years. Has served as an Executive Board member for the past twenty-one years. Has served as an Executive Board member for the past twenty-three years. Has served as an Executive Board member for the past twenty-five years. Has served as an Executive Board member for the past twenty-seven years. Has served as an Executive Board member for the past twenty-nine years. Has served as an Executive Board member for the past thirty years. Has served as an Executive Board member for the past thirty-one years. Has served as an Executive Board member for the past thirty-two years. 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What does Solidarity in the American Labor Movement mean?

By Raymond S. Thomas

It was Abraham Lincoln, a man devoted to solidarity, who said: "All that serves labor serves the nation. All that harms labor is treason to America. No line can be drawn between the two."

If a man tells you he loves America, yet hates labor, he is a liar. If a man tells you he trusts America, yet fears labor, he is a fool. There is no America without labor, and to fleece one is to rob the other."

Regrettably, Lincoln's philosophy on attitudes toward labor has not come naturally. Most considerations gained for working people have come from within the American Labor Movement itself and were accomplished only with the solidarity of that Movement.

Solidarity is the unity of individuals to form a fellowship out of common interests for the good of all — individuals who recognize the need of their responsible participation in a common effort for the benefit of themselves and others.

This solidarity is the strength of the American Labor Movement, and what it has done for the worker of today is often taken for granted by my generation.

I think Adlai Stevenson's thoughts on the Depression might apply here, and should be heeded by those of us going into the work force today. He said, "Those who can't remember the past are condemned to live it again."

Many of us who are now, for the first time, seeking employment, believe that the eight-hour day has always been around. This new generation of workers is not likely to recognize things such as minimum wages, paid vacation, a safe work place, and other benefits, as hard-fought-for working conditions.

Through solidarity, the working class of the 1800's fought desperately and often died just to achieve bearable working conditions.

By 1863, in San Francisco, the American Labor Movement could be counted in at least 22 trade unions. These unions struck for higher pay and often won, but also lost to unfairness.

For example, bakers asked for a $30 a month increase in pay — from $55 and $60 monthly to $85 and $90. The employers granted the bakers this increase — until they could replace them with men imported from Hamburg, Germany.

This kind of unfair operating by employers took place throughout the United States. Out of these injustices grew a greater solidarity of the working people which has made great strides of improvement for labor and given the American Labor Movement the power it has today.

Today, this Movement continues to fight for fair wages and working conditions; but, does it have broader goals?

Some sixty-five years ago, a newspaper reporter asked Samuel Gompers, President of the American Federation of Labor, "Besides money and shorter hours, what does organized labor want?"

How prophetic and all-embracing was the answer. Mr. Gompers, speaking for labor, said: "We want more school houses and less jails, more books and less arsenals, more learning and less vice, more constant work and less crime, more opportunities to cultivate our better natures, to make manhood more noble, womanhood more beautiful and children more happy and bright."

All contributions the American Labor Movement has made to these goals have been accomplished through solidarity.

The same is also true for any present or future contributions, for solidarity is the strength, the very life, of the Movement!

If I were asked to describe, in one word, what solidarity means in the American Labor Movement, that word would be survival.
IBEW Local 1245's President, Howard Stiefer.

Assistant Business Manager
Manny Mederos

Assistant Business Manager
Corb Wheeler

Assistant Business Manager
Orv Owen

Assistant Business Manager
Roger Stalcup

Christine Lay, foreground, was sworn in as new Advisory Council member during the two-day meeting.

Alternates in attendance included l-r, Joe Belle, James Bud Gray, Geary Weaver, Paul Gomez, and Larry Pierce.

Among staff members giving reports was Administrative Assistant Pat Rutherford, left, who presented information on a new Contract Supplemental Index she helped prepare for the Local. The new supplements will be distributed to Shop Stewards at training workshops.

Photos by Bill Peitz, Executive Board Member

IBEW Local 1245’s President, Howard Stiefer.
Fun for all...

See you at the 5th Annual IBEW Local 1245 Slowpitch Softball Tournament, Saturday and Sunday, June 5-6, Willow Pass Park, Concord.

PCB clean-up refusal upheld by arbitrator

From PAGE ONE

great, a real vindication of our rights." McNally, however, cautioned that the decision does not represent a blanket invitation for workers to refuse PCB assignments and does not guarantee that any worker who refuses a job which he or she feels is unsafe will not be disciplined. The six grievants in this case made the right decision," said McNally, "when they refused to take part in the clean-up. This was before the Company had started its slide show program on PCB clean-ups and before protective clothing was available in many yards. If the workers had been trained, if clothing had been made available, and if the T&D Bulletin had been followed the decision probably would have been different."

Because of the importance of this case, a number of experts from various agencies assisted the Union in its presentation and preparation of the case, including Abby Ginzelberg of the California Department of Occupational Health and Safety, Dr. Gideon Lets and Senior Industrial Hygienist Jeff Hahn of the California Department of Health's Hazard Evaluation Service, attorney Ann Myer of the Labor Commissioner's office, attorney Ralph Muller of the National Labor Relations Board, and consultant Leo Seiditz of Berkeley. Local 1245 extends its thanks to these men and women who so generously helped with the case.

Also assisting in the preparation of the case were Shop Steward Percy Rome, Sunnyvale, and Local 1245 staff members: Roger Stalcup, Assistant Business Manager; Wayne Greer, Bob Thomson, Business Representatives; Ron Fitzsimmons, Business Representative in charge of Health and Safety; Juliann Sun, Industrial Hygienist, and Susan Gwinn, Legal Administrative Assistant, all of whom put in hundreds of hours to prepare material.

Grievant cleared, reinstated in 'missing money' probe

By Roger Stalcup, Assistant Business Manager

The Opinion and Decision of Arbitrator Robert Burns in PG&E Arbitration Case No. 96 was recently received. At issue in this case was the discharge of a Utility Machine Operator in the General Office Payment Processing Center for allegedly stealing cash from customers' payment envelopes.

As the result of information received from an informant, the Internal Auditing and Security Departments of PG&E in cooperation with local supervision concocted an elaborate scheme entailing marked money, invisible ink and black lights to ensue a suspect.

The work trays of several employees were secretly "seeded" with customer payment envelopes containing money coated with a substance which would come off on the hands of anyone handling the cash and could subsequently be seen only under a black light. The idea being, of course, that anyone caught under the black light would be a guilty party.

The arbitration hearing however, revealed incompetent investigation procedures on the part of the Internal Auditing Department, the department responsible for investigating violations of the Employee Code of Conduct Standard Practice 750-6.1.

In his Opinion and Decision, Arbitrator Burns stated, "...the web of circumstantial evidence was not closed about grievant. There are very suspicious circumstances, of course. The $850 was never recovered. But the test is whether the evidence is clear and convincing that grievant took the money. The evidence does not convince the board that grievant took the $850 enclosed in the sealed envelope on the night in question."

The grievant was, therefore, reinstated to his former position with backpay and benefits retroactive to the date of discharge. December 10, 1980.

Local 1245 opposes Santa Clara cruise control rate

As reported in the Santa Clara American by reporter Jim Detar, the city of Santa Clara may be hit with a lawsuit by unions representing cruise control workers as a result of action at a recent City Council meeting. The Council voted unanimously to uphold a staff recommendation establishing a flat rate of pay of $86.66 an hour for city workers volunteering to work overtime.

Local 1245 is totally opposed to a meager 86.66 hourly overtime wage. Bob Thomson, Local 1245 Business Representative, said before the council took the action to uphold the 86.66 hourly rate that the Union would consider litigation against the city if the flat rate was endorsed. Thomson said he was concerned that the city might also extend the wage changes to other after hours work done by city employees on parades, etc. "We are willing and ready to meet with you in the meet and confer process on this," said Thomson. "Prudence Slaathaug, business agent for the American Federation of State, County and Municipal Employees Local 101, who was also at the meeting said her position was the same as the IBEW.

Members ratify contract

by Orv Owen
Assistant Business Manager

On May 17, 1982, Sierra Pacific members, by a vote of 213 to 205 ratified the settlement reached at the bargaining table. The new one-year agreement will be effective and retroactively applied on May 1, 1982. The newly negotiated agreement provides an 8.8 percent wage increase to all bargaining unit employees and increases the journeyman rate to $14.06 per hour.

Other highlights of the newly negotiated settlement provide for improvements in the following areas: mileage and travel allowances increased from 24 cents per mile to 27 cents per mile; subsistence allowance increased from $30 per day to $40 per day; shift preferences increased from 24 cents per hour to 55 cents per hour; established for the first time orthodontia benefits at $8750 per person.

Once again, our negotiating committee successed in having the company withdraw their proposal to eliminate employee discounts. However, in all candor, this issue has not been laid to rest. Sierra Pacific, like other utilities across the nation, are under extreme pressure from state regulatory bodies and rate payers to eliminate "employee discounts", despite the fact this negotiated benefit is of long standing and despite union's position that "employee discounts" are collective bargaining issues covered by the National Labor Relations Act.

Union's Negotiating Committee would like to express their gratitude to our members and Shop Stewards at Sierra Pacific for their steadfast support during these negotiations and for their judgment and final determination on Company's offer. Although your committee did not make any recommendation regarding Company's offer of settlement this year, the committee does respect and honor the membership's decision, as it should in our democratic process.

Local 1245's Negotiating Committee, consisting of Gino Aramily, Zenobia Bedahue, Ron Frugoli, Louis Johnson, Pat Lantis, Louis Mora, George Ostrander, and Business Representative John Stralla, should be congratulated on a job well done.

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