Major public sector bargaining starts in jurisdiction

As the year draws to a close, negotiations between Local 1245 and the four largest public sector properties represented by the Union have started up, all with agreement expiration dates of December 31, 1984. The closing weeks of 1984 promise continued long and hard work in the public sector as the committees strive for new agreements.

SMUD

Business Representative Mack Wilson and the Union Bargaining Committee at SMUD have already put in several weeks of preparation and have finalized the proposal which is to be submitted to the District at the start of negotiations on October 23, 1984. SMUD is the largest public sector property represented by Local 1245.

In the past, bargaining unit employees, usually Inspectors in the Electric Department and Fitters in the Gas Department, handled the case for Local 1245 and the largest public sector property represented by Local 1245.

Joining Mack Wilson on the Bargaining Committee are Ken Meyer, Brian Knox, Robert Harper, Mark Stirtz, Gary Hansen, Pete Ramon, and Jim Pysiano.

USBR

November 13 is the date currently set for representatives of the United States Bureau of Reclamation and Local 1245 to begin negotiations on proposals exchanged by the parties on October 3, 1984.

Business Representative Pete Dutton and his bargaining committee, which consists of Bill Chambers, Larry Mather, Al Wright, Robert Kerr, Robert Pyle and Jim Mullinburg spent several days in early October reviewing bargaining proposals submitted at a Shop Stewards conference held in Sacramento on August 25.

Given the attitude of the Reagan administration towards federal employees, a tough set of negotiations is anticipated.

Merced Irrigation District

On September 27, representatives of Local 1245 and the Merced Irrigation District met in Merced to discuss Local 1245's proposals for a new Memorandum of Understanding with the district.

Local 1245's bargaining committee consists of Business Representative Frank Hutchins and members Dee Withrell, William Taylor, Mike Higgins, and Bill Crisman.

A further negotiating session was held in mid-October. The District has announced that one of its biggest concerns is the rising cost of medical insurance. Local 1245 shares this concern and has consistently cooperated with employers in cost containment efforts, while opposing employer efforts to shift costs to our members.

Modesto Irrigation District

"We're ready as soon as the District is," says Business Representative Mack Wilson in describing the status of negotiations with the Modesto Irrigation District.

Wilson and his bargaining committee met in September and hammered out a bargaining proposal which will be submitted to the District as soon as the District has formulated its proposals.

Local 1245 will be represented in bargaining by Business Representative Wilson and members Ken Raven, Leticia Becerra, Ron Simpson, Bill Rich, Jerry Peters, and Roy Johnson.

Arbitrator Kigel to decide Local's work dispute case

Arbitrator Sam Kigel 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 non-bargaining unit Construction Representatives.

The factual background of the case is closely tied in to the Company's recent increased reliance on contractors to perform work which in the past has been performed by Company crews.

In the past, bargaining unit employees, usually Inspectors in the Electric Department and Fitters in the Gas Department, routinely inspected work performed by contractors. With the increased use of contractors to perform work formerly carried out by Company crews, the Company created a new, non-bargaining unit position - a Construction Representative - to inspect the contractor's work and make sure that the work meets Company standards.

In its presentation to Arbitrator Kigel, Local 1245 attempted to prove that the work performed by the approximately 10 Construction Representatives are to be found throughout the system is virtually identical to the work performed by bargaining unit employees over the years, and that the amount of discretion and independent judgment vested in that position is no greater than the independent judgment and discretion vested in other bargaining unit positions, such as Light Crew Foreman or Line Subforeman.

Testifying for the Union were Ed Hughes, Inspector, San Francisco Division; Bill Culligan, Line Subforeman, Coast Valleys Division; Paul Schonneman, Lineman, San Jose Division; and Jim McCauley, Light Crew Foreman, East Bay Division.

Staff Attorney Tom Dalzell, who handled the case for Local 1245, summed up as follows: "We believe that the contract, the National Labor Relations Board certification, past practice, and Company documents such as the job description for the Construction Representative position all support our contention that the work being performed by the Construction Representatives belongs in the bargaining unit."

Briefs are due to be filed with Arbitrator Kigel on November 9, 1984, and a decision is expected before the end of the year.

Pac Tree bargaining time begins

On September 11, Business Manager Jack McNally formally notified Pac Tree that Local 1245 wishes to open negotiations on a new contract. The present agreement, which expires on December 31, has been in effect for two years and covers approximately 300 tree trimmers working in Shasta, De Sable, Colgate, Drum and Sacramento Divisions.

Assistant Business Manager Orville Owen will lead Local 1245's bargaining committee, which includes Doug Bonham, Ron Hiteshew, Bill Colbert Jr., and Mike Higgins. Bargaining proposals will be exchanged at the first collective bargaining session, which as yet has not been scheduled.

The Utility Reporter will carry updates on negotiations.

Third fatality reported


The accident happened at approximately 12:45 p.m. on the northwest corner of Fairhaven and Ybarbo. Brother Slaten was ascending a pole when his left leg came in contact with an energized 12kv conductor while holding onto a de-energized conductor grounded through a traveler.

He sustained massive injuries when he fell to the sidewalk.

IBEW Local 1245 extends deepest sympathy to his wife Nancy, and his family.

IN MEMORIAM

Kenneth Slaten

June 4, 1933 — September 27, 1984

VOTE FOR YOUR FUTURE ON NOV. 6

SEE: LOCAL 1245 ENDORSEMENTS

PAGES 9-10
Meet Clark Fleming

Clark Fleming is an active Unionist on many fronts. He is a Troublemaker in Humboldt Division working out of Willow Creek, a small town outside of Eureka.

Fleming also serves on the Local's Advisory Council which he was elected to during the Local's last officer election. He has served as a Shop Steward since the mid 1960s— at various headquarters. Born in Crestline, Kansas in 1934, Fleming was initiated into IBEW Local 304 in Topeka, and worked on the complete Kansas City voltage cutover from 4160 volts to 7200 volts.

He came to California in 1960 working first in General Construction as a Third Step Apprentice. He bid into the East Bay Division as a Lineman in Richmond in 1962, then worked in Concord, Walnut Creek and Antioch. It was during his Troublemaker days in Walnut Creek that he first began serving as a Shop Steward.

"I like being a Shop Steward because I like being depended on, and I like helping to resolve problems in the workplace," is how Fleming summarized his Steward activities.

Steward at well-rounded Unit Meeting

Clark Fleming, upper photos, far right, attends recent Willow Creek Unit Meeting with members representing a major cross section of our jurisdiction, l-r, PG&E Lineman Jim Pike, Meter Reader Bill Skoonberg, who is Unit Chairman, and from Davey Tree, Mike Loftis. Rounding out the meeting, lower photos, l-r, are Business Representative Bob Gibbs, Utility Clerks, Nadine Watkins and Karen Lamb and Lineman Dave L. Vigil, from PG&E, and a group of three Outside Line Construction Linemen, C.A. Penrod, Joe Grubsic and Tom Altichison, Working Foreman.

Letter to the Editor

Dear Editor:

As a member of IBEW Local 1245, I have some observations concerning the forthcoming Presidential Elections ... and the exclusive support of the Mondale/Ferraro Candidacy. This exclusive support ignores the fact that not all IBEW union members are Democrats.

Dues paying active members have been slighted due to the absence of the Republican message in the Utility Reporter and other union organs. The September 1984 issue of the Utility Reporter contained as its center page a rhyming caricature of the ABC's that was supposititious of the Reagan/Bush Administration, which I, and many of our Brothers and Sisters of our Local feel was an example of yellow journalism clap-trap, that was an insult to our intelligence and an embarrassment to IBEW Local 1245.

Sincerely Yours In Brotherhood,
Tom Dorsher

—This Letter to the Editor is excerpted from a five-page document from Brother Dorsher.

The records show that Ronald Reagan and Labor are at extreme odds. It is clear that there are Republicans in our large membership. As a Labor publication we are obliged to inform all of our members of Administration policies which weaken Labor and worker rights.

We encourage our members to take a hard look at how these policies will affect them today, and in the future — then to vote their personal choice.

Reagan has clearly gotten more than his fair share of space in the national media. The Utility Reporter takes responsibility for balancing the scales.

—Editor
"Are you better off now than you were four years ago?" This is President Reagan's question to the American public. Those Americans who are at the higher end of the economic scale answer, "yes." Those Americans who are at the lower end of the economic scale answer, "no." Those Americans who are in the middle of the economic scale will answer, "yes, no, or about the same."

Organized workers were dealt a severe blow when PATCO air traffic controllers were smashed and abolished by the Reagan Administration. This was a message to American business that it is OK to bust unions. It is interesting to note that the current replacement air traffic controllers are complaining about the same issues that PATCO was complaining about and are now trying to organize into a union. I don't think those PATCO members are better off.

Four years ago the concession, or take-back, bargaining surfaced. In some cases, particularly the auto industry, concessions were granted by the union in order to save the industry. Imports and questionable management decisions had put the auto industry on the brink of disaster.

When the Reagan Administration took office in the beginning of 1981, unemployment was 7.4 percent, or 7.8 million unemployed. By December 1982, the rate had climbed to 10.8 percent, or 12 million unemployed. The current rate is 7.5 percent. During this period, more than 30 million wage earners suffered one or more episodes of unemployment.

As unemployment rose, inflation began to decline -- a brutal way to control inflation. More importantly however, with a large amount of unemployment, employers forced unions to take concessions, knowing that if the union struck there was a vast labor pool to replace workers and bust the union. Think about what has been reported over the last three years: Continental Airlines -- pilots have been replaced, maintenance workers' pay and benefits cut; Georgia Pacific Lumber -- workers have been replaced, and their union has been busted; Phelps-Dodge Copper -- miners have been replaced, and their union has been busted. Nearly one-third of the collective bargaining agreements negotiated in the first six months of 1983 called for first-year pay freezes or reductions.

Over the last four years, attacks have been made on Social Security, and cuts have been made. Attacks have been made on prevailing wage laws, and they have been made less effective. There are proposals by the Reagan Administration to tax health benefits. The National Labor Relations Board appointments made by Reagan are reversing some long-standing principles and weakening the rights of workers. OSHA has been made less effective by less funding.

The Reagan Administration's goal is to disable organized labor, and the American people are being conditioned to like it. Organized labor has played the key role over the last 50 years in building the middle-class society we have today. In light of what has happened over the last four years, it is not hard to figure out what is going to happen to American workers in the next four years. Are the American workers better off now than they were four years ago? I don't think so.
OSHA: A Four-Letter Word
By Ronald Reagan

Consumers, workers, and businessmen are threatened by bureaucratic arrogance, police-state tactics

"OSHA" is a four-letter word that's giving businesses fits and is helping drive up consumer costs. And, there's no relief in sight. One of the youngest federal regulatory agencies, the Occupational Safety and Health Administration, since 1970 has had the job of carrying out "the intent of Congress," by devising regulations implementing the Occupational Safety and Health Act. Congress' intent was to protect the safety and health of the American workers—a commendable goal. But OSHA's regulations and tactics are something else again—a "Catch-22" of arbitrariness that is costing business (and the consumer) millions of dollars a year.

OSHA's regulations fill a shelf 17 feet long (even the "Harvard Classics" took up only five feet), and businessmen are expected to know which ones apply to them if an OSHA inspector drops by. If they don't, and their plant doesn't conform to the regulations they're subject to stiff fines. You can pay your insurance company to make an inspection, but there's no guarantee that OSHA won't come along later and find some overlooked deficiency.

One might have thought that OSHA would have offered an initial no-penalty inspection to a business seeking to learn if it complied, with a grace period for correcting deficiencies. No such luck. If you call for an inspection, you are subject to the same penalties. You can pay your insurance company to make an inspection, but there's no guarantee that OSHA won't come along later and find some overlooked deficiency.

Civil liberties don't count for much with OSHA, either. Its inspectors can barge in on a "no-knock" basis without the owner's permission or a search warrant. It has even had this right confirmed by a federal court.

Excess paperwork, the security blanket of bureaucratic, is required by OSHA of the businesses it regulates. This torrent of paper and words is reflected in the gobbledygook language of OSHA's regulations, too.

Here is how they define an exit: "That portion of a means of egress which is separated from all other spaces of the building or structure by construction or equipment as required in this subject to provide a protected way of travel to the exit discharge..."

Application of OSHA's regulations is almost whimsical. The owner of a small business in one western state was told he had to install separate men's and women's restrooms for his employees. He had only one employee. At home they slept in the same bed and used the same bathroom. She's his wife.

There is more of the same on the way. Anti-noise regulations for trucks are now under discussion. One would require truck cabs to be so soundproof that drivers could not hear horns or emergency vehicle sirens.

The solution? A panel of lights in the truck cab which would flash when activated by such sounds. Result? More expensive trucks, higher freight rates, and higher costs of the things you buy.

Talk in Washington is serious these days about deregulating—at least partially—the airline, trucking and railroad industries to sharpen competition and lower consumer costs.

There is little evidence that OSHA has accomplished much in the way of saving lives, all the while it has added heavy cost burdens and created a bureaucracy with a growing appetite for tax dollars. Yet, there is little talk of reforming or eliminating this regulatory labyrinth. It's overdue.

From the Conservative Digest/October 1975

Reagan's toxic pollution record—a public health hazard


Efforts to protect public health and the environment from the dangers of toxic pollution have ground to a near standstill under the Reagan Administration.

Since President Reagan has been in office, only six abandoned toxic waste dumps have been cleaned, virtually no additions in toxic chemicals have been regulated, noncompliance with environmental laws has reached staggering levels and the operating budget of the Environmental Protection Agency (EPA) has been slashed by nearly a third.

The Reagan budget cut came at a time when EPA was assuming broad new responsibilities to control toxic pollution. Crippled by these cuts, the agency has been unable to take the toxic pollution control actions required by federal law.

America's industries generate billions of gallons of toxic wastes and emit millions of tons of toxic chemicals into the air and water each year. These toxic substances have been linked to a wide variety of chronic health problems, ranging from cancer and birth defects to loss of hearing and vision.

In the 1970s, Congress responded to the dangers posed by toxic pollution by enacting a series of laws to protect public health and the environment. These laws call for cleaning up abandoned toxic waste dumps, safely handling and discarding toxic wastes, minimizing and eventually eliminating toxic air and water pollution, and protecting chemicals into the air and water each year. These toxic substances have been linked to a wide variety of chronic health problems, ranging from cancer and birth defects to loss of hearing and vision.

In the 1970s, Congress responded to the dangers posed by toxic pollution by enacting a series of laws to protect public health and the environment. These laws call for cleaning up abandoned toxic waste dumps, safely handling and discarding toxic wastes, minimizing and eventually eliminating toxic air and water pollution, and protecting...
workers from toxic chemicals in the workplace.

These congressionally enacted antipollution laws provided the Environmental Protection Agency (EPA) with sweeping new responsibilities and authority and called for a major new commitment by the agency to protect public health. By the time President Reagan took office in 1981, EPA was poised to begin implementing and enforcing many of the toxic pollution safeguards. But instead of providing EPA with the resources necessary to carry out its new responsibilities, the Reagan Administration slashed EPA's environmental operating budget by nearly one-third. This drastic reduction in EPA's resources severely hampered the agency's ability to meet its new responsibilities to control toxic pollution.

At the same time President Reagan was crippling the EPA, House Republicans were voting against measures to further expand toxic pollution protections and against increasing EPA's funding. On key vote after key vote, a majority of Republicans voted against increased environmental protections while a majority of House Democrats supported such measures.

The Reagan Record

The Reagan Administration's record on protecting the public from toxic pollution is marked by deep budget cuts, lax enforcement of existing laws, excruciatingly slow implementation of new toxic pollution protections, and staggering levels of noncompliance with antipollution standards.

After adjusting for inflation, many EPA programs now have less money than they did in the 1970s. The extent of the Reagan Administration's budget cuts — in inflation-adjusted, real dollars, is seen below:

- Cuts totaling 44 percent for water pollution control, leaving that program with less funding in 1984 than it had in 1975;
- Cuts totaling 22 percent for controlling air pollution, leaving that program with less funding in 1994 than it had in 1977;
- Cuts totaling 52 percent in state water pollution control grants and 20 percent in state air pollution grants;
- Cuts totaling 30 percent for enforcement of standards to protect workers from toxic chemicals; and
- Cuts totaling 31 percent in safe drinking water programs.

Largely as a result of EPA budget cuts, enforcement of existing environmental laws has declined and efforts to expand public protections against toxic pollution have ground to a near standstill. A review of the environmental record since President Reagan took office shows the following:

- Only 6 of the 546 toxic waste sites identified by EPA since 1981 have been cleaned up and closed;
- Not one additional hazardous substance has been added to the list of wastes regulated under the Resource Conservation and Recovery Act;
- Only about 1 percent of the roughly 8,000 active hazardous waste facilities required to monitor pollution control equipment, are properly inspected for safety and issued final operating permits;
- Not a single additional hazardous air pollutant has been regulated despite the fact that EPA has had 37 such substances under review since 1981 and several of them had been found to cause cancer; and
- Only one additional standard to lower workers' exposure to toxic chemicals in the workplace has been issued by the Occupational Safety and Health Administration (OSHA). Twenty standards had been listed by the time President Reagan took office.

The Reagan Administration has implemented a drastic across-the-board reduction in enforcement actions against violators of environmental laws. Following are examples of the Reagan Administration's record:

- A 44 percent drop in formal enforcement actions against violators of the Clean Water Act between 1980 and 1982;
- A 55 percent drop in referrals by EPA to the Justice Department for actions against violators of the Clean Air Act between the last three years of the Carter Administration and the first three years of the Reagan Administration;
- An 82 percent drop in referrals of civil cases from EPA to the Justice Department under the Clean Water and Superfund laws between FY 1980 and FY 1984; and
- Dramatic declines in enforcement by OSHA, with the number of enforcement actions dropping as much as 84 percent for certain OSHA toxic pollution standards.

The combination of budget cuts and lax enforcement has aggravated the persistent problem of bringing facilities into compliance with antipollution laws. The Reagan Administration has allowed noncompliance to persist, and in some cases to reach staggering levels.

Without widespread compliance, efforts by Congress to pass laws to protect public health, and the billions of dollars spent by the Federal Government and the private sector on pollution control equipment, are largely wasted.

Surveys by EPA and GAO found that nearly 80 percent of hazardous waste facilities required to monitor for groundwater contamination were failing to do so; 82 percent of surveyed industrial dischargers and municipal wastewater treatment plants were violating the Clean Water Act, and almost one-third of these were exceeding standards by a significant amount for months at a time; and 75 percent of plants surveyed by EPA were violating the Clean Air Act.
Unions fight to uphold worker protection as Reagan appointees ignore health, safety

No where is the anti-worker policy of the Reagan Administration clearer than in Occupational Safety and Health. Statistics have shown that OSHA has been gutted to a mere skeleton of what is needed to protect workers. Inspections, citations, research and manpower have all been cut. Unfortunately, statistics alone don’t fully convey the message.

Thorne Auchter, the man Reagan appointed to run Federal OSHA, was vice-president of his father’s construction company in Florida, and his previous experience in safety and health was his firm being cited repeatedly by OSHA. Auchter left OSHA to become president of the B. B. Andersen Construction Company in Kansas City. It turns out that in 1981, Auchter personally fixed a set of OSHA citations against B. B. Andersen.

In April 1981, an OSHA inspector was refused admission to a B. B. Andersen site; he got a warrant, went back, was again refused admission but walked anyway, cited 12 violations and proposed $12,681 in penalties. The B. B. Andersen Co. paid its fine of $2,190 and Auchter complained to Rep. George Hansen (who was subsequently convicted of financial irregularities), who spoke to Auchter. Auchter himself wiped out the citations. The OSHA area director was reprimanded for his handling of the affair, and was later forced to retire part-time. In this case, Auchter said that his new job as president of B. B. Andersen had nothing to do with this incident. Reagan appointed Auchter to run OSHA.

Meanwhile, new data on other chemicals accumulates, and nothing is done by this administration. Workers need more health and safety rights. One critical right is the Right to Know about chemical hazards on the job. The Reagan OSHA has done the bidding of the Chemical Industry in trying to block off worker’s Right to Know — first they scrapped a proposed federal regulation, then, when unions began to get states and cities to pass effective laws, the federal government passed a regulation which provides much less information, for the stated purpose of pre-empting state and local laws.

We also have the tools to fix many of these problems, through union programs, joint programs and collective bargaining. What we need is help from the Government.

Let’s list what workers need from the Government in this area:

1. We need better enforcement of existing standards.
2. We need improved standards which take into account new scientific knowledge and other experiences.
3. We need government action to improve worker’s rights.
4. We need the government to promote worker education in health and safety hazards.

What has the Reagan Administration done in each of these areas? Instead of better enforcement we have less. We have 1/3 fewer inspectors, 1/3 fewer inspections, and only 1/2 the serious citations issued. Fines assessed are down almost 80 percent, and willful citations are off 90 percent.

OSHA has exempted 75 percent of all manufacturing plants from OSHA initiated safety inspections based on employer compiled injury reports supposedly showing low injury rates. Inspections for complaints have been restricted. Even plants where fatalities are exempted because they are “Safe”. Employers are also offered exemptions if they set up a paper safety program or
WORKERS AT JEOPARDY:

OSHA UNDER THE REAGAN ADMINISTRATION

When Congress passed the Occupational Safety and Health Act in 1970, the law promised the elimination of hazardous conditions, unpreventable occupational injuries and illnesses suffered by American workers. Business never accepted the law. Parsing the law as heavy-handed and government intrusion into their affairs, employers have conducted a more or less constant political attack and propaganda war against OSHA to escape regulation and enforcement actions mandated by the Act. During the 1970s, these unrelenting efforts yielded some major modifications in OSHA's enforcement, but the basic foundation and principles of the Act, however, remained intact. Despite business' opposition, the role of government in enforcing the law was adhered to in other Democratic and Republican Administrations. OSHA's program and policies were found to be reasonable and sound.

Progress stopped with the election of President Reagan.

He made clear during his campaign that he believed there was "no need for OSHA." For the first 44 months of his Administration, the philosophy has been the touchstone for OSHA as well as for other labor and environmental protection programs. OSHA is no longer the watchdog that Congress intended; it is the puppy dog of the lawbreakers.

Under this banner of regulatory reform there has been a systematic assault on the entire program. OSHA enforcement, never sufficiently strong, has been weakened to the point of being meaningless: the policy of rolling back existing regulations has been the centerpiece of the standard setting program. Programs to train and educate workers to OSHA have been drastically cut, and worker and union rights guaranteed by the Act virtually ignored.

• Special favors to business, through weakening regulations or going easy on enforcement, have ignored legal requirements and responsibilities;
• Budget and personnel have been cut and dedicated staff weakened to the point of being meaningless; the policy of rolling back existing regulations has been the centerpiece of the standard setting program. Programs to train and educate workers to OSHA have been drastically cut, and worker and union rights guaranteed by the Act virtually ignored.

President Reagan's appointments signaled the change. With campaign officials Raymond Donovan and Thorne Auchter chosen as Secretary of Labor and Deputy Secretary for OSHA, Reagan picked two people without relevant background or training in job safety and health.

A review of the Occupational Safety and Health Administration under the Reagan Administration and the status of our national health and safety efforts must focus on the areas of greatest concern:

• Enforcement of the law Congress enacted:
  • standard setting;
  • worker rights;
  • and the competence of the agency.

OSHA Enforcement

During the past three years, OSHA's enforcement program has been systematically weakened. The enforcement budget has been cut, the number of inspectors has been reduced by 25 percent, and one-third of OSHA's field offices have been closed. But more importantly, the agency's strong enforcement program — mandated by the law — has been abandoned in favor of voluntary compliance and a "nice-guy" approach.

The law remains intact, but scores of administrative directives and numerous removals of committee field staff have sent a clear message to the agency that it will go easy on employers. The agency's actions since 1981 reveal a program of non-enforcement, with schemes devised to exempt millions of employees from OSHA inspections. In those remaining firms where OSHA does inspect, policy directives make it harder for inspectors to cite violations of the law. The citations issued are less serious and carry reduced penalties, both of which are designed to further weaken OSHA's enforcement program.

For the past three years, OSHA's inspection data for fiscal year 1983 shows 50 percent of all citations issued are less serious and carry reduced penalties, both of which are designed to further weaken OSHA's enforcement program.

The center piece of Reagan's OSHA enforcement program has been a so-called targeting program for routine safety inspections in the manufacturing sector. The stated purpose of the program is to make better use of limited inspection resources by targeting inspections to the most hazardous firms in the most hazardous industries. This principle is sound — in fact, OSHA has always employed a variety of targeting plans for workplace inspections. Unfortunately, the Reagan Administration plan is ill-advised and unproductive.

The Reagan targeting program in fact exempts 75 percent of all manufacturing employers from routine safety inspections. Based on injury rates, whole manufacturing industries and individual employers are exempted from OSHA's general schedule safety inspections. Employers who fail into manufacturing sectors with a lost-time injury rate below the private sector average are automatically exempt even if the firm itself has a high injury rate. Those firms not exempt by industry classification may have injury records indicating lost time below the rate for the manufacturing sector, and they, too, will have no inspection of workplace conditions.

In the view of the AFL-CIO, the Reagan Administration's targeting program is nothing more than a wholesale exemption program which is a waste of time and money. OSHA's inspection data for fiscal year 1983 shows 50 percent of all general schedule safety visits in manufacturing (10,638 out of 20,496 visits) were limited to paper reviews of employer records with no inspection of actual conditions in the plant. More than 35 percent of the agency's inspection targeting resources consist of looking at paper, turning technically trained inspectors into bookkeeping clerks. In its dual targeting and enforcement record, OSHA has been counting these record review visits as inspections, even though OSHA's own policy directive says workplace conditions may be evaluated or citations issued during these visits.

A further indictment of the Reagan Administration's targeting programs are its results. Touted as an initiative that would effectively utilize OSHA's limited inspection resources to find serious workplace hazards, the program has failed to do so. In fact, during its first two years the Reagan targeting program produced 45 percent fewer serious violations per inspection than earlier Carter plans did during fiscal year 1980. Since then, while the program produced fewer than the previous year, the productivity results, there has been no attempt by OSHA to reevaluate the program and design an approach which is effective and sound.

In addition to the inspection targeting program, the Reagan Administration has devised at least two other schemes to exempt employers from OSHA inspections. In 1982, on an experimental basis OSHA introduced a plan that allowed employers who were certified by OSHA who participated successfully in state consultation visits. Recently the program was expanded and codified through regulation. Any employer can get a one-year exemption from routine federal OSHA inspections by signing a document requesting a comprehensive safety and/or health state consultation visit and agreeing to correct identified serious violations.

The AFL-CIO and many of its unions, including IBEW 1245, have opposed the OSHA exemption through consultation program. The program is directly at odds with the Congress' 1974 directive that the federally funded consultation program provide an avenue for employers to correct identified hazards. The program is also at odds with the Congress' 1974 directive that the employers' program provide an avenue for employers to correct identified hazards.
gram not serve as a substitute for OSHA enforcement. It shifts the focus of inspection program from assisting small business to exempting much larger employers from OSHA inspections. As a result of this, small facilities are not identified for potential violations. Moreover, the possibility of participating in worker consultation visits or worker access to consultants results, as is the case with the large firm.

There are no provisions for canceling an exemption once granted, even in the case of a serious accident. The large firm is considered responsible for researching toxic substances as asbestos and lead. Serious violations of different requirements of the standard are grouped to lessen their impact. Violations of engineering controls, work practices and respirator requirements have been classified as indefinite in their nature. OSHA has classified standards under the standard and grouped them under a separate citation for the permissible exposure limit. All the citations for personal protection programs are considered sufficient evidence to demonstrate noncompliance in different areas. OSHA must now consider appropriate standards, are no longer deemed sufficient evidence to demonstrate a hazard.

For OSHA's comprehensive health standards covering such substances as asbestos and lead, serious violations of different requirements of the standard are grouped to lessen their impact. Violations of engineering controls, work practices and respirator requirements have been classified as indefinite in their nature. OSHA has classified standards under the standard and grouped them under a separate citation for the permissible exposure limit and one type is assessed.

The special treatment shown by OSHA officials has been more than the Mine Safety and Health Administration's willful citation policies have been undermined and ignored, giving workers the clear signal the Administration does not want to be bothered with their concerns. The special treatment shown business by OSHA officials has gone beyond individual enforcement actions to include special favors in standard setting. Over the 44 months between January 1981 and September 1984, a steady parade of business representatives visited OSHA to seek information. Workers and its representatives have the right to review these enforcement actions. What the Reagan Administration's willful mismanagement of OSHA, exploring in particular special favors given to companies and businesses in the Reagan Administration's willful mismanagement of OSHA, exploring in particular special favors given to companies and businesses.
IBEW Local 1245 Political Endorsements

NEVADA

Also endorsed by Northern, Southern Nevada Central Labor Councils.

FOR U. S. CONGRESS

House of Representatives

1. Harry Reid (D)
2. Andy Barr (D)

FOR DISTRICT COURT JUDGE

Northern Nevada

Department 3

1. Joseph Bonaventure
2. James Brennan
3. Joseph Pavilikowski
4. Eugenia P. Ohrenschild
5. John Mendoza
6. Steven Young
7. Carl Christensen
8. Michael Wendell
9. Stephen Hufaker
10. Paul Goldman
11. Adalair Lair
12. Myron Leavitt
13. Thomas Foley
14. Donald Morely
15. Miriam Shearing
16. John McCready

FOR STATE SENATE

District 1

1. Rob Bishop (Non-partisan)
2. Ray Shafer, Clark County (D)
3. John Vergilis (D)
4. Joe Neal (D)
5. Shelley Berkley (D)
6. Roger Brenner (D)
7. James Bilbray (D)

FOR STATE ASSEMBLY

District 1

1. Steve McGinty (D)
2. Jane Wisdom (D)
3. Deborah Agosti (Non-partisan)
4. No Endorsement

FOR JUSTICE OF THE PEACE

Northern Nevada

Department 3

Las Vegas Department

1. Dan Ahlstrom
2. James Bixler

FOR CLARK COUNTY COMMISSION

District A

1. Bruce Woodbury
2. William Pearson

FOR SCHOOL DISTRICT BOARD OF TRUSTEES

District A

1. Shirley Holst
2. Virginia Brewster
3. Lucille Lusk

FOR UNIVERSITY BOARD OF REGENTS

Sub-District B

1. Lilly Feng

Sub-District E

1. Joe Foley

Senatorial District

Central Nevada
George Workman (D)

Northern Nevada
Mike Marfisi (D)

Nevada Supreme Court

Seat D
Noel Manoukian (Non-partisan)

CALIFORNIA

Also endorsed by California AFL-CIO State Federation

PLEASE VOTE NOVEMBER 6 — YOUR VOTE COUNTS!

FOR CONGRESS

District 1

1. Daniel B. M. Oenkins (D)
2. No Endorsement
3. Robert T. Matsui (D)
4. Vic Pazin (D)
5. Sala Burton (D)
6. Vivian Carter (D)
7. Bob Archer (D)
8. Robert A. Hoyer (D)
9. Dan Burton (D)
10. John Hagedorn (D)
11. No Endorsement
12. Dan Lungren (D)
13. No Endorsement
14. No Endorsement
15. Tony Coelho (D)
16. Alfred H. Alquist (D)
17. Rose Ann Vuich (D)
18. No Endorsement
19. No Endorsement
20. Mike LeSage (D)
21. Charlie Davis (D)
22. No Endorsement
23. Anthony C. Bieden (D)
24. Henry A. Waxman (D)
25. Edward R. Roybal (D)
26. Howard L. Berman (D)
27. . . . Levine (D)
28. Julian C. Dixon (D)
29. Augustus F. Hawkins (D)
30. Matt博物馆 (D)
31. Mervyn D. Dymally (D)
32. Glenn M. Anderson (D)
33. Claire K. McDonald (D)
34. Esteban E. Torres (D)
35. No Endorsement
36. George D. Brown, Jr. (D)
37. David E. (Dave) Skinner (D)
38. Jerry M. Patterson (D)
39. Robert E. Ward (D)
40. Carol Ann Bradford (D)
41. Robert L. Simon (D)
42. Mary Lou Brophy (D)
43. Lois E. Humphreys (D)
44. Jim Bates (D)
45. David W. Guthrie (D)

FOR STATE SENATE

District 1

1. Ray Johnson (D)
2. Milton Marks (R)
3. John Garamendi (D)
4. Daniel E. Boatwright (D)
5. Nicholas C. Petris (D)
6. Robert T. Matsui (D)
7. Barbara Boxer (D)
8. Carl Christensen (D)
9. Robert A. Hoyer (D)
10. John Hagedorn (D)
11. No Endorsement
12. Martin Carney (D)
13. Norman Y. Mineta (D)
14. No Endorsement
15. Tony Coelho (D)
16. Leon E. Panetta (D)
17. Simon Lakritz (D)
18. Richard H. Lehman (D)
19. James C. Carey, Jr. (D)
20. Mike LeSage (D)
21. Charlie Davis (D)
22. No Endorsement
23. Anthony C. Bieden (D)

FOR STATE ASSEMBLY

District 1

1. Steve McGinty (D)
2. Jane Wisdom (D)
3. Deborah Agosti (Non-partisan)
4. No Endorsement

FOR JUSTICE OF THE PEACE

Northern Nevada

Department 3

John Kadic (Non-partisan)

FOR CLARK COUNTY COMMISSION

District A

1. Bruce Woodbury
2. William Pearson

FOR SCHOOL DISTRICT BOARD OF TRUSTEES

District A

1. Shirley Holst
2. Virginia Brewster
3. Lucille Lusk

FOR UNIVERSITY BOARD OF REGENTS

Sub-District B

1. Lilly Feng

Sub-District E

1. Joe Foley

Senatorial District

Central Nevada
George Workman (D)

Northern Nevada
Mike Marfisi (D)

Nevada Supreme Court

Seat D
Noel Manoukian (Non-partisan)
Prop. 25: The Clean Water Bond Law of 1984, providing a bond issue of $325 million to provide for water pollution control, water conservation and water reclamation projects and activities. Vote YES

Prop. 26: State School Building Lease-Purchase Bond Law of 1984, providing for a bond issue of $450 million for capital outlay for construction and improvement of public schools. Vote YES

Prop. 27: Hazardous Substance Cleanup Bond Act, providing for a $1000 million bond issue for funds for hazardous substances cleanup and removal. Vote YES

Prop. 28: Safe Drinking Water Bond Law of 1984, providing for a $75 million bond issue for improvement of domestic water systems to meet minimum drinking water standards. Vote YES

Prop. 29: Veterans Bond Act of 1984, providing a $650 million bond issue for farm and home loan aid for California veterans (Cal-Vet). Vote YES

Prop. 30: Senior Center Bond Act of 1984, providing a $550 million bond issue for funding of senior centers. Vote YES

Prop. 31: Exempting fire sprinkler systems or fire-related egress improvements in buildings from the term "newly reconstructed" property for taxation reassessment purposes. Vote YES

Prop. 32: Amending the State Constitution provides that Supreme Court may review part and not necessarily all of a court of appeal decisions, under Judicial Council rules governing time and procedure for transfer and review. Vote YES

Prop. 33: Allowing disabled persons to postpone payment of ad valorem property taxes on a dwelling owned and occupied by the person as a principal place of residence, as is now the case with persons of low and middle income over age 62. Vote YES

Prop. 34: Exempting work on a certified structure occupied by the owner from the term "newly constructed" property for taxation reassessment purposes. Vote YES

Prop. 35: Mandating the Legislature to ask Congress to call a federal constitutional convention for a balanced annual federal budget amendment. Ruled unconstitutional by the State Supreme Court. Vote YES

Prop. 36: Placing additional restrictions on taxation of real property taxation with revenue losses to the state of $770 billion, $150 billion to schools and $2.8 billion to other local government agencies during 1984-85 and 1985-86. Vote NO

Prop. 37: Establishing a state lottery and outlawing casinos, with 50% of revenues returned as prizes and 34% for public education. Vote NO

Prop. 38: Calling on the Governor to write federal authorities to provide that federal law provide ballots and other election materials be printed in English only. Vote NO

Prop. 39: Creating a commission of retired appeals courts judges to redraw state legislative and U.S. House of Representatives district lines. Vote NO

Prop. 40: Limiting contributors and financial contributions to elective state office candidates. Vote NO

Prop. 41: Limiting amounts of California welfare payments to the needy and dependent. Vote NO

Sacramento Regional Transit

Business Representative Jack Osburn reports a number of unresolved problems at Sacramento Regional Transit, including one dispute which appears headed to arbitration. In 1983 negotiations the parties agreed to doubletime for emergency overtime, and a disagreement has arisen as to the interpretation and application of the contract language. The Union believes that any overtime where less than five days notice is given constitutes emergency overtime, while the District argues that there must be an actual emergency before the doubletime provision goes into effect.

WAPA Arbitration

Attorneys and representatives of the Western Area Power Administration and Local 1245 met at WAPA's Elverta Substation outside Sacramento on September 27 before Arbitrator Neil Herring in a dispute involving the correct level of pay for an employee assigned to work as an Acting Supervisory Craftsman for two days in February, 1984.

Tom Dalzell, Local 1245 Staff Attorney who handled the arbitration, explained the issue as follows: "During 1983 negotiations, the IBEW proposed that the Acting Supervisory Craftsman be paid 115 percent of the wage rate of the highest classification being supervised. Negotiations broke down and all issues went to advisory interest arbitration. The Arbitrator agreed with the Union, and WAPAs' attorney was to agree to accept the Union position. Nevertheless, the grievant in this case was not paid the contractual differential during his upgrade.

Also attending the September 27 arbitration were Business Representative Rich Hafner and Bargaining Committee members Charley Hall and Chuck Erickson. Briefs will be filed with Arbitrator Herring on October 29 and a decision is expected before the end of the year.

Nevada Irrigation District

A second meeting in the annual meet and confer process between Local 1245 and the Nevada Irrigation District was scheduled for October 11, 1984, just as this issue of the Utility Reporter was going to press. On September 7, Business Representative Ed Fortier and committee members Bill Baum, Tom Santos, Roy Finnegan, and Ron Skews presented Local 1245's bargaining proposal to the District, and it was hoped that the District would respond on October 11 after an October 10 meeting of the Board of Directors.

Thermalito Irrigation District

Local 1245 members at the Thermalito Irrigation District will receive a 5 percent general wage increase and be back in bargaining this Spring, according to Business Representative Ed Fortier. Several years have passed without a wage increase because of severe financial problems at the District, and in return for the Union's agreement to move to a fiscal year, from the present calendar year the District agreed to the wage increase and to re-open the meet and confer process in several months.

Sacramento Municipal Utility District

Seven grievances involving meal schedules have recently been filed involving Rancho Seco employees, and many appear to be heading for arbitration. Business Representative Mack Wilson, himself a former Rancho Seco employee, reported that a number of disputes involving meals have arisen over the past several months at Rancho Seco, with the District taking positions which the Union believes are contrary to established past practice and negotiated Letter of Agreements. Wilson reported at the October meeting that a meeting in Walnut Creek that it seems likely that most, if not all, of the grievances will be resolved at arbitration.

Yuba County Water Agency

Business Representative Ed Fortier and bargaining committee member Charley Hall are just waiting for the word from the Yuba County Water Agency on when to start negotiations on this year's Memorandum of Understanding. Proposals have been solicited from the membership and submitted to the agency for its consideration.

Shasta Dam Area Public Utility District

"A tough set of negotiations" — that's Business Representative Rich Hafner's prediction for this year's talks between Local 1245 and the Shasta Dam Area Public Utility District. The first meeting between the Union and the District is scheduled for October 23 to discuss the Union's proposal for improvements to the current Memorandum of Understanding. Hafner, who will be joined by Water Serviceman II Dennis Daily on the Bargaining Committee, reports that the District recently withdrew an earlier resolution raising utility rates in reaction to public pressure, and cites the underlying political situation in the area as the basis for his prediction that the going will not be easy in this year's negotiations.
**Medical, Dental & Vision Plan Summaries**

As this issue of the Utility Reporter went to press, the printers were delivering cases of a new Local 1245 publication to Local Union's Headquarters. The publication includes summaries of the various medical, dental, and vision plans available to Local 1245 members employed by PG&E, and was prepared by Assistant Business Manager Manny Mederos with the assistance of Jerry Creeds, a veteran of the last two sets of general negotiations with PG&E. Copies should be ready for distribution by late October or early November.

**Meter Readers**

The second round of negotiations between the Company and Union on Meter Reader Issues drew to a close on October 2, 1984, at the Company's offices in San Francisco. Staff Attorney Tom Dalzell, who chaired Local 1245's committee, reports that the major gain won in this round of bargaining was an agreement that the Company will offer flextime to all Meter Readers, provided the majority of Meter Readers in our office want flextime. Details of the program will be reported in a special mailing to all Meter Readers.

At the October 2 meeting, the Company reported on the status of last year's agreement to create a number of new, senior Meter Reader positions. Since the August 1983 agreement, some 11 new positions have been created, with another 11 targeted within budgetary considerations permit.

According to Dalzell, two major issues are still outstanding: van pooling and the timing device on the new electronic meter reading devices. "The van pool pilot project in Oakland will end in November, and the Company will decide if it wants to proceed with negotiations on system-wide implementation based on the results of Oakland and Fremont, without pilot programs in the San Jose Division."

"Negotiations on the timing device will start in early 1985 because the target date for beginning with the electronic meter reading devices has been pushed back to May 1985, starting in the San Francisco Division." Also serving on the Meter Reader Committee for this second round of talks have been Bob Blanco, Napa; Darryl Turner, Santa Cruz; Ron Richardson, Sacramento; and Jerry Takeuchi, San Francisco. Both Turner and Richardson will be leaving the Committee before the 1985 negotiations. Their hard work and contributions to the Committee are appreciated and the Utility Reporter wishes them well in their new jobs.

**Joint Trenching Committee**

President Howard Stiefer has recently appointed a new bargaining committee, the Joint Trenching Committee, to develop a counter-proposal for the Company's proposal to establish a classification to perform underground secondary service work. The committee, led by Assistant Business Manager Ron Fitzsimmons, has met at the Local's Walnut Creek headquarters for several days and as this issue of the Utility Reporter went to press was scheduled to meet with the Company. Members of the committee include Paul Frasher, North Bay; Larry Packer, San Jose; Ron Connolly, San Joaquin; Sal Perales, San Joaquin; and Brian Bond, East Bay.

**Telecommunications**

Assistant Business Manager Corb Wheeler reports that Local 1245 recently rejected a company proposal for a Letter of Agreement on telecommunications work at a meeting on September 27. According to Wheeler, "The Company wanted to bring four clerks into the office to perform the work they felt was purely clerical work. We demonstrated that the work was not clerical at all, but really was troubleshooting with computers: work which should be performed by technicians. As a result, the Company withdrew its proposed letter and indicated that it might send the Union another proposal; this one involving a new technical classification."

**Rerate Committee**

Assistant Business Manager Corb Wheeler reports that the Rerate Committee will finally meet with the Company on October 24, 1984, to discuss the possible upgrading of the rating for several company facilities. Discussions are planned for both the Helins powerhouse and the Diablo Substation. Members of the bargaining committee include Gary Outlaw, Coast Valleys; William Hosford, Stockton; Herman Reuther, San Francisco; Jerry Covert, Shasta; and Ronald Thomas, East Bay.

**Gas Service training review**

A final meeting between the Company and the Union scheduled for October 26 should finalize all pending items before the Gas Service Training Review Committee, according to Assistant Business Manager Ron Fitzsimmons. At an October 2 meeting with the Company, the Union was able to reach agreement on a number of issues and get closer to final language for the agreement.

Highlights of the agreement, copies of which will be mailed to the nearly 1000 Gas Servicemen throughout the system, include: (1) the agreement that the performance audits are not disciplinary in nature, but instead are used to identify the need for additional training; (2) the agreement that Servicemen will not be audited with less than 200 credits; (3) the agreement to remove all five-point errors; and (4) the agreement that all auditors will be given a four-day training course.

At the October 26 meeting the Union will present its final proposal on the Audit Manual and the cover letter will be fine-tuned for final agreement.

**Arbitration Case 120**

A September 26 hearing before Arbitrator Barbara Chvany was called off as the Company and Union attempted to negotiate a settlement to Arbitration Case No. 120. According to Assistant Business Manager Roger Stalcup, the arbitration case involves four separate grievances from: Coast Valleys, San Francisco, and Sacramento Divisions, challenging the Company's decision to send employees performing emergency overtime under Title 212 of the agreement home because the employees were, in the Company's opinion, too tired to continue working. As this issue of the Utility Reporter went to press, draft settlements were still being exchanged in an effort to define the respective rights of the Company and employees to determine when employees should leave work because of fatigue or continued exposure to the elements.

**Open Period for PG&E Medical Plans**

Local 1245 reminds members at PG&E that the open period for changing medical plans is from November 14 through December 13. Coverage under a new plan selected by members will be effective January 1, 1985.
ACCIDENT RESCUE

Well done, Citizens' Stewards

Three Citizens Utilities Shop Stewards, Joe Aquilio, Dave Mason and Eric Tanaka recently swung into emergency action when they arrived upon an accident scene on a remote stretch of old Hwy 99, known as "Blood Alley."

The three Stewards were returning home separately from a day-long Local 1245 Training Conference in Chico when they converged at the accident site.

The Stewards, all trained in emergency first aid, and Aquilio himself a certified instructor, quickly pulled five children, ages 5 to 13 from a car which was off the road and partially submerged in a ditch of water.

They attended to the victims for 45 minutes while waiting for Firefighters and Emergency Medical Teams to arrive, and freed the driver, the children's grandmother, who was pinned behind the wheel.

As Mason summed it up, "We were there. We were needed, and we took control of what may have been a very, very serious situation." Luckily no one in the accident received major injuries, and with the help of our well-trained Local 1245 Stewards, it's a sure thing the accident trauma was lessened by their quick attention.

Safety Alert

Approximately 800 Westinghouse capacitors in PG&E service areas are mislabeled as "non-PCB." These capacitors actually contain 50 to 100 ppm PCBs, according to an internal PG&E memo. The Union and the Company have not been able to reach an agreement over this problem. The Union has filed complaints with EPA and Cal/OSHA.

Note to all affected members: Capacitors with serial numbers 76-12-0000 to 78-03-9999 are mislabeled as "non-PCB" but must be considered to be contaminated with PCBs.

Local 1245 Golf Tourney, big success!

Members and their families had a great time at the recent IBEW Local 1245 Golf Tournament.

Coordinators Lou Anzaldo and Ed Miles report that dozens of terrific event prizes ranging from club cleaners, and golf balls to Polaroid cameras, portable radios and guest dinners were awarded all the participants.

Big prize for the day, a trip to Hawaii for two, went to retiree Art Perryman, who indicated he would pass the trip on to his son Michael who was planning a honeymoon.

Taking top honors among the golfing enthusiasts were members: Frank Saxsenmeier, Low Net: 71; and Tom Billings, Low Gross: 72.

Flight winners included members: Tom Billings, 72; Warren Mercer, 72; Frank Saxsenmeier, 71; James Duncan, 80.

Long Drive: Tom Flippo; Hole-in-One: Jerry Waylett, and Darlene Demeral.

Best Woman Golfer: Shannon Morton, 86; Runner-Up, Margaret Turner, 88.

Guests also participated in the tournament with Brad Lee taking Low Net: 64; and Charles Smiley a Low Gross of 73.

Word has it that plans are already underway to schedule an even more fun-packed event for 1985.

Next month meet our members at work at Davey Tree

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