



UTILITY REPORTER

OFFICIAL VOICE OF IBEW LOCAL UNION 1245 AFL-CIO

Out of Court agreement in Modesto

A trial to settle a dispute over fairness and accuracy of a 1984 wage survey, and its 1985 salary level implementation at Modesto Irrigation District, was called off after a settlement was reached out of court, Staff Attorney Tom Dalzell announced.

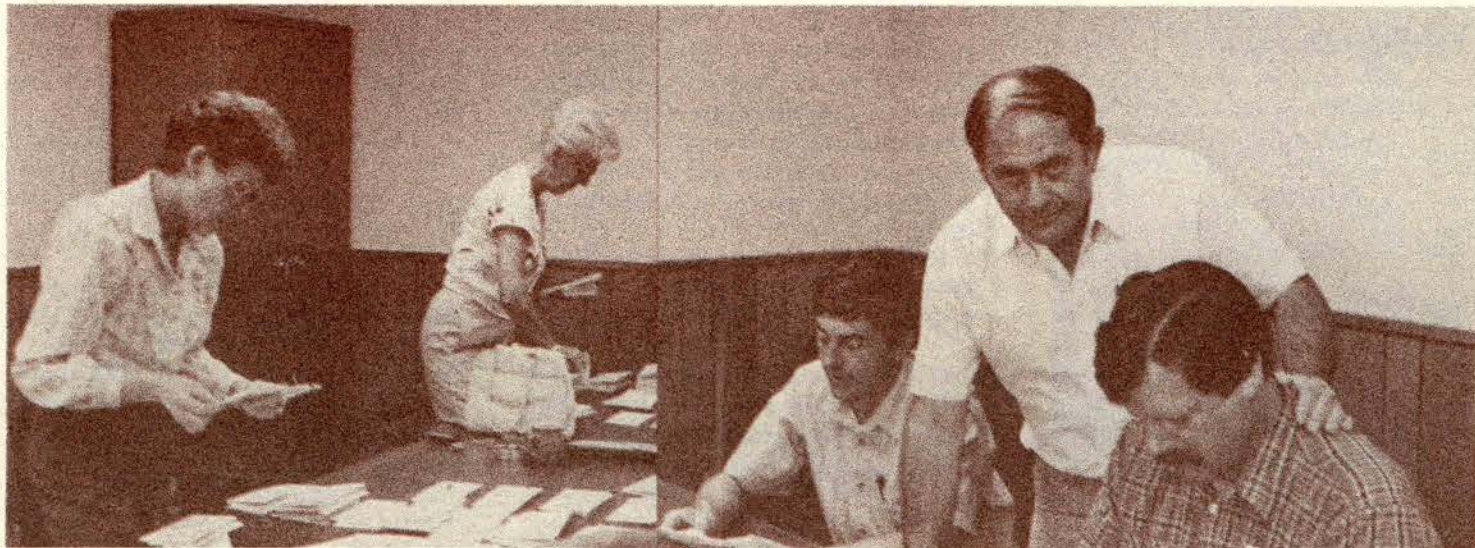
The District has agreed to changes which will include current wages, not 1984 wages, for Sierra Pacific Power Company, and Turlock Irrigation District in its survey.

The District agreed to delete the lowest comparative group in the survey, and they additionally deleted five, non-utility public sector entities for clerical comparisons.

We have agreed to meet and confer on the matching of District positions with positions in other organizations, correct wage figures for the classifications from other organizations, and the final wage adjustment after completion of the survey, Dalzell said.

Business Representative Pete Dutton is scheduled to meet with the District over the next few months to iron out remaining details.

One-year pact ratified at Sierra Pacific Power



Business Representative John Stralla, standing, coordinated ballot counting by IBEW Local 1245 members of the Sierra Pacific Power Ballot Committee in Reno. Members of the Committee are, l-r, Pat Martin, Gloria Miller, Dan Keefe, and Bob Vieira.

Sierra Pacific Power Company members ratified a new one-year contract on April 27, 1987. The offer calls for 3 percent general wage increase and improvement in health and pension benefits effective May 1, 1987.

With the offer now ratified documents are being prepared for signatures and printing. Printed contracts will be distributed to all members as soon as they are available.

Negotiating Committee members included Assistant Business Man-

ager Orv Owen, Business Representative John Stralla, and members: Gino Aramini, Scott Downs, Linda Holloway, Louis Johnson, Pat Lantis, Kenneth Lutzow, Jack Pardick and Keith Smith.

Photos: John Stralla & Pat Martin

McNALLY WELCOMES TEAM FROM PG&E

Bargaining Committee members meet at Local

Business Manager Jack McNally welcomed IBEW Local 1245's newly appointed General Bargaining Committee members at an orientation meeting at Local Union headquarters on April 20.

McNally stressed the importance of teamwork in the months that lie ahead. See PAGE TEN



Business manager Jack McNally, second from right, welcomed new Committee members, along with Assistant Business Managers, l-r, Roger Stalcup, Manny Mederos, and Ron Fitzsimmons.



Randy Abbott.



Art Garza, Jr.



Dean Gurke.



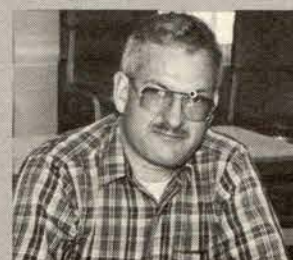
Danny Jackson.



Marie Kizzee.



Bob Martin.



Stu Neblett.



Fred Pedersen.



Shirley Roberts.



Rebecca Rosecrans.



Rod Trunnell.



Arlis Watson.



Rudy Woodford.

Photos: Carol Bedsole

YOUR LEGAL RIGHTS



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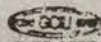
Ron Field

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OSHA, page 4; Guild Reporter,
4-24-87, page 7.

PG&E rehabilitation rights and worker's compensation

*By Compensation Department of
Neyhart, Anderson, Nussbaum,
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*As a service to the membership
this firm provides direct access for
free consultations concerning any
workers' compensation or per-
sonal injury problems you might
have.*

*You may contact their offices at
(415) 495-4949 or (800)
652-1569.*

If an injured worker's illness or injury prevents him or her from returning to his or her usual and customary occupation, he or she may be eligible for rehabilitation services. The obligation of your employer is to provide you with these rehabilitation services. Usually your workers' compensation attorney and PG&E's Safety, Health and Claims Department work together to develop a rehabilitation plan for the injured worker. PG&E may fulfill its obligation for rehabilitation by providing modified work for the injured employee within the PG&E system.

In the alternative, the employer must pay the cost of having a professional rehabilitation service develop a plan for retraining the worker to "suitable gainful employment." Suitable gainful employment consists of a new occupation which the worker has an aptitude for, interest in, and pays as close as

possible to his or her former salary. However, this new occupation might be with a different company or organization although it is possible to be rehabilitated with new job skills and then reapply to PG&E.

The Rehabilitation Bureau coordinates the services required to restore the injured worker as soon as practicable and as near as possible to self-support.

If an injured worker possesses skills in another occupation, the worker may have what is called transferable skills. In this case minimal training or job placement would be an adequate rehabilitation plan.

If the qualified injured worker has no other skills besides the ones he or she is physically restricted from, the employer must provide training in a new skill. This can be through on-the-job training or classroom training. In either area, travel, meals, books and all costs reasonable and necessary to complete a rehabilitation plan is provided by the employer.

The qualified injured worker who chooses to enroll in a rehabilitation program also receives temporary disability for the duration of the program.

Rehabilitation starts as soon as a qualified injured worker is capable of participating in the program and the treating doctors are satisfied a program would not adversely affect medical recovery. However,

not every injured worker is entitled to rehabilitation services and benefits. The Law requires that the service be provided to a *qualified injured worker*. To be qualified a worker must be (1) unable to return to his or her old job; and (2) be able to return to some suitable gainful employment by vocational rehabilitation services.

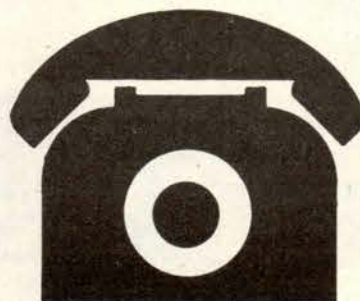
To determine if a person is a candidate for rehabilitation, the opinions of medical experts and a rehabilitation consultant are taken into account, as well as an evaluation of the worker's physical and mental limitations.

If a plan is developed it is prepared and submitted to the Rehabilitation Bureau for approval. Most often, if there is disagreement over a plan, the parties obtain the services of the Rehabilitation Bureau to resolve these differences. Another option that is available to the PG&E employee is he might, as an alternative, choose LTD rather than accept the optional rehabilitation services.

Because it is important to safeguard your rights in developing a plan and choosing what is right for you, it is a good idea to talk with a workers' compensation attorney. The employer has an absolute duty to pay for all vocational training of a qualified injured worker who chooses to enroll in a rehabilitation program. It is in your best interest, therefore, to pursue your rehabilitation alternatives carefully.

Legal Questions ?

**Contact IBEW Local 1245's
Legal Service Plan**

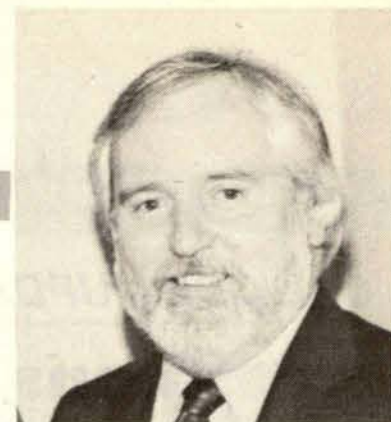


**In California
(800) 652-1569**

**In Nevada
(702) 358-1086**

By Jack McNally

IBEW 1245 Business Manager



APPOINTMENTS

CONFERENCES AND CONVENTIONS

1987 IBEW Telephone Conference

Jack Osburn
Mack Wilson
Vivian Simons
Michael Graggs
Dora Carone
Cherri Roberson

Immigration Reform and Control Act Conference

Ann Miley
Larry Pierce

1987 IBEW Utility Conference

Jack McNally
Ron Blakemore
Michael Davis
Barbara Symons
Roger Stalcup
Manny Mederos
Ron Fitzsimmons
Louis Johnson
Art Murray
Richard Dunkin

A. Philip Randolph Institute State Conference

Dorothy Fortier
Shirley Roberts
Rudy Woodford

California State Association of Electrical Workers Conference

Jack McNally
Ron Fitzsimmons
Curt Peterson
Gene Wallace

AFL-CIO Regional Conference

Kathy Tindall
Barbara Symons
Bill Twohey
Jack McNally
Darrel Mitchell
Jim McCauley

Retirement incentive protects jobs, and people

As reported in the March issue of the Utility Reporter, Local 1245 reached an agreement with PG&E to soften the effects of reducing the work force.

For Local 1245 bargaining units, an early retirement window for two departments, Steam Generation and General Office clerical, was offered as they were to be the hardest hit with the elimination of jobs.

The Company also agreed that except for a very few special circumstances no one in the bargaining unit would be laid off for lack of work during the remainder of 1987.

The use of an early retirement window is not new. It has been used by other companies in the United States to reduce or downsize a work force. The early retirement window is designed to provide an incentive for employees, who are close to retirement, to retire. It is usually set up as a one-time opportunity.

In the case of PG&E, it was anticipated that in General Office clerical and the Steam Generation Department there would be in excess of 200 positions eliminated. This was due to reorganization, ongoing changes, and closing of three power plants.

The demotion and layoff procedure would have to be activated and far more than 200 employees would be adversely affected to eliminate 200 jobs. Members would be bumping and demoting to lay off the most junior employees. The offer of PG&E's Voluntary Retirement Incentive will greatly reduce the need for demotion and layoff.

Approximately 220 employees are eligible for the Voluntary Retirement Incentive, and it is anticipated that over 70 percent will take advantage of the option. In effect, to a large degree this prevents bumping, demotion and layoff of at least 200 young, short-service employees.

PG&E has stated that the use of VRI and attrition would be used through the remainder of 1987 to downsize the work force.

During our bargaining over the early retirement option, the Union had proposed applying VRI to all bargaining unit employees. The Company would not agree to this, stating that there were no severe reductions planned in the Regions and that the loss of skilled journeyman-level employees would be too drastic.

The offer of Voluntary Retirement Incentive and the commitment to no layoffs provides a measure of job security for our members this year when the Company is experiencing some very turbulent times. The Company is to be commended for their consideration in this matter. Our agreement does provide protection for our members and has stood between them and unemployment.

In Unity—

Jack McNally

Calendar

MAY

14 Trustees
15 Safety Committee
16 Day on the Delta
22 Executive Board
28 Trustees
30-31 Slo-Pitch
Tournament, Concord

JUNE

11 Trustees
19 Safety Committee
25 Trustees
26 Executive Board

JULY

9 Trustees
17 Safety Committee
23 Trustees
24 Executive Board

CAL/OSHA UPDATE

Petitions sent to Governor

Local 1245 has sent 4,337 signatures to Governor Deukmejian opposing the elimination of Cal/OSHA. Two requests for injunctive relief have been dismissed by the courts. The suits challenged the Governor's right to defund the program after having been set up by legislative process and a request for injunctive relief due to the increased safety risks of workers in the State of California, if OSHA were to be dismantled.

Discussions continue between the State Federation of Labor and the Governor's office to continue the program. Some employers did testify for continuing Cal/OSHA, although the majority of employers remain silent.

Even though the Assembly has voted to put back the \$8 million slashed from the Cal/OSHA budget, the Governor will undoubtedly "blue pencil" out that amount. The critical question remains whether there are sufficient votes for a two-thirds override of the Governor's "blue pencil".

Cal/OSHA standards offer greater protection than Federal program

Governor Deukmejian's plan to dismantle Cal/OSHA and request the U.S. Labor Department to assume jurisdiction would decrease safety and health protection for millions of California workers, and undermine the State's ability to prevent exposure of Californians to toxic chemicals causing cancer and birth defects. The Governor has called Cal/OSHA a duplication of Federal OSHA. However, the California program is superior to Federal OSHA with respect to:

- Cal/OSHA's up-to-date standards
- Cal/OSHA's special programs for hazard investigation
- Cal/OSHA's greater responsiveness to California employers and employees.

Standards:

Cal/OSHA has numerous standards and authorities lacking Federal OSHA counterparts. Examples of important differences are the following:

- Cal/OSHA has exposure limits for 170 toxics not regulated by Federal OSHA, and has stricter limits for an added 100 toxics. Of these 270 chemicals, 30 cause cancer, 23 are reproductive hazards, and 34 are pesticides and herbicides, half of which are as poisonous as parathion and paraquat. Hundreds of thousands of Californians work with these toxics.
- Cal/OSHA's "Right to Know" standard mandates that 11 million California workers be informed of the hazardous materials they work with. Federal OSHA would give this same information to only 2-million workers in the manufacturing sector.
- Cal/OSHA requires that construction contractors meet with Cal/OSHA staff before a high-hazard job is started (e.g., trenching, or erecting a structure more than three stories high) so that a joint review of safety and health procedures can be made. Federal OSHA lacks this pre-job review system.
- Cal/OSHA inspectors have the

authority to immediately shut down an operation posing an imminent threat to life or health. In contrast, Federal OSHA inspectors must obtain an injunction from a Federal court to stop an extremely dangerous operation; the delay in obtaining the injunction can cost lives.

Special Programs:

Cal/OSHA has a number of special units lacking Federal OSHA counterparts. Examples are the following:

The Hazard Evaluation System and Information Service (HESIS) has a staff of physicians and toxicologists serving as a statewide information resource. HESIS responds to 2500 telephone inquiries annually; 30% of these responses involve assessing reproductive hazards to pregnant women exposed to workplace toxics. HESIS issues "Hazard Alerts" regarding newly discovered chemical hazards, thereby preventing future disasters such as the 1977 episode of sterility among men occupationally exposed to DBCP at a California pesticide plant.

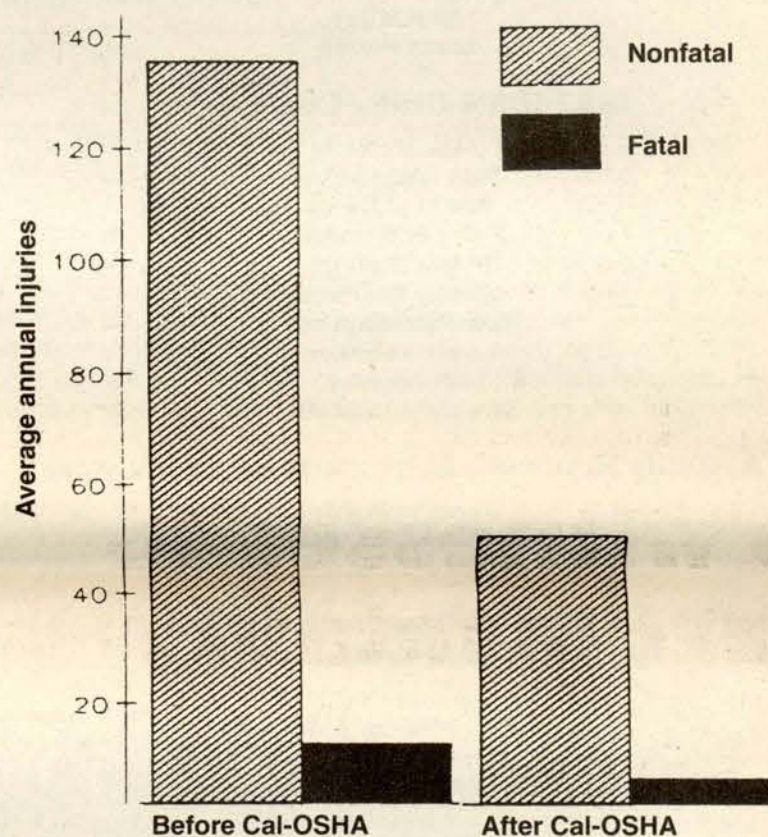
The Special Studies Unit conducts in-depth investigations of workplace toxics and health hazards of immediate concern to Californians. Past studies have included carcinogens such as ethylene dibromide (EDB) and ethylene oxide (ETO) and reproductive hazards such as the glycol ethers (cellosolve solvents). Up-to-date information not otherwise available is disseminated to interested parties in the public and private sectors and is utilized for developing effective health standards in California.

The Bureau of Investigation (BOI) investigates workplace accidents resulting in serious injury or death, as well as cases involving repeated or willful violation of standards by employers. The BOI, in conjunction with local district attorneys, can pursue criminal prosecution of that small minority

Save time now, mail material directly to Sacramento

IBEW Local 1245 Assistant Business Manager Ron Fitzsimmons urges members to send their petitions and letters calling for the maintenance of Cal/OSHA, directly to the Governor in Sacramento, rather than to the Local Union Headquarters for forwarding.

Success Story



This chart depicts the decline in worker injuries, both fatal and nonfatal, from ditch, trench or excavation cave-ins in California prior to 1960, before enactment of all the current Cal-OSHA standards, and in 1985, after all current standards had gone into effect. It is from Cal-OSHA records compiled by the staff of the State Senate Committee on Industrial Relations.

of employers who refuse to adhere to accepted norms of safety. Since 1973 the BOI has successfully pursued over 200 prosecutions; in contrast, Federal OSHA, working through the U.S. Justice Department bureaucracy, has successfully prosecuted only 14 cases nationwide.

Responsiveness to Californians:

The Cal/OSHA program is more responsive to California employers and employees than Federal OSHA would be in two important areas:

Cal/OSHA standards are developed through an advisory committee process involving participation by the California employer, employee and scientific communities. Cal/OSHA tries to reach consensus among committee members before proposing a standard for public hearing. Cal/OSHA standards are thereby tailored to the needs of California workplaces,

and are usually adopted without the legal battles associated with Federal OSHA rulemaking.

A variance is a permit to accomplish the aim of a standard by an alternate method not expressly allowed by the standard. From 1981 to 1986, The Cal/OSHA Standards Board granted California employers 107 permanent variances from standards having Federal OSHA counterparts; Federal OSHA granted only 12 permanent variances in this same period. While the Standards Board took an average of four months to process a variance, the Feds took an average of 15 months.

It is particularly ironic that given the current trend towards States' assuming greater administrative responsibility over local matters, the Governor's plan would federalize those health and safety functions that have been in the State of California's domain since the beginning of this century.

Fatal pole accident In Martinez

In Memoriam

Jimmy N. Len

July 14, 1954

April 9, 1987

The fatal accident of Top-Step Apprentice Lineman Jim Len, on Thursday, April 9, remains under investigation by the Local Union, and Cal/OSHA.

Len died after contacting a 21kv conductor. The crew Len was working with were energizing a transformer on a pole at Mocooco and Bridgehead Road in Martinez.

Reports indicate that at approximately 11:30 a.m., Len had completed connecting his lead with a shotgun hot stick, and then he handed the shotgun to his pole partner for the final connection.

As Len's pole partner started up

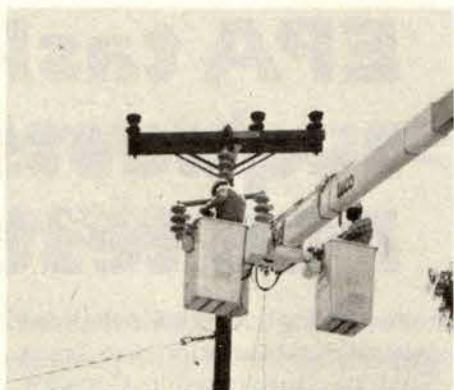


Photo: Ron Fitzsimmons

Investigation at accident site.

with the final lead, he said he heard a noise, and turned to find Len apparently severely injured.

Crew members immediately responded by performing an emergency pole top rescue. Len was brought down the pole and the crew started CPR, and summoned an ambulance. Firefighters from the West Contra Costa Fire Department arrived at the accident site, and then an ambulance which rushed Len to Kaiser Hospital in Martinez.

Len died at 1:24 that afternoon. He is survived by his wife, Judy, and their three children.

No witnesses to Pezzola fatality

The fatality of General Construction Painter Mike Pezzola, 27, at Moss Landing Power Plant is still under investigation by the Local Union.

No one saw the accident, which happened shortly after lunch, but reports indicate that Pezzola was not wearing a safety belt when he fell.

A painter who had been working near Pezzola suddenly noticed that he had disappeared and began looking for him.

Seeing that Pezzola had fallen to another level at the Power Plant site, the painter went to Pezzola's aid and began administering CPR, along with other workers at the site.

Pezzola had fallen some 80-100 feet, landing on concrete.

An ambulance was summoned, and Pezzola was taken to Watsonville Community Hospital, where he was pronounced dead on arrival, having succumbed to fatal head injuries.

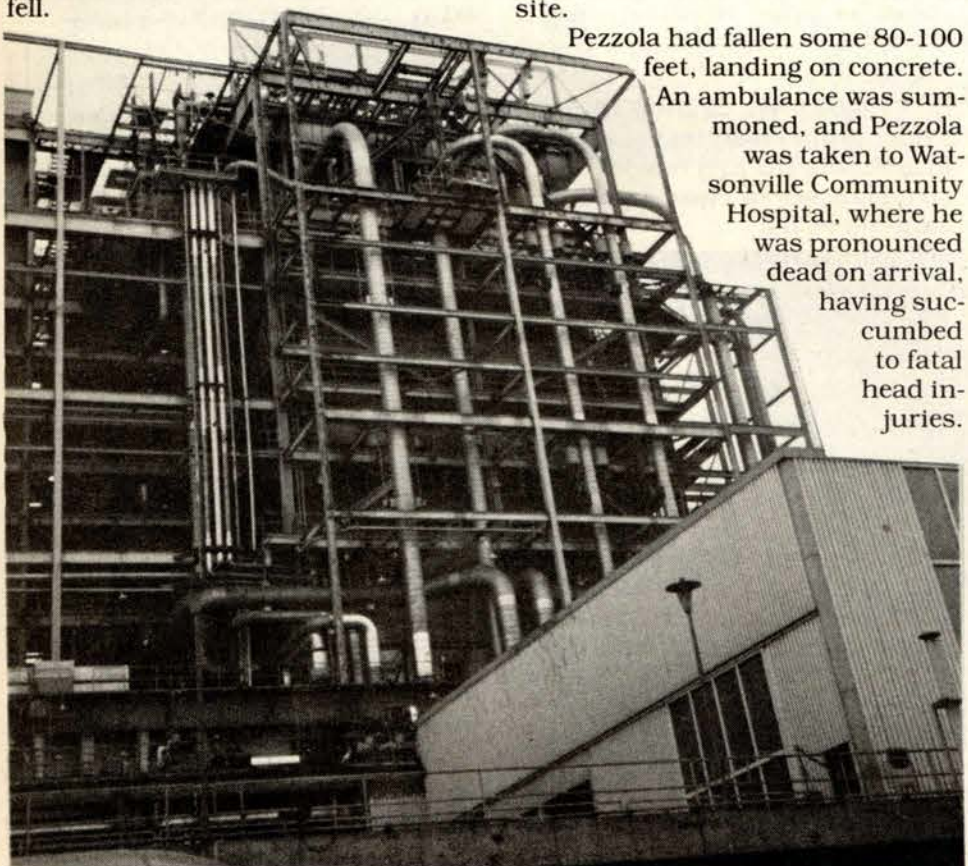
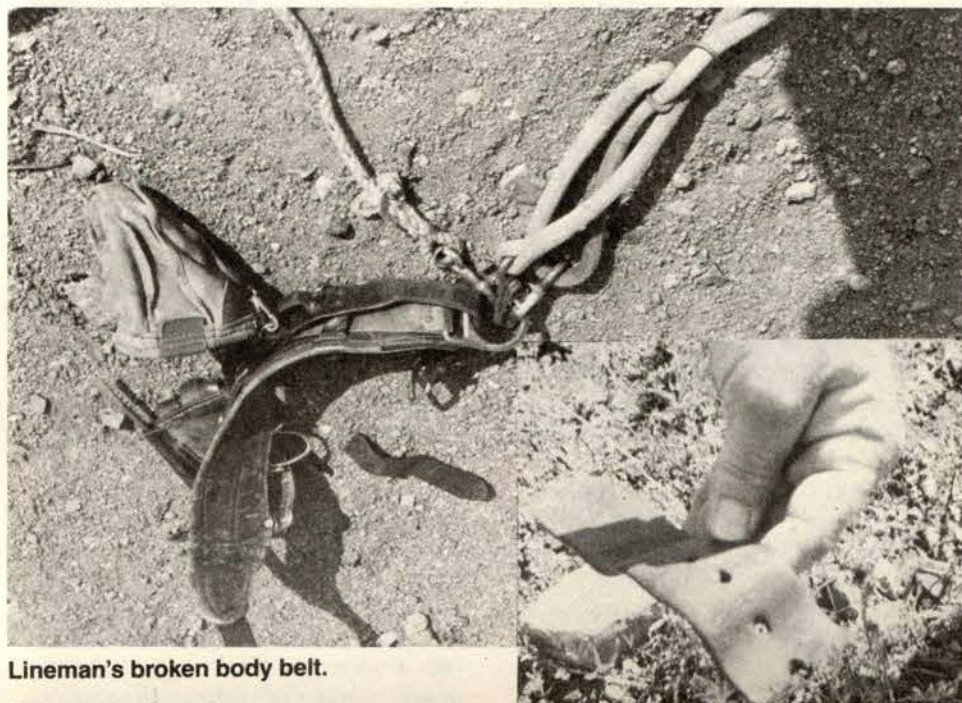


Photo: Ken Ball

Mike Pezzola was painting steel beams at boiler Unit 7 at Moss Landing Power Plant when he fell through an open grating.

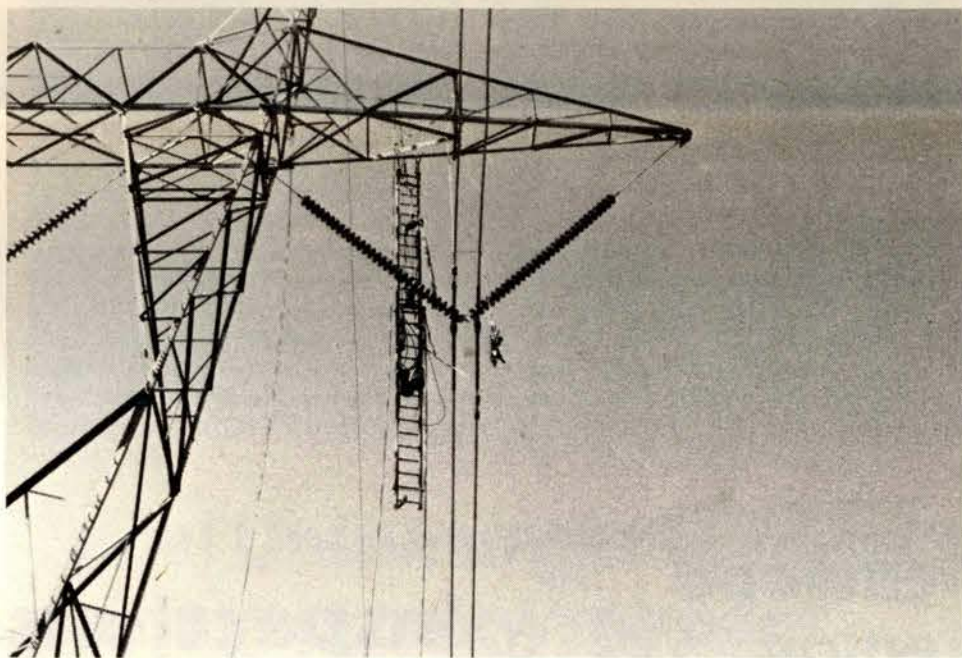
Local 1245 investigates Woodhead fatality



Photos: Tom Conrad

Lineman's broken body belt.

Below: Accident site.



Lineman falls 94 feet

Thomas E. Woodhead, 40, Lineman Local 258, working for Commonwealth Electric in Palmdale, fell from a tower and suffered fatal injuries.

On Wednesday, March 18, 1987, the crew had gone to Tower #433 to reclip the conductor, and plumb the bells. They had completed the work and had removed the clipping blocks from the conductor, pulled them up and tied them off on the ladder.

The Foreman called up to the Lineman asking him to straighten the vibration dampner on the conductor. At the same time the Lineman was fixing the dampner, the Apprentice Lineman was standing on the clipping ladder unhooking the 1 1/8" shackel and 8' nylon strap from the work hole on the arm. As he was doing this, the Lineman was sitting on the bundle

conductor directly below him. The Lineman had a safety line hooked to the arm of the tower and attached to one ring on his body belt.

The Apprentice was in the process of rehooking the shackel from the work hole on the arm-back on the steel ladder hook which was grounded. It appears the Apprentice had his right heel against the steel clipping blocks. The Lineman stood up on the conductor and tried to steady himself by holding onto the ladder. At this point, he apparently contacted the steel fall line on the blocks at the same time the Apprentice was touching a dead ground. This caused both men to receive electrical shock and burn, and the Lineman to fall off the conductor. At this point, his body belt broke and he fell approximately 94 feet to the ground.

By Ann Miley

Union victory in glove case

By Ann Miley Staff Attorney

The decision issued by an Administrative Law Judge on March 13, 1987, upheld Cal/OSHA's Special Order requiring Pacific Gas and Electric Company to provide gloves without cost to many classifications of physical employees. The time for compliance was extended from 37 to 90 days.

The Order To Take Special Action was finally issued on August 22, 1986, by Cal/OSHA as a result of five years of work by Local 1245 to have PG&E comply with the California Supreme Court decision in *Bendix Forest Products v. Cal/OSHA*. In its 1979 decision, the court held that safety "mittens" required by Cal/OSHA Regulations to be "furnished" by the employer must be provided at no cost to the employees. From the date of that decision, Local 1245 has maintained that both gauntlet and short canvas-backed gloves were similarly safety devices that should be provided at no cost by the employer.

PG&E appealed the Special Order issued in August and an appeal hearing was held on December 2 and 3, 1986. Attorney Suzanne Marria ably represented Cal/OSHA and Ann

Miley was the attorney for the Union, which had third party status. Union witnesses Danny Romero, Roger Stephenson, Cliff Rall, Art Farner, Len Watson, Dean Gurke and Roger Wallis provided excellent testimony regarding the contents of their respective classifications and the hand hazards associated with each.

In his decision the Administrative Law Judge held that gauntlet and short canvas-backed gloves must be provided system-wide at no cost to the following classifications: Lineman, apprentice lineman, electric crew foreman, troubleman, voltage tester transmission troubleman and line subforeman. Short, canvas-backed gloves must be provided at no cost to the following classifications: Groundman, T&D driver, patrolman, T&D equipment operator, cable splicer, apprentice cable splicer, cableman and working foreman.

To date, the Company has not petitioned for reconsideration, the only available appeal route. It may be that PG&E is awaiting the outcome of the current struggle to save Cal/OSHA, as without an enforcement arm, the victory may ring hollow.

Redwood Region grievance leads to respirator requirements

As a result of a Labor-Management Health and Safety Meeting, questions regarding the requirements for "potential users" of respirator protection equipment were finally resolved in accord with a prior grievance settlement. Company and Union agreed that under the language of the settlement only users of respiratory protection equipment must be clean shaven at all times. Potential users are required to be clean shaven **only** when required to use the respirators.

Inspections due 4x4 line trucks

Prompted by the Union PG&E investigated the failure of the relay pivot pin of the steering assembly in some of the International 4x4 line trucks. The Company determined that the problem resulted from a combination of improper steering box relief pressure and lack of lubrication at the relay lever pivot bushing.

The Fleet Services section of the Materials Department is notifying the appropriate Regional Personnel that these vehicles must be taken to an International dealership for inspection. After dealer inspection, the relay lever pin bushing must be lubricated monthly and inspected at a minimum once per quarter by a Company mechanic.

DISPOSAL PITS

EPA task force requests pipeline PCB testings

Following the EPA's delayed release of information that Texas Eastern Transmission Corporation had discovered PCBs in disposal pits along its 14-state right of way, the agency is investigating disposal habits of other pipeline operations. A task force has been appointed to request the industry to test disposal pits and to do some testing of its own.

Levels in the disposal pits of Texas Eastern measured from trace amounts to 40,000 ppm. The EPA requires clean up of all amounts above 50 ppm.

According to a spokesman for the Interstate Natural Gas Association of America, an industry trade group based in Washington, D.C. many pipeline companies formerly used PCBs as lubricating fluids at their booster stations. The spokesman noted

that natural gas under pressure forms liquid hydrocarbons in small amounts that are periodically drawn off and dumped into disposal pits. Apparently some PCBs had leaked into the pipelines and were inadvertently placed in the pits along with the fluid, he said.

No criminal charges are expected to be filed and a determination has not been made whether to press civil charges against the company.

The company's clean up plan is awaiting EPA approval, and Texas Eastern does not believe a health threat is posed because the locations are "covered with soil behind fences" and the PCBs "do not wash into groundwater." The EPA will not comment on potential health effects until test results are in.

EPA speeds up PCB clean ups

In a related matter, the three month delay in the Environmental Protection Agency's reporting of Eastern Texas' Transmission Corporation's PCB spill has prompted a requirement that parties report PCB spills to the EPA and initiate cleanup within 24 hours after discovering a spill. In addition, the EPA has set up a stringent set of clean up standards for PCBs.

The toughest requirements affect residential and commercial areas, which must be decontaminated to a level of 10 ppm PCBs by weight. The soil from the site must be excavated to at least 10 inches and the hole filled with clean soil, the EPA said.

For restricted areas that are at least 0.1 kilometer from residential and commercial areas, such as industrial facilities and extremely remote rural locations, the cleanup level will be 25 ppm, and the policy does not require a cap of clean soil over the site.

The agency set a standard of 100 micrograms of PCBs per

square meter for low-contact outdoor surfaces and 10 micrograms per square meter for low-contact indoor surfaces or high contact surfaces in restricted access industrial facilities.

The agency said in the policy that it retained the flexibility to allow less stringent or alternative decontamination measures based on considerations for an individual site.

The numerical standards will not apply to spills directly into surface water, drinking water, sewers, grazing lands, and vegetable gardens, according to the policy. Spills in these areas are subject to the notification requirement and measures to minimize further environmental contamination, but final cleanup standards remain at the discretion of EPA regional offices, the document said.

The policy was announced on March 23, 1986, and will go into effect 30 days after being published in the Federal Register.

Chico Shop Stewards meet for training sessions

Business Representatives Rich Hafner, Gene Wallace, Jack Osburn and Scott Thomas recently coordinated a daylong Shop Stewards' training session in Chico. Rick Hough a field representative for Cal/OSHA updated facts and figures on the defunding of Cal/OSHA, and encouraged the Stewards to write the Governor and state legislators in an effort to protect the program, and to restore funding. During the afternoon Pete Guidry of the UC Berkeley Labor Center, discussed grievance problem solving.

Stewards participating included:

Ken Brown, Janet Pulcifer, John A Beck, Susan Cox, Robert L. Callendar, Kathy Ferguson, Joe Herrmann, Harvey Iness, Larry A. Alonzo, Wm. J. McCollough, Kenneth R. Brown, Bill Cowden, James Stephenson, L. J. Sabala, Joseph P. Belle, Kenneth R. Andrews, J. H. Basgall, Rod Trunnel, John Trunnel, Mike Cronin, Joe Kropholler, Allan Wilhelm, Jerry Chandler, Russ Shelton, John Harper, Dennis F. Terrell, Mike Vrooman, Jacquie Lolmaugh, and Richard Welch.



Stewards at meeting.



Rick Hough.



Pete Guidry.

Local Union urges members to boycott newspapers

Union members in Fresno and Madera counties are being urged to cancel their subscriptions to the Fresno Bee until management of the McClatchy-chain daily agrees to bargain a fair and equitable contract with the Northern California Newspaper Guild.

The circulation boycott, called by the Guild Local as part of its "working strike" against the Bee, has been endorsed by the Central Labor Council of Fresno and Madera Counties and has won the support of unaffiliated unions in the area, as well.

Guild representatives announced the 35,000-member labor community's support for the boycott at an April 16 press conference where Fresno Mayor Dale Doig joined in the cam-

paign, signing a subscription cancellation card before television cameras.

The company declared bargaining at an "impasse" and posted working conditions in February after Guild members voted 73-0 to reject what management representatives had called its "final contract offer." It would have eliminated experience-based wage minimums and based all future increases "on the whims of individual supervisors under a so-called merit pay system that Guild members viewed as favoritism," a local representative reported.

The Local has launched a similar campaign at McClatchy's Sacramento Bee where the company unilaterally posted working conditions in mid-March.

Advisory Council meets in Reno

Winning essay in scholarship contest

Is My One Vote Really Important?

By Jana Simpson, Daughter of Compressor Plant Operator, Larry Dean Simpson, PG&E PLO, Hinkley, and his wife Carollee

The idea people should have a voice in selecting its leaders did not gain substantial support until the 17th and 18th centuries, when philosophers of the Enlightenment period in Greece argued that self-government is a natural right of every person and that governments derive their just powers from the consent of the governed. This idea is used in modern suffrage except there is some government control over who can vote.

The U.S. Constitution originally specified that each state would determine the qualifications for its voters, however, Amendments to the Constitution have prohibited any state from denying suffrage to any citizen by virtue of race or sex or to require the Payment of a poll tax as a condition for voting in a national election. In 1970 the U.S. Supreme Court ruled that 18-year-old citizens have the right to vote in federal elections, however, the 26th Amendment extended suffrage to 18-year-olds in all elections. In all states, persons who have been convicted of felonies lose the right to vote.

Voting is a relatively simple and easy task, considering the effect the election could have on me and my family. Knowing the issues and platforms of the candidates in an election will make me more knowledgeable of the people I choose to run my country, state, or city.

Our forefathers worked hard to allow the citizens of this country to vote. One of the candidates running for a federal election is going

to become the leader of our country. He or she will make laws, sign treaties, and declare war. What is his or her view on nuclear warfare? What about the amount spent on national defense? on social programs? on farm aid? foreign aid? Do I want my tax money spent on those issues? It's our decision.

What about the governor of our state? His vote depends on the quality of education my children will receive, the amount of state taxes I will be expected to pay, and the amount and locations of prisons in my area. We are the ones who elect this person to office. Shouldn't we want the best possible education for our children? By not voting we show we don't care about our children's future or their safety.

The office of mayor or council member more affects our own home and family. Our vote would decide such issues as whether or not money intended for paving streets and putting in sewer lines is spent for that purpose, or whether it is spent for beautifying Main Street and other tourist attractions.

Is my one vote really important? Yes. My one vote could change who wins any office in politics. My one vote could decide whether or not I pay more taxes for foreign aid or whether toxic waste is cleaned up. Would I want people in foreign nations to starve or my own family to die of toxic pollution? My one vote could decide the fate of our country, state, or city, but it especially affects me.



Winner Jana Simpson, with her parents, right, Carollee and Larry Dean Simpson, receives congratulations on her winning essay from contest judge, Blackie Evans, left, Executive Secretary, Nevada State AFL-CIO, and IBEW Local 1245 Business Manager Jack McNally.

Photos: Carol Bedsole



Council applauds scholarship winner.



NEVADA STATE A.F.L. -C.I.O.

RECEIVED MAR 31 1987

March 30, 1987

Vice Presidents
BOYD MANNING
District No. 1
Ely Nevada

DONALD E. ALFORD
MICHAEL BROWN
MIKE MAGNANI
JOHN STRALLA
District No. 2
Reno Nevada

FRANK CAINE
WALT ELLIOT
JOE HAYS
O.C. LEE
JOHN MADILL
District No. 3
Las Vegas Nevada

Mr. Jack McNally, Business Manager
I.B.E.W. Local #1245
P.O. Box 4790
Walnut Creek, Ca. 94596

President
JEFF D. MCCOLL, JR.
Post Office Box 14396
Las Vegas Nevada 89114
Executive Secretary-Treasurer
CLAUDE EVANS
Post Office Box 2115
Carson City Nevada 89702
Phone (702) 882-7490

Dear Jack:

When I so quickly agreed to judge your Al Sandoval Memorial Competitive Scholarship contest this year, I didn't quite realize what I was getting into.

I have just completed reading the 35 essays submitted on the topic, "Is My One Vote Really Important?" Jack, I must tell you that this is probably one of the most difficult decisions I've made in a long time. All of the essays were excellent, and all of the authors should be commended for their participation. I have selected number 26 as the winner.

Thank you very much for allowing me to participate in this very worthwhile, interesting and challenging endeavor.

I look forward to seeing you on May 2 at your Advisory Council meeting.

I remain

Sincerely and fraternally,

Blackie Evans

Claude Evans
Executive Secretary-Treasurer

CE:jf
opeu-29
afl-cio

BE UNION BUY AMERICAN

Letter from contest judge.



Business Manager Jack McNally presented report to Council members.



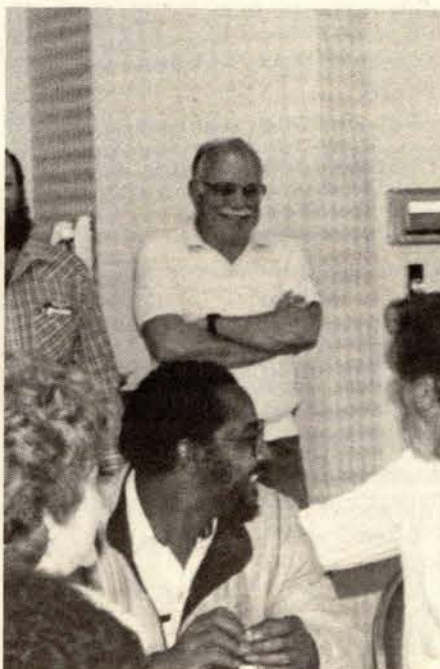
Executive Board members, l-r, Ron Field, Kathy Tindall, Barbara Symons, President Howard Stiefer, Jack McNally, Jim McCauley, Ron Blakemore, Mike Davis and Lyman Morrison.



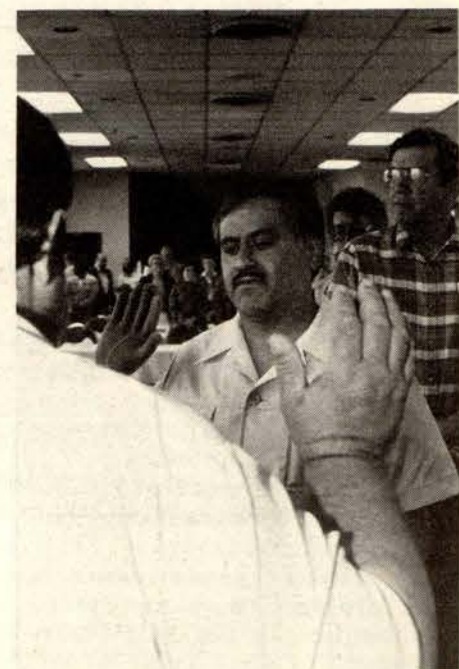
Nevada members at Council meeting.



Advisory Council participants included: Leroy Adams, Stanley Adams, Duane Bartlow, Mike Brady, Bill Branson, Pat Collins, Grover Day, Mike Haentzens, Skip Harris, Barry Humphrey, Jay Killgore, Al Knudson, Terry Linebarger, Frank Locati, Vern Loveall, Bob Martin, Dan Melanephy, Jack Nobel, Darryl Norris, Will Nunez, Will Rodriguez, Shirley Roberts, Jim Russell, Ann Spencer, Jim Travis, Larry Wood, Rudy Woodford.



Former Senior Assistant Business Manager Larry Foss at meeting.



President Howard Stiefer swore in Will Nunez who returned to the Council.

MOU ratified at Shasta PUD; 2.3% wage hike retroactive

After lengthy and difficult negotiations at Shasta Public Utility District, a three-year Memorandum of Understanding has been ratified by our members.

A 2.3 percent general wage increase is retroactive to July 1, 1986, and a 3.2 percent general wage increase is scheduled for July 1, 1987. The third year is an opener for wages only. Business Representative Rich Hafner reported. Hafner extended a strong word of thanks to Negotiating Committee member Dennis Daily for all his efforts and support during the bargaining sessions.

Percentage increases which allow for adjustments in all classifications range from 4.09 percent to 10.89 percent.

Over the long haul, difficulties in negotiations centered around disputes over maintaining final and binding arbitration language, and demotion language provisions,

Hafner said.

A major improvement in the MOU includes a provision for appealing final and binding arbitration by either party on issues other than alleged discriminatory, or arbitrary discharge, demotion or discipline, provided that the decision does not in any way add to, disregard or modify any of the provisions of the MOU.

New provisions call for providing longer rest periods after working overtime, providing a \$300 replacement allowance for worn out tools for the Equipment Mechanic, and change the \$100 deductible to \$50, for employees who provide their own tools, when the tools are lost due to fire, flood, or theft.

Another new item calls for a 2 percent pay differential when a Leadman classification is called out for overtime, and when six or more employees, are supervised by the Leadman.

AROUND THE SYSTEM - PG&E

Bargaining Committee members hold first meeting at Local

From PAGE ONE

ahead.

Also meeting with the Committee members were Assistant Business Managers Roger Stalcup, Ron Fitzsimmons, and Manny Mederos, who has headed up negotiations for the past several general bargaining sessions. Mederos will serve as the Committee spokesman.

During the orientation, Mederos

reviewed basic steps in the bargaining process, and fielded questions from the Committee members.

The newly appointed Committee members for the upcoming round of bargaining include: Randy Abbott, Lineman, Corcoran; Art Garza, Jr., Customer Service Representative, Santa Cruz; Dean Gurke, Electric Crew Foreman, Oakport; Danny Jackson, Fitter, Sacramento; Marie Kizzee, Customer Service Representative, Oakland; Bob Martin, Control Technician, Pittsburg-Power Plant;

Stu Neblett, Communications Technician, Helms; Fred Pedersen, Sub-Foreman, General Construction; Shirley Roberts, Clerk D, General Office, San Francisco; Rebecca Rosecrans, Operating Clerk, Belmont; Rod Trunnell, Communications Technician, Burney; Arlis Watson, Electric Crew Foreman, Santa Rosa; Rudy Woodford, Gas Serviceman, Shotwell, San Francisco. Business Manager Jack McNally, and Local Union President, Howard Stiefer, also both will serve on the negotiating team.

First order of business for Local 1245's Committee, after their orientation session, was the sorting and classifying of proposals which members had submitted at Unit Meetings earlier this year.

USBR pay cap exclusion sought by Local members

Business Representative Pete Dutton is on top of coordinating efforts to alert our members at the USBR to contact Congressional representatives to gain support for excluding our members from federal wage limits, and allowing us to negotiate under provisions of PL 95-454.

Dutton has urged members to use this sample letter in writing Congressional representatives:

Dear Congressman :

Please contact Congressman Edward R. Roybal, Chairman of the Subcommittee on Treasury, Postal Service and General Government

and ask him to exclude those federal employees given collective bargaining rights under Section 704 of PL 95-454 from any federal employee wage limitations legislation for 1988 and in the future.

Dutton recently wrote Representative Vic Fazio seeking support for our members. Fazio, at Dutton's request, wrote Representative Edward Roybal, Chairman Subcommittee on Treasury, Postal Service and General Government, asking that our members be excluded from a federal pay cap. Here's that letter from Fazio to Roybal:

Dear Mr. Chairman:

I was recently made aware of a provision in your Subcommittee's bill that if retained in markup would greatly effect some of the federal employees in my district.

The President's proposed budget for Fiscal Year (FY) 1987 includes provisions that will limit the pay increases of federal prevailing rate (blue-collar) employees in FY87 and part of FY88 to the overall average adjustment in the General Schedule during FY87 for which he has proposed a 3 percent increase effective January, 1987. The budget also proposed that this pay limitation be specifically applied to wages of these few federal employees who negotiate their wages pursuant to Section 704 of PL 95-454.

The employees covered by Section 704 of PL 95-454 constitute a small group of approximately 3,300 wage board employees engaged in electric Power generation and transmission operations in utilities owned and operated by the U.S. Department of Interior and the U.S. Department of Energy. In my congressional district, employees at the Folsom Dam and Folsom Canal would be directly affected as would some 500 employees in California.

In the 1940's and 1950's when the DoI began building and operating power plants and transmission lines, it found it necessary to negotiate with employees on wages and other working conditions in order to recruit and retain the skilled workforce needed to run these operations. Over the years, the Congress and Presidents of both parties have found it necessary to exempt these employees from the restrictive wage setting and collective bargaining laws and executive orders that applied to the U.S. government workforce in general.

Section 704 requires that the agencies negotiate wages and working conditions with certain employees of the DoI and DoE. In enacting Section 704, Congress made clear its intent that these negotiations were not to be limited or disturbed by the pay setting laws, executive orders or comptroller general decisions that apply to most of the federal workforce.

In 1978, 1979 and 1980, Congress repeatedly expressed its intent that these negotiated wage schedules remain free from the restriction applied to the other federal pay cap legislation for FY79, FY80, and FY81. This intent was emphasized by the Conferees in their joint statement of Section 603 of H.R. 4393 of (PL96-74) wherein they stated the following:

The Conferees intend that blue-collar wages now established through regular labor-management negotiation as required by Section 704 of Public Law 94-454 would continue to be set in that way.

Therefore, I would like to request that during your mark-up of the Treasury, Postal Service and General Government Appropriations bill, you allow the employees covered by Section 704 of PL 94-454 to be exempted from the pay cap.

Thank you for your time and attention to this matter.

Sincerely,

Vic Fazio
Member of Congress

Clerical settlement reached

A Clerical Evaluation bargaining table settlement has been reached at PG&E after lengthy and painstaking negotiations, Assistant Business Manager Roger Stalcup announced.

The Local is currently in the process of reviewing final language.

A detailed explanation is anticipated to be ready for publication in the July Utility Reporter.

PUBLIC SECTOR

Hafner asks for support for prevailing wages for WAPA members

Business Representative Rich Hafner, Chairman of the Government Coordinating Council #1, which conducts bargaining for members employed by the Western Area Power Administration sent this direct and informative letter to State Senators, Congressional and State legislators seeking support in bringing WAPA salaries in line with prevailing wages in the industry.

Here is Hafner's letter requesting responses from Senators Alan Cranston, Pete Wilson, U.S. Representative Wally Herger, State Senators John Doolittle, Jim Nielsen, and State Assemblymen Stan Statham and Pat Johnston:

We, the Western Area Power workers, must call to your attention the continued freezing and limiting of the Federal Power Maintenance Crews' wages. We are covered by Public Law No. 94-454, Section 704; which gives us the right to bargain for prevailing wages in our highly-skilled line of work.

Federal Power Maintenance Crews have always been a leader in developing new techniques, such as, hot line, bare-hand maintenance and our power system dependability factor, which are both the best in the country. This reputation does not come easy. We have a lot of highly-skilled, dedicated people, that keep things operating.

We are concerned, because we have fallen behind \$2,000 to \$3,000, a year in prevailing wages. Our skilled workers are starting to be enticed away by other higher paying power companies.

The Post Office Department was exempt from the pay freeze in 1985, only because they had separate negotiating rights. We too, are

operating on a three-year contract with no negotiating, except to look at a fixed ratio of prevailing wages of 10 power companies within the 15 States that we operate in.

Further, we realize the American people would be upset if they didn't get their mail delivered, but think of the backlash to the elected officials if the Federal Power System would fall apart and people's lights would go out.

We feel that we must maintain the caliber of people we have in Power System Crews and ask that you give us your help. We believe that the best way to do this to maintain a just and equitable wage base.

Western Area Power Administration operates over 232 Power Sub-Stations and maintains over 16,000 miles of high voltage transmission lines in 15 Western States. Last fiscal year 1986, Western sold 45.6 Billion KWh of energy for over \$630 Million. We are not a parasite organization and are one of the very few Government Agencies that puts money back into the Treasury.

We request your position on this issue and would like to count on your help. We cannot afford to downgrade our Federal Power Maintenance Crews and must strive to keep the best possible skilled workers on this type of operation.

As the IBEW Representative for Western Area Power Administration, I wish to thank you for your time in the sincere review of this letter and respectfully request that you respond to my office in this regard, which will be conveyed to my workers.

Sincerely,
Richard M. Hafner
Chairman, G.C.C.#1



Oakdale victory reported

Business Representative Mickey Harrington reports that we've won a representation election at Oakdale Irrigation District. Approximately 63 people are in the bargaining unit there.

Mike Evans was among those instrumental in supporting the Local's victory, Harrington said.

So. San Joaquin election requested

Local 1245 has requested a certification election at South San Joaquin Irrigation District for workers in the Clerical Department.

We currently represent some construction, maintenance, confidential and engineering classifications at the District.

The Local is currently waiting for the State Mediation and Conciliation Services to set a date for the election.

'Reasonable suspicion' justifies search warrant for public employees

By Ann Miley, Staff Attorney

In a five to four decision the U.S. Supreme Court Ruled on March 31, 1987, that a government employer must have at least a "reasonable suspicion" to justify a search of an employee's work area. The Justices unanimously rejected the Reagan Administration's suggestion that public employees do not have any privacy at work and that the Fourth Amendment protection against unreasonable searches does not apply. The Justices held that Government workers do have an expectation of privacy for desk drawers, files and offices.

However, the High Court rejected arguments by some public employee unions and the American Civil Liberties Union that a warrant and some probable cause are required for public employers to conduct investigative searches of worker's offices and files. "It is simply unrealistic to expect supervisors in most government agencies to learn the subtleties of the probable cause standard" Justice Sandra O'Connor wrote.

Because the legal dispute centers on the Fourth Amendment, the ruling is important to millions of public employees at the federal,

state and local level, but doesn't affect private workers. The Fourth Amendment protects individuals against government action, not against searches by private employers. Indeed, in a separate opinion, Justice Antonin Scalia said the types of searches involved in the case are already considered "reasonable and normal" in the private sector.

Because of the different standards in three separate opinions, the full impact of the ruling won't be clear until state and federal courts have interpreted it in a variety of cases, which will probably include challenges to random drug-testing programs for government workers.

Justice O'Connor's opinion specifically stated that the issue of testing government workers for drugs and alcohol was not involved.

But, David Goldstein of the ACLU said the courts focus on an employer's suspicion of particular workers makes a "pretty powerful" case against random drug testing. "It would be very difficult for any court reading this opinion to think random drug testing is all right," he said.

PRIVATE SECTOR

Tentative agreement at Foster Wheeler

We have a bargaining table settlement at Foster Wheeler, a Cogeneration plant in Martinez, arrived at following four bargaining sessions in March and April.

It's our first contract on the property with the term covering a three-year period which include substantial improvement over existing wages and benefits.

IBEW Local 1245 negotiation team members included Bill Graham, and Al Kekich, of Foster Wheeler, and Assistant Business Manager Orv Owen and Business Representative Sam Tamimi.

A ratification meeting is in the process of being scheduled.

New contract for State TV

Members in Chico and Orland ratified a new three-year contract. Thanks goes out to Shop Stewards, Michael Considine, Paula Cole, Mike Nelson, and Debbie Perata for their support.

Pac Tree ratification meeting set

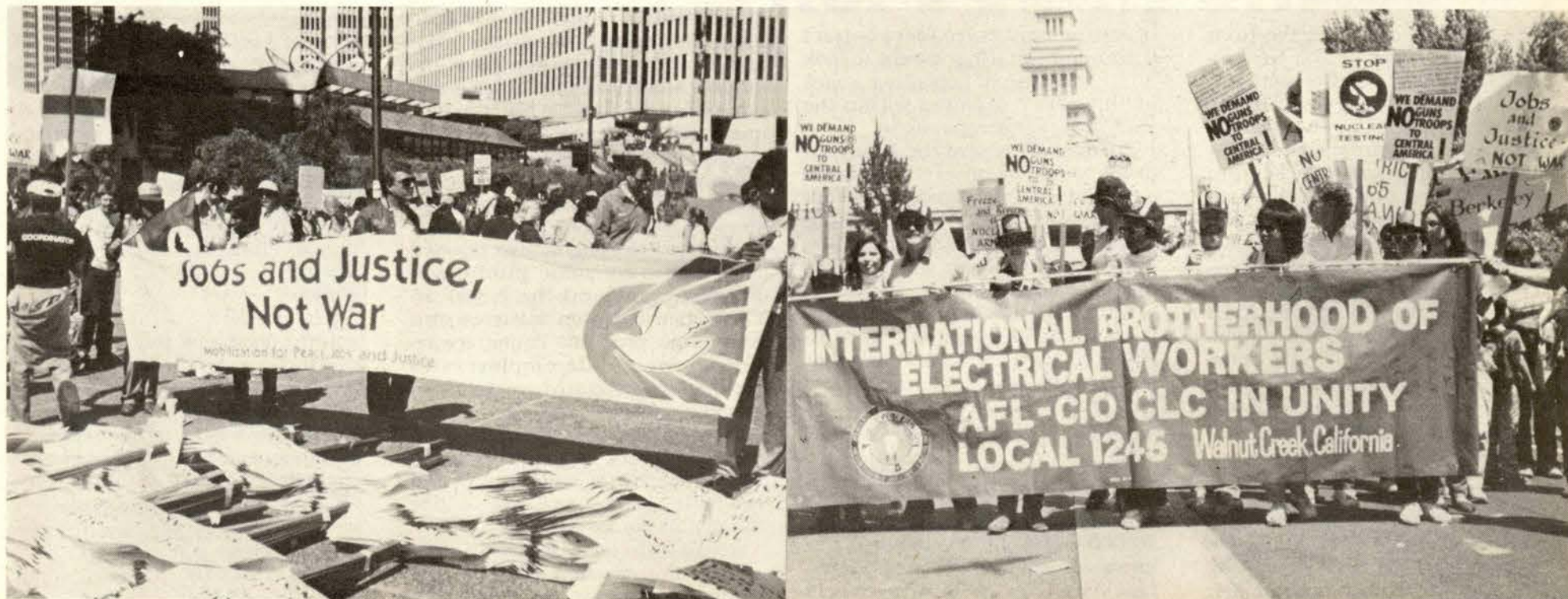
The Local is in the process of setting up special ratification meetings with our members at Pac Tree, to consider the company's one year offer which includes wage adjustments retroactive to January 1, 1987.

The offer is complicated due to the recent awarding of non-union contracts by Pacific Gas and Electric Company. Assistant Business Manager Orv Owen reports. He anticipated the meetings will be concluded by mid-May.

Tree drive underway

An organizing drive is underway at Utility Tree Company in the West Sacramento/Fairfield area. The Local Union has filed a petition with the NLRB for certification as exclusive representative for collective bargaining. The NLRB has scheduled a hearing to determine the unit composition and eligible voters on Wednesday, May 6, 1987. Business Representative Mickey Harrington has headed the organizing drive.

Members marched, carried banners

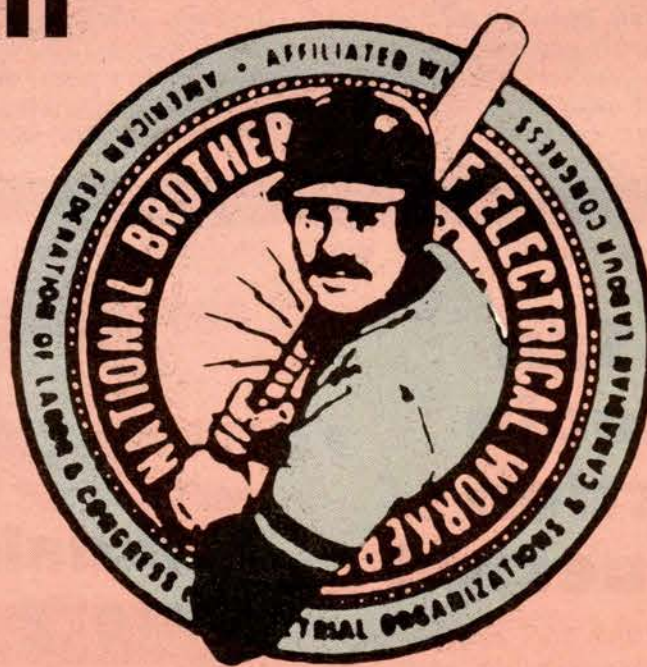


IBEW Local 1245 members participated in recent Jobs, Justice march in San Francisco with a rally following at Civic Center.

Photos: Fro Valentino

Slo-Pitch Softball Tournament

IBEW Local 1245
10th Annual Slo-Pitch
Softball Tournament
Saturday, May 30, 1987
Sunday, May 31, 1987
Willow Pass Park, Concord



Team play for members & immediate family. Tournament USSSA sanctioned. Winners of Open Division to advance to state championship. Individual trophies for the 1st place teams, team trophies for 2nd & 3rd place in all divisions.

Plan to Attend – Two days of Fun!