Tentative PG&E wage accord reached

A tentative wage settlement was reached between Pacific Gas and Electric and IBEW Local 1245 on November 21, 1989. The offer has two main elements — a 3.5% general wage increase and a one percent bonus.

The wage increase. If approved by the Local 1245 members, this increase will go into effect on January 1, 1990, and will apply to all Physical and Clerical wage rates.

Weekly rates will be rounded up to the nearest nickel.

The bonus. This is a performance bonus which is due to be paid to all Clerical and Physical employees on February 28, 1990. Everyone employed by PG&E in 1989 who is actively on the payroll on January 2, 1990, or who returns to active employment later in the year, will receive a bonus equal to one percent of his or her 1989 gross income (as reported on the W-2 form).

The company and the union will also form a committee to look into the viability of non-traditional pay concepts. Any opinions or proposals emanating from this committee will be non-binding.

What the offer means

"The negotiations were intense," Bob Olsen reports. "The company moved faster and farther than we expected."

The offer, which went to the membership for a vote in early December, was hammered out on the sixth day of negotiations. Its implications for the next round of bargaining (in late 1990) were analyzed by members of the Negotiating Committee on November 21.

Judges rule for the union, against DRA

The Division of Ratepayers Advocates suffered a major setback on November 16, 1989, when Administrative Law Judges Wheatland and Cragg issued a "proposed decision" upholding Local 1245 arguments on PG&E wages and medical premiums. This proposed decision will be voted on by the Public Utilities Commission at a meeting on December 18.

"The PUC rarely changes a decision of this kind," Local 1245 attorney Tom Dalzell reports. "This is really good news, since the wage decision is a strong statement in favor of the union's position, and the decision on the medical plan couldn't be better."

"It's wonderful," Local 1245 attorney Jane Brunner concurs. "We brought in a lot of people to testify — Jack McNally, Joseph Grodin, some experts on collective bargaining, Landis Martilla and Debbie Mazzant from the 1989 Wage Negotiating Committee, several people from General Office, and a number of others — and their testimony really paid off."

The wage issue

Judges Wheatland and Cragg concisely summarized the DRA's extreme position on wages: "DRA recommends that PG&E's labor expense be reduced by $30 million in [1990]. DRA believes that the clerical workforce is significantly overpaid."

This position was defended by the DRA on the basis of a salary survey that union attorneys sharply attacked:

"According to the Unions, the DRA methodology is seriously deficient in (1) the use of surveys representing incorrect labor markets, (2) not having access to or understanding the surveys used, and (3) improperly matching at least five key positions covering a large number of employees."

Union claims vindicated

Former State Supreme Court Chief Justice Joseph Grodin, Local 1245 Business Manager Jack McNally, and several experts testified for the union.

Drugs at work: Part III

In September and October the Utility Reporter probed several aspects of the problems associated with workplace drug abuse and drug testing. We turned a searchlight on the much-heralded "War on Drugs" — exposing some of the least welcome measures pursued by employers and the courts — while investigating a number of possible alternatives, including Employee Assistance Programs.

This month we round out the picture in several ways. An excerpt from a recent Department of Transportation report indicates that random workplace drug testing simply doesn't work. A special Utility Reporter feature contributed by University of California researcher Hillary Finch shows that drug and alcohol treatment programs are badly needed and in great demand — and yet remain woefully underfunded. And stories on several recent developments give the union's views on the drug problem at work.
Utility Reporter

December 1989

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PG&E WAGE ACCORD

from PAGE ONE

"We were stuck at 3.5% for a long time," Barry Humphrey recalls. "Then the company proposed a .5% bonus, with a lot of contingencies attached. We'd get the bonus once — and if that."

"We were being asked to endorse a big maybe," Danny Jackson laughs. "Maybe we'd get the bonus — and maybe not."

"And the contingencies they were proposing wouldn't even have worked as an incentive," Jeff Knisley adds. "The idea was that the bonus would be paid only if PG&E performs above a certain level in 1989, which management will know in a month or two. That would have put the bonus entirely out of our hands."

"So," Landis Martilla reports, "we told them, no way. We want a one percent bonus, and clear, without contingencies. And after a lot of debate, they gave it to us."

Solidarity

"The most important thing," Debbie Mazzanti comments, "is that we backed each other up. This is something to keep in mind for the general bargaining next year. If we truly hope to get what we want, we're going to have to continue to show a lot of solidarity."

"This year," she adds, "the company wanted to divide us in all kinds of ways. They started out offering the clerical unit just 2% — and they suggested that this 2% could be divided up, so that some clericals would benefit more than others."

"Right," Bob Olsen nods. "There was definitely an element of divide-and-conquer in the company's original offer. We overcame that, which is a great thing — this year everybody will get the same increase. But in the general negotiations next year we're going to face the same problem all over again — PG&E will want to divide us."

"They'll want to treat us differently on the basis of where we live, or what exact work we do. And we can't accept that."

Unity," Olsen concludes, "is the bottom line."

Hang together

"We're all working hard," Debbie Mazzanti says, "and we all deserve better compensation. It's easy to think that you deserve a bigger share than someone else, but thinking that way weakens us all."

"This year we insisted on an across-the-board increase — and we got it."

"We're strongest when we're united." —

PGT settlement follows suit

On November 28, the Local Union reached a bargaining table settlement with Pacific Gas and Transmission Company. The terms of this settlement, which will be voted on in late December and early January, are identical to the terms proposed a week earlier by PG&E. A 2.5% wage increase has been offered to all members of the Clerical and Physical bargaining units, coupled with a one percent bonus and the formation of a committee to explore non-traditional pay concepts.

The PGT Negotiating Committee includes Local 1245 Business Representative Sam Tamini, Frank Lo-cati, Sue De Foe, Mark Latta, and George Stavros.

POINT OF VIEW: THE EIGHTIES

From PAGE THREE

Barring a political earthquake in Washington, the government will continue to dismantle what's left of Roosevelt's New Deal programs. This means more obstacles for workers in their fight to better their standard of living.

The leadership of Local 1245 recognizes the difficult challenges ahead and is ready to meet those challenges.

Local Union 1245 did better than most unions in the 1980s — and I believe that with the solidarity of our members, we can continue to do better in the next decade.

Have a joyous holiday season! —

Bob Olsen

Barry Humphrey

Jeff Knisley

Landis Martilla

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DRA DECISION

Judges Wheatland and Cragg were persuaded on many counts:

"DRA's current survey is disappointing. As the Unions correctly note, this DRA salary survey suffers some of the same errors and limitations as noted by the Commission in [1986]."

"Once again DRA's survey is weak with regard to the proper matching of key positions which cover a large number of employees."

"Additionally, we agree with PG&E and the unions that it is necessary to determine the standard error of the surveys and to take this range of error into account in evaluating the results."

"DRA's survey in this case also fails to...make a comparison on a total compensation basis."

"Furthermore, DRA continues to provide point comparisons based on averages, without also indicating the range of data."

"Finally, we had asked [DRA] staff in future surveys to address Edison's concerns regarding the overlap between companies in several surveys. Yet, in this case, DRA was even less aware of which companies participated in the surveys it used."

The proposed ruling

"For these reasons we cannot adopt DRA's salary survey as the basis for an adjustment in PG&E employee compensation..."

"As long as PG&E bargains aggressively and effectively on the ratepayers behalf, we will, as Grodin suggests, allow very substantial latitude to the judgment of management and the unions with respect to the specific nature of the bargain rather than attempt to fine-tune it in accordance with our own notions of what would be ideal."

This, clearly, is a stunning rebuff to the DRA's Big Brotherly wish to overrule the collective bargaining process.

Equally damaging was the judges' proposed decision on medical premiums.

Make the workers pay?

"The Commission's decision on the status of the Blue Cross Plan is...final. We agree with PG&E and the unions that DRA has not met its burden of proof in support of its request that the Commission order specific reforms in PG&E's medical plans. As the Unions point out, DRA's witness has testified that the amount paid by PG&E for Blue Cross Coverage is reasonable and fair at this time, that the amounts established in the schedule of usual and customary charges are not unreasonable, and DRA has not concluded that PG&E's indemnity plan is overutilized."

"Given these circumstances, DRA has failed to demonstrate the need for the Commission to order specific reforms."

The Commission will act on these very welcome proposals on December 18. ■

POINT OF VIEW

The eighties

Jack McNally, IBEW 1245 Business Manager

Reflecting back on this decade makes it clear that the 1980s were not the best of times for organized labor. Reagan came into power in 1981 and set the tone by crushing the PATCO strike. He made appointments to the NLRB, to other agencies, and to the judiciary that were basically hostile to labor. Laws, regulations and programs which labor relied upon to get a fair shake were reinterpreted, rewritten, and watered down or abolished. Give backs, wage freezes, wage cuts, take-aways, lay-offs, concessionary bargaining, plant closures, and other terms or phrases became disturbing buzz words. The number of union members declined.

Reagan's approach was supposedly designed to "get the government off the people's back." What it really did was reduce government interference in big business. Banking, communications, transportation, natural gas and electricity have been deregulated to one degree or another — to name only the biggies. And, of course, the "adjustment" of the NLRB has served to dilute the strength of unions so that businesses can be more arbitrary in dealing with labor.

In California, we saw a Governor, with a stroke of a pen, wipe out one of the best and most protective safety laws in the nation. We then saw organized labor rally and achieve reinstatement of that law. We have seen the California Public Utilities Commission, appointed by the Governor, strip away the utilities, and at the same time slowly interfering with the collective bargaining process in an effort to compress wages and benefits.

Yes, the 1980s were not real kind to organized labor. However, the unfortunate experiences of this decade have stimulated organized labor to rethink its positions and make some potentially important changes to promote growth and enhance effectiveness.

With "Solidarity" as the theme at the national AFL-CIO Convention last month, President Lane Kirkland pointed out that the labor movement is now more united and more broadly representative of the whole family of labor than at any time in half a century. We have recently seen the Teamsters Union, the United Transportation Union, the International Longshoremen's and Warehousemen's Union, the United Auto Workers, and the United Mine Workers join or rejoin the national AFL-CIO. In addition, the new AFL-CIO program calls for the formation of a Strategic Approaches Committee that will help unions aid each other in a unified way. Further, the Federation intends to expand its help to affiliated unions in their organizing campaigns, and to continue the paid media "Union Yes" effort to project a positive image of trade unionism to the public.

On the whole Local 1245 members weathered the storm of adversity that characterized the last decade. While we were attacked on many fronts, we held our own, save for a few bruises. We have seen the reorganization of several employers, rumors and threats of buyouts, sporadic demotions and layoffs, nuclear power plant disasters, continuing attacks by both the California and Nevada Utilities..."
Arbitrator affirms a crucial principle

SMUD voluntarily transferred to a new job. This transfer, which the employee opposed, was negotiated with the union. The employee, opposed to the transfer, was informed that the employer intended to change working conditions for Local 1245 members, union attorney Jane Brunner reports. "Their attorneys claimed that a top-down administrative rule change qualifies as a meet and confer requirement under the Meyers-Millias-Brown Act. This contention is not accepted in the light of the holding of the California Supreme Court in L.A. County CSC v. Superior Court, supra, cited by the Union.... In that case," Chvany pointed out, "the Court found...that a meet-and-confer session amounts to much more than [a] public hearing... The Court also rejected the claim that unions relinquish their right to a serious challenge filed on behalf of the employee and agreed to. And we've always met and conferred with SMUD in the past." Business Rep Gary Mai and I dug up 25 exhibits dating as far back as 20 years, proving that Local 1245 had negotiated Civil Service rules with SMUD ever since 1969, when the union was first recognized there. "That's what SMUD was trying to change. They claimed that a top-down administrative rule change qualifies as a meet and confer session merely because they express their views at a [civil service] hearing.... That level of participation in the civil service process certainly does not relinquish the Union's right to bargain over the pertinent rule change, under the principles articulated by the Court." Grievance upheld Chvany affirmed not only the legal principle at stake in this case but also the grievance filed on behalf of the transferred SMUD employee.

This employee had been hired to work at the Rancho Seco power plant in 1977 as a Utility Helper and had risen, by 1986, to the post of Nuclear Light Foreman. As Rancho Seco Maintenance Manager Dave Brock testified at the arbitration hearing, the employees at Rancho Seco in this period typically worked at a feverish pace, often working 60 hours a week. The grievant complained of stress in early 1987 and was awarded a Workers' Comp claim. In early 1989 the grievant asked to return to work. The doctor assigned to assess this request carried out an extensive evaluation and concluded that the grievant was "perfectly capable, should he so choose, of returning to work on a full-time basis at Rancho Seco in his capacity as Electrical Light Foreman. The doctor added that he was under the impression that the employee would prefer to work in another work site — and that, if possible, this would be an ideal arrangement — but he concluded by repeating that "the patient is perfectly capable of returning to his prior position at SMUD." SMUD management evidently interpreted this as a "doctor's warning" against returning the grievant to Rancho Seco despite his repeated requests. At this point a grievance was filed. Here too Arbitrator Chvany supported the union's position. "An analysis of the record reveals a lack of evidence to support the District's position that the grievant's health prevented him from returning to his former position at Rancho Seco.... The appropriate remedy is to make the grievant whole by placing him in the same position he would have been in had the transfer not occurred, both in terms of job assignment and lost earnings."
The Citizens Utilities offer: thumbs down

The final tally in the vote on the recent company offer — which the IBEW Negotiating Committee had called unworthy of support — went down to defeat by a large margin, 202 to 31. "This no vote should give us a pretty good hand," Business Rep Mickey Harrington says, "when we go back into bargaining later this month."

There are about 275 people in the Local 1245 bargaining unit at Citizens Utilities.

Another CAPCO victory

The CAPCO traveling crew elected Local 1245 as its bargaining representative by a six to three vote. "This is very encouraging," Business Rep Corb Wheeler says, "because it means that we're close to having all of CAPCO organized."

"Management worked hard to beat us on this election — they even brought in a consulting firm — because they know that the Madera plant is our next step, and that the traveling crew works in this plant part of the time." This is the eighth election Local 1245 has won in 1989.

The WAPA arbitration

"The arbitration meeting on November 14 went real well," according to Business Rep Rich Hafner. "Nothing changed as far as the issues go — it's the same old Mary Anne. But now we have a third party decision-maker involved, and I was real pleased with the hearing."

A decision is likely around Christmas. "So hopefully," Hafner says, "we'll be getting our Christmas goose right around then."

Lou Anzaldo on the Golf Tournament

The Seventh Annual Local 1245 Golf Tournament was a huge success, thanks to all who played and helped out. Champagne bottles with special labels were given to all participants in commemoration of my final effort as tournament director.

Very special thanks go to Holly Lepo, whose husband, Marty, works in Hayward Gas T&D. Holly spent a lot of time programming her computer to keep score and identify the winners. Thanks also to Vicky Grande, who helped Holly. And many, many thanks go to Leonard Peregyo, whose help has always been indispensable to this tournament. Fran Zamora, Mel Oliver, and Ed Miles also have my deep appreciation. A great many others donated generous prizes or helped out in other ways.

This year's tournament winners are Robert S. Rawlinson, whose 74 was the day's best score, and Ernie Campiotti, whose 61 was the low net score (after deducting handicap). Cash prizes, turkey certificates, and even a trip to Reno were among the prizes awarded to top finishers.

I've greatly enjoyed directing the tournament — but since I'm now retired, I'm off to the land of relaxation...

See you all on the golf course!
Seated, Left to Right, Barbara Symons, Recording Secretary; Jack McNally, Business Manager; Kathy Tindall, Executive Board. Standing, Left to Right, Howard Stiefer, President; Jim McCauley, Mike Davis, and Ron Blakemore, Executive Board. Not shown: Andrew Dudley. Inset: Ed Mallory, Treasurer.
Sharon Madison  
Clerical Floater

Gary Mai  
Business Representative

Marilee Mai  
Dispatcher 
Sacramento Office

Bob Martin  
Business Representative

Lita Martin  
Word Processing

Rae Mattes  
Receptionist

Jack McNally  
Business Manager

Darrell Mitchell  
Senior Assistant Business Manager

Art Murray  
Business Representative

Jack Osburn  
Business Representative

Orv Owen  
Assistant Business Manager

Kas Patten  
Printer/ Photographer

Curt Peterson  
Business Representative

Larry Pierce  
Business Representative

Sharon Redman  
Office Manager

Marie Rodrigues  
Cash Dues Records

Frank Saxsenmeier  
Business Representative

Dennis Seyfer  
Business Representative

David Smith  
Newspaper

Roger Stalcup  
Assistant Business Manager

John Straff  
Business Representative

Sam Tamimi  
Business Representative

Scott Thomas  
Business Representative

Joe Valentino  
Business Representative

Ron Van Dyke  
Business Representative

Gail Varner  
Bookkeeping

Gene Wallace  
Business Representative

Corb Wheeler  
Business Representative

Gwen Wynn  
Business Representative

Fran Zamora  
Confidential Secretary

Perry Zimmerman  
Business Representative

December 1989  
UTILITY REPORTER 7

Signing Secretary: Jack McNally, Business Manager. Standing, Left to Right, Howard Stiefer, on Blakemore, Executive Board. Not pictured: Treasurer.
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<th>Address</th>
<th>Chair/Meeting</th>
<th>City/State</th>
<th>Date</th>
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<td>311 EUREKA</td>
<td>Labor Temple 9th &amp; E St.</td>
<td>S. Anderson</td>
<td>7:30 p.m.</td>
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<td>3123 AMHERST</td>
<td>*Pizza Uppercrust 3655 Meadowlawn A. Streetman</td>
<td>Tuesday</td>
<td>5:15 p.m.</td>
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<td>3123 BURNEY</td>
<td>Sam's Pizza Johnson Park</td>
<td>T. Trunnell</td>
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<td>3124 RED BLUFF</td>
<td>*Palomino Room 723 Main St.</td>
<td>H. Iness</td>
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<td>3126 TRINITY</td>
<td>New York Hotel Weaverville</td>
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<td>3311 RENO</td>
<td>2713 E. 4th St.</td>
<td>D. Moler</td>
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<td>3312 CARSON CITY</td>
<td>Fire Station 6th &amp; 1st</td>
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<td>3313 YERRINGTON</td>
<td>Fire Station 21st &amp; 4th</td>
<td>P. Perumian</td>
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<td>3314 SOUTH LAKE TAHOE</td>
<td>Moose Lodge 12th &amp; 5th</td>
<td>D. Fruthwe</td>
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<td>3315 MT. WHEELER/ELY</td>
<td>Mt. Wheeler Fire Dept. 24th &amp; 1st</td>
<td>D. Strausburg</td>
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<td>3317 WINNEMUCCA</td>
<td>Cattellman's 8th &amp; 1st</td>
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<td>3318 ELKO</td>
<td>Stockmen's Hotel 6th &amp; 1st</td>
<td>C. Robertson</td>
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<td>3411 CHICO</td>
<td>Pizza's Pizza Hwy 32, Chico</td>
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<td>Moons Restaurant 7th &amp; 5th</td>
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<td>3477 PARADISE</td>
<td>Red Lion Pizza 8911 Skyway</td>
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<td>3513 GRASS VALLEY</td>
<td>NV Co. Sportsmen 14th &amp; 1st</td>
<td>L. Richerson</td>
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<td>J. Kuhn</td>
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<td>Eagles Hall 2010 Montgomery</td>
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<td>3711 MARIN COUNTY</td>
<td>Sanders Rest. 3rd St. San Rafael</td>
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<td>3712 SANTA ROSA</td>
<td>Round Table Pizza 421 Stoney Point</td>
<td>B. Olson</td>
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<td>3713 GEYSERS</td>
<td>Lila Red Schwabe Bottle Rock Rd.</td>
<td>R. Runnings</td>
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<td>3714 UKIAH</td>
<td>Discovery Inn 1340 N. State St.</td>
<td>D. Bettencourt</td>
<td>7:30 p.m.</td>
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<td>*Lakeport 527 Koncent Ave.</td>
<td>B. Dawson</td>
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<td>Woodland 523 Bush Street</td>
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<td>3917 SACRAMENTO</td>
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<td>3918 SACRAMENTO</td>
<td>Fresh Pond (SMUD) 1961 Front Rd.</td>
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<td>3919 SACRAMENTO</td>
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<td>K. Byrnes</td>
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<td>2615 Main V. Simmons</td>
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<td>4013 ALTURAS</td>
<td>Benney's 1200 W. 4th St.</td>
<td>J. Bells</td>
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<td>4014 ELK GROVE</td>
<td>Pizza 8911 Elk Grove</td>
<td>J. Rulpel</td>
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<td>4015 BURNEY</td>
<td>C.U.C.C. Sam's Pizza Hwy 5th Front Rd.</td>
<td>C. Hutchinson</td>
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<td>4016 PALO CEWDRO</td>
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<td>4412 DAVEY TREE</td>
<td>Santa Cruz 525 Water St. K. Neal</td>
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<td>Selma 1774 Calif. St.</td>
<td>A. Sanchez</td>
<td>5:30 p.m.</td>
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<td>4417 DAVEY TREE/SANTA ROSA</td>
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<td>4418 DAVEY TREE/EUREKA</td>
<td>Angelo's Pizza 7th St. Eureka</td>
<td>F. Gratz, III</td>
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<td>4419 PAC TREE/REDING</td>
<td>Angelo's Pizza 1340 N. State St.</td>
<td>D. Mitchell</td>
<td>6:00 p.m.</td>
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DOT releases “Drug-free Workplace Program Evaluation Report”

Skepticism about testing justified

by David Smith

The Department of Transportation, which has been one of the most ardent defenders of the Reagan/Bush "Drug-Free Work Place" policy since it was first promulgated in late 1986, has released a report with surprising admissions about the ineffectiveness and unpopularity of random drug testing among DOT employees.

"Random testing," the September report says, "constitutes the major portion of DOT drug program activities and costs. It also appears to be the most sensitive issue regarding employee acceptance of the overall drug program."

Does testing work?

From January 1, 1988 through April, 1989, DOT conducted a total of 26,282 drug tests, most of which (15,352) were random. This was a giant undertaking, affecting a large percentage of DOT employees. "The broad scope of random testing," the report says, was shown by the fact that about half of the respondents to a DOT questionnaire reported having been randomly tested at least once since January 1, 1988.

The testing effort was also hugely expensive — entailing the expenditure of $4,016,466 in 1988 and a projected $5,039,000 in 1989.

The results

What did all this money buy?

Very little indeed. In sixteen months of testing, with nearly a thousand tests per month, "random testing resulted in 99 verified positives. This minute, minuscule figure — a positive test rate of less than one percent. And even the 99 employees who tested positive may not actually have used drugs on the job, since "marijuana use accounted for approximately two thirds of positives with cocaine accounting for all but a small percentage of the rest" — and we know that traces of marijuana or cocaine consumed the previous night will often show up in a drug test the next day.

Can the Department justify its program by saying that the number of positive tests is, at least, increasing? Evidently not.

"It is also interesting," the report observes, "that since the inception of the drug testing program the number of verified positives identified in a given month has remained relatively constant (less than one percent) even though the number of test sites and employees tested has varied considerably."

The results don't matter?

"In a speech to the Inter-Industry Gas Conference reported in the October Utility Reporter, DOT attorney Neil Eisner argued that positive test results aren't the main goal of the DOT program."

"One of the reasons that we think that random is the most important test is because we believe that it will be a deterrent, based on the data that we do have available... For example... Coast Guard... studies indicate that random testing cut use by as much as 75%.

"We aren't trying to catch people. We're trying to deter drug use."

This has all the earmarks of a lame attempt to explain away the facts. Eisner did not elaborate on the studies he mentions, and most authorities in the field say something very different.

According to a September story in the Wall Street Journal, for example, "The National Institute on Drug Abuse says it knows of no studies that have examined the deterrent effect of random, surprise drug testing..."

"Mark Rothstein, a drug-testing specialist at the University of Houston Law School, says, There's very little hard data that drug testing is effective — that it has resulted in savings in terms of reducing accidents, absenteeism or health-care expenditures..."

"[And] the American Society for Clinical Pharmacology said in a position paper last year that 'adequate scientific studies of the relationship among safety, productivity, drug abuse and testing... aren't available or haven't been done'!"

New directions in Sacramento transit

Local 1245 and the Sacramento Regional Transit District (SRTD) have forged the beginning of what appears to be a new kind of relationship on the issue of drug testing, which has recently been a major bone of contention in bargaining between the District and the union.

At the invitation of the District, Local 1245 participated in the choice of both a medical lab and a medical review officer. "This is a big step forward," Business Rep Jack Osburn reports. "It was hard work, and there was a lot of red tape, but it worked well. We brought in Professor Martha Harkey from UC Davis as our pharmacology expert, and her views were a given a lot of credence."

The medical lab that was ultimately chosen, Compuchem, is NIDA-approved and handles drug testing at Diablo Canyon as well. The medical review officer, Greystone, was selected after a long process of interviewing.

Issues still on the table

"This doesn't mean, of course," Osburn says, "that SRTD and the union are in full agreement on drug testing. There are still a lot of serious unresolved problems, especially in connection with the DOT regulations on random drug testing."

The crux of the problem is that UMTA (the Urban Mass Transit Administration, a DOT division) has ruled that any agency seeking UMTA funding must comply with DOT drug regulations by the end of 1989. SRTD, which is now negotiating a contract with Local 1245, depends on UMTA for more than two thirds of its total funding, and says it will comply with DOT's regulations to ensure that workers in "sensitive safety" jobs are drug-free.

The justification for this step is said to be worker safety. This sudden concern for safety, however, seems to be as selective as it is recent, since SRTD has resisted Local 1245 efforts to enforce state apprenticeship standards in training.

These standards, which SRTD once honored, have been allowed to fall by the wayside.

"The union position," Osburn explains, "is that training is the best way to assure safety, not random drug testing. If the Regional Transit District seriously wants to do something about safety, they should show they take training seriously. So far they haven't done that. They haven't even been able to find a safety manager, and they've been looking for some time."

"And even DOT admits that random drug testing has been ineffective," Osburn adds. "According to a recent DOT report, they've tested more than 15,000 workers but have turned up only 99 cases of drug use. That's an incredibly small number — well below one in a hundred."

"Meanwhile, the expense is not small, by my calculation every random drug test costs approximately $260. That means that the Regional Transit District is planning to spend more than $6,000 just for the IBEW bargaining unit, to test the roughly 100 SRTD workers whose jobs would be considered 'sensitive safety' by UMTA." "We think they can spend their money in better ways — for training, benefits, insurance and a lot of other useful things."

The Local 1245 negotiating committee has been pressing this point hard in the continuing talks.

Meanwhile, UMTA is being challenged in a Washington court by the ATU.

"UMTA is only a funding source," Local 1245 attorney Tom Dalzell explains, "and ATU doesn't think they have the authority to impose policy of this kind."

"We agree."
Punishment or Recovery?

The unmet need for substance abuse treatment

The following special Utility Reporter article by Hilary Finch reports the early results of extensive research at the University of California in Berkeley. In an effort to identify services for women with AIDS, Finch has interviewed almost all drug and alcohol programs in the San Francisco Bay Area.

Her most striking finding — sadly if predictably — is that drug addicts and alcoholics are more frequently blamed than helped. Appalling few treatment programs are now readily available.

The "War on Drugs" is fast becoming a household phrase. Indeed, drug abuse seems to be the issue of primary concern to the Bush Administration, warranting the appointment of a "Drug Czar" (William Bennett) and the appropriation, in September, of $7.9 billion to wage this war. The most significant portion of this money, we have learned, will go to law enforcement, in an effort to forcibly deter the casual user of illegal substances.

Yet while the Bush Administration deploys its arsenal against drug users, very little has been done to help them help themselves. In fact, telephone interviews with substance abuse agencies in four Bay Area counties over the past five months reveal gaping gaps and weaknesses in the provision of treatment.

Missing links

Drug treatment programs generally fall into one of two categories. Outpatient treatment consists of individual, family, or group counseling, and is designed for people who can admit their drug problems and work towards change while remaining in their own homes. Inpatient treatment, on the other hand, offers counseling in a special residential setting for people who need time away from the usual pressures and temptations of home life to successfully confront their problems; these programs can last from one month to a year or longer.

Individuals who seek outpatient treatment can usually find some form of help. While private therapists often charge $50, $60, $70 or more per hour, many public and private programs charge on the basis of one's income and ability to pay. San Mateo County, for example, boasts over 20 such programs, while Santa Clara County has ten.

One may, of course, have to wait days or weeks to be seen at these agencies, since their affordability places them in a high demand; but they are generally accessible.

By contrast, individuals who need inpatient treatment to overcome drug problems are likely to find themselves in a quandary. Since this form of treatment can cost thousands of dollars per patient per month, it is most readily available to people with substantial incomes or generous private insurance plans. For those, however, with lesser resources — like most genuinely troubled drug users — inpatient care can be obtained only with great difficulty, if at all, by hurling a seemingly extending series of barriers.

Roadblocks

The first major difficulty to be surmounted is that of finding an affordable program. This is sometimes an insurmountable barrier. In San Mateo County, for example, there are just four residential treatment programs willing to charge for services on an ability-to-pay basis. The total number of spaces available for clients is hence very limited — and the total number of spaces available for new enrollments at any given moment is even more sharply limited. In Santa Clara County, with a large number of indigent drug users (and a total population of 1.4 million), the situation is similar. Here the lower-income population is asked to wait days or weeks to be seen at these agencies, since their affordability places them in a high demand; but they are generally accessible.

In summary

We have found that a painfully short supply of residential treatment programs makes it hugely difficult for lower-income drug users to obtain needed services. The universe of substance abuse programs provides few options and overwhelming barriers for the average individual — who is often reluctant even to admit the need for help, and yet must negotiate with the dogged persistence of the most skilled advocate to obtain even inadequate help.

Precisely those people who most need help are the ones least likely to find it. The War on Drugs, without a solid commitment to treatment, can only be a program of punishment for those who lack the financial means or bureaucratic savvy to buy a cure. Is this really the answer we want?
A year to remember

1989 was a year of electric conflict and change for world labor. From the Soviet miners’ strike to the Czech general strike, from Solidarity’s sweep of the Polish elections to the stillbirth of autonomous unions in Beijing, this was plainly a year to remember.

Union, yes: from Warsaw to Washington

“It was the most emotional convention I’ve ever attended in my life,” Business Manager Jack McNally says. As the local 1,245 delegate to the national AFL-CIO convention in November, McNally was present when Lech Walesa appeared on behalf of Solidarity. “I tell you, that phrase about clapping until your hands bleed — well, we left with our hands pretty raw and bruised, showing our support for that guy.”

“Bush was there, and Elizabeth Dole, and the rest of them. But the ironic part was that everybody wanted to stand next to Walesa and praise him and have a picture taken. The fund didn’t say what the word about the Eastern Airlines strike, even though a big banner urged him to stand up for the strikers. And he said not one word about Pittston or NYNEX.”

“The theme of the convention was solidarity, and many of the delegates wanted to show their support for the Pittston strikers. Jimmy Herman of the ILWU stood up and said we should have a one-day protest, basically a one-day general strike. The longshore leader from the east coast stood up and said, ‘Jimmy, you shut down the west coast and we’ll shut down the east coast — and that’ll take care of it.’ Then it was announced that a half-million had been allocated to the strikers. That brought down the house.”

The year in review

The year’s major strikes were fought by coal miners, phone company employees, and Eastern Airlines machinists. The Eastern strike will be covered in a forthcoming Utility Reporter; in this issue we focus on the miners and the phone companies.

From NYNEX to Pittston

IBEW members were well represented among the 10,000 people who gathered in St. Paul, Virginia, on Labor Day to show their support for the 1,700 miners who set up picket lines at Pittston coal mines in a total of three states last April when the company tried to slash health benefits, pensions, hours, and job classifications. “After PATCO...United Mine Workers President Richard Trumka told the crowd, ‘Employers started a one-sided class war against the nation’s workers. But now, workers are not alone.’”

Trumka said, referring to the labor unity shown in the strikes against Pittston, Eastern Airlines, and NYNEX. “Today is the last full day of the 1989 strikes. The multinational corporations and the rich had it in their way in the ’80s. But in the ’90s that will end.”

The beginning

Seventeen days later 98 coal miners in camouflage jackets occupied the strategic Moss #3 plant near Carbo, Virginia, where all the Pittston coal shipped in southwestern Virginia is sorted and cleaned. The occupation had been carefully prepared and was carried out with great discipline. Many banners were strung in front of the plant, including the miners’ favorite, a banner from New York saying “From NYNEX to Pittston — the CWA supports the UMW.”

The Pittston Coal Group lost a million dollars each day the occupation lasted. For 77 hours the situation was tense. As many as 2,000 supporters rallied outside the plant to defend it against the state police, who had been called out by the governor with support from the NLRB. A judge threatened the miners with stiff fines and possible expulsion if they didn’t leave by 7 p.m. on Wednesday, September 20. The miners ignored the deadline, as 5,000 supporters rallied nearby. At 11 p.m., they quietly melted into the crowd. The judge later changed his deadline to midnight—and levied no fines.

Upping the ante

“We’re going to hurt this company economically,” UMWA Vice-President Cecil Roberts had vowed at the rally. “We’re going to have another target.”

On October 2, the miners struck six firms in West Virginia and Kentucky that they charged were supplying Pittston with coal. Nine days later Pittston whose pressures Michael Odom had said during the Moss #3 occupation that Pittston was in America to negotiate with terrorists — returned to the bargaining table for the first time since July.

From Pittston to NYNEX

Meanwhile, the IBEW played a key role in the bitter strike against the “Baby Bell” phone company NYNEX that began in early August and lasted until late November.

The strike started when 157,000 phone workers belonging to the IBEW and the Communications Workers of America (CWA) walked out on three Baby Bells: Bell Atlantic, Pacific Telesis, and NYNEX. With combined annual profits of more than $35 billion, these three are among the wealthiest corporations in America. The strike was fought over wages and health benefits. The Pittston Bells had proposed contracts that would discriminate against clerical workers, raise wages only slightly, and compel workers to pay for medical expenses that the companies had always handled before. As IBEW System Council T-6 reported in September, NYNEX seeks “...many and serious diminishments in our contract.”

“The company’s demand that we pay for the first time a significant portion of health costs has the result that many of our members would receive no wage increase over the three year term of the agreement.”

A bitter fight

The intensity of the strike first became tragically clear in mid-August, when an 18-year-old scab, daughter of a NYNEX manager, drove her car into a picket line in Westchester County, New York, killing 34-year-old CWA chief steward Gerry Horgan.

The strike remained a hard-fought 98.

Back in the USSR

Miners, power workers, and communications workers have also played a vital role in recent Soviet events.

Evidently the vast miners’ strike in July put the fear of labor into the hearts of the Gorbachev government. “This was the most difficult trial for us,” Gorbachev admitted, “in the entire years of perestroika. We had Chernobyl. We had other difficult trials. Nevertheless, I would single out the [strike] as the most serious, the most difficult.”

Gorbachev’s sincerity about “openness” was also severely tested. The early results have not been encouraging. The very first act of the new legislature was to ban strikes among power workers and communication workers — and among others whose strikes may “threaten the life or health of the people.”

Whether the Soviet workers will accept this ban remains to be seen. Their militancy in July suggests otherwise.