

# Tree trimmers topple Asplundh

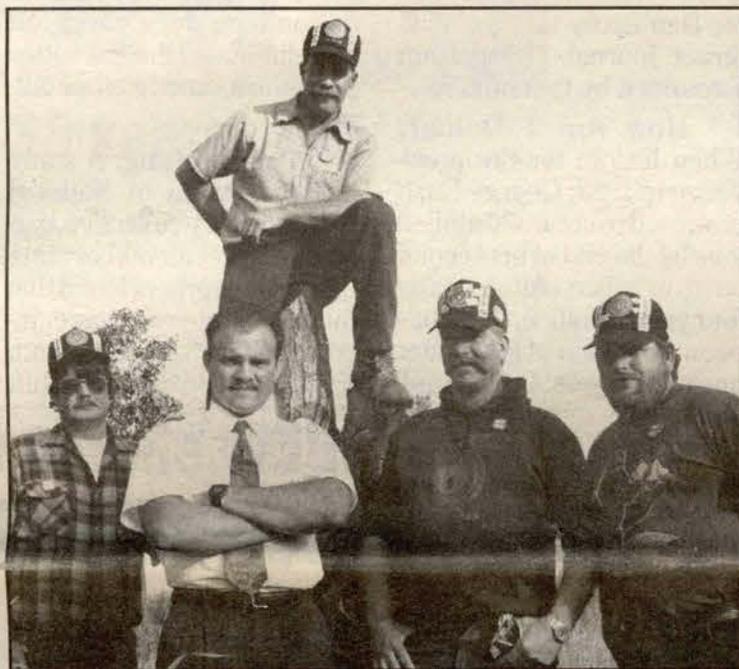
By Eric Wolfe

Local 1245 tree trimmers cut Asplundh Tree Expert Co. down to size last month with a 3-week strike that crippled the company's operations in northern California and prompted Pacific Gas & Electric to terminate Asplundh's contract.

It was a fight the tree trimmers never asked for. But after repeated provocations by Asplundh—including a week-long lockout, a \$2 cut in pay, and termination of the union contract—the tree trimmers made their stand.

Asplundh, which deployed management personnel and scabs in an effort to break the strike, seemed unprepared for the battle it had provoked. Two weeks after the strike began, the company locked up its trucks and made no further effort to trim trees. A week later Pacific Gas & Electric delivered the *coup-de-grace* by cancelling Asplundh's contract.

PG&E then contracted Davey Tree Surgery Co., a union contractor, to pick up most of the work abandoned by Asplundh. Davey Tree



**VICTORY!**

Helping lead the tree trimmers to victory were members of the union bargaining committee. From left: Rick Campbell, Trevor Evans, Pete Ely (seated on stump), Jim Travis, and Dennis Mitchell. (Photo: Eric Wolfe)

**It was a fight the tree trimmers never asked for. But after repeated provocations by Asplundh the tree trimmers made their stand. In this strike, the workers didn't get replaced. Asplundh did.**

promptly began to hire back the Asplundh strikers—at union wages.

In this strike, the workers didn't get replaced. Asplundh did.

## "Just do it"

In the days leading up to the strike, no one envisioned such a sweeping victory.

In fact, in the pre-dawn hours of Feb. 24, many Local 1245 tree trimmers were still undecided on whether to report to work as usual or take up picket signs instead.

"I went with my lunch pail to the jobsite, to see," said Pete Colbert, a 25-year Asplundh employee. "I was thinking about going to work that morning."

When he saw the picketline, however, Colbert decided to give the union a chance. He stayed off the job.

"I know everybody was a little scared" on the eve of the strike, said tree trimmer Dave VanderPlas. "I think it took a little extra effort from each and every one of us to reach down inside and just do it."

"We realized we had had

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## PG&E wages under attack in rate case

Wages for union members and other employees at Pacific Gas & Electric have once again become a target of the Division of Ratepayer Advocates, an arm of the California Public Utilities Commission.

The DRA contends that compensation for PG&E employees is, in aggregate, 8.5% above the "market" rate for comparable employees. The DRA is recommending that the PUC use these lower

figures for labor compensation when determining what PG&E's rate base should be.

According to the DRA, clerical workers at PG&E are 14.5% above market parity while physical employees are 7.4% above.

PG&E's on-going rate case is the battleground for this showdown between the DRA and PG&E employees. It's not the first time these two parties have gone to war.

Every three years PG&E petitions for a general rate

increase based on the company's projected expenses. According to Local 1245 staff attorney Tom Dalzell, PG&E will predict its expenses for 1992 through 1994 based on its expenses in 1991.

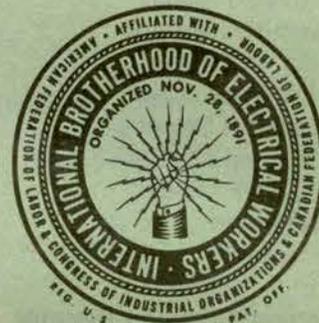
"The DRA tried to do the same thing in 1989 and 1986," said Dalzell. "The PUC rejected the DRA's position both times. Now they're trying a third time."

Dalzell warned that the

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## Election reminder

Ballots for local union elections go into the mail in late May. Watch for your ballot and be sure to exercise your democratic right to vote for the candidates of your choice.



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## CALENDAR

April 3  
Stockton Pin Dinner  
Modesto, Ca.

April 4  
DeSabra Pin Dinner  
Chico, Ca.

April 4  
Citizens Utility  
Stewards Conference  
Chico, Ca.

April 25  
Outside Line  
Pin Dinner  
Riverside, Ca.

April 25  
General Construction  
Stewards Conference  
Walnut Creek, Ca.

May 9  
Nevada Pin Dinner  
Reno, Nev.



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### Workers here and abroad

## Rolling the union on...

**Guess Who Pays?:** The Federal Department of Justice has collected just \$365,000 of the \$83.6 million in court-ordered fines and restitutions from the Savings and Loan crooks, less than one-half penny on the dollar. And how much did taxpayers pay for the Savings and Loan bailout during 1990? According to Harper's Index, over \$7.4 million, *per hour*.

**Move Along, Scabs:** A district court judge in Minnesota has upheld a new state law that prohibits employers from permanently replacing workers who go on strike. The judge, Lawrence Cohen, said that states are permitted to legislate in areas covered by federal law if there is a compelling local interest.

**Fired:** More than 8,000 South African mineworkers were fired in December for striking.

**Snooping Ban:** Northern Telecom Inc. of Nashville, Tenn. became the first

US corporation to pledge to ban secret electronic monitoring of its employees. The pledge followed two years of talks with the Communications Workers of America.

**Highest Level:** US corporations announced 2,600 layoffs per day in the last quarter of 1991, "the highest level we've ever seen," Workplace Trends newsletter editor Dan Lacey told the Wall Street Journal. "Even I am astounded by that number."

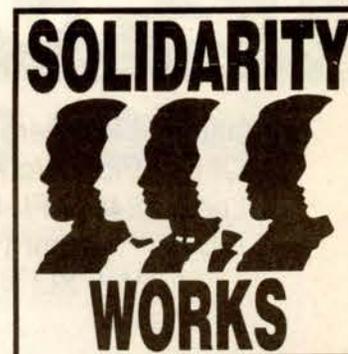
**How Am I Doing?:** When he ran for the presidency in 1988, George Bush promised to create 30 million jobs by the end of his second term in office. After nearly four years in office, there has been a net gain of just under one million jobs. Only 29 million to go.

**On Bush's Watch:** According to Harper's Index, the US standard of living has fallen three-tenths of one percent annually since George Bush took office. How many

of the previous eight presidents presided over a fall in the standard of living? Zero.

**Boycott Target:** Austin Cablevision, providers of cable television in Austin, Texas, has been placed on the AFL-CIO Don't Buy list at the request of the Communications Workers of America. Contract talks broke down when management refused to continue dues check off and eliminated the grievance procedure, among other outrages.

**Cost Shifting:** A study by the Bureau of National Affairs of 984 collective bargaining agreements covering 2.1 million workers found that median first-year wage increases were 3.9%, down from 4% in 1990. Provisions to shift



health costs to employees were contained in 210 contracts, up from 184 in 1990.

**Health Care Concerns:** Since 1988, reporters at presidential press conferences have asked twice as many questions about the state of the president's health as they have about health care policy, according to the Harper's Index. Interestingly, while there is no national health care program for average Americans, the President and Congress enjoy full health care coverage paid for by taxpayers.

## IBEW shares in a 'Joadie'



Accepting a Joadie award on behalf of IBEW and NECA were (from left) Daniel McPeak, executive director of the Western Region NECA, Business Manager Ed Barnes of IBEW Local 48 in Portland, Ore., and IBEW Local 1245 Business Manager Jack McNally. (Photo: John Ravnik)

The International Brotherhood of Electrical Workers and the National Electrical Contractors Association were honored with a "Joadie" award for a series of radio, TV and print commercials promoting labor/management cooperation.

"While labor and management remain at odds in many industries, this team effort has both increased public awareness of the value of union labor and improved business for union affiliated contractors," the Joadie award to IBEW/NECA stated.

The awards, statuettes

reminiscent of the Motion Picture Academy's "Oscars", are named for Tom Joad of John Steinbeck's "The Grapes of Wrath." Recipients are selected on the basis of actions that exemplify Tom Joad's words of concern for the poor and for workers in the novel's closing paragraphs.

### Meeting change

Unit 3319 in Wells, Nevada, has a new meeting location: B & C Saloon, 479 6th Street, in Wells. The meeting dates and time remain the same.

## APPOINTMENTS

### PACIFIC GAS & ELECTRIC CO.

#### PG&E Technical Duties Committee

Jesse Kenney  
Terry McElhane  
Tony Santos  
Don Cox  
Vic Badasow  
Chuck Davis  
Rod Trunnel  
Dan Kelly

#### CONFERENCES & CONVENTIONS

#### Facing Free Trade Together Conference

Eric Wolfe  
  
**15th Annual Convention of the Congress of California Seniors**  
Tom Riley  
Don Hardie  
Louis Rangel  
Ray Michael  
Rene Giger

#### IBEW Construction & Maintenance Conf.

Jack McNally  
Art Murray  
Bobby Blair  
A. G. Dudley

### 1992 Utility Conference

Howard Stiefer  
Jack McNally  
Jim McCauley  
Barbara Symons  
Ed Mallory  
Mike Davis  
Ron Blakemore  
Kathy Tindall  
A. G. Dudley  
Roger Stalcup  
John Stralla  
Darrel Mitchell  
Tom Dalzell  
Mike Brocchini  
Gary Fairchild

#### APRI State Convention

Norma Ricker  
Danny Jackson  
Bernard Smallwood  
Lula Washington

#### LINECO Seminar

Janet Evanson  
Brenda Bartizal

#### CENTRAL LABOR COUNCILS

**San Francisco Labor Council**  
Jack McNally  
Landis Martila

## PG&E wages under attack in rate case

From PAGE ONE

results could be disastrous for Local 1245 members if the DRA convinces the PUC to set the rate base to reflect lower labor costs. While PG&E would not be required to cut employees' wages, it would be under enormous economic pressure to do so.

"PG&E could pay whatever wages it wants, but it couldn't take the money from ratepayers. The extra funds would have to come out of the profits of shareholders. And PG&E's not going to do that in a million years," Dalzell said.

Dalzell noted that even at current wage levels some PG&E employees qualify for food stamps and low-income assistance on their utility bills.

"Utility Clerks, for example, start at \$7.65 an hour," said Dalzell. "The DRA believes Utility Clerks are 14.7% overpaid. That's ridiculous. They would have Utility Clerks starting at less than \$7 an hour."

Because a large number of workers in these positions are female, the cuts proposed by the DRA could impose the greatest hardships on those least able to afford it. In cases of single mothers trying to raise a family, a difficult situation could become impossible.

By DRA calculations,

Dalzell noted, the Groundman classification is 20.4% overpaid, while System Operator One is 17.8% overpaid.

Part of the reason that the DRA "market wage" figures are so low is that most clerical workers are not unionized. A study prepared by the Institute for Women's Policy Research in Washington, DC, revealed that non-unionized clerks in private industry make \$2/hour less than

**By DRA calculations, Groundmen are 20.4% overpaid, System Operators One are 17.8% overpaid, and Utility Clerks are 14.7% overpaid.**

unionized clerks.

"We've had collective bargaining at PG&E for 45 years, working year after year to win modest improvements in our members' standard of living. That's what unions are all about. Now the DRA staff says the PUC ought to eliminate those 45 years of collective bargaining in a single decision," said Dalzell.

Dalzell said the union will challenge the accuracy of the surveys used by the DRA to arrive at its proposed wage figures.

But the fundamental issue is whether American

workers have collective bargaining rights or not. To let the DRA set wages makes a mockery of US labor law.

PG&E is also taking a firm position against the DRA's proposal, according to Dalzell.

"PG&E wants the ability to establish wages through normal bargaining procedures," said Dalzell. "They want productivity and stability. Negotiating mutually agreeable wages with the union helps them achieve that."

"For a long time PG&E has had a policy that it wants to attract, train and keep the best people," said Dalzell. "In the long run the people of California benefit from that philosophy because they get stability and high productivity in a service that everybody depends on."

In 1989, Local 1245 members turned out in large numbers at PUC hearings to show opposition to the DRA's wage recommendations. It appears that similar efforts will be needed this year.

PUC hearings on the rate case began March 19. Sometime after April 10 members of the public will have an opportunity to state their views.

Members of Local 1245 will no doubt have some strong views to state.

## Tree trimmer strike puts union to the test

Jack McNally, IBEW 1245 Business Manager

Adversity, it is said, is the true test of character.

In the recent strike against Asplundh Tree Co., our union was put to the test. Union tree trimmers, faced with a \$2 wage cut, stood their ground.

They could have caved in. They could have taken the cuts in the hope that things might eventually get better if they put their trust in the company.

Instead, they put their trust in themselves and in their union.

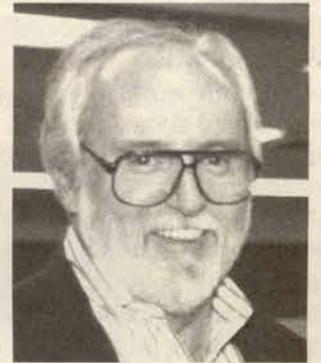
The events of the past several weeks have shown their trust was not misplaced. The tree trimmers forced Asplundh out of Local 1245's jurisdiction. In doing so, the tree trimmers preserved their union representation and their union wage and benefits.

The tree trimmers stood up for themselves. They deserve tremendous respect for their courage and their great achievement.

But this was not a victory for the tree trimmers alone. They will be the first to tell you that they did not win this battle by themselves.

From the day Asplundh locked out the tree trimmers in early February, this union's membership rallied to their support. Nowhere was this more evident than at PG&E.

Maybe it was because our PG&E members were concerned that they might find themselves in the same position someday. Or maybe it was because they just don't like to see fellow union members get pushed around



and stepped on.

But whatever the reason, Local 1245 members at PG&E showed they come through in a pinch.

Stewards faithfully posted and distributed strike bulletins. They spread the word and took up collections for the strikers defense fund.

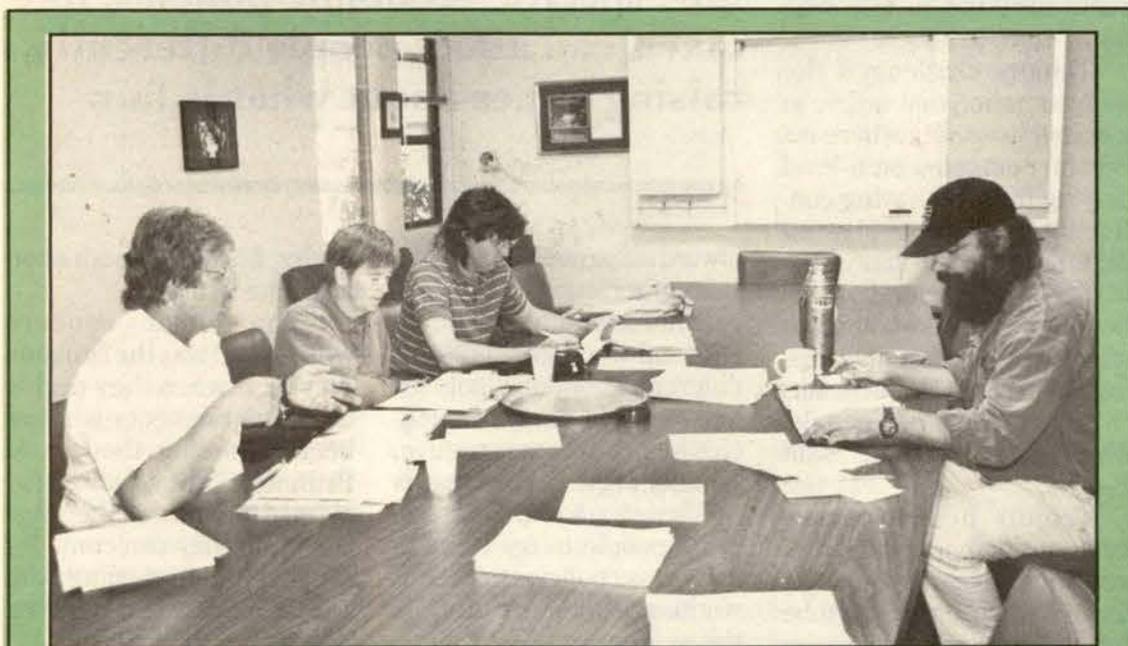
Members donated generously. They contributed cash: over \$27,000 at last count. They donated food—barrels of it. They passed motions approving a dues assessment to support the strikers.

And through these activities they gave the most important form of support of all: they showed their union brothers (and sister) at Asplundh that they cared, that we were all in this fight together.

To its credit, PG&E didn't let this unfortunate dispute drag on any longer than necessary.

Sometimes our daily lives get so busy we lose sight of how important the union is in protecting our standard of living and our dignity on the job.

The tree trimmers' remarkable victory has shown that when put to the test, the members of this union truly have the courage of their convictions.



CITY OF OAKLAND

Employees for the City of Oakland represented by Local 1245 ratified a new 3-year agreement that took effective in December. On the union bargaining team were, from left: Ed Myall, Christine Johnson, John Hendry, and Business Rep. Dean Gurke.

Second Annual Women's Conference

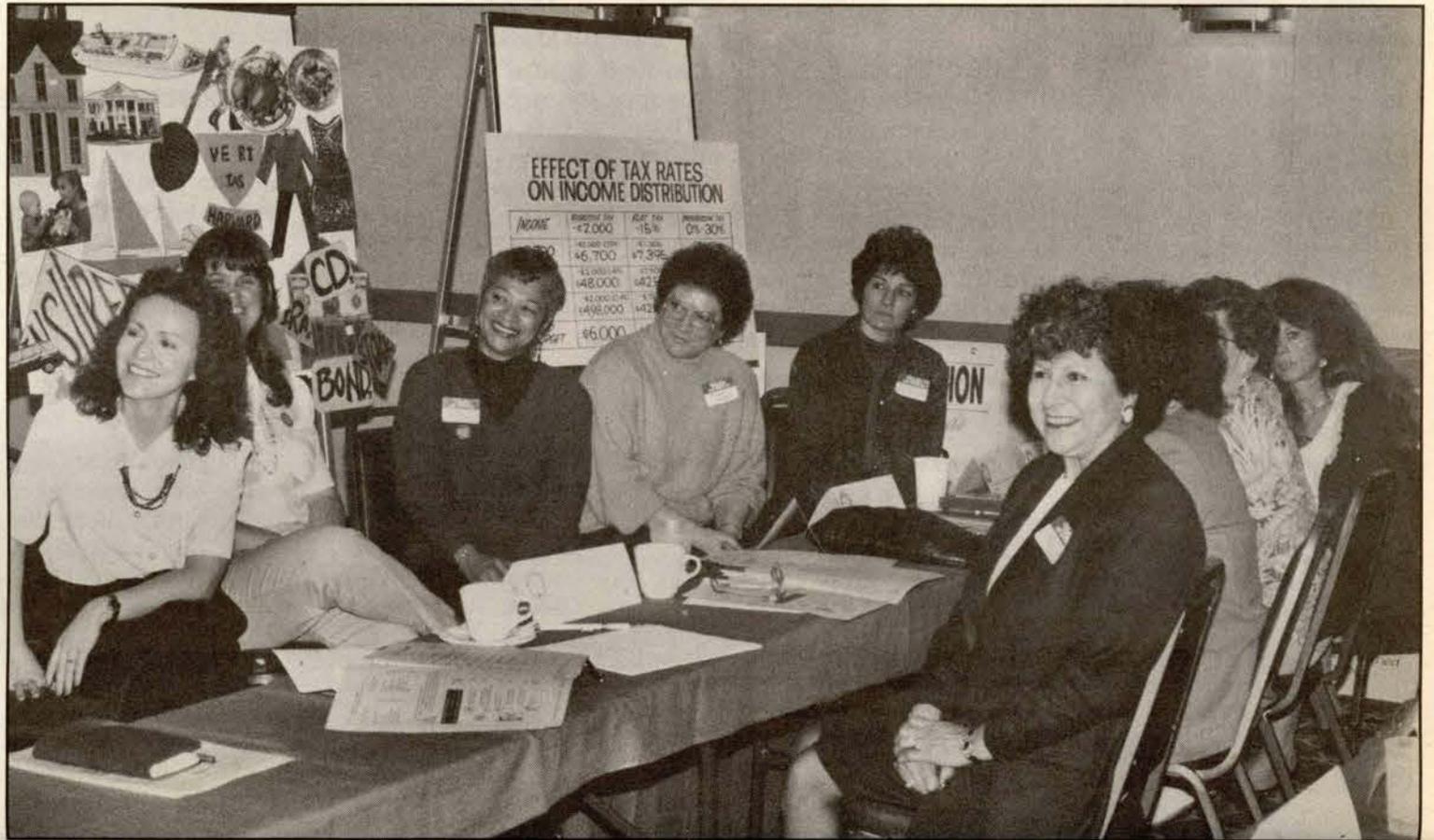
# Local 1245 women explore common agenda

**W**hen Linda Bostic learned that Local 1245 had planned its second annual Women's Conference on a weekend when she was scheduled to work, she decided to take a vacation day so that she could attend the conference.

Along with 150 other union members who attended, Bostic hoped that the February conference would have something important to say to her. She was not disappointed.

Through workshops on time management, electric and magnetic fields, and workplace sexual harassment, union women explored their common agenda.

They also found themselves learning about economics. Not the academic kind of economics that puts you to sleep, but a straightforward explanation of how economic policy affects individual working people like the conference participants



Participants at Local 1245's Second Annual Women's Conference. (Photos: Sam Tamimi)

themselves.

In the opening session of the conference, Ellen Teninty

of the Center for Ethics and Economic Policy divided the participants into two groups: one representing a well-off family and one representing a family that was just getting by.

"She showed what each family had and how it was affected by budget cuts," said Bostic. "She showed how changes in tax policy especially hurt the people who didn't have as much."

Teninty challenged the popular notion that we live in a classless society where everyone competes on a level playing field. By having conference participants play out different roles, Teninty dramatized how specific economic policies, like taxes, can affect people differently, raising issues about what is fair.

"She made it real simple. She made it visual," said Bostic.

Teninty helped conference participants see that economics is not some mysterious science that must be left to experts, but is something understandable. When politicians make decisions about the economy, those decisions funnel resources

**Teninty challenged the popular notion that we live in a classless society where everyone competes on a level playing field. By having conference participants play out different roles, Teninty dramatized how specific economic policies, like taxes, can affect people differently, raising issues about what is fair.**

toward some people and away from others.

Understanding who benefits and who loses out from different economic policies helps people put those policies in a human perspective, Teninty argued. And that is the first step toward empowering people to try to influence those policies to benefit working people instead of just the well-to-do.

A workshop on sexual harassment in the workplace generated a lot of discussion, according to the workshop

leader, Local 1245 staff attorney Jane Brunner.

"The major concern women had was the isolation they feel" when they decide to confront someone who has been harassing them, said Brunner. "They were very pleased to learn that the union is a place they can come for support" when dealing with sexual harassment. (See related story, next page).

**Unifying experience**

Local 1245 Assistant Busi-

See NEXT PAGE



At left, conference presenter Margaret Shelleda, SEIU Local 790. Below, from left, Local 1245 Business Representatives Lula Washington, Enid Bidou, and Assistant Business Manager Dorothy Fortier.



## LOCAL 1245 WOMEN'S CONFERENCE

ness Manager Dorothy Fortier called the conference a "unifying" experience for the members.

"I think now they'll go back with a better feeling about the union, a better appreciation of the role the union plays," said Fortier, a principal organizer of the conference.

One of the activities that helped foster that sense of unity was a session on "Valuing Diversity" conducted by Rachel Nobel, president of IBEW Local 1011. Nobel sparked a dialog among representatives of various ethnic groups, a process that helped members appreciate their underlying unity.

"We all felt closer to each

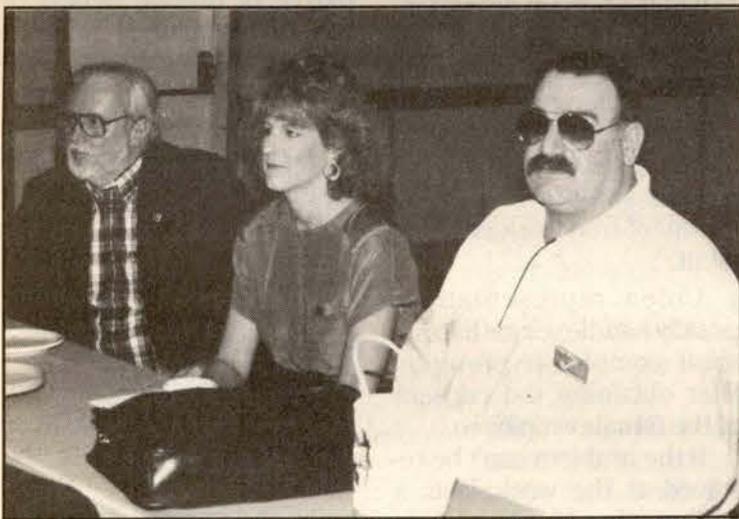
other when it was done," said Bostic. "No matter what background we came from—black, white, Hispanic, Asian—we just all felt closer afterwards."

Presentations were also made by Margaret Shelleda, national vice president of the Coalition of Labor Union Women, Marty Letsinger, director of the IBEW Education Department, and Local 1245 Business Manager Jack McNally.

Resource people for the workshops included Business Representatives Kathy Maas, Lula Washington, and Enid Bidou; union members Leslie Davis, Arlene Filter and Danny Mayo; and Mary Ruth Gross, program coordinator for the Center for Labor Research and Education.



Local 1245 Women's Conference participants.



Business Manager Jack McNally, Benefits Director Wendy Bothell and Business Rep. Bob Choate.



Local 1245 members (from left) Sandy Damitz, Lisa Greco, Judith Fowler and Jolene Fifield.

# Workplace sexual harassment: what to do if it happens to you

By Jane Brunner

**A**fter listening to the Thomas Supreme Court confirmation hearing many of us are wondering: What is sexual harassment? What can we really say and do at work?

Can employees tell sexual jokes at work? Can an employee ask another employee out for a date? Can an employee curse at work or put up nude pictures of women in the bathroom or in his locker?

These are just some of the many questions workers are asking today.

Sexual harassment can include verbal abuse, pressure for sexual activity, sexual remarks, leering or displays of sexually explicit materials intended to humiliate women, and requests for sexual favors by supervisors. What is considered innocuous horseplay by many men at the work site may be considered a hostile work environment by many women.

The standard for deciding sexual harassment is this: "What would a reasonable woman think about the behavior?"

Anita Hill stated recently: "Making the workplace a safer and more productive place for ourselves and our daughters is, and should be, on every one of our agendas."

Women have an absolute right to be free from sexual harassment at work. Sexual harassment occurs in two ways:

1) when an employee is promised some work-related benefit such as a promotion, raise, training or continued employment in exchange for sexual activity, and

2) when there is a hostile work environment in which unwelcome sexual advances are made to employees which interfere with their work performance or create an intimidating, hostile, or offensive environment.

### Legal rulings

The following are examples where judges or arbitrators have ruled that certain actions constitute sexual harassment by creating a hostile work environment for women:

- One court held that cartoons in the men's bathroom that depicted both men and women in sexually demeaning postures was a hostile environment.

The court stated "any reasonable person would have to regard these cartoons as highly offensive to a woman who seeks to deal with her fellow employees and clients with professional dignity and without the barrier of sexual differentiation and abuse." (*Yates v Avoco Corp*, 1988) The court held that the presence of sexual graffiti in the plant constituted the existence of a hostile environment.

- A hostile environment can even exist where the activity directed toward the employee is not sexual in nature. A verbal remark or gesture indicating a lack of respect or disregard for female employees because of



Jane Brunner

their gender can be construed as creating a hostile work environment.

In one incident, someone put acid in one of the female officer's clothing in her locker, causing burns on her back when she donned the clothing. The court found the presence of a hostile environment. (*Andrews v City of Philadelphia*, 1990)

- A hostile sexual environment existed where female construction workers were subjected to sexual propositions, name calling, crude pranks, displays of pornography and unwanted touching. Moreover, anti-female sentiments were demonstrated by such actions as refusing to let the women have a truck to go into town for bathroom breaks and refusing to repair a truck exhaust leak for women but doing so immediately when men began to drive the truck. (*Hall v Gus Construction Co.*, 1988)

- In one case that the court ruled was a hostile work environment a man came into the plaintiff's office on several occasions, locked the door and just stared at her.

See NEXT PAGE

**Sexual harassment can include verbal abuse, pressure for sexual activity, sexual remarks, leering or displays of sexually explicit materials intended to humiliate women, and requests for sexual favors by supervisors.**

**Women have an absolute right to be free from sexual harassment at work.**

Jane Brunner, Local 1245 staff attorney

## Fighting workplace sexual harassment

From PAGE FIVE

(*Dockter v Rudolf Wolff Futures Inc.*, 1990)

• In another incident the plaintiff was told to report to an unoccupied unit under the guise of business and was sexually accosted there. (*Jones v Wesco*, 1988) A court held anti-female sentiments were present when female police officers were subjected to touching, sexual propositions, the display of sexual objects and pornography, obscene language and name calling.

• In another case a work environment was found to be hostile when women were requested to wear skirts and dresses because a visiting supervisor liked to look at legs, and sexually-oriented slides were shown at a company presentation. (*Barbetta v Chemlawn Services Corp.*, 1987)

The courts have held that if the subject of sexually harassing activity participates in the sexual activity it will be deemed to be welcome and no "hostile environment" in terms of sexual harassment will be found. The court found no hostile environment when the plaintiff admitted to cursing and using vulgar language at work and that she frequently participated in workplace sexual discussions and banter. (*Loftin-Boggs v City of Meridian Mississippi*, 1987)

Sexual harassment will not be found by the courts where the plaintiffs themselves have engaged in consensual sexual banter and horseplay, unless the plaintiff has at some point made it clear that she no longer wishes to participate. (*Scott v Sears Ro-*

*buck & Co.*, 1986)

### Employer liability

The employer is liable for sexual harassing actions of employees if the employer knew or should have know of the alleged harassment. Section 1604.1 (d) of the Code of Federal Regulations states that "employers are responsible for all acts of sexual harassment in the workplace unless it can be shown that the employer took immediate and appropriate action."

Employers must take all reasonable steps to prevent sexual harassment. Employers may be held responsible for acts of their employees. They can be held responsible for supervisors even if the employer did not know about the harassment.

Employers may be responsible for sexual harassment by co-workers and non-employees where the employer knew or should have known of the conduct and failed to take immediate and appropriate action.

If a woman does not tell her employer of the sexual harassment, the employer may not be liable for the sexual harassing action, unless the harassment was so obvious the employer should have known.

Many women feel isolated when confronted with the problem of sexual harassment. For union women who face sexual harassment in the workplace there is protection through the contract and grievance procedure. They may also find support from other women at work.

According to Women Sexual Harassment Caucus in Toronto, the following steps can be taken by women

who find themselves in a sexual harassment situation.

First, if something is said or done to you as a woman that makes you feel uncomfortable, chances are that it is more than respectful flirtation and compliments, because those do not make most women feel uncomfortable but sexual harassment does.

Second, you should simply tell the person: "What you are doing makes me uncomfortable." You could even describe in words what is happening. For example you could say "You have your hands on my shoulders," or "This is the third time today that you have brushed against my body when you walked by."

Third, copy a definition of sexual harassment, circle the part that describes what the harasser is doing to you and leave it in the harasser's mailbox, or write a description of what the harasser is doing and deliver it to the harasser's office or mailbox.

Fourth, you should tell your co-workers what is happening to you, because most harassers have more than one victim.

Fifth, report the incident to the sexual harassment officer or management.

### Union protection

Union workers have added assistance through their contract and grievance procedure.

If the harassing actions persist, talk to the union shop steward. The shop steward or business representative will conduct an initial investigation to determine the extent of the problem in the workplace and determine if the incident warrants further action. If further action is warranted the union may put management on notice about the problem and/or request that the employer initiate an investigation.

Charges of sex discrimination against a supervisor can be addressed through the union grievance procedure, which will provide women with more protection against an employer retaliating. Management is responsible for

Employers must take all reasonable steps to prevent sexual harassment. Employers may be held responsible for acts of their employees. They can be held responsible for supervisors even if the employer did not know about the harassment.

providing a harassment-free work environment.

The union requests at a minimum that the offender cease his/her behavior. But if the grievant has lost wages or suffered retaliation, the union also may request that the grievant recover lost wages and have the personnel file checked for damaging material.

If the complaint is against a co-worker the union after investigating may either elect to try to informally resolve the complaint by talking to the alleged harasser regarding possible consequences of his/her actions, request the company to provide a general program on sexual harassment in the workplace, or ask management to investigate the incident.

If management doesn't investigate the incident the union may file a grievance against management since management is responsible for the behavior of their employees and providing a harassment-free work environment.

Union representatives usually handle sexual harassment complaints promptly after obtaining the consent of the female employee.

If the problem can't be resolved at the workplace, a worker should file a complaint with the state fair employment practice agency or EEOC and then, if necessary, consult an attorney and file criminal charges if appropriate.

### Due process rights

As unions we must protect women from sexual harassment in the work place, but at the same time we must also protect the due process rights of any employee who is a union member and is charged with sexual harassment. If an employee is fired without an investigation or

without prior warnings the discharge is too severe.

In unionized settings, dismissals of male harassers on the basis of sexual harassment has met with mixed acceptance by labor arbitrators. A substantial number of arbitration decisions convert the discharge for sexual harassment into a lengthy suspension without pay.

An employer's failure to conduct an adequate investigation can weaken an employer's case for proving sexual harassment, leading to the discharge being found improper and reinstatement ordered with back pay. In one case, (*Heublein, Inc.*, 1987), an employee was reinstated with full back pay because the employer never adequately informed the employee of precise details of any of his alleged misconduct before discharging him.

In another case, (*DeVry*, 1986), an employee was reinstated because he was only given one warning, then fired when new allegations were raised about conduct that occurred prior to his warning.

On the other hand, many arbitrators do uphold dismissal if the employee conduct is extreme and if there have been warnings to the employee.

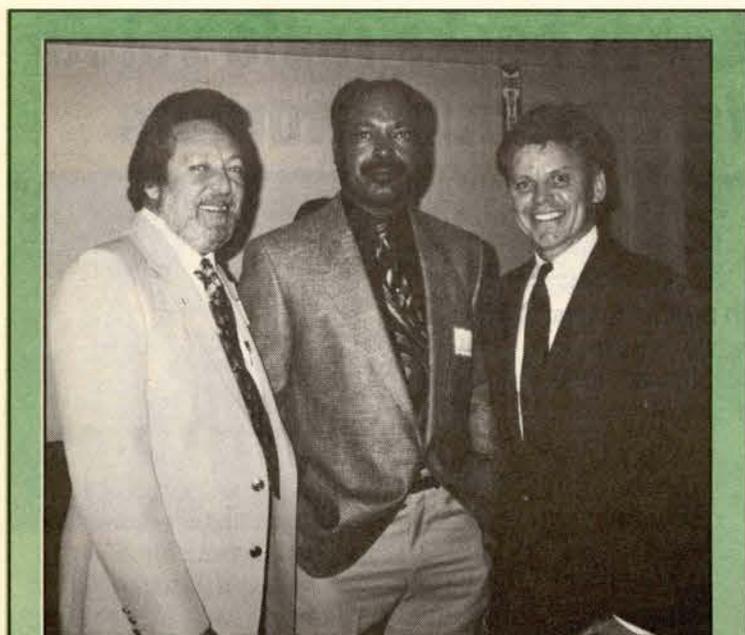
Sexual harassment in the form of jokes and sexual material in the workplace occurs far more often than many people realize. Unions can combat sexual harassment by handling harassment cases early and confidentially.

By putting employers on notice and tracking the action taken by the employer, unions can help stop harassment in its early stages and spare women the trauma of drawn-out arbitration or litigation.

(Jane Brunner is staff attorney for Local 1245)

**Charges of sex discrimination against a supervisor can be addressed through the union grievance procedure, which will provide women with more protection against an employer retaliating.**

**Management is responsible for providing a harassment-free work environment.**



**UNION YES!**

Attending the Third Annual "Union Yes" Dinner in Merced in February were (from left): Business Rep. Frank Hutchins; Arthur Browner, Jr., PG&E Gas T&D Fieldman since 1973 and vice chair of the Merced County Democratic Central Committee; and US Congressman Gary Condit.

## Wage hike bargained at Chowchilla Water District

A new two-year Memorandum of Understanding negotiated with the Chowchilla Water District provides bargaining unit members with a 3% general wage increase retroactive to Dec. 1, 1991.

An additional 3% wage hike is provided in the second year of the contract.

According to Business Representative Frank Hutchins, the union also negotiated the addition of a sixth step to the wage scale. Each step on the wage scale, which previously had contained only five steps, is worth a 5%

increase in pay.

Employees are evaluated for the step increase on the anniversary of their hiring date. Under the agreement, each employee who is given the step increase in 1992, regardless of the evaluation date, will receive the 5% increase retroactive to Jan. 1, 1992.

The term of the new agreement runs from Dec. 1, 1991 to Nov. 30, 1993.

Serving on the union negotiating team, along with Hutchins, were Tom Skelton and Nestor Garcia.

## IBEW launches boycott of Southwire

The International Brotherhood of Electrical Workers has launched a nationwide boycott of Southwire Co. products.

Southwire Co. is the largest independent manufacturer of aluminum and copper rod, wire and cable in the United States.

Major markets served by Southwire include residential, commercial and industrial construction, power transmission and distribution utilities, consumer do-it-yourself and original equipment

manufacturers.

In 1989 Southwire purchased the Hi-Tech Cable Plant in Starkville, Miss., whose employees are represented by IBEW Local 1510. During contract renewal talks the company proposed:

- \*Elimination of overtime after eight hours and implementation of a 12-hour day.
- \*Elimination of seniority for upgrades and layoffs.
- \*Unrestricted right to subcontract any or all bargaining unit work.
- \*Elimination of grievance-

## Random drug testing will be stopped for Rancho Seco nuclear employees

Nuclear workers employed by the Sacramento Municipal Utility District will no longer be subject to federal drug testing regulations thanks in part to legal action taken by Local 1245.

Although Sacramento-area residents voted in 1989 to shut down the Rancho Seco nuclear power plant, many Local 1245 members remain employed at the facility during the decommissioning process. Like workers at other nuclear plants, the Rancho Seco employees are subject to drug testing procedures developed by the Nuclear Regulatory Commission.

Local 1245 has firmly opposed all random drug testing as a violation of constitutionally-protected rights to privacy. The union has mounted legal challenges to drug testing programs by the

Department of Transportation as well as the Nuclear Regulatory Commission.

In the case of the Rancho Seco workers, Local 1245 believed an additional argument could be made against drug testing: a non-operating plant poses no special hazards, so Rancho Seco employees should not be viewed as being in "safety sensitive" positions.

The union's first break came when a Federal judge ruled that he had jurisdiction to decide the issue, a position that Local 1245 agreed with. The NRC fought to retain jurisdiction over this issue, but lost.

As the court was getting ready to hear the case, the NRC announced it was preparing to issue a "possession-only license" (POL) for the Rancho Seco plant. The NRC further decided that SMUD would no longer be subject

to the NRC drug testing requirements once the POL was granted.

According to a report in the San Francisco Chronicle last month, the POL has been granted.

Local 1245 attorney Jane Brunner noted that the NRC could have ruled that Rancho Seco employees would still be subject to the drug testing regulations even if the plant was operating under a POL. The union's persistent arguments against testing may well have influenced the NRC to drop the testing requirement for a facility with a POL.

Although it is possible that outside parties could challenge the issuance of a POL for the Rancho Seco plant and prolong the legal battle, it appears likely that the dark cloud of drug testing will be lifted from SMUD employees at Rancho Seco.

## CLUW targets organizing, harassment

Organizing the unorganized and dealing with sexual harassment were the top two topics on the agenda during the January meeting of the newly-elected National Executive Board of the Coalition of Labor Union Women.

Representing Local 1245 at the meeting in Charlotte, N.C., were Assistant Business Manager Dorothy Fortier, who has a seat on the board, and Executive Board

member Kathy Tindall, who serves as an alternate member.

CLUW President Joyce Miller urged increased efforts to build CLUW and to reach out to younger union women.

"Recruitment is a year-round priority," said Miller.

Delegates heard reports on the struggle for reproductive rights from CLUW counsel Winn Newman and staffer Kathy Parrent.

Delegates took note of the fact that Women's Awareness Week (May 4-10) will emphasize economic empower-

ment of women.

The next meeting of the Executive Board will be in Milwaukee in May.

### Mana says 'Thanks'

Dear Friends,

I want to thank all the brothers and sisters for their concern during my time off due to an industrial injury. All is healing well. Thank you all.

*Frank J. Mana, steward, Advisory Council member, and fellow worker*



Newly-elected officers of the Local 1245 Retirees Club are (from left): President Tom Riley, Recording Secretary Louis Rangel, and Vice President Rene Giger.

**POWER PAC!**

**Protect Strikers' Rights...**



**Job-Robbing  
By Scabs!**

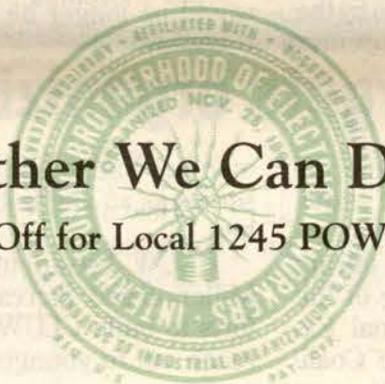
Help elect candidates who care...  
who will protect strikers' rights...  
who will stop job-robbing by scabs...

Help elect candidates who will  
make it illegal for employers  
to permanently replace you  
with a scab.

It's time to take a stand!

**Together We Can Do It...**

Check Off for Local 1245 POWER PAC



**IBEW Minority Caucus urges political action**

Local 1245 delegates Lula Washington and Dorothy Fortier joined nearly 200 IBEW members at the Second Annual Conference of the Electrical Workers Minority Caucus held Jan. 17-19 in Chicago.

Illinois Congressman Gus Savage and Illinois State Attorney General Roland Burris were among those who addressed the delegation.

Savage targeted for criticism the Republican Administration's anti-labor policies, and the ill effects of institutionalized racism and sexism in America.

Burris commended the

EWMC for uniting to strategize for the betterment of the IBEW in a time when the labor movement is under siege from every direction.

Both urged delegates to continue their leadership position in the IBEW and re-emphasized the importance of electing politicians who will support the interests of organized labor.

Officers were elected for three-year terms during the conference. Elected as the Executive Committee of the EWMC were: Robbie Sparks, president, Local 2127, Atlanta; Ron Whitaker, vice president, Local 2100, Kentucky; and Royetta Sanford,

secretary-treasurer, Local 18, Los Angeles.

Elected as members-at-large to the Executive Committee were: Dorothy Fortier, Local 1245, Walnut Creek, Ca.; David Rollins, Local 3, New York; Sandra Murray, Local 188, Chicago; and Julius Ware, Local 1900, Washington, DC.

The EWMC was established nearly 18 years ago at the 30th IBEW Convention in Kansas City, Mo., when a group of delegates gathered at an informal meeting to discuss various issues which primarily affected minorities in the IBEW. Throughout its history, the objective of the

**Labor backs radio voice for American workers**

Texas populist and consumer crusader Jim Hightower believes working people need to be able to hear at least one voice that speaks up for them and has decided to put such a voice on the air.

With backing from the AFL-CIO, Hightower is preparing a radio program that will be "A Voice for Working People." Hightower, whose sharp wit has a downhome flavor, says his program will reach out beyond the "luxury car owners and beansprout eaters."

"I want us to get to the pickup drivers and snuff dippers," said Hightower.

"The program will highlight the incredible ingenuity of working people—and I'll call on the leadership, research, expertise and membership of labor unions as well as public interest groups, citizen activists and others—



Jim Hightower

to provide the stories and grassroots voices that will bring our issues to life," he said.

Several unions have already contributed substantial sums to develop the show for syndication. Additional contributions to support "A Voice for Working People" are still needed. Make checks payable to Hightower Radio Forum and mail to Hightower Radio Forum, PO Box 13516, Austin, Texas 78711.

**Job bid by phone at PG&E**

Pacific Gas & Electric has developed a new system that permits employees to job bid by telephone.

With "Bid Express", as the new program is called, the only thing employees need to gain access to job information is a touchtone telephone. The system provides infor-

mation on bids an employee currently has on file, the employee's position on the job bid list, and the expiration date of each bid the employee has submitted.

To insure confidentiality, callers must provide their Social Security number and personal identification number (PIN). Callers must also be prepared to provide the appropriate bid/transfer codes.

The PIN is the same 4-digit number employees received in 1991 to gain access to the Savings Fund Plan phone system. Employees who do not have a PIN, or misplaced it, can contact their local HR department.

"Bid Express" does not replace mail-in job bidding. Employees may still submit job bids by mail.

Details concerning job bidding procedures are contained in the union contract.

To reach "Bid Express" from any touchtone phone, members may call:

Company extension 223-4243; or 973-4243 within the 415 area code; or 1-800-238-4243 outside the 415 area code.

# Union tree trimmers bring down Asplundh

From PAGE ONE

enough and it was time to stand up," said Pete Ely, a member of the tree trimmers' negotiating team. "The management of Asplundh intimidated us and frustrated us for so long that it brought the men together in the end."

The tree trimmers were quickly put to the test.

During the first week of the strike, as reported in last month's Utility Reporter, a company supervisor brandished a pistol at a picketer in Oroville and threatened to blow his head off. In Chico a scab replacement worker drove his car through a picketline, injuring a picketer.

Days later, in Yuba City, a first-line supervisor struck a union member walking the picketline and knocked him to the ground. The union member was carrying his 9-month old baby at the time.

## Workers' solidarity

But contrary to Asplundh's expectation, the strike did not collapse. Asplundh had run headlong into one of the least recognized but potentially most powerful forces in American society: workers' solidarity.

It began with the tree trimmers learning to value their own labor, even if the com-

pany did not.

"The guys just got together and said, 'Hey, I am worth more than they want to pay me,'" said VanderPlas. "Asplundh's greatest assets are the men who do the work. They don't seem to appreciate what the guys know out here in the field."

Ely believes the tree trimmers "came together in the understanding that they're tree trimmers and they have the talent. And they have the right to tell the company what's right and what's wrong instead of the company telling *them* what's right and what's wrong."

Contributing to the tree trimmers' solidarity was a commitment by Local 1245 Business Manager Jack McNally to give the strikers the union's full support.

In the weeks leading up to the strike, McNally assigned 16 union staff members to the area to build morale and coordinate logistics. (See box, page 13).

At the same time, 41 unit meetings representing virtually the entire membership of Local 1245 passed resolutions calling on the union's Executive Board to approve financial aid for the tree trimmers, including a temporary dues assessment if necessary. There was not a single

dissenting vote in any of the 41 meetings.

In addition, the hat was passed at unit meetings, the union staff meeting, the Advisory Council meeting, and union conferences, raising over \$27,000 in immediate cash for the Tree Trimmers' Defense Fund, with more still coming in.

Large quantities of food were also donated in food drives organized on the tree trimmers' behalf.

## True Test

But the true test of solidarity came in the trenches: in face-to-face confrontations with supervisors and scabs.

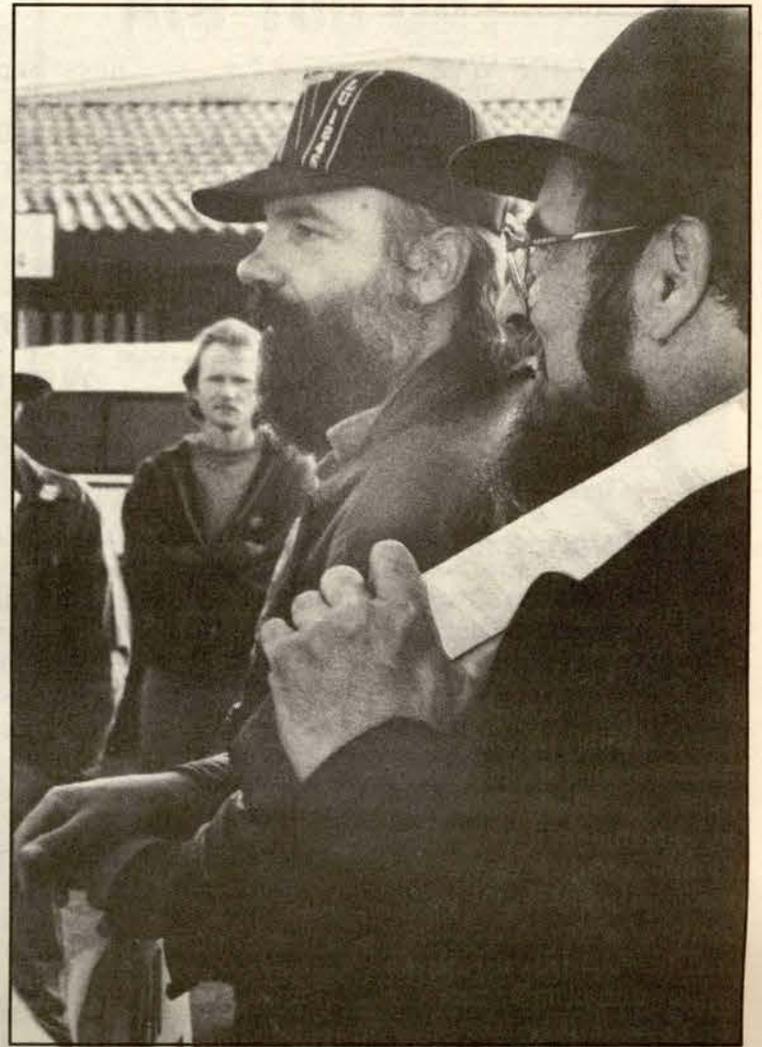
Desperate to get trucks into the field, Asplundh brought in management people from outside the area and recruited scab replacement workers through ads in local newspapers.

The strikers' challenge was clear: Asplundh trucks had to be stopped.

"If you're going to pull a strike on a tree company I'll tell you the one thing that works," said Jim Travis, who represents tree trimmers on the Local 1245 Advisory Council.

"You don't stand back across the street and idly tell

See NEXT PAGE



Strike coordinator Dean Gurke and Business Rep. Landis Marttila meet with strikers in Yuba City. (Photo: Eric Wolfe)

The true test of solidarity came in the trenches: in face-to-face confrontations with supervisors and scabs. Asplundh was bringing in management people from outside the area and recruiting scabs.

The strikers' challenge was clear: Asplundh trucks had to be stopped.



**ASPLUNDH'S LAST GASP**  
Meeting for the last time with Asplundh, on March 10, was the Local 1245 bargaining team. Asplundh offer to restore 85 cents of the \$2 wage cut. The union said it would rather strike than accept that offer. Clockwise, from left: Tree trimmers Dennis Mitchell, Rick Campbell, and Trevor Evans, Business Manager Jack McNally, tree trimmers Jim Travis and Pete Ely, Business Rep. Landis Marttila, Assistant Business Manager Orv Owen, Asplundh General Manager Jack Curtin, and Asplundh Manager of Labor Relations Edward Marx. (Photo: Eric Wolfe)

## TREE TRIMMERS' STRIKE

From PAGE NINE

them, 'Oh please, don't trim our trees.' You get in your vehicle at 2:30 in the morning and you drive to the supervisor's house and you follow him out to the tree site and you get right in their face," said Travis.

"And you tell them in no uncertain terms what they're doing, what it means to you and what it could possibly mean to them. And you keep in their face. You follow them home. And do what you have to do to let these people know it's not business as usual."

### Distance and isolation

From the outset, the union realized that distance and isolation were major obstacles to mounting a strike against a tree company.

Unlike a factory setting, where everybody works in one place, or a utility where there is a central yard or service center, a tree trimmer's place of work is his or her truck. Most tree trimmers report for work at gas stations or cafes or other points of rendezvous.

The challenge to the strikers, then, was to track down company trucks one by one, over thousands of square miles, and throw pickets around trees wherever the scabs tried to work.

To help bridge these distances and build unity, McNally assigned Business Representative Dean Gurke to establish a communications and logistics command post in Chico.

In the field, strikers and union busi-

ness representatives monitored Asplundh's trucks virtually around the clock, calling in their reports to Gurke. No matter where the company tried to hide its trucks at night, in the morning there were always union members waiting to escort them to the job site.

### Aerial reconnaissance

At one point during the strike it was rumored that several Asplundh trucks had eluded the union's network and were secretly working in the Grass Valley area. Tony Schmidt, a pilot and union member from San Jose, volunteered to put the area under surveillance in his personal plane.

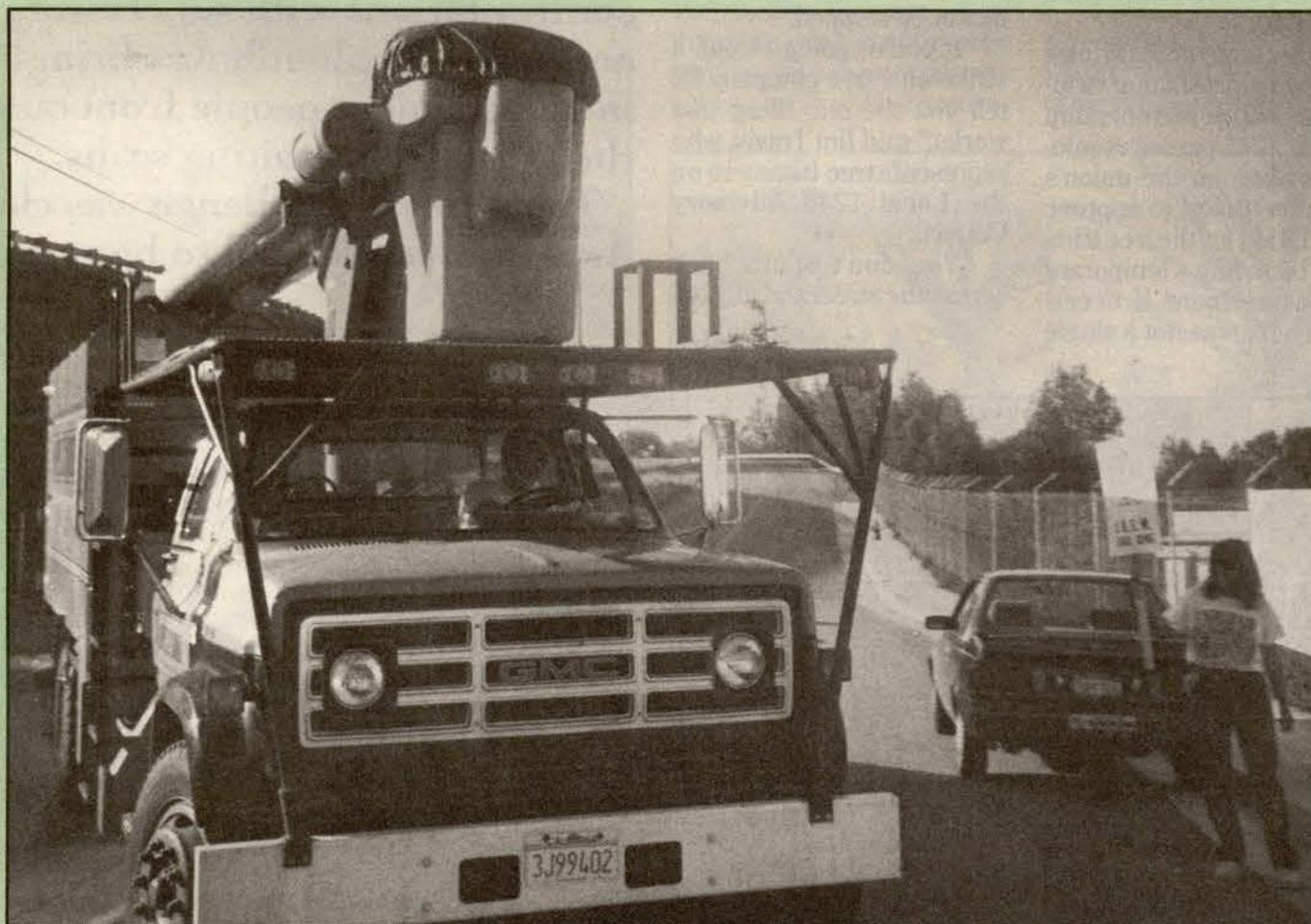
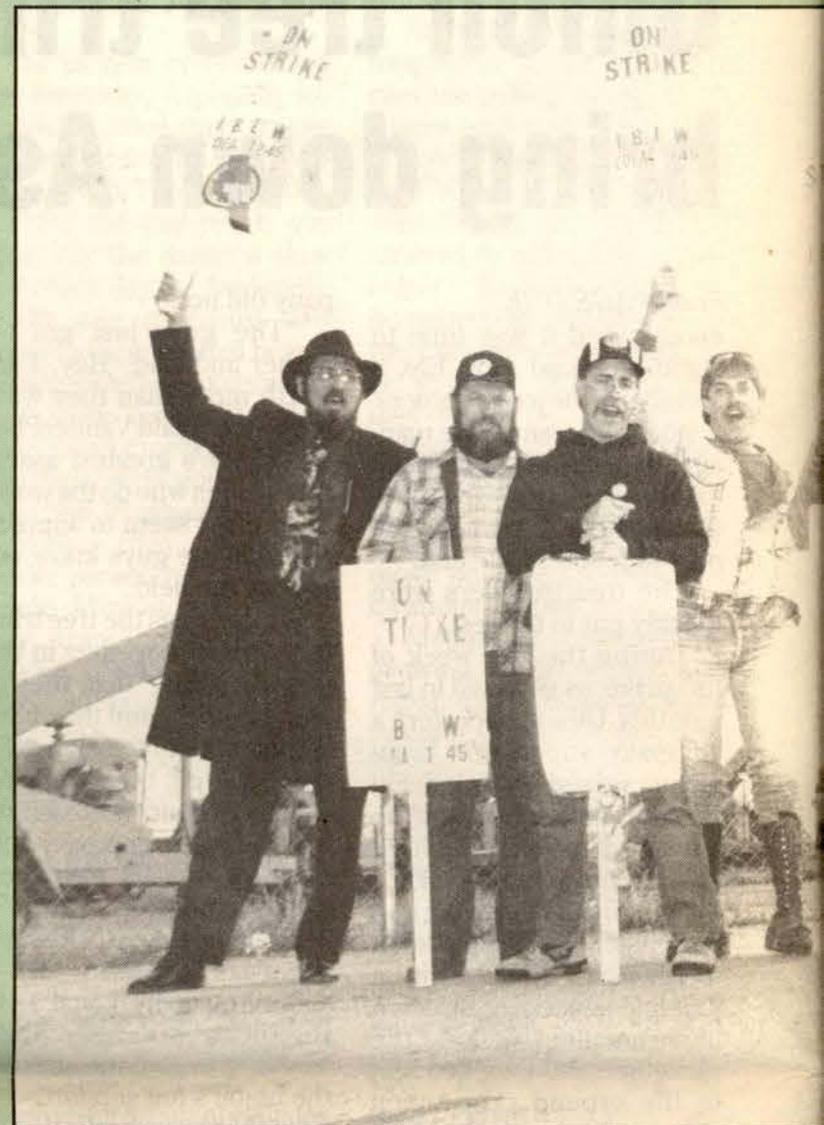
Strikers were gleeful at the prospect of Asplundh supervisors looking up and finding themselves under aerial reconnaissance by the union.

"They can run, but they can't hide," remarked Business Representative Landis Marttila, who had made the contact with Schmidt.

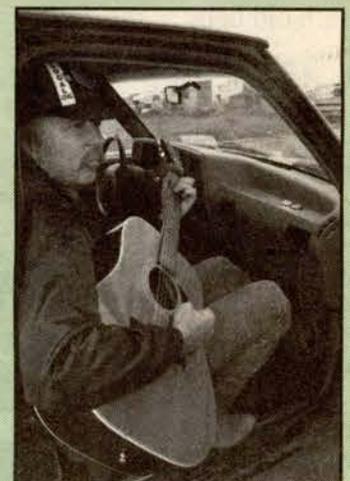
The aerial option was not needed, however. Asplundh, it turned out, couldn't even cope with the union's operation on the ground.

The strike was particularly effective in the Redding area, where strikers led by Business Representative Rich Hafner clamped down hard. On the third day of the strike Asplundh managed to field a truck, only to have it shut down by Cal-OSHA, which found the truck's boom to be defective and the

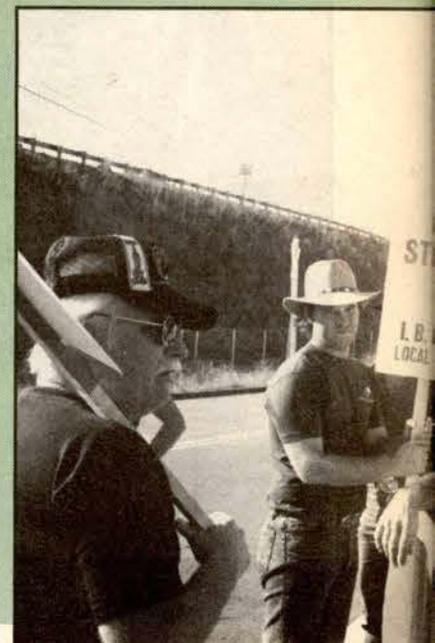
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(Photo: Frank Saxsenmeier)



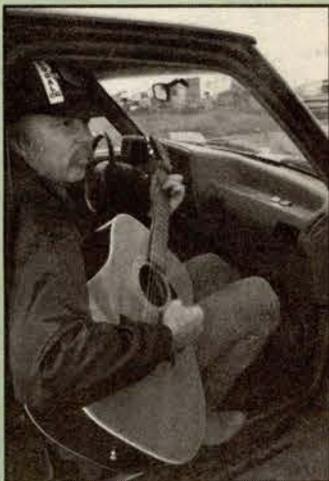
(Photo: Eric Wolfe)



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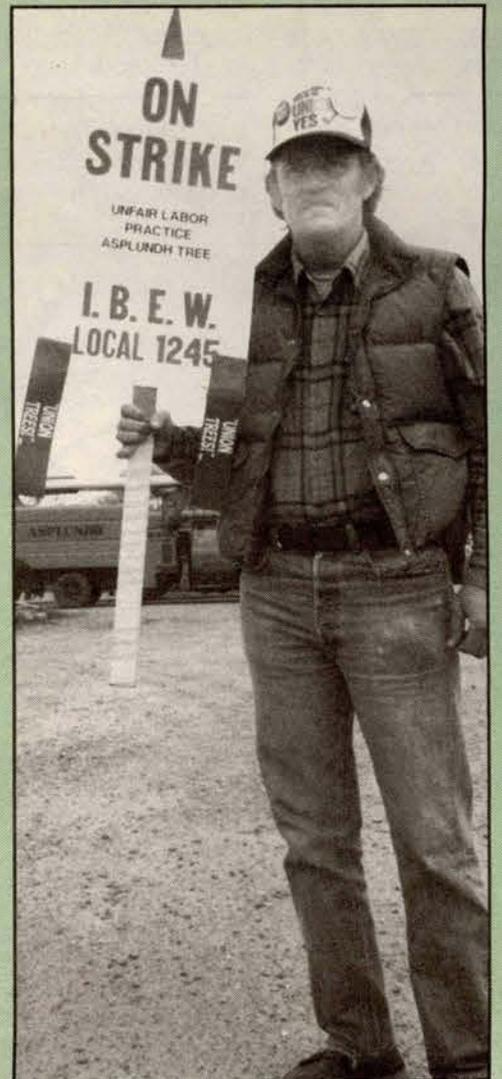


(Photo: Eric Wolfe)



(Photo: Eric Wolfe)

Far left: Tree trimmer Debra Wacker confronts Asplundh truck in Redding area. At left: Tree trimmers Wes Swindell passes time on picketline in Yuba City playing guitar. Below: On picketline in Redding area are, from left: Business Rep. Rich Hafner, Joe Larson, Gerald Bullock, Dennis Mitchell, Charly Shaver, and Business Rep. Gene Wallace. At right: Tree trimmer Frank Brownell stands watch over Asplundh trucks at Yuba City yard. Above: Tree trimmers, union reps and family supporters in front of Asplundh gate in Yuba City celebrate the news that Asplundh has stopped trying to put trucks in the field.



(Photo: Eric Wolfe)



(Photo: Frank Saxsenmeier)

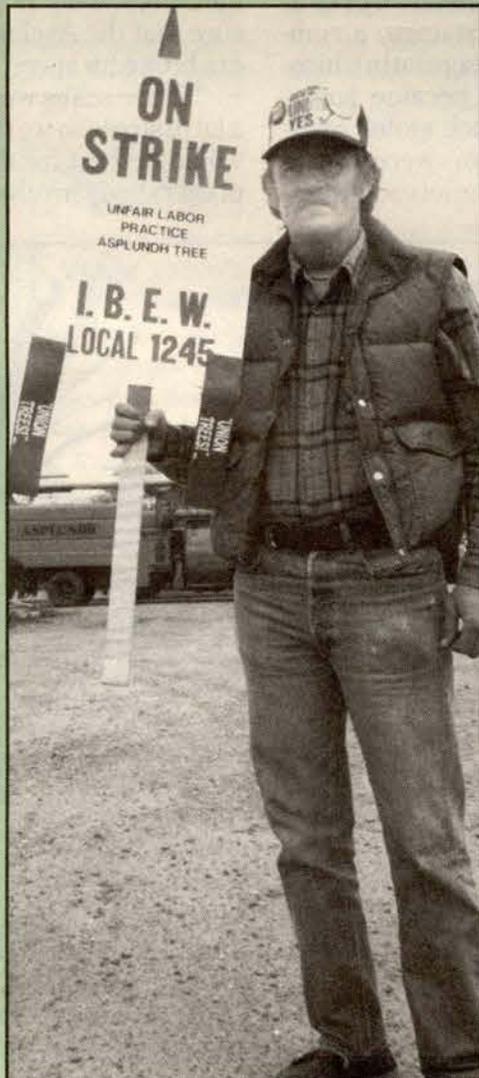


(Photo: Frank Saxsenmeier)



(Photo: Eric Wolfe)

At left: Tree trimmer Debra Wacker confronts Asplundh truck in Redding area. At left: Tree trimmer Wes Swindell passes time on picketline in Yuba City playing guitar. Below: On picketline in Redding area are, from left: Business Rep. Rich Larson, Joe Larson, Gerald Bullock, Dennis Bullock, Charly Shaver, and Business Rep. Gene Swindell. At right: Tree trimmer Frank Brownell watches over Asplundh trucks at Yuba City. Above: Tree trimmers, union reps and family members in front of Asplundh gate in Yuba City gate the news that Asplundh has stopped to put trucks in the field.



(Photo: Eric Wolfe)



(Photo: Frank Saxsenmeier)

## Which Side Are You On?

**Chorus:**  
Which side are you on,  
Which side are you on?  
Which side are you on,  
Which side are you on?

Come all of you tree trimmers,  
Good news to you I'll tell  
Of how the good old union  
Has come up here to dwell.

(Chorus)

They say in the northern counties,  
There is one thing for certain.  
You're either with the union  
Or you sleep with old Jack Curtin.

(Chorus)

Oh trimmers can you stand it,  
Oh tell me how you can?  
Will you be a lousy scab  
Or will you be a man?

(Chorus)

Don't scab for the bosses  
Or listen to their lies.  
Honest folks haven't got a chance  
Unless we organize!

(Chorus)

Well I'm a tree trimmer,  
I work in the air and sun,  
And I'm sticking with the union,  
'Til every battle's won.

(Chorus)

And as for Scab-a-Berry,  
You know who that would be,  
Better not show his face round here  
Or he'll greet eternity.

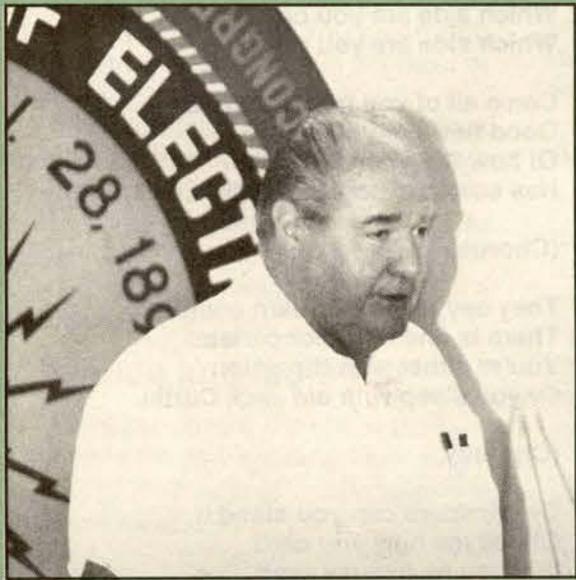
Which side are you on,  
Which side are you on?  
Which side are you on,  
Which side are you on?

*Traditional-F. Reece,  
slightly deranged for Local 1245  
Tree Trimmers' strike, 1992*

Union Trees!

Union Trees!

## Orv Owen laid foundation for tree trimmers' victory



Orv Owen addresses last year's tree trimmers' conference at union headquarters.

Shortly after Local 1245 launched its drive to organize tree trimmers in 1962, Orville Owen was brought on staff to assist.

As he did with everything else, Owen threw himself into the organizing drive in a big way. With his 6'5" frame and winning smile, Owen was and remains the sort of man most people would want as a friend.

You would have been nuts to want him as an adversary.

With Owen's help, the union gained contracts to represent tree trimmers at Davey Tree, Pacific Tree, Nolan Tree, Farrens Tree, Sohner Tree, and Utility Tree. The union also won an election to represent Arbor Tree employees, but Arbor has refused to negotiate an agreement.

But of all the struggles Owen has been involved in over the years to unionize the tree industry, the victory in last month's strike against Asplundh was in many ways the most satisfying. It marked the moment, in Owen's view, when the tree trimmers truly arrived.

"This strike proved that my tree trimmers really are part of this union," said Owen, for many years now an assistant business manager.

"The support coming from the rest of our Local 1245 members said: 'They are part of this brotherhood and we have to do what we can to help them.'"

Owen makes no secret of his affection and admiration for the tree trimmers.

"There's no harder worker. A lot of these guys don't have buckettrigs—they climb by rope. It takes a lot of strength to do tree work. A lot of the limbs are wet and are extremely heavy," he noted.

Despite the approach of his 65th birthday (he plans to retire in July), Owen worked day and night to support the Asplundh strikers. He made repeated trips to Chico, providing assistance and relief to strike coordinator Dean Gurke. Not one to rest on his laurels, Owen was also a regular presence on the picketline: picket sign in one hand, his characteristic pipe in the other.

Owen lauded the tree trimmers for "extraordinary courage" on the picketline.

"They didn't waver one bit. They knew what they had to do and they got it done.

"What better gift could I get for my retirement," Owen added, "than a victory for my tree trimmers!"

It was a victory built on a solid foundation laid by a man called Orv.

From PAGE TEN

scab workers to be unqualified.

The following day, Cal-OSHA shut down two more Asplundh trucks in the area on similar grounds. Asplundh reportedly kept a third truck in the yard for fear that it, too, would be cited for violations.

"We shut the buckets down. They didn't get off the ground," said Hafner. "I'm so proud of these guys. I'm totally of the opinion that [the strike's success] was because of their solidarity. You can only oppress people so long."

### Chico's roach motel

In Chico, Asplundh attempted to hide two of its trucks at the home of an employee the night before the strike began. But as the trucks pulled out in the pre-dawn hours Monday morning, their headlights revealed union pickets standing at the end of the driveway.

That particular employee chose to join the strike the following day, the first of many to decide he'd rather stay a union man than be a scab.

Asplundh soon resigned itself to parking its trucks at Apple Mini-Storage, a commercial storage lot in Chico. The facility became something of a roach motel: scabs and supervisors were permitted to enter the lot each morn-

ing to get their trucks. But they weren't permitted to leave.

As pickets criss-crossed the driveway, Asplundh supervisors idled their trucks and waited for the Sheriff to clear a path. The routine varied, but the end result was generally the same: a slow start each day for Asplundh.

On one morning two Sheriff's deputies had begun talking with the pickets when they were suddenly called away on an emergency. The deputies were gone for an hour and 20 minutes.

When they returned, Gurke parked his car in the Apple Mini-Storage driveway, trapping Asplundh's trucks inside. Additional worktime ticked away while Asplundh waited for a tow truck to come hitch up Gurke's car and finally haul it away.

Gurke left Apple Mini-Storage in handcuffs. Asplundh's trucks were lucky to leave at all.

And leaving their roach motel was only the first hurdle for the beleaguered scabs. Most Asplundh trucks received an escort of vehicles driven by very cautious union members who made very sure that the Asplundh drivers broke no speed limits.

"These scabs were under a lot of stress so we thought it would be best for the safety of everybody involved if they

took it real slow," noted Gurke.

At the jobsites, Asplundh frequently found strikers' cars just pulling into parking spaces under the trees that the crews had hoped to trim.

While Asplundh supervisors wearily requested the strikers to move their cars, other strikers notified homeowners that trees on their property were about to be trimmed by scabs who may or may not be qualified to work around live power lines. Some homeowners denied Asplundh permission to trim, forcing the crews to move on in search of new locations to work.

Meanwhile, the trees were growing, living evidence that Asplundh was failing to meet its contractual obligations to PG&E.

### Cattle drive

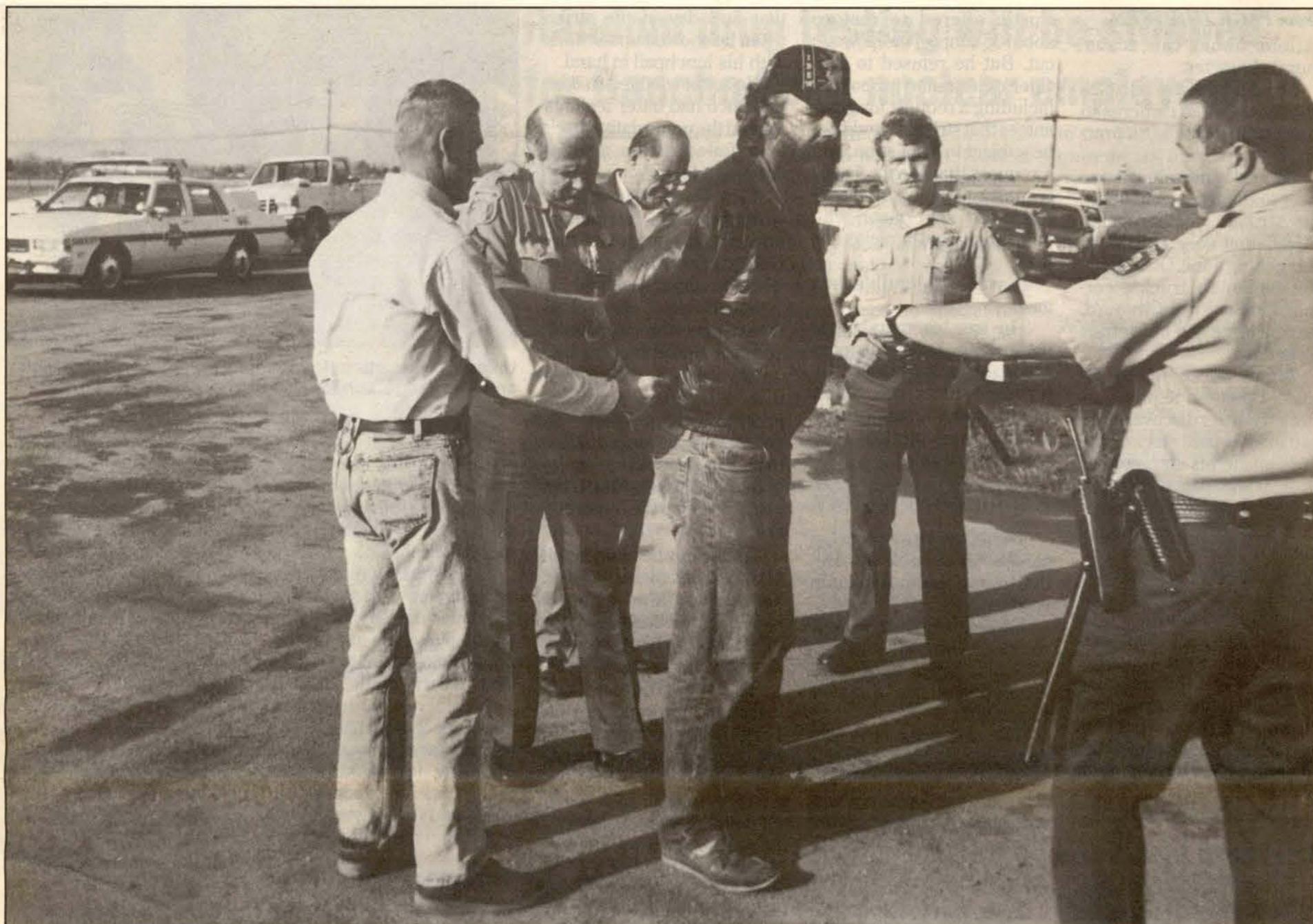
Asplundh received a severe blow on Tuesday of the second week. The owner of Apple Mini-Storage ordered the company to leave his property immediately. Unable to find another place to park its vehicles in Chico, on Tuesday night Asplundh took all of its trucks to the company's yard in Yuba City, 50 miles to the south.

That's when the strike began to take on the appearance of a cattle drive.

When Wednesday



In Chico, strikers hang a picket sign on the back of an Asplundh scab, part of a steady campaign of harassment. A supervisor tried to persuade a local policeman to arrest the strikers for name-calling, but the cop decided the strikers were staying within the law. The cop cautioned strikers to watch their language, but conceded that there was no law against calling someone a "dirty scum-sucking scab." (Photo: Eric Wolfe)



Strike coordinator Dean Gurke is handcuffed after being arrested for using his car to trap Asplundh trucks in a Chico storage area. (Photo: Pete Colbert)

dawned in Yuba City, Asplundh found approximately 30 pickets at its gate, including about 10 strikers who had come down from Redding. Corralled inside, unable to leave, were Asplundh's trucks.

Finally, under police escort, the trucks lumbered out of the yard. Trucks bound for Chico found it a very long haul. For several miles, Yuba City strikers made sure the trucks stayed well within the speed limit. Strikers coming down from Chico met the Asplundh herd about halfway and took over where the Yuba City strikers left off.

On Thursday the company trucks, having come back to Yuba City Wednesday night, again had to make the long drive back to Chico. Like stray cattle, about six trucks wandered off to meet up with supervisors at a cafe a short distance off the highway.

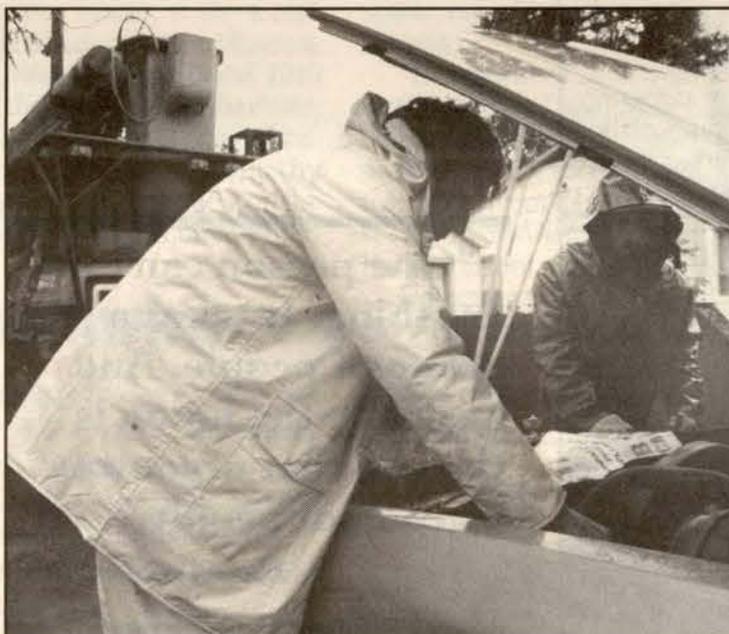
But if they hoped to elude the contingent of strikers coming down from Chico, they were out of luck. The Chico strikers pulled up at the same cafe to use the telephone. They had planned to call Gurke to see if anyone had spotted the trucks. That phone call became unnecessary.

"Well, well, well, looky what we have here," one striker observed with a grin. "A whole bunch of 'em."

With strikers again riding herd on them, it was past 10 o'clock before some of the trucks finally reached their jobsites.

And that was just the beginning. Throughout the day, as at other jobsites, scabs and supervisors were treated to a steady stream of advice from strikers about the shortcomings in their work practices, as well as some frank obser-

See NEXT PAGE



**STALLED CAR**

Pete Colbert and Kirk Zangl, along with Jesus Magana (not pictured), try to figure out what the heck is wrong with a union staff car that stalled in an alley in Chico just as Asplundh was attempting to move its truck out of the alley. The strikers' determination to take the picketline wherever Asplundh attempted to work disproved the old notion that you "can't picket a tree." The union tree trimmers picketed anything that moved. (Photo: Eric Wolfe)

**Staffing the strike**

Business Manager Jack McNally assigned a large chunk of the union's staff to assist in the field with the tree trimmers' strike, in addition to the Local 1245 and OPEIU Local 29 staff who helped out at union headquarters. Staff members in the field were:

- Orv Owen
- Dean Gurke
- Mickey Harrington
- Frank Saxsenmeier
- Ed Fortier
- Wayne Greer
- Landis Marttila
- Gary Mai
- Jack Osburn
- Gene Wallace
- Art Murray
- Rich Hafner
- Bob Martin
- Eric Wolfe
- Phil Carter
- Joe Valentino

## TREE TRIMMERS' STRIKE

From PAGE THIRTEEN

ations about the scabs' moral character.

Strikers at several locations used video cameras to document unsafe work practices.

By Friday morning, it was clear to all parties—Asplundh, the strikers, and probably PG&E—that very little work was getting done. Once again the Asplundh trucks, corralled in the Yuba City yard, faced a large and boisterous picket line.

When police finally arrived, Business Representative Ed Fortier discovered he had inadvertently locked the keys inside his automobile—while it was parked directly in front of Asplundh's gate.

A tow truck eventually hauled Fortier's car away and Asplundh's trucks sluggishly pulled out to begin another day of wasted effort.

That afternoon Asplundh notified the union it wished to return to the bargaining table. The company agreed to not perform any work until the meeting, scheduled for the following Tuesday, took place.

The cattle drive was over.

### Last gasp

At the Tuesday meeting, Asplundh Vice President and General Manager John

Curtin offered to restore about 85 cents of the \$2 wage cut. But he refused to consider other union proposals, including a request for guarantees that strikers would not be subject to retaliation, and a request that Curtin fire or transfer the gun-toting Asplundh supervisor who had threatened a picketer's life.

It was Asplundh's last gasp.

The tree trimmers' negotiating team, led by Business Manager Jack McNally, informed Curtin the union would rather continue the strike than accept the company's terms.

### Asplundh is history

The following morning the pickets went back up. But there was no point. Asplundh was history.

Like a tree no longer rooted in the values of fairness and respect for its workers, Asplundh had become a rotten hulk.

The tree trimmers cut it down.

Shortly thereafter, PG&E canceled Asplundh's contract and awarded most of the work to Davey Tree. By March 23, Davey Tree had begun to put the strikers back to work.

Today Pete Colbert is glad he didn't cross the picketline

that first day of the strike when he showed up for work with his lunchpail in hand.

He acknowledged that he had once had bitter feelings toward the union dating back to a failed strike against Asplundh in 1977.

"But since I have seen what the union has done I have changed my tune," said Colbert. "I really appreciate what the union has done."

Specifically, Colbert cited Dean Gurke's energetic leadership of picketline activity.

"To see a man fight like that for us, I was pretty impressed," said Colbert. "To go to jail for us and stuff like that. That flat sold me on the union. Win, lose or draw, I'm glad I stuck by the union and the men."

"Dean, boy he really stuck his neck out there," agreed VanderPlas. "Man, for a guy to do that for a bunch of other guys... that's when you know, hey, these guys are serious."

The outpouring of financial and moral support from Local 1245's entire rank and file membership made a big impression on the strikers.

"The backing of the overall union members standing behind us, we never had that before," said VanderPlas. "It's like, wow, these guys really do care. I could see maybe we do have a chance in hell."



Union tree trimmers (from left) Eric Spangler, Terry Havey and Kirk Zangl, confident of victory. (Photo: Eric Wolfe)

"I think that was the strengthening tool that helped us overcome our fears of not having the support that we needed," agreed tree trimmer Kirk Zangl.

Strikers also credit wives and families with providing the day-to-day support—both on the picketline and on the homefront—that made it possible to carry on the strike.

Members of the tree trimmers' negotiating team credited Business Manager Jack McNally for making the tough decision to advocate a strike and for delivering the leadership needed to win it.

### Trimmers delivered

But in the end, it was the tree trimmers themselves who delivered what it took to win.

"All the support doesn't mean a whole lot unless you've got a lot of guys who believe in standing up for themselves," said Gurke.

"I was amazed at their ability to read the situation and figure out what to do with minimal direction. You didn't have to lead them by the hand. Their knowledge of the geography and the people in the area was unbelievable," Gurke said.

Without a union, however, that knowledge and ability could not have been mobilized.

"The 1245 members at Asplundh proved they owned the jobs—Asplundh only owned the trucks," observed Business Representative Marttila. "In this fight the union reps were the leather gloves. The members were the fists inside them."

During the strike, collective action was no longer just

a slogan. It was a living and breathing reality.

"I got up in the morning at 3 o'clock just waiting for the clock to click to four so I could leave and go down and get on the picketline," said Zangl.

Noting that he actually felt happy during the strike, Zangl searched for words to explain why.

"Just being with all those guys and being so unified in a central cause... When the chips were down and we saw just how serious the situation was, we decided that we are the union, and together we are going to win," Zangl said.

### A place to stand

"I never felt this way," said VanderPlas. "Even my wife said, 'I never saw you so hyper before.'"

"I told her, 'Hey, things are happening here. I'm learning a lot from all this. The unity and the organization from all these guys. We're all thinking the same thing. This is great.'"

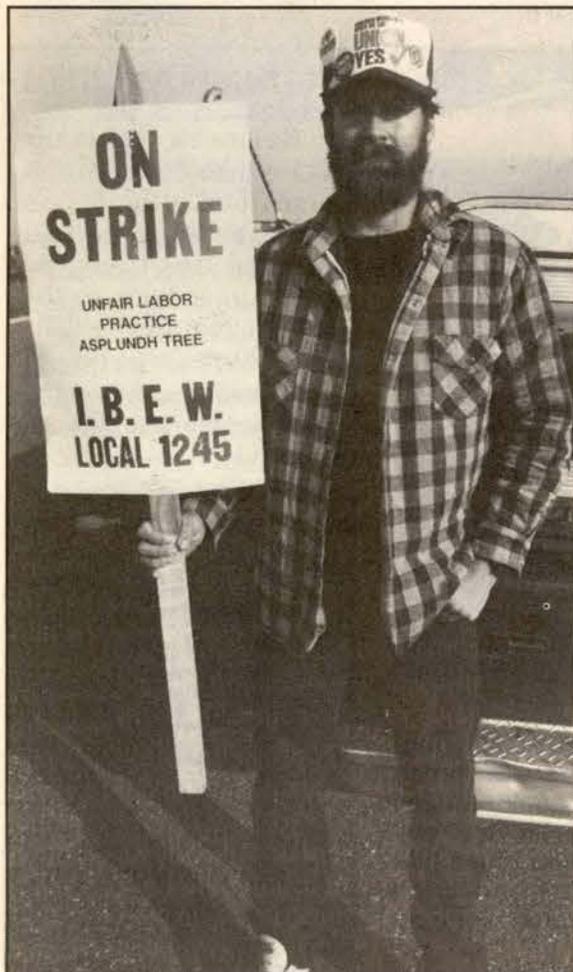
VanderPlas pointed to a union sticker on the window of his truck.

"I've got a union sticker there that I never ever put on this truck before. And I'm proud to wear this hat. I'm glad I am a member of the union."

"One person can't do anything," he continued. "It takes a group of people. And basically the union is the one that organizes a group of people."

Ely said the strike helped tree trimmers understand "that the working man does need a place to stand."

"And they realize now they do have a place to stand."



**"One person can't do anything. It takes a group of people. And basically the union is the one that organizes a group of people."**

*Dave VanderPlas*

# Labor organizing in South Africa

## Union electrical workers help lead historic fight for a new social order

Union organizing in South Africa is not a simple affair. Under the apartheid system, non-white South Africans do not have the right to vote, despite being a large majority of the population. And until the 1980s, they were prohibited by law from organizing labor unions. However, after unions were legalized, they quickly became a leading voice for democracy in South Africa.

Brian Williams, 37, is national negotiator for the Metal Electrical Workers Union of South Africa (MEWUSA) and is the union's secretary for the largest province in South Africa, a position roughly equivalent to the Local 1245 business manager. MEWUSA represents about 40,000 workers in electrical generation, electrical servicing, electrical contracting, and manufacturing of electrical equipment. The union is affiliated with the National Council of Trade Unions (NACTU), one of two labor federations in South Africa. Williams spoke with the Utility Reporter during a February visit to Local 1245 headquarters in Walnut Creek, part of a national tour sponsored by the AFL-CIO.

**Utility Reporter: South Africa is a racially divided society. Does your union have both white and black members?**

**Brian Williams:** We see the struggle not in terms of multi-racial, we see it in terms of non-racial. As a concept, non-racialism recognizes a common humanity. If you're a worker and you work in the industry, you're eligible for membership. The issue of workers is paramount and we want to break away from the idea of defining people in terms of race. If we speak in terms of disadvantaged, then the majority of the workers are people who can be regarded as disadvantaged or politically oppressed.

**UR: Are there some unions in South Africa that are open to white workers only?**

**BW:** There are. To give an example: the Amalgamated Engineering Union is only for white workers. They are also in the electrical contracting industry.

**UR: Your union is open to all workers but do you in fact get any white workers?**

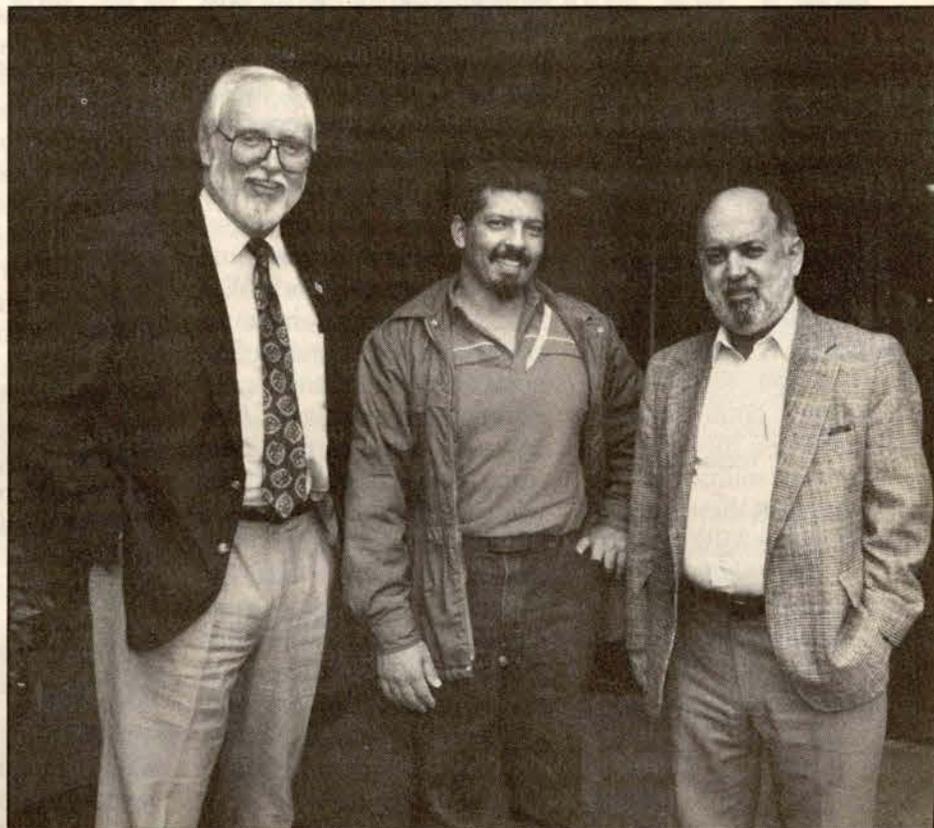
**BW:** Yes. In fact, we even have white stewards. Workers at a company called Plessy, a large British multinational that is now South African-owned, went out on strike because a white member was dismissed by the company. Our union has become an

important symbol of the new society. We have control over [union] practices so we need to start having the kind of attitudes and practices necessary to symbolize what it is society ought to be: in terms of tolerance, freedom of expression, democracy, the right to dissent, the right to disagree. And just working, despite our different backgrounds, working together in a single organization around a single set of unifying principles.

**UR: In November there was a large general strike in South Africa. Why?**

**BW:** The government is introducing a tax system which has hit out at the poor, the homeless, those who have the least. Those new taxes will generate a large percentage of new wealth for the government, which the government wants to use to increase its political standing. The new taxes will put a lot of money into government coffers. The government will then use that money to run the kind of political campaign which will create the impression that the government is a good government, yet it is taking from the poor and will use that money for its own political ends. So there was a decision that we should have a national strike.

**UR: Did NACTU, the labor federation your union is affiliated with, support the general strike?**



South African union leader Brian Williams (center) met with Local 1245 Business Manager Jack McNally (left) and Business Representative Sam Tamimi during February visit to union headquarters in Walnut Creek. (Photo: Eric Wolfe)

**BW:** Absolutely. NACTU was in fact the principal initiator of it, together with COSATU [the other major labor federation in South Africa] and independent non-affiliated unions and people who were not members of a union but just supported the idea. Even small businesses who would be affected by this tax stayed away.

**UR: Altogether, how many people stayed out.**

**BW:** Between 3.5 and 4 million workers, the highest stay-away national strike figure in the country. It lasted for two days.

**UR: What are working conditions like today for working people in South Africa?**

**BW:** The government has removed certain laws which legalized racism in society. But entrenched social practices have not changed. The situation, particularly in so far as workers are concerned, remains desperate. We have close to 7 million workers unemployed, which represents something like 45% of the economically active population. Racist laws that still remain on the statute books have broken up the country into "homelands," and in these homelands you have different governments that are regarded as individual countries by the South African government. [Editor's note: No other nation in the world recognizes these homelands as

separate nations. The homeland policy has given the South African government a way to avoid sharing political power with black residents who have been assigned to these homelands. However, under the homeland policy white-controlled businesses in South Africa can continue to benefit from the cheap labor force the homelands provide.] The economy is so bad that 93% of those who have completed their high school will not be able to find employment. There are many people with university degrees who cannot find employment. You have 4 million people who are homeless. You have millions of squatters in the country. You don't have a national health system in South Africa. The result is that there are many poverty-related diseases and preventable diseases in South Africa, which are linked to how the government fails to provide the most basic resources and facilities. Twenty to 22 million black people do not have electricity. The Electricity Supply Commission (ESCOM) has the generating capacity, but the electrification program has been undermined. Our union has started a campaign called "Power to the People!" It's also called "Viva Voltage!"

**UR: Is there still a lot of political violence directed at South African workers?**

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**BW:** Statistics show that the present period has seen the greatest number of people killed than ever before in the history of our country [more, even, than during the height of the insurrection in 1985]. The greatest number of political killings and politically-related acts of violence is now.

**UR:** This would include police violence as well as police-instigated violence?

**BW:** That's correct. I'm referring to that specifically. People have come forward [and] admitted they were in fact agents of military intelligence and that they had had enough of the killings. The killings taking place in different communities between black workers is directly linked to the fact that security forces instigated those acts of violence... A Supreme Court judge in 1991 concluded that death squads were officially sponsored by South African security forces and that many of the key leaders within the country who were mysteriously assassinated were killed as a result of death squads and military structures. The official name used by the military for the death squads is "Civilian

Cooperation Bureau." And the growth of neo-fascist groups has increased.

**UR:** The connection between security forces and neo-fascist groups has been widely reported in the past. But won't these groups come into conflict if the government begins to dismantle its apartheid policy?

**BW:** This is the first time since the Second World War that white groups have attacked state institutions, fire-bombed state institutions and government property. Also last year was the first time since the Second World War where white police shot and killed white workers. You must remember that the [government's] grassroots constituency for more than 300 years had been [brought up] with the idea of white superiority, that the purpose of the government is to protect white institutions. That has started to disappear. The security and the protection and the comfort that they had through the powers of the state have been taken away now. For the first time whites have become homeless also. They've become squatters. Never happened before. Whites have become unem-

ployed on a scale as never seen before in our country. All the ingredients for a massive conflict within the white community [are there]... The groups on the left are saying they want clear commitment to fundamental change. The groups on the right are saying institutional protections for white people should not be surrendered... The government is not able to go forward, nor is able to go back. You have massive instability in the country. The economy is fragile and is getting worse. Political disorder is a common feature of South African society. The only single authority that can bring stability to the country is the military. Which means that a military coup in South Africa is one of the possibilities for the transition period.

**UR:** With what consequences?

**BW:** The military will take over, suspend the constitution, and rule by decree... They will smash the right wing, those reactionary forces opposed to change and transition. Those are the very forces also undermining the white constituency of the deKlerk government so he has a political interest in smashing those people in his

own backyard. But he will also smash the trade unions because in our country the trade unions have become one of the most powerful institutions for the oppressed and exploited.

**UR:** How does your union operate? Here in the US we negotiate agreements with employers.

**BW:** Within the present economic environment, our country is experiencing the worst recession it ever had, comparable to the 1929 depression in the United States. Negotiating under those circumstances means that the unions cannot be as creative and as bold as they would normally be because conditions are not favorable. So our negotiating strategy has shifted toward getting companies to be involved in social responsibility programs, to be involved in laying the foundation for a democratic society, to get the companies to help with the problems unemployed people face, to help with homelessness, to help with education in the community...

**UR:** Do you have contracts with various employers?

**BW:** Yes, we have contracts on the local level, at the re-

gional level and at the national level. And the contracts are year-by-year contracts. They set wages and conditions of employment—everything from hours of work to medical aid to pensions. And it sets the standard in terms of conditions of employment for everyone in the industry. At the plant, we are able to negotiate beyond what we have been able to achieve at the national or regional level.

**UR:** Are there grievance procedures?

**BW:** Oh yes, all those things are a normal part of industrial relations—the kinds of things that would happen in any modern industrial society in terms of problems of workers. And the unions have a fairly high degree of competence. Conditions are so much more intense you need to be much more organized than would normally be the case. Our union believes very strongly that it is very important that the membership be kept informed about what is happening. You must have as many leadership structures in the union as possible. There must be a diversity of activities. We always sing at our union meetings. Whether it's a leadership meeting, shop stewards meeting, special meeting, factory meeting or a general meeting—we always sing. It's a valuable icebreaker. It creates an atmosphere that's conducive for anyone to say anything, where you don't just sit and listen to one or two people talk. Singing is a very unifying and powerful element in our organization.

**UR:** A lot of people in this country are confused about whether we should continue economic sanctions against the government of South Africa.

**BW:** All trade union federations support economic sanctions. Sanctions have played an important role in forcing the government to eventually agree to change many of the laws.

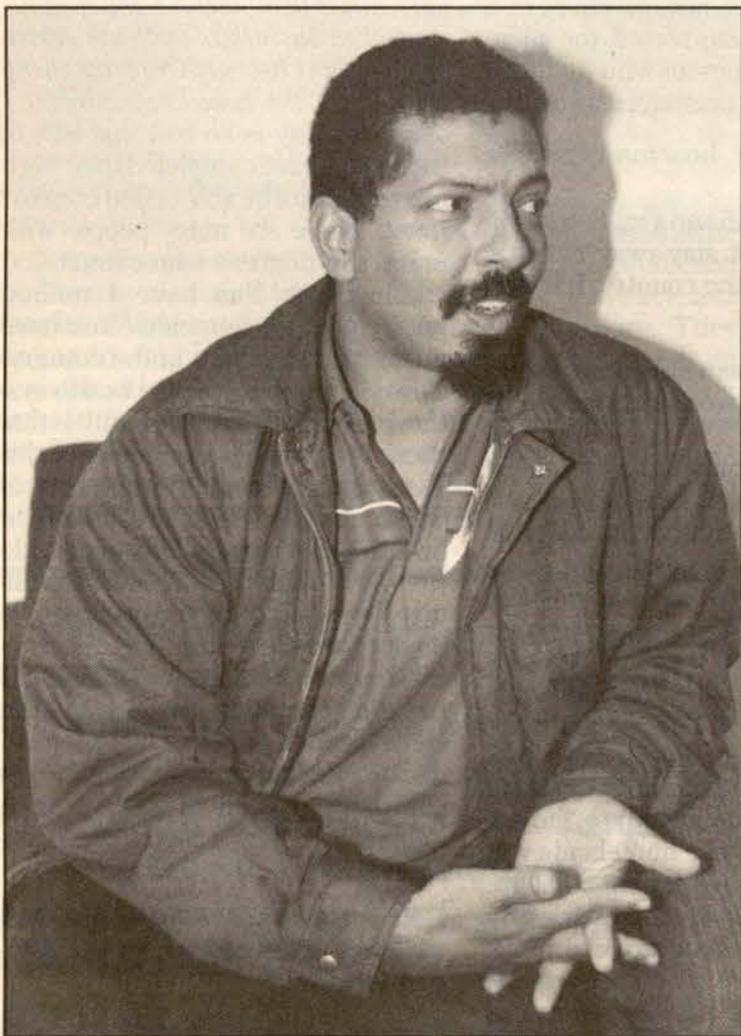
**UR:** When you get right down to the day-to-day worklife of your members in South Africa, is it fairly similar to what members of our union do?

**BW:** Absolutely. When you

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**"We have in the past negotiated in the contract with different employers, as part of the job security provision, that if any union member is detained or imprisoned without trial that he will receive his full wages and will not be dismissed as a result of his detention. We've had a situation in the union where quite a large number of our members have in fact been imprisoned without trial. Some have been killed.**

*Brian Williams*



strip the political condition away, it's almost exactly the same. I am a qualified electrician. If I were to work in the United States I would obviously have to learn about the regulations here, but the skills level are comparatively the same. Given the legal conditions in the country, we have in the past negotiated in the contract with different employers, as part of the job security provision, that if any union member is detained or imprisoned without trial that he will receive his full wages and will not be dismissed as a result of his detention. We've had a situation in the union where quite a large number of our members have in fact been imprisoned without trial. Some have been killed. I was also imprisoned without trial for two different periods, and also charged in terms of the internal security act. So those are the hazards that trade unionists have in South Africa in terms of just trying to do normal trade union organizational work.

**UR: You have said it is becoming possible to analyze South Africa now in terms of economic status rather than just racial status. Does your union federation, have a vision of what kind of society you want to get to that would avoid the exploitation of the poor by the rich?**

**BW:** We have a philosophy that deals with the issue you are talking about, in terms of how resources must be spread, how jobs must be created, how people must be empowered not just in the working place but in the community and in the society. And the importance of getting people involved in programs and campaigns around, for example, job creation. While the trade union federation has such a position, there is an area beyond their control. We do not control the investments in the country. We do not control the investments that flow into the country, either. That is an essentially political issue. While the trade union movement can influence events, it is not in control of events. And I think that is essentially not only our problem but the problem of labor movements around the world.

## Labor's challenge: solidarity across borders



**LOCKED OUT**  
Members of Metal Electrical Workers picket the Panasonic franchise in South Africa after being locked out during contract negotiations.

Scabs are a problem for workers around the world. Just as Local 1245 tree trimmers were confronted with scab replacement workers during their recent strike against Asplundh Tree Expert Co., members of Brian Williams' union were replaced by scabs when they went on strike in 1990 against the company that holds the franchise for Panasonic in South Africa.

Asplundh trims trees, Panasonic manufactures electronic products, but they operate under the same principle: you can get a worker to accept wage cuts if you threaten to take his or her job and give it to someone else. It is a tactic that has been used for ages to keep workers from demanding a fair share of the wealth created by their own labor.

As in America, workers in South Africa have organized unions to increase their power in the workplace. This is a relatively new right: until the 1980s, unions were illegal in South Africa.

Tree trimmers were able to win their strike against Asplundh in less than a month, thanks in part to the resources they got from Local 1245 and its 20,000 members. However, conditions are far different in South Africa.

Low wages keep South African workers living close to the edge, which makes it difficult to sustain a long strike. The extremely high rate of

unemployment means that employers have a large pool from which to recruit scabs.

Despite these obstacles, members of the Metal Electrical Workers Union of South Africa (MEWUSA) were able to hold out for 14 weeks during their 1990 strike against the Panasonic franchise-holder in South Africa, eventually winning some concessions from the company.

Unfortunately, MEWUSA is able to negotiate contracts for only one year at a time, which means the union must be gearing up for a new contract fight before the dust has even settle from the previous year's fight.

In 1991, the South African franchise-holder for Panasonic locked the employees out and again brought in scabs to replace them. According to Williams, the lockout was a way for the company to punish workers for the preceding year's strike, as well as an attempt to intimidate workers during the new round of contract negotiations.

This year, Williams believes the company will go all out to break the union altogether.

### "International solidarity"

"We need to get ourselves organized now for negotiations that could wind up in battle. International solidarity will be a very important component of our domestic defenses," Williams told the Utility Reporter.

Specifically, Williams noted, members of Local 1245 could attempt to identify major retailers in northern California who market Panasonic products and do informational leafletting to publicize the efforts by South African electrical workers' to defend themselves against scab replacements.

Perhaps even more important, Local 1245 units could pledge financial support for the families of MEWUSA members if they are forced to strike when their contract expires on June 30. According to Williams, his union is seeking pledges of \$15 per family per week for three weeks. Thus, a pledge of \$45 could sustain one family for three weeks, a pledge of \$90 could support two families for three weeks, etc.

To offer this kind of support to fellow electrical workers in South Africa is not charity: it is solidarity. And it can work both ways.

In the late 1980s, workers at a 3-M plant in South Africa walked off the job in solidarity with striking American workers at a 3-M plant in New Jersey. Although their protest was largely symbolic, it was an important symbol.

In today's world, transnational corporations move their production facilities around the world in an effort to pit workers against one another and bid down wages and working conditions. Only by finding ways of cooperating across national frontiers will working people be able to fight back.

## East Bay Pin Dinner

Local 1245 members in the East Bay were honored Feb. 15 for years of service to the union.

Although not all those who signed up to attend were able to be present for the photos, they are all listed below:

**35 Years:** Kenneth Best, Charles Delaune, Philip Gonsalves, Robert Preciado, M.W. Schoonover.

**30 Years:** Jim Skaggs, Warren Homer, Mel Hambrick, Donald George, Gordon Bealer, Henry Ball.

**25 Years:** Leonard Wise, Gary Surfus, Dorothy Scott, Raymond Prothero, Samuel Mendez, Keith McKnight, Richard Mandt, Cathy Leintz, J.A. Kroll, R. L. Krick, Jerry Johnson, Ronald Ingersol, Henry House, Richard Holstein, Cliff Hartley, Mike Daniel, Melvin Clark, Calvin Cazier, Joe Carnes, David Breeding, Robyn Boeder, Al Berlin, Donald Anderson, C. Adams.

**20 Years:** Robert Wilcox, Michael Ward, Tom Warren, Curt Smith, Robert Rubio, Rodolfo Rodriguez, Fred Proctor, Larry Preszler, Gary Presley, Arlan Presley, Michael Phillips, David Petterle, David Meier, Mario Martinez, Harvey LaShon, Rudolfo Herras, Stanley Halford, Raymnd Gerber, John Frost, Ronald Basket.



**35 years**



**30 years**



**30 years**



**25 years**

## Fresno Pin Dinner

Local 1245 honored long-time members in the Fresno area Jan. 11 for years of service to the union.

Unfortunately, the film was spoiled for all recipients except those pictured at right. (Sorry, friends.)

Those signed up for the dinner were:

**45 Years:** Ken Brown

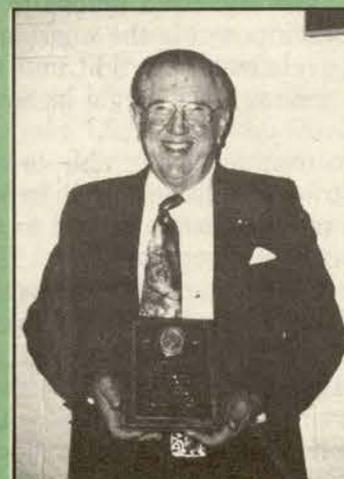
**40 Years:** Ben Neumann

**35 Years:** Robert Young

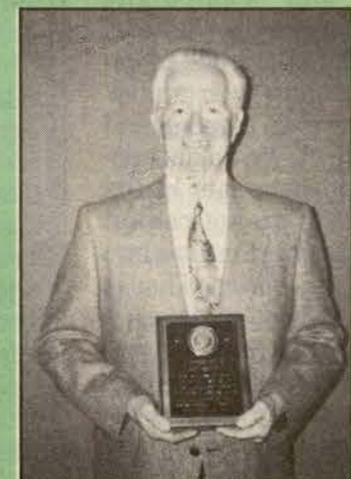
**30 Years:** Sterling Coldren, Henry Corrales Jr., Joe Garvin, Lloyd Haggmark.

**25 Years:** Dwight Yocum, Arthur Verret, Rick Sullivan, John Souza, Edward Smith, Harry Morton, Gilbert Mendez, Lloyd McGinnis, James Hunziker, Tom Hunt, Thomas Garcia.

**20 Years:** Joseph Turner, Leroy Travis, Rudy Ramos, Linda Morita, Alfred McCoy, Bennie Marzett, Vernon Lewelling, Steve Landers, Elvin Jackson, Vincent Hogan, Anne Helm, Otha Harris, Richard Glover, Robert Garcia, Alfred Fausone, Gilbert Chavez, David Cannon, John Avila, Amelia Alvarez.



**Ben Neuman, 40 years**



**Ken Brown, 45 years**



**35 years**

## South Coast Valleys Pin Dinner

Local 1245 members in the South Coast Valleys were honored Feb. 8 in San Luis Obispo for years of service to the union.

**35 Years:** Dave Reese, Joe Orlando, Anton Kraemer, Andy Jones.

**30 Years:** Bob Walters, Gene Greer.

**25 Years:** Terence Tweedie, Elias Afana, Jerry Haberlack, Jim St. John, Bob Sweet.

**20 Years:** Grant Teague, Bob Fiscalini, Manuel Larralde, Greg Burk, Gypsy Joe Johnson, Charles Sharps, Roger Gileau, Louis Alves, Gerald Stover, Jim Blake, Dan Derenobe, Mark Montgomery, Mike Favareille, Gene Santos, Dave Garcia, Bill Leslie, Jim White.



**30 years**



**25 years**



From left: Twenty-year member Jim White, Business Manager Jack McNally, and Business Rep. Mike Haentjens.



**20 years**

*Your voice needed!*

# New legislation would strengthen job safety

**T**he day after Labor Day last year, 25 workers were killed behind locked doors when fire broke out at a poultry processing plant in Hamlet, North Carolina.

The plant had never been inspected by federal or state safety officials in its 11 years of operation.

On April 28, the unions of the AFL-CIO will observe Workers Memorial Day to remember those who have suffered and died because of workplace hazards, and to promote federal legislation to strength the Occupational Safety and Health Administration (OSHA).

More than 20 years ago, Congress promised every American worker the right to a safe job when it enacted the Occupational Safety and Health Act. But as the Hamlet tragedy showed, for many workers the right to a safe job is still just a promise, not a reality.

Although the Hamlet fire received national attention, it is by no means the only case of workers being killed by their jobs. Far from it.

Each year, 10,000 workers die and more than 6 million are injured from workplace hazards. Another 50,000 to 100,000 die from occupational diseases.

And the rate of workplace deaths and injuries is going up, not down. Much of that increase is directly related to the cutbacks in funds and inspection personnel under the Reagan-Bush administration.

Today, the government only has enough workplace

inspectors to visit plants once every 79 years.

Workplace deaths, injuries and illnesses have a huge financial cost, too. In 1989 alone, work-related injuries cost more than \$83 billion. The price tag includes \$31 billion in medical and other

direct costs and \$53 billion in lost work time. Those costs have direct impacts on the nation's health care crisis and the nation's competitiveness battle against foreign companies.

To reverse this situation the AFL-CIO is giving strong

support to the Comprehensive Occupational Safety and Health Reform Act. In the US Senate, the bill is S. 1622. In the US House of Representatives it is HR 3160.

The bills require the establishment of safety and health programs to reduce

hazards and prevent injuries to employees. Those programs must also provide for employee training and education concerning workplace dangers.

The bills also require the establishment of joint safety and health committees with an equal number of worker and employer representatives. These committees would be allowed to review the employers' health and safety programs, conduct inspections and make advisory recommendations to employers.

The bills also allow employee participation in the enforcement proceedings and prohibit retaliation against an employee for reporting unsafe conditions.

The legislation also streamlines OSHA's standard setting process and expands OSHA's enforcement powers and duties. The legislation would tighten federal oversight of state programs, like Cal-OSHA, and trigger federal standards when states fail to act.

**WHAT YOU CAN DO:**

Contact your Senators and Representative and ask them to cosponsor and support S. 1622 and HR 3160, the Comprehensive Safety and Health Reform Act. You can write to them at:

Senator Alan Cranston  
US Senate  
Washington, DC 20510

Senator John Seymour  
US Senate  
Washington, DC 20510

(Your Representative)  
US House of  
Representatives  
Washington, DC 20515

# Don't Mourn: Organize!