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 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 picket line, 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 such a sweeping victory."

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.

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 1990," said Dalzell. "The PUC rejected the DRA's position both times. Now they're trying a third time."

Dalzell warned that the
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 bail-out 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 miners were fired in December for striking.

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.

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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 employees qualify for food stamps and low-income assistance on their utility bills.

Dalzell noted, for example, that Utility Clerks are 14.7% overpaid. By DRA calculations, Groundmen are 20.4% overpaid, System Operators One are 17.8% overpaid, and Utility Clerks are 14.7% overpaid.

By DRA calculations, 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.

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 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 figures 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.

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.


When 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 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 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 Business Manager Dorothy Fortier.
Workplace sexual harassment: what to do if it happens to you

By Jane Brunner

After listening to the Thomas Supreme Court confirmation hearing, many of us were 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.

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.

• One court ruled was a hostile work environment a man came into the plaintiffs office on several occasions, locked the door and just stared at her.

• 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 do what they were assigned.

• In one case that the court found the presence of a hostile environment. (Andresen v City of Philadelphia, 1990)

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

In one instance, 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. (Andresen v City of Philadelphia, 1990)

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Fighting workplace sexual harassment

From PAGE FIVE
(Dockter v Rudolf Wolf Features Inc., 1990)

Employer liability

The employer is liable for sexual harassing actions of employees if the employer knew or should have known of the alleged harassment. Section 1304.1 (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 harassment 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, change the subject. 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 refer to the conduct as harassment. You can show him/her the harassment slides that were shown at a company presentation. (Barbetta v Chemlawn Services Corp., 1987)

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 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 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 workplace, 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.

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.

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.

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.
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. 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-handling during work hours.

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.

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- Unrestricted right to subcontract any or all bargaining unit work.
- Elimination of grievance-handling during work hours.
- Elimination of mandatory arbitration.
- Elimination of payroll deduction of union dues.

After a period of surface bargaining, Southwire declared impasse and implemented its final offer. Members of Local 1510 have resisted Southwire's effort to destroy their union. To aid them in their struggle, the IBEW has declared this boycott of all Southwire Co. products.

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.

The Chowchilla Water District serves residential, commercial and industrial customers. Major markets include residential, commercial and industrial construction, power transmission and distribution utilities, consumer do-it-yourself and original equipment manufacturers.

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 empowerment 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.
**Local at Large**

Administration's anti-labor policies, and the ill effects of institutional racism and sexism in America.


Illinois State Senator Sandra Murray, Local 18, New York; Sandra Murray, Local 18, Chicago; and Julius Hightower, Local 1245, Walnut Creek, Calif., were among those who addressed the delegation.

Attorney General Roland Burns commended the Illinois State Senate for its action in stopping the Chicago Police raid on the apartment.

Local 1245 delegates Lula Washington and Dorothy Fortier joined nearly 200 IBEW Minority Caucus members at the Second Annual Conference of the Electrical Workers Minority Caucus held Jan. 17-19 in Kansas City, Mo., when a new program was launched.

At an informal meeting to discuss various issues which primarily affected minorities in the IBEW, throughout its history, the objective of the EWMC has been to promote greater opportunities for minorities on the International level, to motivate minorities to become and remain more active in their local unions, to provide assistance and communicate complaints of minority members and to be actively involved with other minority and women's groups, both within and outside organized labor.

Membership dues are $12 until Jan. 1, 1993, and $24 annually thereafter. Membership applications may be obtained from Dorothy Fortier or any of the other Executive Committee members listed above.

**IBEW Minority Caucus urges political action**

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

Savage and Illinois State Attorney General Roland Burns were among those who addressed the delegation.

Savage targeted for criticism by the Illinois State Senate for its action in stopping the Chicago Police raid on the apartment.

Attorney General Roland Burns commended the Illinois State Senate for its action in stopping the Chicago Police raid on the apartment.

Elected as members-at-large to the Executive Committee were: Dorothy Fortier, Local 1245, Walnut Creek, Calif.; David Rollins, Local 3, New York; Sandra Murray, Local 18, Chicago; and Julius Ware, Local 1900, Washington, D.C.

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 EWMC has been to promote greater opportunities for minorities on the International level, to motivate minorities to become and remain more active in their local unions, to provide assistance and communicate complaints of minority members and to be actively involved with other minority and women's groups, both within and outside organized labor.

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**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— 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, 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 information on bids an employee currently has on file, the employee's position on the job bid list, 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 company did not.

 Tess

From PAGE ONE

"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. 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.

“"""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 offered 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 Ory Owen, Asplundh General Manager Jack Curtin, and Asplundh Manager of Labor Relations Edward Marx.

(Photo: Eric Wolfe)
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 business 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
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
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 1982, Orv 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, Farrans 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 bucket rigs—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 (the 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 tempted 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’s when the strike began to take on the appearance of a cattle drive.

When Wednesday
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 shortcoming in their work practices, as well as some frank observation. See NEXT PAGE

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

STALLED CAR

Pete Colbert and Kirk Zangi, 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)
From PAGE THIRTEEN

Observations about the scab's 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.

The company agreed to return to the bargaining table. The company agreed to not perform any work until the strikers back to work. Davey Tree had begun to put the 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 all 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."

I think that was the strengthening thing 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.

Noticing 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've never seen 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. It takes a group of people. And basically the union is the one that organizes a group of people."

Dave VanderPlas

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

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 union’s 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?

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?

(See NEXT PAGE)
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 issues you are talking about. In a country where 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.

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 1989 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 settled 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 leafleting 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.
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.


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 Coldron, Henry Corrales Jr., Joe Garvin, Lloyd Haggmark.


Ben Neuman, 40 years
Ken Brown, 45 years
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 Favarelle, Gene Santos, Dave Garcia, Bill Leslie, Jim White.

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

Your voice needed!

New legislation would strengthen job safety

The 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 strengthen 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. Each year, 10,000 workers die and more than 6 million are injured from workplace hazards. 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.

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 House of Representatives it is HR 3160.

The bills require the establishment of safety and health programs to reduce 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 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 employer's 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!

Utility Reporter April 1992