Union meetings clarify Clerical rights at PG&E

With PG&E poised to start the first phase of bumping and displacement procedures in connection with Clerical consolidation, Local 1245 launched a series of informational meetings on March 7 to make sure that union members fully understand the impact of their Section 19.9 rights under the labor agreement.

Agreeing that more discussion is needed, the company has granted time to Local 1245 to communicate with its members regarding Section 19.9 options. Employees at a headquarters will have two days following the union’s presentation at that headquarters to reconsider the priority order of the jobs they wish to be considered for.

When the informational meetings have been completed, probably sometime late this month, the company will wrap up this elective phase of clerical consolidation by awarding the positions. Subsequent to that, the company will institute bumping and displacement procedures according to the provisions of Title 19 in the labor agreement.

Senior Assistant Business Manager Darrel Mitchell emphasized that employees seeking to fill a vacancy under the current Section 19.9 elective procedures must prioritize their job preferences with extreme care because the company will award them one job only. If the employee accepts the offer, that becomes his or her job—even if the job doesn’t actually begin until later this year. If the employee subsequently reverses his or her decision and refuses to report to that job, PG&E could regard such refusal as a decision to leave the company.

“Up until the informational meeting at their headquarters, and for two days afterward, Clerical members still have the priority order of the jobs covered by the Clerical Bargaining Agreement,” Mitchell said.

The dispute erupted after PG&E decided to expand the “Buypay” pilot program it had launched in Santa Cruz in 1991. PG&E has long utilized outside pay stations—banks, drug stores, cash checking centers, etc.—to provide customers with convenient locations for paying their PG&E bill in person. But according to Local 1245 attorney Tom Dalzell, “Buypay” is another animal altogether.

“PG&E has contracted an outside firm called Buypass to come in and install computers at many of these pay stations. When a customer comes in to pay a bill, employees at the pay station key in the customer account information. The customer receives a ticket with a confirmation code that is processed at a central PG&E computer facility,” Dalzell said.

“Up until the informational meeting at their headquarters, and for two days afterward, Clerical members still have the priority order of the jobs covered by the Clerical Bargaining Agreement,” Mitchell said.

Local 1245 challenges PG&E ‘Buypay’

Pacific Gas and Electric violated the Clerical Bargaining Agreement when it contracted an outside firm to provide computerized processing of customer payments, according to a Local 1245 grievance now in arbitration.

The union charges that PG&E’s new “Buypay” system contracts out work traditionally performed by employees at local PG&E offices and PG&E’s Payment Processing Center. The case was argued before Arbitrator Gerald McKay in San Francisco on Feb. 25 and March 3.

The union’s grievance is based on Section 24.5 of the Clerical Agreement, which states:

“...Company will not make a contract with any company or individual for the purpose of dispensing with the services of employees who are covered by the Clerical Bargaining Agreement.”

The dispute erupted after PG&E decided to expand the “Buypay” pilot program it had launched in Santa Cruz in 1991. PG&E has long utilized outside pay stations—banks, drug stores, cash checking centers, etc.—to provide customers with convenient locations for paying their PG&E bill in person. But according to Local 1245 attorney Tom Dalzell, “Buypay” is another animal altogether.

“PG&E has contracted an outside firm called Buypass to come in and install computers at many of these pay stations. When a customer comes in to pay a bill, employees at the pay station key in the customer account information. The customer receives a ticket with a confirmation code that is processed at a central PG&E computer facility,” Dalzell said.

Tentative pact reached with Sierra Pacific Power

Local 1245 and Sierra Pacific Power reached tentative agreement on a short-term contract that would provide an immediate wage hike while giving negotiators more time to work on other important issues, especially medical insurance. The seven-month agreement, if ratified by the union membership, would provide an immediate general wage increase of 3% as well as a commitment to come up with a new medical program to take effect Jan. 1, 1995. All terms and conditions of the agreement are subject to agreement by the company.

Retiree Corner

See PAGE FOUR

Drug Testing Expanded

See PAGE TEN

INSIDE

Utility Tree Headache
Page 3

Politics & the Union
Page 3

Drug Testing Expanded
Page 5

Ergonomic Standard
Pages 6-7

Member Testifies to Federal Panel
Page 6

Chiaspas Rebellion
Page 9

Steward’s Story
Page 9

Retiree Corner
Page 11

Lineman Rodeo on TV
Page 12

CALENDAR

April 9
PG&E Regional Stewards Conference
Fresno, Ca.

April 30
PG&E Regional Stewards Conference
Salinas, Ca.

May 14
PG&E Regional Stewards Conference
Concord, Ca.

June 4
PG&E Regional Stewards Conference
Sacramento Ca.
Workers here and abroad

Rolling the union on . . .

§ Drug Test Fiasco: Workplace drug programs don't work, says the National Research Council and the Institute of Medicine. In a recent report, the groups say there is very little scientific evidence demonstrating the effectiveness of drug prevention programs in the workplace. But $1.2 billion is spent annually on such programs nevertheless, the report notes.

§ Salvador Outrage: Anti-union thugs in El Salvador plumbed new depths last year when two armed men kidnapped the six-month-old son of union official Lucas Marmol, a trade union rights reporter for the International Confederation of Free Trade Unions. The kidnappers tied up Marmol's wife and nephew before taking the baby, whose fate remains unknown. Despite the 1992 peace accord between the Salvadoran government and the resistance movement, unionists and other opposition leaders continue to be murdered by right-wing death squads.

§ Deregulation Scrapheap: Another 15,000 jobs were sent to the deregulation scrapheap last month when AT&T announced it will cut up to 15,000 jobs in an effort to boost profits.

§ Single-Payer Endorsed: The 60,000-member American College of Surgeons endorsed a national "single-payer" Canadian-style health system last month, stunning the medical community. The group's president said a single-payer system would preserve patients' rights to choose their physicians, reduce bureaucracy more than any other health-reform proposal, and foster the autonomy of physicians to make their own medical decisions.

§ Time with Kids: Mattel Inc. in Segundo, Ca., closes down every Friday afternoon to give employees more time to spend with their children. The policy helps "get people to be more productive during the rest of the week," a Mattel spokeswoman said.

§ Life is Dear, Death is Cheap: The price of a "contract" for a hired killer to assassinate a trade unionist in Colombia runs from $20 to $200, according to the Trade Union Rights Department of the International Confederation of Free Trade Unions. Several hundred trade union leaders are assassinated every year in Colombia, the victims of drug barons, paramilitary groups or killers hired by big landowners.

§ Toilet Tricks: A Texas-based company found a unique way to comply with an OSHA regulation regarding the required number of bathrooms for female workers, according to the San Mateo County Labor paper. To achieve the required ratio the company simply fired a large portion of its female workforce. A fired female employee has sued for discrimination.

§ Team Up: Unions and environmentalists teamed up in common cause last month to sue the Environmental Protection Agency for failing to require food processing companies to label products treated with the highly toxic, ozone-depleting pesticide, methyl bromide. According to a report in the Sacramento Valley Union Labor Bulletin, the Teamsters union said it joined with the Natural Resources Defense Council and Friends of the Earth in filing the suit because its members are exposed to methyl bromide in the workplace on a daily basis.

§ Sun Celebration: Over 250 environmental, labor, utility and other organizations are sponsoring Sun Day 1994, a national celebration of renewable energy to be held April 24. Sponsors range from Greenpeace to the United Steelworkers of America.

§ Risky Business: About 4,000 Iranian textile workers went on strike last year to protest not having been paid for several months. Workers at a Tehran plant that manufactures Mercedes trucks went on strike last March to protest the firing of 1,000 coworkers. Iran's privatization program has compounded the employment problem, but protest is risky. According to Free Labour World, Iran's parliament last October banned strikes and workers' demonstrations.

§ Hear This: IBEW members at Maico Hearing Instruments of Minneapolis, Mn. make the only American-made, union-made hearing aids on the market. But Maico's parent company, Ascom Holding, Inc., has threatened to divest its less-profitable businesses, including Maico. IBEW members can help the brothers and sisters at Maico keep their jobs by purchasing Maico hearing aid products.
Union organizers give headache to Utility Tree management

Supervisors for Utility Tree apparently held their line clearance tree trimmers in the yard long after closing time to prevent them from encountering union organizers for Local 1245 who were passing out leaflets at the entrance to the company yard in Dixon, Ca.

The leafletting was being conducted on a volunteer basis by Local 1245 members Pete Ely and Martin "Dino" Correia as part of the union's on-going campaign to bring all tree trimming contractors under a union contract. Ely is a tree trimmer for Davey Tree; Correia is a tree trimmer for the Sacramento Municipal Utility District.

Ely and Correia arrived at the Dixon yard around quitting time. They had given information packets to about four Utility Tree employees when the flow of employees out of the yard came to a halt. About 12 tree trimmers remained in the yard, apparently at the decision of Utility Tree management.

"I guess management is afraid to let these guys even read what we have in these envelopes," said Ely.

'Kind of Sad'

Correia expressed disappointment that the Utility Tree employees wouldn't get an opportunity to learn the facts about unionism—at least this time around.

"It's kind of sad some of those guys in there are scared of the union. They don't understand how a union can help them," said Correia.

Ely and Correia left after about an hour, but vowed that union organizers would keep coming back.

"I guess [Utility Tree] management is afraid to let these guys even read what we have in these envelopes," Pete Ely, tree organizer

Workers can't afford to ignore political process

As the 1994 mid-term elections approach, many Local 1245 members feel too busy with other problems to worry about politics.

California's economy is still mired in recession. Skyrocketing health care costs make contract bargaining more difficult than ever. And corporate "downsizing" is causing real anguish for many of our members, particularly right now at PG&E.

So it's tempting to put politics on the back burner. It's tempting to regard all politicians as equally bad, to think of the political process as corrupt and irrelevant. It's tempting to hope that politics will just go away if we ignore it long enough.

Unfortunately, that's not the case.

Every day politicians are taking aim at your standard of living. Every day well-financed special interests are lobbying the California Legislature to tilt the scales in favor of big business.

Every day corporate strategists are dreaming up new ways to take away the gains that working people have won at the bargaining table.

These special interests don't go away when we ignore them. They come after us. The only question is whether we are going to fight back.

One of the biggest threats this union has ever faced is now brewing in the California Legislature. It's called retail wheeling.

If retail wheeling is legalized in California, large industrial consumers of electricity will be able to bypass the PG&E grid and buy their power directly from independent power producers. PG&E's current downsizing is hard on Local 1245 members, but with retail wheeling these trends will get worse. Much worse.

What power do we have as citizens and union members to defend ourselves against this threat? We have the power to put people in office who will sponsor good legislation. And we have the power to throw out the elected officials who shamelessly do the bidding of big business, no matter how much it hurts working people.

The person who has hurt working people the most over the past three years in California is Gov. Pete Wilson.

Last year, Wilson vetoed 12 bills backed by the California AFL-CIO. In 1992, he vetoed 35 labor-backed bills, including a bill to match federal unemployment extension dollars.

Just as damaging, Wilson has appointed people who are viciously anti-labor to key positions in state government. Last August, one of his appointees to the State Industrial Welfare Commission cast the third and deciding vote against increasing the state's minimum wage. Lloyd Aubry, the man Wilson appointed to head the Department of Industrial Relations, was criticized last year by the US Department of Labor for failing to fine employers with willful and repeated violations of labor laws.

Remember: your garbage doesn't go away unless you put it out. The same applies to bad politicians.
**BARGAINING ROUND-UP**

From PAGE ONE

Agreement with City of Redding after nearly two years of bargaining

A fter 28 meetings spanning nearly two years, members of Local 1245 working in the electric department ratified a new three-year agreement with the City of Redding.

The new Memorandum of Understanding provides a 3% wage increase effective Feb. 13 of this year, 3.25% on Jan. 1, 1995, and 3.25% on Jan. 1, 1996. In addition, the MOU provides a $200 stipend to line clearance tree trimmers who hold an arborist certificate.

Another provision, long sought by the members, extends the summer work hours. The 7 a.m. reporting time, which permits employees to leave an hour early, will now be effective from March 1 to Nov. 1.

"This may not seem like such a big deal, but to these members it's important," said Business Rep. Jack Osburn, who helped negotiate the MOU. "They've wanted this for many many years." Agreement did not come easy. According to Osburn, management attempted to deny any raise for the bargaining unit, despite the fact that managers voted themselves a raise.

**Members Mobilize**

As bargaining continued with no end in sight, the union last fall mobilized its forces for a show of strength at the City. Concluding a September meeting, virtually the entire membership, accompanied in many cases by spouses, turned out to show their support for the union as Osburn and Local 1245 Assistant Business Manager Perry Zimmerman made presentations to the Council members.

"The turnout certainly got the attention of the City," noted Osburn.

A State Mediation and Conciliation officer, John Wormuth, participated in the last two bargaining sessions, which finally produced an agreement.

The MOU covers 14 new bargaining unit positions in the Redding Power Plant, a new facility scheduled to come on line in April. The power plant was originally built under contract by General Electric to produce energy from woodwaste. After Westminster National Bank foreclosed on the project, the City of Redding bought the facility.

The City is modifying the existing boilers, which have a 30 mw capacity, to burn natural gas. In addition, the City has purchased three 13 mw boilers with a combined capacity of 73 mw. A propane farm will provide emergency fuel, according to City officials.

The five classifications at the power plant will be Power Plant Warehouse Worker, Power Plant Operator, Power Plant Equipment Operator, Power Plant Maintenance Mechanic, and Instrument and Electrical Technician.

Serving on the bargaining team, in addition to Osburn, were Joe Kropholler, John Roberts, and Ray Thomas.

**Tentative pact with Sierra Pacific Power**

Wage increase at Modesto ID

A new Memorandum of Understanding with the Modesto Irrigation District provides a 3% wage hike in the first year.

The three-year agreement provides wage increases tied to the Consumer Price Index in the second and third years.

Serving on the union negotiating committee were Ken Raven, Dave Pittman, Kevin Jackson, Harvey Frantz, Don Ludlow, and Steve Auldridge, along with Business Rep. Gary Mai.

**Chowchilla adds MLK holiday**

Members of Local 1245 at Chowchilla Water District ratified a new two-year agreement that provides 2% general wage increases both years.

The pact also adds the Martin Luther King Jr. holiday. Bargaining for the union were Tom Skelton, Nestor Garcia and Business Rep. Gary Mai.

**Richvale ID ratifies new pact**

Local 1245 members at Richvale Irrigation District ratified a new one-year agreement that provides a 2.8% wage increase.

The Memorandum of Understanding also increases the employer contribution toward the medical, dental and vision benefit.

Serving on the union bargaining committee were Steve Higginbotham and Business Rep. Jack Osburn.

---

**AFL-CIO guide to scholarships**

The AFL-CIO has published its 1994 Guide to Union Sponsored Scholarships, Awards and Student Financial Aid. The guide lists about 3,000 scholarships worth nearly $3 million that are offered directly by individual unions, state federations and local central bodies. Single copies are free to union members, $3 to all others. Requests and checks payable to Secretary-Treasurer AFL-CIO can be sent to:

AFL-CIO Publications and Materials Office 815 16th St. N.W. Room 209 Washington, DC 20006
Thousands more Local 1245 members face random testing

Workplace drug and alcohol testing will be greatly expanded beginning in 1996 under new regulations issued by the US Department of Transportation.

Pipeline workers who are currently subject to random testing for drugs will be randomly tested for alcohol use as well when the new regulations take effect next year.

In addition, all employees who possess a commercial drivers license will be subject to random drug and alcohol testing under the new regulations.

The new regulations mean that thousands more Local 1245 members will be subjected to invasive drug testing procedures, regardless of whether there is any cause whatsoever to suspect them of drug use.

"Random testing isn't going to be limited to just the big employers anymore," said Local 1245 staff attorney Tom Dalzell. "There are commercial drivers everywhere. These regulations mean we will be facing random tests at virtually all of our employers — for alcohol as well as drugs.

"We will face the enormous task of trying to negotiate procedures that protect members at each employer to the maximum extent possible under the new regulations," Dalzell said.

Under the law, employers with union contracts must bargain over implementation of the drug testing program. Dalzell said the union would use the bargaining process to try to design protections against discriminatory testing, and also to give employees the maximum protection possible against "false positive" test results.

Beyond these basic principles, however, there are a myriad issues the union will have to deal with in negotiating over the implementation of drug testing programs at so many employers.

For example, which classifications at each employer would fall within the scope of the new regulations? Which set of regulations would apply if an employee fell within two different testing regimes — such as a pipeline worker with a commercial drivers license. What provisions will there be for rehabilitation as opposed to discipline or termination, and will the provisions be different for alcohol than for drugs?

"It's a real nightmare to sort out," Dalzell said.

Local 1245 has consistently opposed drug testing as an unconstitutional and unnecessary violation of employees' privacy rights. The US Constitution bars unreasonable searches and seizures. What could be a more unreasonable seizure than taking fluids from a citizen's body?

"I'm disappointed that the DOT under the Clinton administration is going even further in pursuing this witch hunt for drug users in the workplace. To catch a few people they are eroding the basic civil liberties of millions of law-abiding workers."

Tom Dalzell, Local 1245 attorney

PG&E won't halt Title 206

Pacific Gas and Electric has refused to heed Local 1245's request that the company halt all Title 206 activity.

Local 1245 in January asked the company to suspend Title 206 bumping and displacement activity pending resolution of a union grievance. The grievance alleged that the company has failed to fill numerous vacancies in the system despite provisions in Letter Agreement requiring the company to do so.

However, the company declined the union's request. The case has been scheduled for arbitration. The case will be heard by an arbitrator on April 15 and 18.

Better deal on drugs-by-mail

Local 1245 recently reached agreement with PG&E on improving the benefit coverage under the PG&E Mail Order Prescription Drug Program, RxExpress.

The agreement provides for a $500 annual out-of-pocket maximum on the 15% co-payment. Under the agreement, if the annual out-of-pocket maximum is reached by an eligible plan participant, the 15% co-payment will no longer be applied and the plan will pay 100% of the cost for the remainder of the calendar year.

This benefit enhancement will be available to all eligible PG&E employees, dependents, retirees and surviving spouses.

March 1994 Utility Reporter 5
Standards now!
Workers want protection from cumulative trauma injuries

Hearings before the Cal-OSHA Standards Board are often a dry and technical affair attended by a smattering of experts, an occasional reporter, and no one else.

But last month's public hearing on the proposed Cal-OSHA ergonomics safety standard was another matter entirely as injured workers presented graphic and often emotional testimony about the crippling injuries that sidelined or ended their careers.

The public hearing, conducted at a state office building in San Francisco on Feb. 24, also afforded employers an opportunity to explain why the proposed standard should be weakened.

But the day clearly belonged to the throngs of injured workers determined to have their story heard.

One of the day's most dramatic moments came when two Standard Board members began chatting with each other during the testimony of grocery clerk Rito Ramirez, a member of the United Food & Commercial Workers union. Having come to be heard, not ignored, Ramirez simply stopped his testimony.

When one of the chatting Standards Board members gestured for Ramirez to continue his testimony, Ramirez flashed a disarming smile and said, "I just wanted to make sure you were listening." The audience burst into applause.

Expressing the anguish, frustration, and anger that injured workers feel, Ramirez went on to testify:
"I'm a worker. I'm a family man. And believe me, when it comes to my family, I get upset when I can't work."

Rito Ramirez, injured grocery clerk

"I'm a worker. I'm a family man. And believe me, when it comes to my family, I get upset when I can't work."

Rito Ramirez, injured grocery clerk

Gary Karp, a businessman injured by long hours at the computer keyboard, tells the Standards Board that a strong ergonomic safety standard makes good economic sense. (Photos: Eric Wolfe)

"I'm a worker. I'm a family man. And believe me, when it comes to my family, I get upset when I can't work."

Rito Ramirez, injured grocery clerk

From the testimony of a Cal-OSHA Hearing: Standards now!

My name is Jaime Osorio, a 10 years experienced clearance tree trimmer and at times hazardous energized high voltage suffer some kind of injury. We need a standard to prevent repetitive motion injuries. A good standard is longer and better, and a lower out-of-pocket rate also helps the injured workers in the state. Thank you.

Gary Karp, a businessman injured by long hours at the computer keyboard, tells the Standards Board that a strong ergonomic safety standard makes good economic sense.

(Photos: Eric Wolfe)
I'm a family man. When it comes to my family, I get upset when I can't work.

Gary Karp, a former graphic designer and corporate vice president injured by long hours at the keyboard, offered a manager's perspective on why a tough ergonomic standard makes good business sense.

Noting that cumulative trauma disorders are rising in direct proportion to the growth of desktop computing, Karp warned: "Businesses are sitting on a time bomb, but they think they don't have a problem."

"The business community is seriously at risk from costly disability claims," testified Karp. "They're at risk of costly rehiring and retraining to replace injured workers."

They're at risk of having to purchase costly adaptive equipment under the ADA (Americans with Disabilities Act). They're at risk of losing their most valued employees."

Karp said many businesses continue to insist there is no problem even though they are losing productivity due to cumulative trauma injuries to their workers.

Jaime Osorio, a line clearance tree trimmer at Asplundh Tree and a 10-year union member, presented written testimony on behalf of Local 1245 and participated in a noontime rally and informational picketline in front of the building where the hearings were conducted.

(See Osorio's testimony, at left.)

Among the activists speaking at the rally was Frances Schreiberg of Worksafe!, a labor-backed safety advocacy coalition.

According to Schreiberg, over 18,000 people suffered cumulative trauma injuries in California in 1991, 32% of which were work-related.
They're at risk of having to purchase costly adaptive equipment under the ADA (Americans with Disabilities Act). They're at risk of losing their most valued employees.

Karp said many businesses continue to insist there is no problem even though they are losing productivity due to cumulative trauma injuries to their workers.

Jaime Osorio, a line clearance tree trimmer foreman with Asplundh Tree and a 10-year union member, presented written testimony on behalf of Local 1245 and participated in a noontime rally and informational picketline in front of the building where the hearings were conducted. (See Osorio's testimony, at left.)

Among the activists speaking at the rally was Frances Schreiberg of Worksafe!, a labor-backed safety advocacy coalition. According to Schreiberg, over 18,000 people suffered cumulative trauma injuries in California in 1991, 32% of all workplace injuries and illnesses officially reported in the state that year. In a prepared statement, Schreiberg declared that new technologies have given rise to new health and safety hazards.

"Are we going to ignore the health and safety hazards of this new technology just as factory owners ignored the health and safety of their workers at the beginning of the industrial revolution?" she asked. "Do we have to repeat the process? Have we learned nothing?"

Schreiberg denounced several aspects of the proposed standard as being too weak, including:

• Allowing employers to wait three years before providing job-specific training in safe work practices.
• Allowing employers exemptions in cases where compliance is considered not practicable.
• Allowing employers to provide "personal protective gear" rather than more effective engineering and administrative controls.

California Labor Federation Executive Secretary John Henning warned workers not to place too much faith in the Standards Board to protect their health, noting that a succession of Republican governors had stacked the Board with pro-management representatives.

Two of the five seats are supposed to be filled by labor representatives. But one of the labor seats is vacant and the other is occupied by a member of a prison guard union that is unaffiliated with the AFL-CIO and has consistently aligned itself with Republican Governors George Deukmejian and Pete Wilson.

"Under law we are supposed to have two members on the Standards Board," Henning said. "But we have only one, and we challenge his credentials."

"We know from history and we know from reality that the employer gives you nothing unless you are strong enough to take it," Henning said.

---

**'Give workers more control in the workplace'**

One of the most important ways to insur workplace safety is to make sure that workers are given as much control as possible in the workplace. This sweeping assertion appears to go far beyond traditional concepts of occupational safety, where regulators set (or fail to set) standards and managers enforce (or fail to enforce) them. But this call for worker control does not come from some wild-eyed union activism. It is the viewpoint of Professor Thomas Armstrong of the University of Michigan, a leading expert on ergonomic issues.

Speaking at a national conference on ergonomics last December in San Francisco, Armstrong described the efforts that occupational health professionals are making to establish national ergonomic guidelines. Such guidelines are important because they provide the scientific foundation on which state and federal ergonomic regulations can be built.

Controlling cumulative trauma injuries in the workplace, Armstrong said, parallels the process of "quality improvement" in industry. Just as giving employees greater control over production processes has been found to be a key factor in improving product quality, employee involvement is equally key to insuring a safe work environment.

Components of employee involvement mentioned by Armstrong in his keynote address to the ergonomics conference include:

• A responsive system for handling complaints.
• Encouragement of informal discussions.
• Fostering a sense of belonging.

Safe work practices cannot be maximized if employees don't assume responsibility for their own behavior. And employees are not going to assume that responsibility if they have little or no control in the workplace, Armstrong suggested.

A successful safety program requires visible leadership from all levels of management, said Armstrong, including the establishment of meaningful and achievable goals, defining tasks to achieve those goals, and setting a schedule for the completion of tasks.

Controlling cumulative trauma injuries, Armstrong said, will require a change in "management culture."
Federal commission holds hearing in San Jose

PG&E steward testifies on worker-management relations

In order for Employee Involvement programs to succeed, Brill told the Commission, everyone in management--right up to the top--must "buy in" to the cooperative approach.

"The workers themselves must have their own representative and must be able to stand on equal footing with the employer. Otherwise participation and empowerment are merely words describing systems that leave management's basic prerogatives unchanged."

AFL-CIO President Lane Kirkland
California labor plays role in Chiapas accord

When peasants in the Mexican state of Chiapas launched a rebellion on New Year's Day to protest economic exploitation in general—and the North American Free Trade Agreement in particular—it seemed inconceivable that their demands would be met with anything but bullets.

Incredibly, only a few short weeks later, rebel leaders and government representatives reached a tentative agreement that appears to meet many of the rebels' main demands. These include reform of the election process and a broad program of economic assistance to protect rural corn farmers against the potentially devastating effects of NAFTA.

California labor leaders, who last month appealed to the US State Department to exert its influence on behalf of the rebels, were elated upon learning of the proposed settlement.

"It is clear that the petition to the state department had a significant impact," said California Labor Federation Executive-Secretary John Henning. "The State Department says it agrees with us and it appears that the regime in Mexico has favorably answered our protests."

In a letter responding to the California labor officials, a US State Department official stated that:

"We have received assurances from the Mexican government that all allegations of rights violations will be investigated fully, charges will be brought against those suspected of carrying out abuses and those found guilty will be punished."

The conflict began when rebel bands took over several towns on Jan. 1, the day NAFTA took effect.

Henning and leaders of the Labor Council for Latin American Advancement petitioned the US State Department amidst media reports that the Mexican Army was committing gross human rights abuses against the peasant population in Chiapas.

The rebellion served to confirm some of the warnings sounded last year by NAFTA opponents, who said that opening the Mexican market to US grain producers would impose unbearable financial hardships on Mexican peasants who rely on grain sales to eke out a meager living. The result, NAFTA opponents warned, would be increased migration from the countryside into Mexican cities and, eventually, into the United States.

However, the peasants in Chiapas surprised the world with a far more aggressive response: they didn’t run, they fought back.

The terms of the tentative agreement must now be ratified by the communities that support the rebels.

Steward speaks up for employees

When Bob Stewart transferred to Marysville in 1962, just two years after signing on at PG&E, he discovered that the employees were having “just one awful lot of trouble with the supervisor up there not administering the contract fairly.”

“Nobody was interested in rocking the boat,” Stewart says.

Business Representative Ron Reynolds recognized a boat rocker when he saw one and asked Stewart to get involved in the union. Stewart signed up as a steward and agreed to serve on the grievance committee.

And so began the saga of Bob Stewart, union steward.

Stewart’s approach to union stewarding has been pretty straightforward through the years:

“I just did what I thought the contract said to do. There were times, he acknowledged, when that could get a person “into some pretty hot water.”

He recalls a time in the 1960s when he served on a committee looking at getting the Gas Measurementman classification onto a journeyman track. Management representatives on this committee, particularly the older people, didn’t always see eye-to-eye with Stewart, particularly in the area of job definitions.

The committee ended up producing what Stewart considers “one of the major breakthroughs in job definitions and automatic progression and rate changes.” But one of the older management officials was apparently unhappy with Stewart’s outspoken role in the whole process.

“He no longer had the power [to say] ‘Shut up, I don’t want to talk to you any more,’ ” Stewart recalls.

Stewart believes that manager had a hand in several of Stewart’s future suggestions being turned down.

“After that man retired I resubmitted them and they paid well. I was suggester of the year several years in a row,” he recalls with pride.

Stewart believes “that kind of intimidation [existed] throughout the company” in those days. Now supervisors are better-trained, he says, and tend to be more sensitive to people’s feelings. Nonetheless, speaking up to management can still be an intimidating experience for employees. And that’s why a union steward, in Stewart’s opinion, has such an important role to play.

“Most of the time when I had contact with employees who had problems they didn’t want me to speak up for them. They wanted me to speak out against the condition. They didn’t want to be mentioned... because people didn’t want to be singled out by a supervisor.”

Stewart says he understands people’s reluctance to be out front in confronting the company because the employee has “got to be with that supervisor every day.”

“A lot of people expect the steward to put his neck on the line rather than theirs,” says Stewart. “As far as I’m concerned, that’s my job: to go in and speak for the employee.”

In recent years Stewart says many of his steward responsibilities have been turned over to Ken Jerkowicz, who “does a fine job in speaking up for the people.”

But Stewart hasn’t given up stewarding entirely. Maybe it’s just in his blood. The steward performs a “necessary function,” says Stewart.

“You can’t operate without it.”
Union meetings seek to clarify rights of Clerical members at PG&E

From PAGE ONE have the flexibility to state their job priorities and to be considered for one of them," said Mitchell. "In the event employees are not awarded--or decline--a job under Section 19.9, they will have to take their chances with Title 19 bumping and displacement procedures. The company is required to offer these members a job, because we negotiated that with the company in Letter Agreement 92-2 last fall. But it may not be the job the member wants," Mitchell continued.

"It's brutal, but that's what PG&E's decision to consolidate has come down to: individuals are going to get hurt." Different Interests

During the first informational meeting, held March 7 at the PG&E service center in Concord, Mitchell noted that the company and the union have fundamentally different interests in the consolidation process.

"The number one decision for PG&E is the business decision," said Mitchell. "While the company may try to take the needs of its employees into account, its top priorities are stockholders and customers.

The union's most important priority, by contrast, is the interests of its members. Mitchell said it would be in the employees' best interests for the company to simply "kill" consolidation. However, under the labor agreement, the company has sizeable authority over the deployment of the workforce. In cases where the company has such authority, the union's role is limited to bargaining over the impact of such decisions on the employees, and to challenge any company decisions that appear to violate the labor agreement.

The union has challenged the company at several stages of the consolidation process. For example, when PG&E proposed last autumn to fill the Call Center positions through a modified version of Title 18, the union objected to the procedure that would arbitrarily enhance the rights of some members at the expense of an equal number of other members.

"In situations like this, we have to determine what's in the best interests of the membership as a whole, not just an individual's best interest," said Mitchell. "The company's proposal, on balance, would not have benefited the bargaining unit as a whole.

Finally, in Letter Agreement 93-2, the company and union agreed that the appropriate procedure was to post Call Center positions as a "new job at headquarters" and give affected employees a choice, through a modified version of Title 18, to move into those positions utilizing Section 19.9 procedures.

The union has challenged the company at several stages of the consolidation process. For example, when PG&E proposed last autumn to fill the Call Center positions through a modified version of Title 18, the union objected to the procedure that would arbitrarily enhance the rights of some members at the expense of an equal number of other members.

"In situations like this, we have to determine what's in the best interests of the membership as a whole, not just an individual's best interest," said Mitchell. "The company's proposal, on balance, would not have benefited the bargaining unit as a whole."

Finally, in Letter Agreement 93-2, the company and union agreed that the appropriate procedure was to post Call Center positions as a "new job at headquarters" and give affected employees a choice, through a modified version of Title 18, to move into those positions utilizing Section 19.9 procedures. Once Section 19.9 activity is played out, the company is required to utilize other sections of Title 19 to fill remaining vacancies. Seniority will be the governing factor in that process as well.

Unprecedented Changes

Making sure that the company's actions conform to the labor agreement has been difficult, Mitchell said, because the changes are of unprecedented scope.

"We've never had a situation at PG&E where we've had so many decisions made concurrently by many other employees. Thus, people who sit out the initial Section 19.9 phase may end up being bumped into Call Center positions anyway, but with no choice of shift and with a less-senior status than they might otherwise have achieved by participating in Section 19.9.

"The company has created the conditions for these agonizing choices by its decision to consolidate and downsize," Mitchell told the Utility Reporter.

"The best thing our members can do is keep up on developments and stay aware of their options. That's the purpose of the meetings we're holding this month. People need to know what's going on before they can figure out which way to jump."

Local 1245 challenges PG&E 'Buypass'

From PAGE ONE formation and teleprocess this data to Buypass's head office in Atlanta, Ga. Buypass then forwards the processed data back to PG&E's Payment Processing Center in San Francisco," said Dalzell.

"Buypass is accurately named," Dalzell said, "because what this company does is bypass our members. Much of the work that would normally be performed by PG&E employees at local offices and the PG&E Payment Processing Center is now performed by this outside contractor."

Buypass is owned by five regional banks, including Bank of America and First Interstate.

This is not the first time that independent pay stations have been the source of conflict between the union and the company.

In 1991 Local 1245 charged that it was inappropriate for PG&E to be using pay stations at a time when the company was closing local PG&E offices. The union argued in a grievance that PG&E was contracting out work at the same time that it was reducing comparable bargaining unit work, and was therefore in violation of the Section 24.5 prohibition on contracting out.

However, Arbitrator Walter Kintzruled against the union on that grievance. Kintz based his decision on company testimony that pay stations actually increase the workload at PG&E local offices because the paperwork associated with pay stations is labor intensive.

The current dispute, however, presents a different situation. The union maintains that the "Buypass" system transfers to an outside contractor the clerical work normally performed by Local 1245 members.

"We believe this is a straightforward reduction in Clerical bargaining unit work," said Dalzell. "Soon we'll find out if the arbitrator agrees."

A decision by the arbitrator could come by this summer. Meanwhile, PG&E is processing about 165,000 customer payments a month through the "Buypass" system.

"We believe this is a straightforward reduction in Clerical bargaining unit work. Soon we'll find out if the arbitrator agrees."
AARP refuses to endorse 'Managed Competition'

Senior citizens asserted their independence on health care policy last month when the nation's largest seniors organization chose to withhold its endorsement of President Clinton's proposed system of "managed competition."

"The Clinton plan is the nearest to what we are looking for, but it falls short," said Lovola W. Burgess, president of the American Association of Retired Persons (AARP).

AARP has been a leading advocate for health care reform. Its principal goals for reform are universal health insurance, cost controls, prescription drug coverage, and a national program of long-term care.

"We are concerned about the financing of Clinton's plan," said Burgess. "We don't know if the proposed cuts in the growth of Medicare and Medicaid would provide enough money to help finance the president's plan. We fear that doctors would be less willing to see Medicare patients if their fees are cut."

Goals Outlined

Another seniors group, the National Council of Senior Citizens (NCSC), staked out its position in the February 1994 issue of Senior Citizens News. The article outlined the group's vision of what seniors need in a health care reform package:

"The plain unvarnished truth is that we are not going to get a perfect plan this time around. But, we can get a plan that provides coverage for the nearly 40 million Americans who have no health insurance; we can get prescription drug coverage for Medicare beneficiaries; we can get home and community-based care; we can get an end to balanced billing; we can get benefits for early retirees and we can get a strong option for states to adopt a single-payer system and keep single-payer principles in the national health debate."

Don Hardie, chairman of the Local 1245 Retiree Club East Bay Chapter, said the provision to permit states to establish their own single-payer systems is one of the main strengths of the Clinton plan. Hardie noted that health reform activists are already circulating petitions to put a single-payer health care plan on the ballot in California.

Battle brews over programs important to seniors

With a battle brewing over entitlement programs such as Social Security, the National Council of Senior Citizens (NCSC) has called on President Clinton to use his time and stature to define the debate in terms of "real people and core values."

In a letter to Clinton, NCSC Executive Director Lawrence T. Smedley asked the President to distance himself from those seeking to mean-test Social Security, calling such measures "a bald-faced ploy to undermine widespread public confidence and support for the most popular social program in US history."

As reported in Senior Citizens News, Smedley declared:

"If Social Security is mean-tested, those on the political right will begin to characterize recipients as 'old people on welfare,' and the middle class will soon grow tired of paying Social Security taxes for a program that does not benefit them. It is not an overstatement to say that means-testing Social Security is the first step down a slippery slope to the old-age poor houses of the 1930s."

Smedley called on the President to adopt three basic arguments in defense of entitlement programs and their recipients:

- Social Security has nothing to do with the federal deficit. In fact, Social Security is amassing nearly $60 billion a year in reserves.
- Most senior citizens are low-to-moderate income.
- Without Social Security, more than 44% of all senior citizens would be in poverty.

The median income of those over age 65 is less than $15,000 a year.

Impending health care reform makes any debate over Medicare or Medicaid virtually irrelevant.

"When Congress talks about cutting entitlements," said Smedley, "the entitlements they are talking about cutting are those of the Baby Boom generation—the largest voting block in US history. This generation, half of whom have either no pensions or underfunded annuities, is only 15 years away from retirement. With few solid pensions and little savings in the bank, the Baby Boom generation is going to be even more dependent on Social Security than today's retiree," Smedley said.
The skills of electric linemen will be featured in the March edition of We Do the Work, the labor program airing monthly on public television stations around the country.

The TV program will offer a close-up look at the Lineman's Rodeo conducted last year in Salt Lake City, Utah, which was jointly sponsored by IBEW Local 57 and Utah Power & Light.

Local 1245 linemen from PG&E, SMUD, Sierra Pacific Power and the City of Roseville regularly compete in the northern California version of the regional competition and in some cases have gone on to great success in the national competition in Kansas City, Mo.

Another segment of We Do the Work in March looks at Palcare, a 24-hour child care center in the Bay Area. Palcare offers a vivid demonstration of how airport, hospital and other late-shift workers, their unions and their employers are addressing the problem of child care for workers with unconventional schedules.

Where to see 'Lineman's Rodeo':

San Francisco, TV 9: March 27, 3:30 p.m.

Los Angeles, TV 28: March 26, 6:30 p.m.