

# UTILITY REPORTER

Raiding Pensions  
Page 8

## Tree trimmers gain medical benefits

**L**ine clearance tree trimmers have gained employer-financed medical, dental, vision and prescription drug benefits in historic agreements with Asplundh Tree Expert Co., Davey Tree Surgery Co., and Arbor Tree Surgery Co. The agreements cap a long campaign waged by Local 1245 to win employer-financed medical benefits for tree trimmers. Members at Asplundh and Davey are scheduled to ratify the agreement in November, with Arbor members voting in December.

Asplundh, Davey and Arbor all provide line clearance

tree trimming services to Pacific Gas and Electric.

"This is a giant step for the tree trimmers in this union," said Local 1245 Business Manager Jack McNally. "They deserve decent medical benefits for themselves and their families, and by sticking together as a union, they've achieved it."

Under the agreement, tree trimmers and their dependents will be covered by the Line Construction Benefit Fund (LineCo). The medical plan has a \$250 annual deductible for individuals, \$500 for families. The plan pays 80% of the next \$5,000 and 100% of all additional costs up to a \$500,000 lifetime maxi-



### CELEBRATE!

Local 1245 members at Asplundh Tree hold up LineCo handbooks as they celebrate the new benefits package negotiated by the union. Tree trimmers at Asplundh, Davey and Arbor will now receive employer-paid medical, vision, dental, and prescription drug benefits.

mum.

Members and their families will also receive vision, prescription drug and dental benefits, including orthodon-

tic coverage.

Tree trimmers were elated by the successful negotiations for employer-paid ben-

See PAGE TWELVE

## Sweeney wins



**J**ohn Sweeney was elected president of the AFL-CIO last month after a campaign in which he pledged to revitalize the labor movement through organizing.

Elected secretary-treasurer was Rich Trumka of the United Mine Workers. Elected as executive vice president was Linda Chavez-Thompson of the American Federation of State, County and Municipal Employees.

## Automated meter reading at PG&E?

By Tom Dalzell

**O**ver the last few months, newspaper articles and radio news reports have fueled rumors throughout the PG&E system, leading many Local 1245 members to believe that all Meter Readers and Senior Meter Readers will lose their jobs because of automation.

What is the truth?

It is true that PG&E is considering automating all or part of its meter reading operations. Market forces and regulatory pressures may require some level of automation.

To be prepared for any changes in metering or meter reading that the Public Utilities Commission might order as part of its plan to reorganize the electric utility industry, PG&E has asked for vendors to make proposals to the company for plans to

automate meter reading. PG&E management is currently reviewing these proposals with the goal of making a presentation on meter reader automation to the Board of Directors in January or February of 1996.

Through a joint Title 8 (labor-management) committee, Local 1245 is being kept fully apprised of the company's decision-making process. A Local 1245 member is fully involved in the review of the automation proposals, and Local 1245 mem-

bers on the joint committee were included in an August visit to Kansas City to view an automated meter reading system there. Local 1245 members were also included on a September visit to an automated meter reading symposium in St. Louis, and were to be included in a November visit to Denver to inspect an automated meter reading system there.

PG&E is not committed to full automation of its meter reading, but it is gathering

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**Our primary goal in the meter reading process is to protect the jobs of our members, whether they are Meter Readers, Gas Servicemen, Troublemakers, Metermen, or Communication Technicians in CNO.**



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## CALENDAR

November 17  
DeSaba/Colgate  
Pin Dinner  
Oroville, Ca.

December 1  
Shasta Pin Dinner  
Redding, Ca.

December 2  
Sierra Pacific Power  
Stewards Conference  
Reno, Nev.



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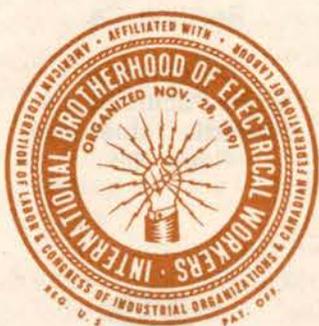
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### Workers here and abroad

## Rolling the union on...

#### French Workers Walk:

Five million government workers staged a crippling one-day strike in France to protest a salary freeze. The strike was France's biggest in a decade.

#### Utility Merger:

Continuing the recent wave of utility mergers, Puget Sound Power & Light Co., an electric utility, is acquiring Washington Energy Co., a gas utility for \$488 million. The Wall Street Journal said the Washington state deal "is likely to be a model for future energy company consolidations."

#### Chained Reverend:

A Methodist minister from Decatur, Ill. chained himself to the portico of Tate & Lyle World Headquarters in London last month to protest the lockout of 762 workers at Tate & Lyle subsidiary A.E. Staley's plant in Decatur. The

Rev. Robert Wiedrich said he came in the place of locked-out Staley worker Dan Lane, who was too weakened by a 34-day fast to come himself. Lane is fasting to draw attention to the lockout and to urge Staley to begin meaningful negotiations.

#### Victory at Holiday Inn:

The two-and-a-half year struggle to unionize the Holiday Inn in Walnut Creek, Ca. ended in victory when workers voted overwhelmingly for their first union contract on Oct. 18.

#### Free Speech Victory:

A federal judge issued a restraining order Oct. 4 prohibiting the city of Lafayette, Ca. from attempting to enforce an emergency ordinance outlawing virtually any picket line, march, rally or other demonstration, the California AFL-CIO News reported. The city passed the ordinance at the behest of the Lafayette Park Hotel, which is seeking to thwart workers' efforts to win a union contract at the hotel.

#### Someone's Doing Well:

The Economic Policy Institute reported that corporate profits hit a 25-year record last year, while the median wage for male work-

ers has slipped 1% a year for the last six years. Business Week says corporate chief executives now earn 53 times as much as factory workers, up from 42 times as much in 1980.

#### Only One Hearing:

The Cal-OSHA Standards Board will hold just one public hearing on its proposed ergonomic safety standard. The Board, acting under a court order obtained in a lawsuit filed by the state AFL-CIO, said it will issue the standard in December and hold the public hearing in January. The Board has used various delaying tactics to avoid issuing a standard, despite an epidemic of repetitive motion injuries in the workplace. An ergonomics standard could reduce the number of such injuries.

#### Workers Sue EPA:

Farm Workers and their allies are suing the Environmental Protection Agency for its decision to modify a cancellation order and allow the use of the insecticide mevinphos through the 1995 growing season. The suit calls the pesticide "acutely dangerous" and says it has poisoned hundreds of farm workers in California and other states.

### Unit meetings

**Unit 3712, Santa Rosa,** has a new meeting location. Beginning Dec. 5, the unit will meet at Coddington Roundtable, located at Cleveland and Steele. Meetings continue to be on first Tuesday at 7 p.m.

**Unit 3812, Vacaville,** will meet on Tuesday, Nov. 14 and Tuesday, December 12 instead of the usual Monday dates. Time and place remain the same.

**TEAM Act:** Twenty-two House Republicans joined 180 Democrats in voting against the anti-union TEAM Act, making it unlikely that the bill—which passed 221-202—will survive a Presidential veto. The TEAM Act would legalize company unions, making it harder for workers to organize legitimate unions.

**Boeing Strike:** Over 30,000 Machinists union members struck Boeing Oct. 5 after rejecting the company's latest contract offer. "Boeing workers are angry that the company keeps winning orders for new airplanes while sending more and more jobs overseas," said Robert Gregory, the union's lead negotiator.

### APPOINTMENTS

#### PACIFIC GAS & ELECTRIC COMPANY

##### Building Department Training Program Committee

Vincent Almacen  
John Malone  
Kevin Martinez

##### Design Drafting/Repo Title 8 Labor-Management Committee

Angelina Barrientos  
Kevin MacDonnell  
James Cranna  
Luisa Martinez  
Eric Nelson

### CONFERENCES/ CONVENTIONS

#### IBEW Nuclear Conference

Mike Haentjens  
Mike Jacobson  
Stephen Curran

#### IBEW TCC-4 Fall Conference

Jack Osburn

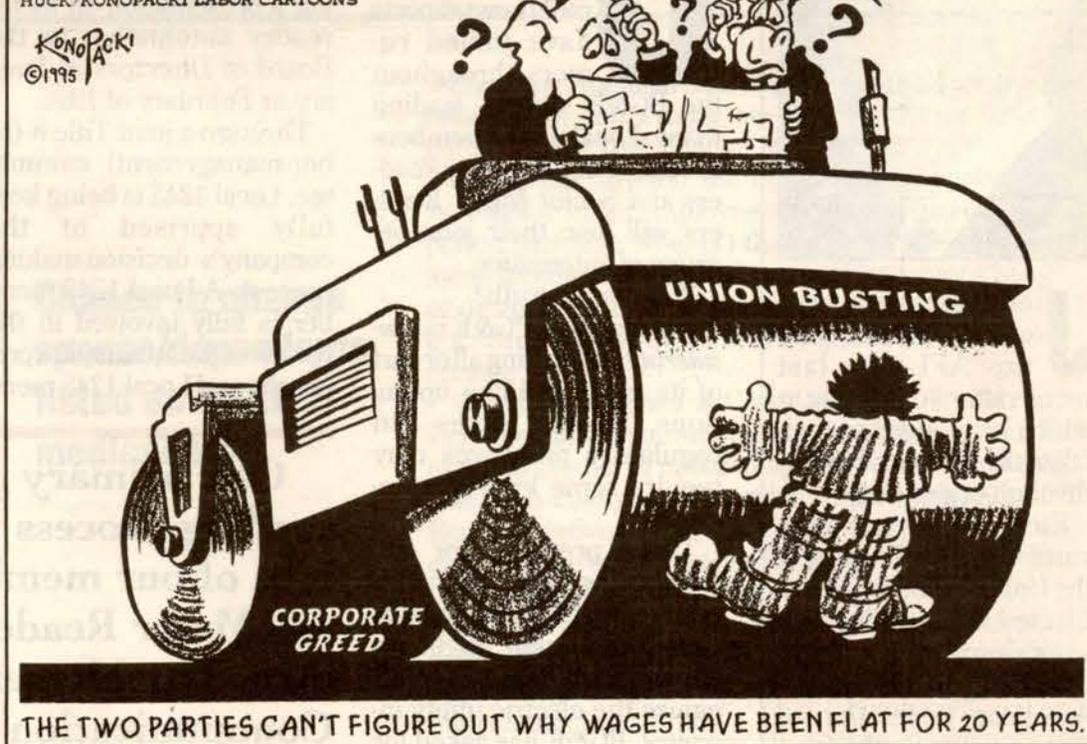
#### IBEW Department of Energy Conference

Gary Mai

#### ILCA Constitutional Convention

Eric Wolfe

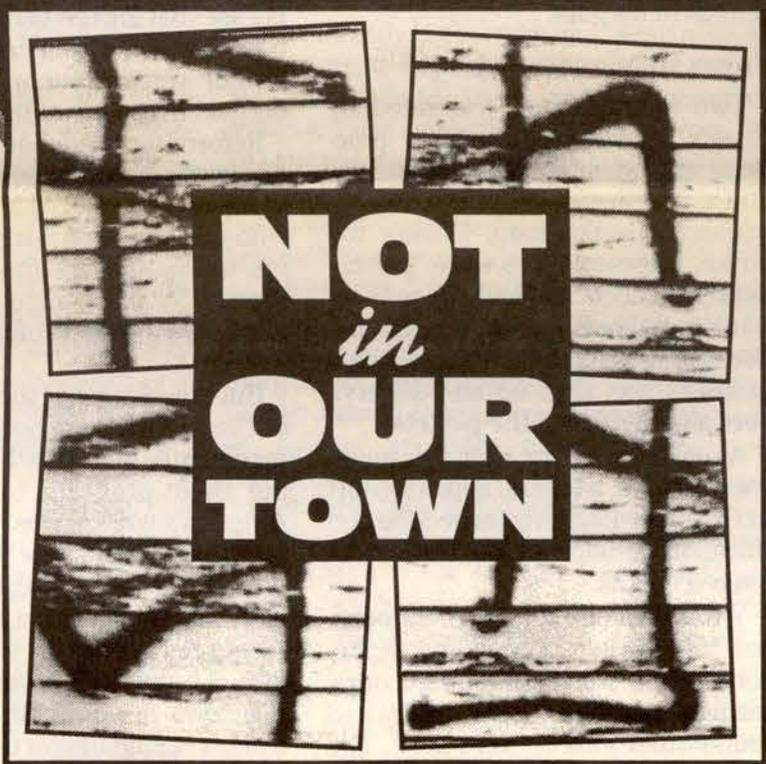
HUCK/KONOPACKI LABOR CARTOONS





**GAS RELIGHT**

Mike Grill addresses a class of Temporary Gas Servicepersons hired through the union hiring hall to assist with PG&E's gas relight program. Grill, a PG&E Gas Serviceman out of Fresno, is a Local 1245 steward. Currently there are about 160 people working in the gas relight program. (Photo: Julie Rodriguez)



**T**his holiday season, the Public Broadcasting System will present **Not in Our Town**, the award-winning half-hour TV show about the people of Billings, Montana who joined together to stand up for their neighbors when they were under attack by white supremacists.

In 1993 Billings was rocked by a series of hate activities. Ku Klux Klan fliers were distributed throughout town, members of an African American church were harassed, tombstones were overturned in the Jewish cemetery and swastikas were spray painted on the home of Native Americans.

**Not in Our Town** portrays the important role of labor, religious groups, law enforcement, and the media in fighting intolerance and shows how we all can take action to prevent hate crimes in our own communities.

**Not in Our Town**, a production of "We Do the Work," will air on the following dates:

**San Francisco, KQED 9**  
Dec. 20, 9 p.m.

**Fresno, KVPT 18**  
Dec. 17, 10:30 p.m.

**San Mateo, KCSM 60**  
Dec. 18, 10 p.m.  
Dec. 19, 8 p.m.  
Dec. 22, 10:30 p.m.

**Los Angeles, KCET 28**  
Dec. 29, 9:30 p.m.

**Who's behind the attack on your overtime pay?**

**Jack McNally, IBEW 1245 Business Manager**

Overtime pay is one of labor's great achievements. It protects employees from being overworked by requiring employers to pay an overtime premium.

This right to receive higher wage rates when working overtime was won by labor unions through political action and through contract negotiations.

The federal Fair Labor Standards Act requires employers to pay overtime for work in excess of 40 hours per week. In California, workers have an even better deal. State regulations enforced by the IWC require that workers get overtime after eight hours on any given day, regardless of whether they go over 40 hours in a week.

Members of Local 1245 have the additional protection of contract language that entitles them to overtime wages.

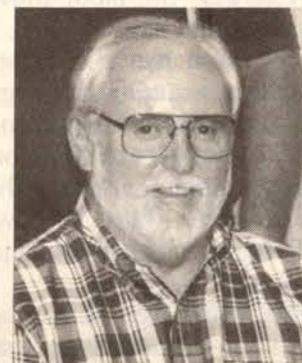
And that's what most Local 1245 members think about overtime: it's an entitlement, written in stone, something that can never be taken away.

Unfortunately, that's not the case. In recent years, the IWC has been chipping away at overtime protections in California. The IWC has adopted four different wage orders permitting particular industries to work their employees for more than eight hours a day without paying overtime.

And that's just the opening wedge in an all-out assault on overtime protections.

Last year legislation was introduced in the California Assembly that would eliminate the state requirement that employers pay overtime after eight hours work. That measure was temporarily beaten back, but it's due to come up again in January.

Who's responsible for this



assault on workers' overtime pay? Who's behind this assault on one of the most important protections ever won by the labor movement?

The culprit isn't too hard to identify: it's the Republican Party.

The IWC members who have weakened overtime protections were appointed by Republican governors.

The Assembly members trying to repeal eight-hour overtime protections are Republicans. And now that they have finally secured a majority in the Assembly, they might just be able to destroy our eight-hour overtime protections.

And it gets worse. Newt Gingrich's Republicans in Washington D.C. are now attacking the 40-hour week overtime standard. Under this legislation, workers could be made to work up to 80 hours in a week without overtime pay, as long as the two-week total didn't exceed 80 hours.

Local 1245 labor agreements would continue to protect our overtime pay for now. But how long could we hang onto those standards when our employers start having to compete against non-union employers who are under no obligation to pay overtime?

Take a look at which members of the Assembly are going after your overtime pay. It just might help you figure out who your friends are, and who they aren't.

# Labor laws stand in way of AFL-CIO's pledge to organize

**W**hen John Sweeney captured the presidency of the AFL-CIO last month, he did it largely on the strength of his pledge to re-energize the labor movement through organizing.

His election has stirred speculation in the news media that organized labor may be headed for a comeback.

But the obstacles to union organizing are formidable. Among them:

- Corporate flight to low-wage countries has created deep insecurities among US workers.
- The workforce is increasingly made up of temporary and parttime employees who are more transient and harder to organize.
- In both the media and the classroom, labor unions are either ignored entirely, or portrayed as irrelevant relics of an earlier era.

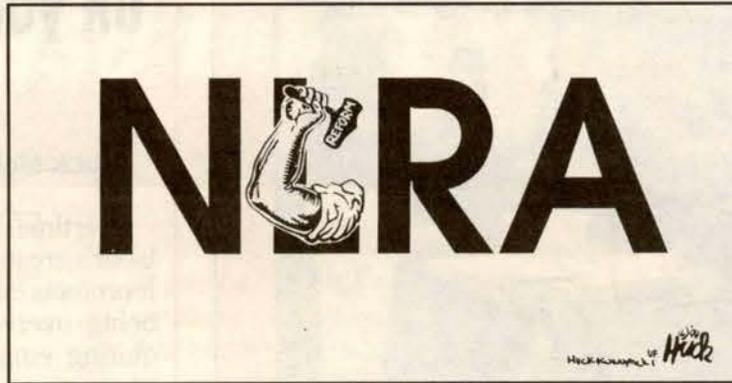
Perhaps the biggest obstacle to organizing, however, is US labor law.

The National Labor Relations Act (NLRA), established 60 years ago to empower workers to organize and to protect union activists from retaliation by employers, has ceased to be a shield for workers.

Union leaders like Sweeney have scored some of their most impressive organizing successes by ignoring union recognition procedures established by the National Labor Relations Board (NLRB) and instead using economic and community pressure to force employers to recognize the union.

Despite these successes, the fact remains that reform of US labor laws could add important new strength and momentum to Sweeney's dream of organizing America's workplaces. As things stand now, the nation's labor laws are not working, and are in danger of being totally gutted by anti-union forces in Congress.

This problem was studied in detail recently at a two-day conference in Washington D.C. sponsored by the NLRB and Cornell University to commemorate the 60th anniversary of



the NLRA.

Speakers described the many problems facing workers who want to form a union, including employers who illegally threaten employees during the campaign, replace striking workers and fire union sympathizers. Even if a violation of labor law is found, the legal process takes so long that rulings are often useless by the time they are rendered.

And now congressional Republicans are trying to destroy what's left of the NLRA by legalizing company unions. In addition, they have attempted to use the budget process to strip the NLRB of its powers to enforce labor laws.

These efforts, according to NLRB President William Gould IV, have made the right of employees to form a union and bargain collectively "more vulnerable now than at any time" since the NLRA was passed.

"One of the critical underpinnings of a democratic industrial society in which labor and capital co-exist is thus threatened," Gould said. "And we should be clear about what is at stake."

Although recent studies show workers want to join unions when they are given the opportunity, the current law makes it hard to do, said Elmer Chatak, president of the AFL-CIO's Industrial Union Department. The Taft-Hartley amendments to the law "enabled employers to take aggressive action against unionization" and allowed them to "say anything they wanted" when employees tried to join a union, Chatak said.

The effort to organize a union at Cook Family Foods, a subsidiary of ConAgra, demonstrates just how poorly the law works. The Firemen and Oilers, which merged with the Service Employees this year, began the drive more than four years ago after Cook closed a union ham processing plant in Detroit and relocated to Carter County, Ky.

In April 1991, three months after the plant opened, workers contacted the union to complain of poverty wages, high insurance and safety equipment costs, horrible safety and

health conditions with many unreported injuries, harsh rules and no bathroom policy.

The union won an NLRB election in September of that year by only a four-vote margin, with three ballots challenged. It took almost two years for the NLRB to certify the election, and then, in the summer of 1993, the company appealed the decision and refused to recognize the union. The NLRB almost immediately issued a complaint against the company for refusal to bargain.

## Union Headquarters Shot Up

Two months later, frustrated by Cook's repeated unfair labor practices, the workers walked out in a strike that would last for 17 months without a strike fund. During the strike, the employees were "permanently replaced" and had to face down numerous court injunctions and police harassment. Their union headquarters was shot up and supervisors aimed rifles at the pickets.

Almost two years after the union was certified, a federal appeals court in February 1995 overturned the certification, disallowing the three challenged ballots.

Without a contract, 100 of the original 500 workers ended the strike, returned to work and started organizing again. The other workers had found other jobs or were fired. The company flooded the workers, many of them scabs and new hires, with anti-union movies, newspaper clippings and photos of damage allegedly caused by the strikers.

Four weeks before the scheduled election, the company pulled out all the stops, using "scare and bribe" tactics cooked up by the union-busting law firm it had hired. Some of the scare tactics were so blatant that security guards hired by Cook turned in their own boss, who later was arrested for soliciting persons to commit murder, arson or criminal mischief and blame it on the strikers.

Finally, four-and-a-half years after the first vote, the workers voted in overwhelming numbers in favor of the union. This time the company

said it wouldn't challenge the results.

No worker should have to endure that kind of abuse simply to exercise the legal right to join a union, Chatak said. To reform the process, employers should not be allowed to participate in organizing campaigns and workers should be allowed to use card checks to authorize a union. He also said he would favor, reluctantly, binding arbitration for first contracts.

Chatak called for a summit among "the many top industry leaders who have accepted collective bargaining and the leaders of America's unions...to see if there is a way we can convince the rest of the business community that it is in their best interests and America's best interests to permit their employees to form unions if they choose and to accept the principle of collective bargaining."

Gould strongly attacked the practice of replacing strikers, saying, "The ability to bargain constructively for the employees which they represent is essential for the very existence of trade unions. The increasing use of striker replacements...impairs the bargaining power of unions."

Reforming the labor laws, speakers warned, will require a massive grass-roots effort. "The only people who will convince our political leaders to change are those who vote them in, or more importantly, out of office," said MIT Professor Thomas Kochan.

But it is clear that the new leaders of the AFL-CIO are not going to wait for changes in the law before launching their program to re-organize America's workplaces.

Perhaps it's a case of "Which comes first, the chicken or the egg?" If the AFL-CIO succeeds in creating new resources and energy for organizing, it may help motivate more working people to get out and vote for pro-worker candidates for Congress. And if pro-worker candidates can gain a majority in Congress, it will become more feasible to reform labor laws in favor of employees, which in turn will improve the climate for organizing.



John Sweeney



William Gould IV

## Agreement boosts wages at Truckee-Donner PUD

**A** new labor agreement provided a wage increase of 2.5% to employees represented by Local 1245 at Truckee-Donner Public Utility District.

The wage hike was made retroactive to Jan. 1.

The agreement improved the vacation schedule, increased sick leave sell back provisions, and increased the longevity bonus.

In addition, the agreement contained a new provision for light duty for injured employees.

Serving on the union bargaining team were Mike Connell, Rosana Matlock, Mike McGovern, Beverly Johnson, and Tom Dalzell, union staff attorney.



Dalzell

## City of Shasta Lake employees ratify new one-year agreement

**E**mployees at the City of Shasta Lake received a 65-cent per hour general wage increase in a new one-year agreement negotiated by Local 1245.

The wage increase averages out to 3.7%. For some clerical members, the increase works out to 7%. The

effective date of the agreement was July 1.

Representing the union on the bargaining committee were Stephanie Humphrey, Ken Neilsen and Business Rep. Gary Mai.



Mai

## Western Cable TV pact approved

**A** new contract with Western Cable TV was recently approved by members of Local 1245.

The three-year agreement provides wage increases of 4.5% in the first and second years, and 3% in the third year. The third year of the agreement will also bring a .75% increase in the pension formula.

The pact also improved vacation benefits: after 10 years of service, employees will be entitled to four weeks vacation time.

Negotiating the agreement for the union were Dan Konkel and Business Rep. Landis Marttila.

*(Editor's note: Brother Dan Konkel, who died last month, is remembered below.)*

## Dan Konkel, union brother

**D**an Konkel, longtime Local 1245 steward at Western Cable TV in South San Francisco passed away on Oct. 21 after a long fight with cancer.

"Dan was the union at Western," said Senior Business Rep. Landis Marttila. "He helped negotiate the first contract and amended contracts, including the last contract negotiations, which he worked on despite his serious illness."

Business Manager Jack McNally called Konkel "a truly a dedicated steward and a friend of the union. We will miss him."

Dan is survived by his wife, Lori, and an eleven-year-old son, Josh.



## Public sector stewards meet



Sacramento  
October 14



Richard Behnke  
Carmen Guzman-Valenzuela  
Denny Caine  
William Chambers  
Sam Charters  
Raymond Thomas  
William Uphoff  
Bill Wallace  
Chester Wright  
Bryan Coffelt  
Martin Correia  
Dave Cuthbertson  
J.C. England  
Stephanie Humphrey

Paul Kaiser  
Brian Knox  
Wendell Krell  
Donald Ludlow



Chris McKernan  
Ed Myall  
Ken Nielsen  
Dwayne Norman  
Wilfred Nunez  
Dave Pittman  
Dave Reishus  
Grant Ritchie  
Robert Gonzales  
Scottie Southerland  
Roger Unruh  
H.D. Cleveland  
Jim Milstead  
Ralph Muraea

## Teledata pact increases wages

**L**ocal 1245 has negotiated a new two-year teledata agreement covering approximately 500 employees at numerous teledata contractors.

According to Business Rep. Art Murray, the agreement provides a 2.5% wage increase in each year.

Contractors covered by the agreement include Henkels and McCoy, Southern Contractors, Contra Costa Electric, among others. The contractors provide telecommunication installation, maintenance and repair throughout

California and northern Nevada.

## Sonic Cable TV

Members of Local 1245 at Sonic Cable TV ratified a new three-year agreement by a wide margin.

The agreement provides wages increases of 4% in the first year, 1.5% in the second year, and 1% in the third year.

The union also negotiated a 25-cent increase per year on the meal allowance.

Serving on the union bargaining team were Jaime Tovar, Dale Rogers and Business Rep. Mike Haentjens.

# Local 1245 linemen excel during national Lineman's Rodeo

**L**ocal 1245 linemen were in fine form for the 12th Annual Lineman's Rodeo held Sept. 23 in Kansas City, Mo.

In competition with union linemen from 75 other utilities, Local 1245 members from Sacramento Municipal Utility District and Pacific Gas and Electric garnered numerous awards. SMUD's Mark Bryant, Ted Warner and Gary Eickmann captured first place in the competition for Top Municipal Team, and placed fourth in the overall competition.

Max Fuentes, Gerald Mankins and Don Gay of SMUD placed first in the "Hurt Man Rescue" competition, while second place went to their fellow SMUD crew of Jim Clamp, Jim Baird and "Snake" Smelser.

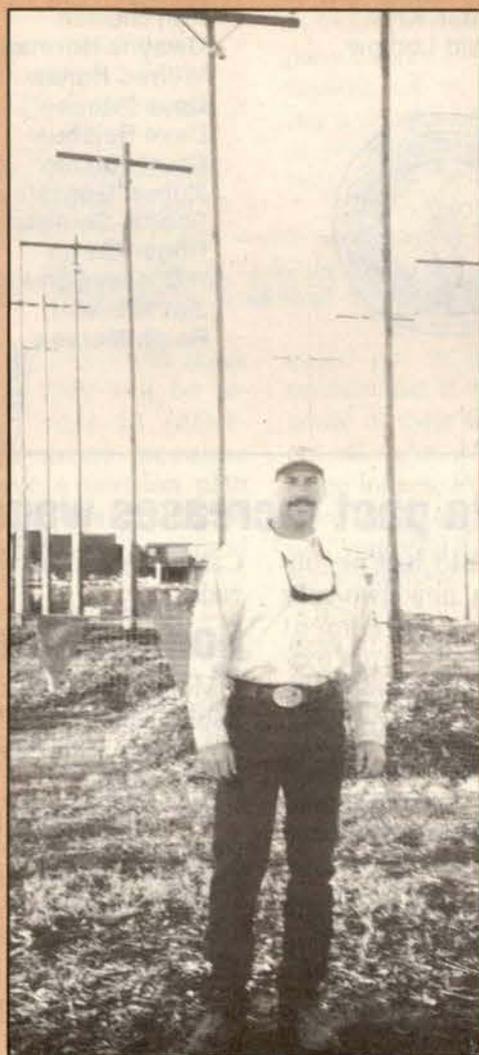
The Fuentes-Mankins-Gay crew also took first in the "Lightning Arrestor Changeout" and captured third in the "Pole Climb with Raw

Egg" event, which requires the linemen to climb egg-in-mouth without breaking it.

The PG&E Division crew from Bakersfield placed second in the "Underground Splice" event.

In awards for individual performance, SMUD's Walt Lyons took first in the "Hurt Man Rescue," second in the "Pole Climb with Raw Egg," and third in "Stringing Set of Slack Blocks." Gary Eickmann of SMUD took two first place awards in "Pole Climb with Raw Egg" and "Knot Tying."

Participating for the first time this year in the Lineman's Rodeo were crews from San Juan, Puerto Rico; LaSalle, Ontario, Canada; and Arnold, Nottingham, United Kingdom.



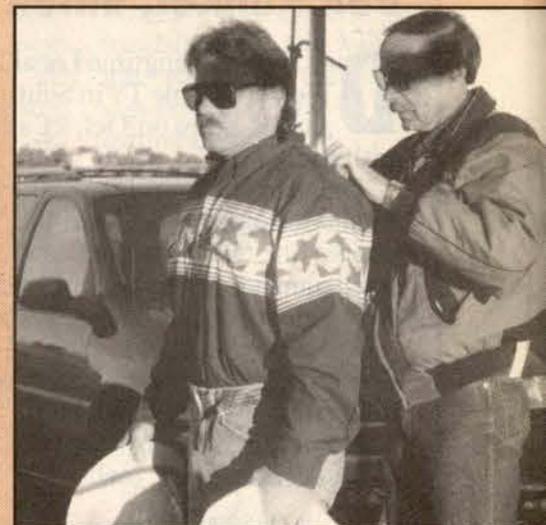
Larry Matthews, PG&E GC/Stockton.



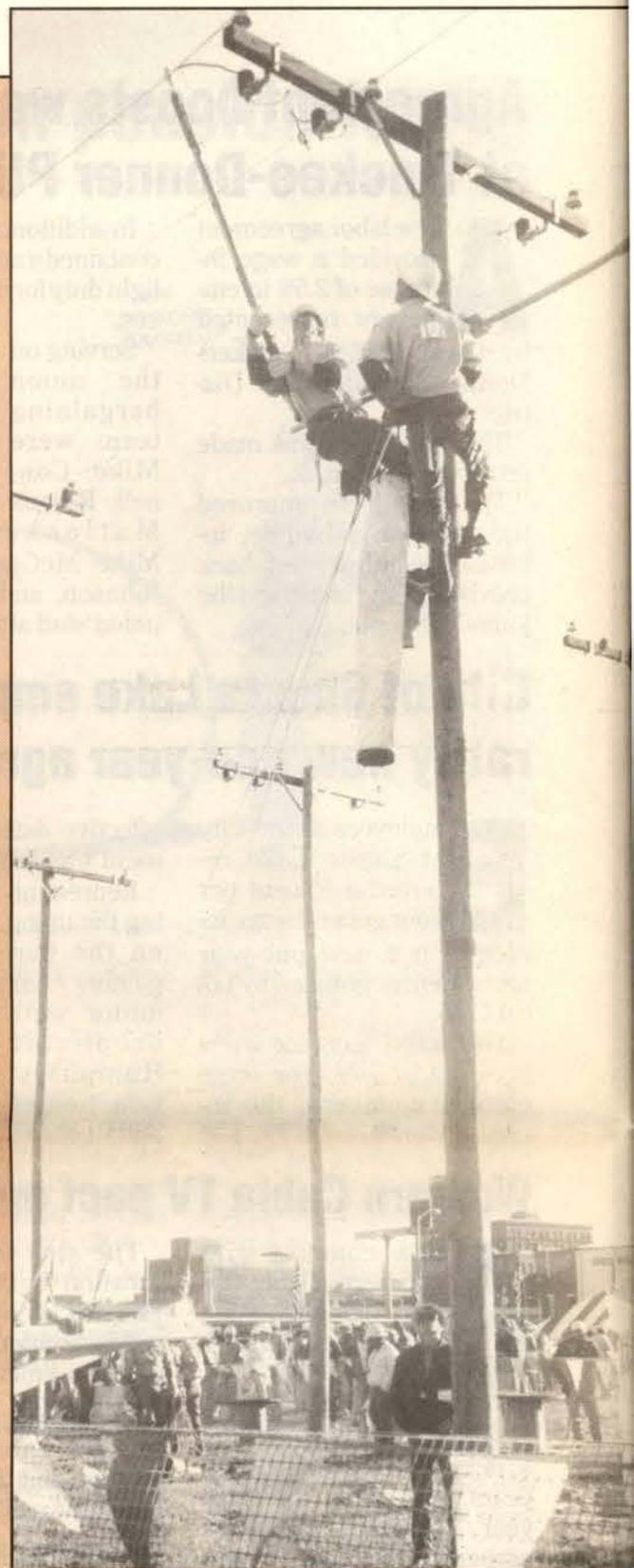
SMUD's Jim Clamp and Jim Baird.



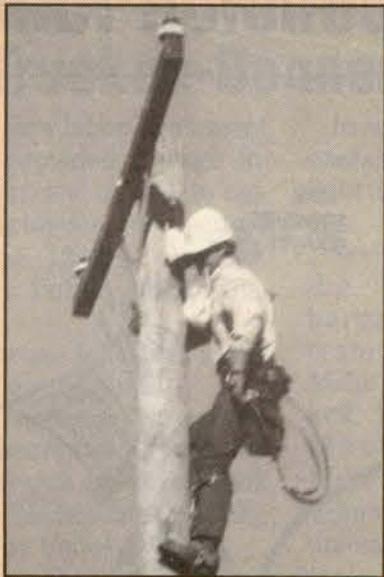
Blair Zimmerman, PG&E GC/Bakersfield and Mike Swanson, PG&E Division/Bakersfield.



Neil Stockton, PG&E GC/Bakersfield



The PG&E GC/Stockton crew of Rick Laskowski, Ev and Larry Matthews compete in the Lightning Arrestor



PG&E's Evan Slaydon performs "Pole Climb with Raw Egg."



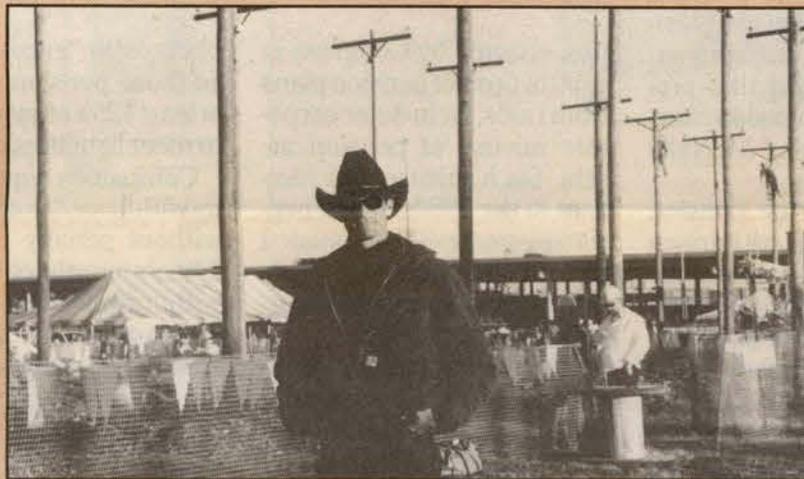
PG&E's George McNeill performs "Hurt Man Rescue."



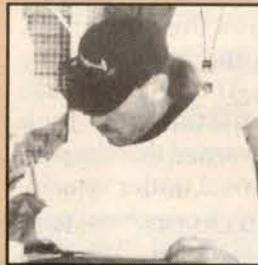
George McNeill, Rick Bimson, and Tom Jones, PG&E Division/Stockton, compete in "Rope Splice" event.



George Smith, SMUD apprentice



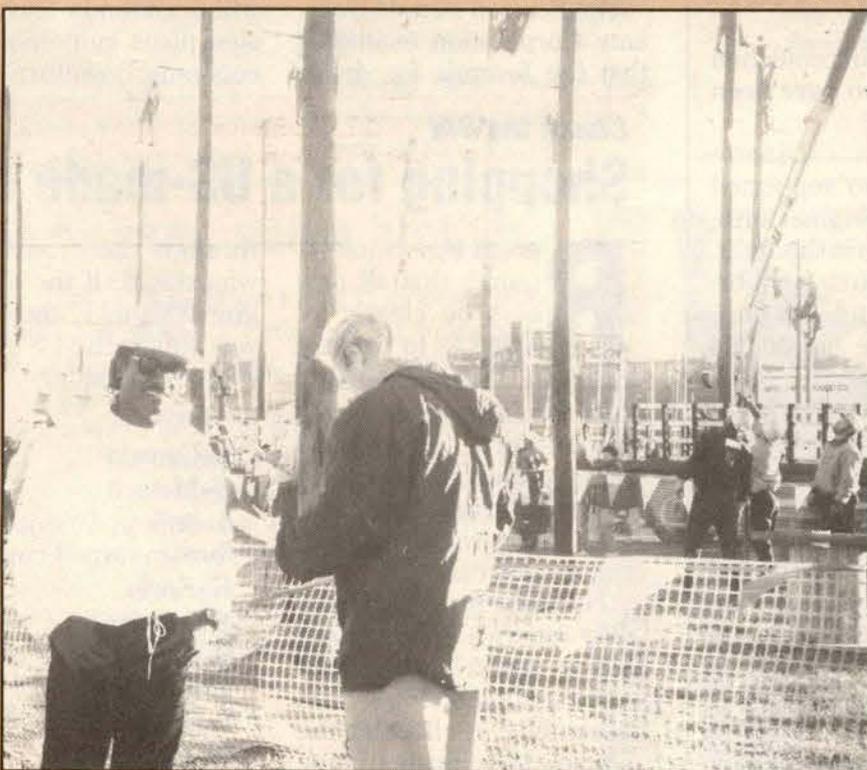
Greg "Snake" Smelser, SMUD



Taking the apprenticeship test are Walt Lyons (left) and Andrew Monarque of SMUD.



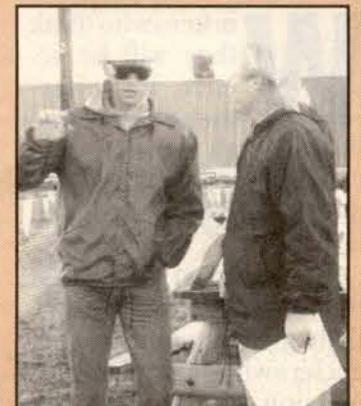
SMUD's Mark Bryant, Ted Warner, and Lee Washington with Business Rep. Dennis Seyfer.



SMUD's Lee Washington and Business Rep. Dennis Seyfer



SMUD's Ted Warner and Mark Bryant.



Gerald Mankins of SMUD and Business Rep. Dennis Seyfer



SMUD's Don Gay and Max Fuentes.



## Automated meter reading at PG&E?

From PAGE ONE

the information that it needs to make sound decisions about automation. As it does so, Local 1245's involvement in the Title 8 committee process gives us information we can use to protect our members.

Our primary goal in the meter reading process is to protect the jobs of our members, whether they are Meter Readers, Gas Servicemen, Troublemens, Metermen, or Communication Technicians in CNO. Only by fully understanding PG&E's plans can we defend our members.

While an absolute guarantee of job security may not be possible to obtain from PG&E, we are trying our hardest to manage the transition to automated meter reading, whatever it is, in a manner that creates as few hardships as possible for our members.

*(Tom Dalzell is staff attorney for Local 1245)*

# New bill would permit raids on pension funds

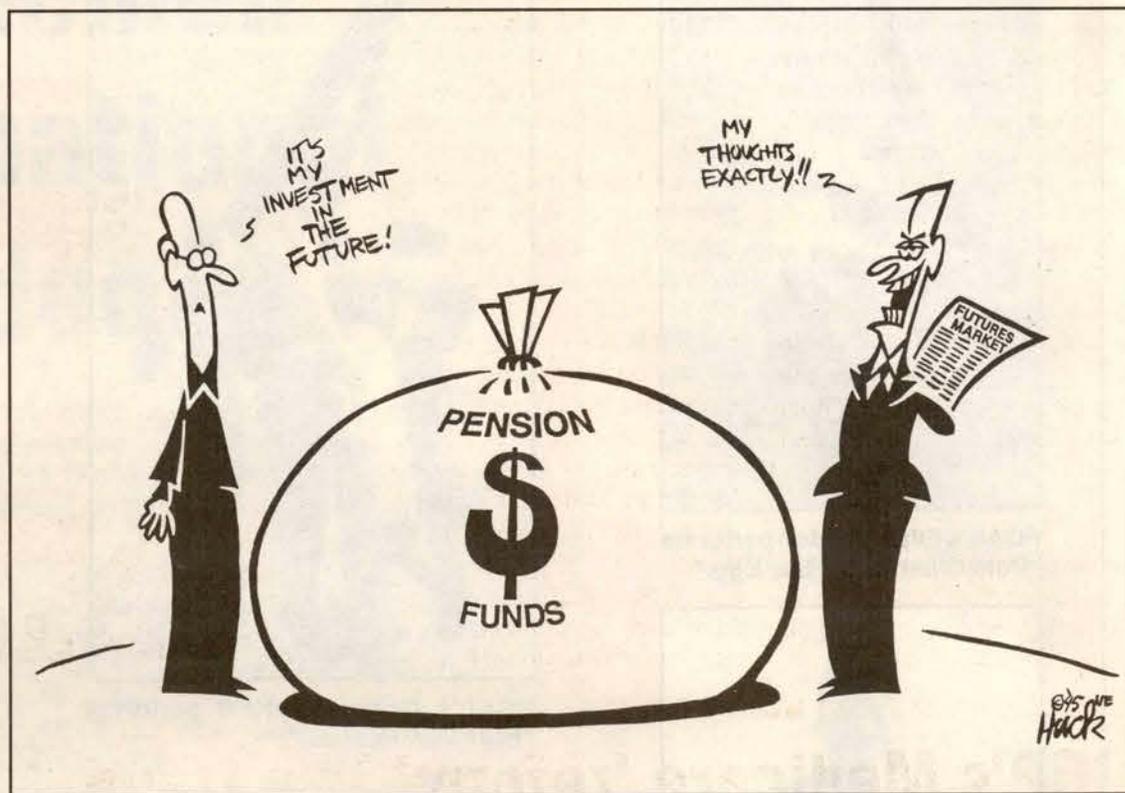
**L**egislation now pending in Congress would allow companies to raid workers' pension funds and convert the assets to other corporate purposes.

The bill, under consideration by the House Ways and Means Committee, has drawn strong opposition from America's trade unions, which have fought for decades to establish secure retirements for their members.

In a letter to Senator Dianne Feinstein (D-Calif.), Local 1245 Business Manager Jack McNally warned that the pension proposal under consideration by Congress "puts pension plans at risk, and more importantly, it puts retirees at risk."

"Determining the funding percentage of pension plans can significantly change from year to year, and this proposal could put pension plans in serious trouble," McNally wrote.

Under current law, pension assets can only be withdrawn to pay for health insurance benefits for retirees. If a company uses assets for any other reason, the company must pay a penalty of 50% on withdrawals in addition to income taxes up to 35%. These penal-



ties, enacted by Congress in 1990 to protect pension plans from raids, help deter corporate misuse of pension assets. Such misuse was rampant in the 1980s, when pension plans were manipulated and damaged during corporate takeovers and other corporate maneuvering.

The bill now under consideration in the House would allow companies to withdraw "excess" assets from pension

plans, with "excess" defined as those pension plans with at least 125% of assets needed to meet liabilities of the plan.

Companies would be able to withdraw "excess" assets without penalty during the first six months of 1996. Later withdrawals would be subject to a penalty of 6.5%.

Withdrawal of assets could be used for any purpose, such as repayment of shareholders, new investments in equipment, or the purchase of limousines for top executives.

The Pension Benefit Guaranty Corporation estimates that the formula for deter-

mining "excess" would only provide for 87% of a plan's obligation to its current and future retirees. The Treasury Department estimates that the change would raise \$10.5 billion in revenue over seven years to finance other tax breaks in the bill and for other purposes.

Various interests—ranging from the American Association of Retired Persons (AARP) to the Pension Rights Center in Washington—have criticized this legislation, saying companies will rush to withdraw funds—leaving pension plans vulnerable in an economic downturn.

## Stop 'Crooks and Swindlers' Protection Act!

**W**orkers who think they will be secure in retirement because they have a pension plan could be in for a rude shock if Senate Bill 240 is signed into law.

As reported here last month, S. 240 would essentially give immunity to financiers who defraud worker pension funds. This has earned S. 240 the nickname of "Crooks and Swindlers Protection Act."

What makes this bill so bad? Consider the case of Prudential Securities, which invested pension funds for Teamsters, Machinists and members of the American Federation of State County and Municipal Employees. Prudential Securities de-

cidated not to inform these unions that it was investing some of their funds in wildcat oil wells. After suffering huge losses, Prudential was sued by the unions and eventually agreed to a billion dollar settlement.

If S. 240 had been law back then, the settlement against Prudential "would have never happened," says Barry Lefkowitz, a consultant who has studied the legislation closely. And retirement would have been a much scarier prospect for a lot of workers.

As the Utility Reporter went to press, a deal was being cut in Congress to reconcile differences in the House and Senate versions of the bill. According to Lefkowitz, the deal would leave "not even

one little hint of protection for people who have been defrauded."

Senator Dianne Feinstein, who supported the bill in its original form, is a key person in this fight. Feinstein must be persuaded to switch her position when the bill comes back to the Senate for a final vote. A switch by Feinstein could help convince President Clinton to veto the bill.

Contact Feinstein today at the toll-free number printed below. Ask for Senator Feinstein and then register your opposition to S. 240.

**Sen. Dianne Feinstein**  
1-800-962-3524  
or  
1-800-972-3524

### Check the VIN

## Shopping for a US-made car

**R**ecent legislation requires that all new cars be clearly labeled as to country of origin. That makes shopping for a new car easier for consumers concerned about protecting America's manufacturing base. But how about shoppers looking at used cars?

No problem, according to Buy America Foundation.

You can tell where any used automobile has been assembled by checking the Vehicle Identification Number (VIN), usually stamped on a metal tag visible

through the driver's side windshield. If the VIN begins with a "1" the vehicle was built in the US by a US-owned company.

Others:

- 2=Canada
- 3=Mexico
- 4=built in America by a foreign-owned company,
- K=Korea
- Y=Sweden
- S=England
- Z=Italy
- J=Japan
- W=Germany
- V=France
- 9=Brazil.

# Targeting the elderly to help the wealthy

By Orv Owen

It is clear and obvious that the Republican majority in both houses of Congress are on their chartered course to target the elderly, the disabled and poor in order to provide a tax cut for the rich.

We have listened to their debates and rhetoric on how cutting Medicaid and Medicare by \$400 billion over the next seven years will not hurt the elderly, the disabled and poor.

It is understandable that those whose annual income is \$15,000 or less have trouble understanding how they will be better off by an increase in their costs for medical care,

or in many cases, a complete elimination of any medical care.

For those who have to get by on a Social Security check, a cut in medical benefits can be devastating, forcing people to choose between medical treatment or basic necessities like food, housing and utilities. This is why cutting Medicare and Medicaid amounts to the same thing as cutting Social Security.

Suggested options to consider rather than cutting Medicaid and Medicare to the elderly, the disabled and poor:

1. Remove Medicaid and Medicare and Social Security from the national budget

and keep them in separate trust plans as intended by the founders.

2. Provide all citizens in this country with the same health and dental and pension plans

we taxpayers provide our well-off Representatives and millionaire Senators, which would truly provide equality and justice for all!

Keep the faith!



**'P.R. gimmicks and word games'**

## GOP's Medicare 'reform' is a fraud

Newt Gingrich and others in Congress pushing Medicare and Medicaid "reform" claim they are trying to preserve benefits for future generations.

Unfortunately, the news media have largely failed to examine the assumptions behind the Republican plan, nor have the media educated the public about the likely consequences.

Congressional Republicans claim that Medicare is going bankrupt. As proof, they cite the 1995 Trustees' Report for the Hospital Insurance Trust Fund, which noted that by the year 2002 the fund would begin to pay out more in Part A hospital benefits than it collects in payroll taxes.

But as Trudy Lieberman of Consumer Reports has pointed out, the trustees have made similar projections in 24 annual reports issued since 1970 under both Republican and Democratic administrations.

"Congress," says Lieberman, writing in *The Nation*, "has always kept the integrity of the program intact by raising payroll taxes or cutting provider payments."

However, the Congress presided over by Gingrich has decided to use the projected shortfalls to advance an ugly but little-publicized piece of the Republican agenda.

"Using P.R. gimmicks, word games and the trustees's report as levers," says Lieberman, the Repub-

lican majority hopes "to tear open and ultimately destroy a successful social insurance program that has served some 37 million elderly and disabled people."

### Cynical Claim

The Republicans' claim that they are trying to "save" Medicare is cynical at best. In reality, their proposals could devastate the program "by fracturing its universal risk pool, which has made it possible to provide generous benefits for large numbers of old, sick people at very low administrative costs," says Lieberman.

By undermining the universal risk pool, the Republican plan would shift Medicare away from a universal program of social insurance to an individual arrangement of private health coverage. The Republican plan for Medicare resembles the fragmented, wasteful, every-man-and-woman-for-themselves system that serves the rest of the population and currently leaves some 41 million people under age 65 uninsured.

Faced with the prospect of declining benefits, many seniors would probably leave the universal Medicare pool and buy policies from private insurers in order to keep their current level of coverage—even if it cost more money.

Physicians, says Lieberman, may prompt seniors to abandon the Medicare pool by caring only for those with private policies that have no cap on provider fees.

But the sickest of the elderly would most likely stay with Medicare, "raising its costs astronomically and rendering it a tattered, untenable program," she says.

In essence, offering the choice of private insurance through a voucher payment to recipients is an effective first step in destroying the entire program.

### Why Destroy Medicare?

Why would anyone want to destroy a program that has provided a medical safety net for the elderly and the destitute?

It's easy to forget that conservatives bitterly fought the creation of Medicare in the 1960s. The powerful American Medical Association has never liked the restrictions Medicare imposes on how much doctors can charge beneficiaries.

And conservatives object in general to government playing a role that could be played by business instead.

What these objections fail to take into account, however, is that Medicare has proven to be far more efficient than

IBEW  
Local  
1245  
Retirees Corner

### Who's the Social Security beneficiary?

You can't tell just by looking who's getting Social Security benefits because a parent died, is disabled, or retired.

Today, 3 million kids under age 18 get monthly Social Security benefits, based on a parent's earnings. And, Social Security protects more than 70 million kids.

To learn more about Social Security, call 1-800-772-1213. Ask for the booklet *Basic Facts About Social Security*.

P.S. It's Timmy (on the left).



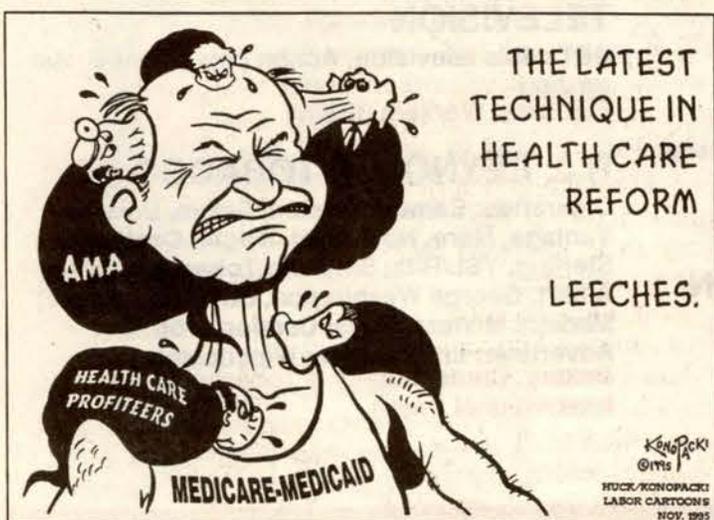
the private sector in delivering service with a minimum of administrative overhead. In the private insurance industry, administrative overhead runs at about 25%. Overhead in Medicare is about 3%.

### No Answer, No Plan

But the larger issue is, how will the elderly and disabled receive medical care if the Medicare system is torn apart?

This is a question for which the Gingrich Republicans have no answer and no plan.

However, they do have a plan for the quarter of a trillion dollars they expect to trim from the Medicare budget. They are going to funnel the money that is taken from the elderly and the poor into tax cuts for the rich.



Boycotts  
Endorsed by  
the AFL-CIO

**Please Don't Patronize!**

Boycotts  
Endorsed by  
the AFL-CIO

**APPAREL & ACCESSORIES**

**ACME BOOT CO.**

Western-style boots: Acme, Dan Post, Dingo labels  
United Rubber Workers

**DECKERS CORP.**

Sandals sold under the following labels: Deckers, Sensi, and Teva.  
International Association of Machinists & Aerospace Workers

**F.L. THORPE & CO.**

Black Hills Gold jewelry  
United Steel Workers of America

**HOWE K. SIPES CO.**

Athletic apparel (chiefly baseball & softball uniforms; satin and wool jackets.)  
Electronic Workers

**BUILDING MATERIALS & TOOLS**

**ACE DRILL CORPORATION**

Wire, jobber & letter drills, routers and steel bars  
United Automobile, Aerospace & Agricultural Implement Workers of America International Union

**BROWN & SHARPE MFG. CO.**

Measuring, cutting and machine tools and pumps  
International Association of Machinists & Aerospace Workers

**LOUISIANA-PACIFIC CORP.**

Brand name wood products: L-P Wolmanized, Cedartone, Waferwood, Fibrepine, Oro-Bond, Redex, Sidex, Ketchikan, Pabco, Xonolite  
United Brotherhood of Carpenters and Joiners of America, International Woodworkers of America

**ROME CABLE CORPORATION**

Cables used in mining and construction industry  
International Association of Machinists & Aerospace Workers

**SOUTHWIRE CO.**

Commercial and industrial wire and cable; Do-it-yourself brand Homewire  
International Brotherhood of Electrical Workers

**APPLIANCES**

**LAKWOOD ENGINEERING & MFG.**

Electric fans and heaters for homes  
Teamsters

If you had to strike because your employer was unfair, you wouldn't want someone to cross your picketline. It's the same with boycotts. These boycotts have been called because unfair employers have refused to honor the rights of working people. Think of it as a consumer picketline: *don't cross it!*

**SILO, INC.**

National retailers of electronic equipment and appliances  
International Brotherhood of Teamsters, Chauffeurs, Warehousemen & Helpers of America

**TELESCOPE CASUAL FURNITURE CO.**

Lawn, patio, other casual furniture. Brand name: Telescope.  
Electronic Workers

**FOOD & BEVERAGES**

**BRUCE CHURCH, INC.**

Iceberg Lettuce: Red Coach, Friendly, Green Valley Farms, Lucky  
United Farm Workers of America

**CALIFORNIA TABLE GRAPES**

Table grapes that do not bear the UFW union label on the carton or crate  
United Farm Workers of America

**COOK FAMILY FOODS, LTD.**

Hams and ham steaks: Cook's, Blue bird, Fire Side, Lancaster, Nottingham, Shaws, Sherwood, Super Tru, TV's labels  
Firemen & Oilers

**DIAMOND WALNUT CO.**

Diamond brand canned and bagged walnuts and walnut pieces  
International Brotherhood of Teamsters

**MOHAWK LIQUEUR CORPORATION**

Mohawk labeled gin, rum, peppermint schnapps, and cordials  
Distillery, Wine and Allied Workers International Union

**TYSON/HOLLY FARMS CHICKEN**

Chickens and processed poultry products  
International Brotherhood of Teamsters, Chauffeurs, Warehousemen & Helpers of America

**TRANSPORTATION & TRAVEL**

**ALITALIA AIRLINES**

Air transport for passengers and freight  
International Association of Machinists

**BRIDGESTONE/FIRESTONE**

Tires and retail stores. Tire brands include: Bidgetstone, Firestone, Dayton, Triumph, Road King, Roadhandler. Stores include: Firestone Tire & Service Centers, Expert Tire, Tire Station, Mark Morris.  
Rubber Workers

**GO-MART GAS**

Gasoline sold at Go-Mart convenience stores and truck stops  
Oil, Chemical & Atomic Workers

**KAWASAKI ROLLING STOCK, U.S.A.**

Motorcycles  
Transport Workers Union of America

**MICHELIN**

Michelin brand tires  
Rubber Workers

**RON JAWORSKI'S STADIUM HOLIDAY INN**

Hotel in Philadelphia.  
Hotel Employees and Restaurant Employees

**MISCELLANEOUS**

**BELL ATLANTIC/NYNEX MOBILE SYSTEMS**

Communications Workers and International Brotherhood of Electrical Workers (IBEW)

**BLACK ENTERTAINMENT TELEVISION**

BET cable television, Action pay-per-view, Bet on Jazz  
Electrical Workers (IBEW)

**R.J. REYNOLDS TOBACCO CO.**

Cigarettes: Camel, Winston, Salem, Doral, Vantage, More, Now, Real, Bright, Century, Sterling, YSL/Ritz; Smoking Tobaccos: Prince Albert, George Washington, Cater Hall, Apple, Madeira Mixture, Royal Comfort, Top, Our Advertiser; Little Cigars: Winchester Bakery, Confectionery & Tobacco Workers International Union

# IBEW LOCAL 1245 UNION SHOPPER



**Coffee Mug**  
IBEW (Ceramic)  
Black or Blue  
"Proud To Be Union" (Plastic)  
White  
\$5.00  
+\$3.00 shipping

**Golf Shirt**  
(With Pocket)  
Navy, Red, Royal, White, Maize  
Logo on sleeve  
M/L/XL/2X  
\$15  
+\$2.50 shipping



**T-Shirt**  
Ringer with IBEW Logo  
S/M/L/XL/2X/3X, 4X  
\$8.00  
+\$1.50 shipping



**Our Newest Hat!**  
Local 1245 IBEW  
Black or Teal;  
Specify: Calif. map, Nev.  
map or no map  
\$6.50  
+\$0.75 shipping  
(Note: One size fits all)

**Stadium Jacket**  
Silver, Red  
(Specify front or back logo)  
S/M/L/XL/2XL: \$35.00  
3X, 4X: \$45.00  
+\$3.00 shipping

**Sweat Shirt/Hooded**  
Blue, Gray, Black  
M/L/XL/2X  
\$17.00  
+\$3.00 shipping  
(Allow 2-4 weeks for delivery)

**Bucket Bags**  
Lineman Logo in Center  
\$6.00  
+\$1.50 shipping

**Club Shirt**  
(No pocket)  
Black, Mint, Blue, Peach, Jade  
Logo on chest  
M/L/XL/2X  
\$19.50  
+\$2.50 shipping

**IBEWomen Charm**  
14K Goldplated  
\$5.00  
+\$0.55 shipping

**Lineman Pin**  
Goldtone  
\$5.00  
+\$0.55 shipping

**Sweat Shirt/Crew**  
Blue, Gray, Black  
M/L/XL/2X  
\$15.00  
+\$3.00 shipping  
(Allow 2-4 weeks for delivery)



**Jacket**  
Black with IBEW Logo  
S/M/L/XL/2X  
\$26.00  
+\$3.00 shipping



**More Hats**  
Proud To Be Union Logo  
\$5.00  
+\$0.75 shipping  
Lineman Logo  
\$5.00  
+\$0.75 shipping  
(Note: One size fits all)

**Suspenders**  
Red, Yellow  
Regular, Long, XL  
\$10.00  
+\$1.50 shipping

✂ Please cut here ✂

## Order Form

Quantity	Item	Color	Size	Price	Shipping	Total
1.						\$
2.						\$
3.						\$
4.						\$
5.						\$

Ship To:

GRAND TOTAL

\$

Name Address City/State Zip Phone #

Mail completed form with check or money order payable to:  
IBEW Local 1245  
c/o Office Manager  
PO Box 4790  
Walnut Creek, CA 94596



**SHAKE ON IT**

IBEW Local 1245 members thank traveling members from IBEW Local 160, Minneapolis, Minn., for their pledge of assistance during Local 1245's negotiations for LineCo benefits. (Photo: Landis Marttila)

# Tree trimmers gain medical benefits

From PAGE ONE

efits. "This is the biggest thing that's happened since I've been in the tree business," said Pete Ely, a foreman at Davey Tree. "We certainly deserved it for the hard work we've done."

Ely said the benefits mean a lot to a tree trimmer.

"It means he may have teeth in his mouth. It means he'll be able to afford prescription safety glasses."

Asplundh tree trimmer Jeff Palm said the new benefits could mean the difference "between making it and not making it financially."

Palm said he was recently hit with a thousand dollar medical bill when one of his kids bumped his head at a shopping mall. Prior to that he had been hit with a \$10,000 medical bill.

"When you're making \$14 an hour, that's kind of hard to absorb," he noted.

Palm is also looking forward to a dental checkup, something he hasn't had for five years.

"We've scraped together what money we could to keep the kids' teeth in shape," said

Palm, who has two children, ages 8 and 10.

"For the first time, people can afford to go down and get a physical," said Bob Irwin, a Davey tree trimmer, a member of the Local 1245 Advisory Council, and the father of three.

"One guy I know said for the last five years he had been playing Russian roulette with his medical bills," Irwin observed.

All three tree trimmers expressed deep gratitude for the union's role in securing the benefits package.

"If it hadn't been for Landis Marttila, Jack McNally, Darrel Mitchell and Tom Dalzell, this wouldn't have come about," said Irwin.

"God bless Jack McNally and Landis Marttila," said Ely. "I love 'em."

Palm added words of praise for the tree trimmers.

"It made me proud to see tree trimmers working together. Tree trimmers did unite and it made a world of difference," he said.

"I hope in the future we'll see more of the same."

The new benefits go into effect on Jan. 1, 1996.

# You Get Money-Saving Benefits Because You're A Union Member.

## UNION FAMILY SAVERS

Union membership has its advantages, and one of them is access to the Union Family Savers program. With Union Family Savers, you'll save money on

everything from car rentals to hearing care to stays at an official Walt Disney World® Hotel and more. Among the program's many discount offerings:

To find out more about these discounts, call 1-800-452-9425

 <p><b>PRESCRIPTIONS BY MAIL</b></p> <p>A unionized mail-service pharmacy that provides union members and their entire families—including spouse, children, parents, aunts and uncles—with prescription medications. Offers potential savings compared to neighborhood drugstores. Access is free.</p>	 <p><b>UNION YES CHECKS</b></p> <p>Personalized checks and return address labels featuring UNION YES and individual union logos; checks are accepted by all banks and credit unions; and both are union printed. Competitively priced at \$9.95 for 200 checks, \$6.95 for 240 labels (plus postage and handling).</p>	 <p><b>NATIONAL EAR CARE PLAN (NECP)</b></p> <p>Access to a network of hearing-care professionals nationwide; 20 percent discount on hearing health care and program hearing aids. Free six-month supply of batteries with purchase of union-made Maico hearing aids. \$10 membership fee per family, per year.</p>
 <p><b>PARENT'S COLLEGE ADVISOR</b></p> <p>The Parent's College Advisor is a guide for parents of college-bound students that provides advice on choosing the right school and the right financing package. This resource guide costs \$4.95.</p>	 <p><b>WALT DISNEY WORLD® HOTEL</b></p> <p>Special union-members-only rate at Hotel Royal Plaza, near Orlando, FL—\$89 per night during off season, \$99 per night during peak season (rates good until Dec. 23, 1996). Subject to availability.</p>	 <p><b>HERTZ RENTAL CAR DISCOUNTS</b></p> <p>20 percent off daily member benefit rates; 5 percent off leisure daily, weekly and weekend rates. Coupons available for savings on weekly rentals and upgrades.</p>

Union Family Savers are nationally based. Your local or unions in your area may have similar union-negotiated benefits. These Union Privilege discounts may be used to supplement local discounts or sale prices. Participating retailers and program provisions (including discounts on products and services) offered through Union Family Savers are subject to change without notice. Please call 1-800-452-9425 for the latest information on program benefits.



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Save on admission fees, travel costs and other vacation-related purchases at any Disney or Anheuser-Busch Theme Park or at Universal Studios. Benefit includes membership in Disney's Magic Kingdom Club. Discounts at all Disney Stores, as well as Spencer Gifts Stores and at gift shops inside Universal Studios.

**To find out more about Theme Park Discounts, send coupon to:**  
 Theme Park Discounts, Union Privilege, AFL-CIO, 1125 15th St., NW, Suite 300, Washington, DC 20005

NAME \_\_\_\_\_  
 ADDRESS \_\_\_\_\_  
 UNION LOCAL # \_\_\_\_\_

## Chance to change spouse/dependents listed on PG&E medical plan

Does your medical plan coverage contain incorrect information concerning covered spouse or dependents? Now's your change to fix it.

PG&E has advised the union that an application received from an employee during the current open period (through Nov. 17) that makes changes in the listed spouse or dependents—even if there is no change of designated medical plan—will be processed without requiring any evidence to support the requested change.

When you contact a Corporate Benefits Service Representative, you will be told that changes can be made to the list of covered spouse/dependents and that such changes will not be verified. The Service Representative will advise an employee to drop coverage for anyone the caller is concerned about, without concern for verification.

There are penalties for enrolling ineligible dependents. The current open period provides you an opportunity to make sure your spouse/dependent information is accurate.