



## Citizens closure draws swift union response

The surprise announcement on Nov. 1 that Citizens Communications is closing its Sacramento Call Center drew a swift response from Local 1245, which represents 101 Call Center employees.

Within 48 hours, the union had taken action on four fronts:

- Initiated talks with the company over enhanced severance benefits, and a possible retention benefit to keep employees at the Call Center until it officially closes;
- Instructed long-time labor attorney John Anderson to explore whether the closure was vulnerable to legal challenge;
- Deployed Marc Joseph, the attorney representing Local 1245 in various regulatory matters, to explore possible intervention by the California Public Utilities Commission; and
- Referred affected Citizens employees to possible job vacancies at PG&E's Call Center and Payment Processing Center in the Sacramento area, and its Credit and Collection Center in Stockton.

Local 1245 Business Rep. Jack Osburn remained in close contact with union stewards at Citizens Communications in the days following the closure announcement to keep them informed of the union's actions.

In announcing the closure, Citizens said cost of service was the

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## Members mobilize to defend jobs

# Split decision in MUD battle

A huge volunteer effort by Local 1245 members made the critical difference in narrowly defeating Measure I in San Francisco on Nov. 6, shutting the door on a flawed proposal to create a Municipal Utility District encompassing San Francisco and Brisbane.

The union volunteers also played a key role battling Proposition F, which enjoyed great popularity in early opinion polls but ended up winning by only a razor thin margin. With some votes yet to be counted, it appeared that Prop. F—a proposal to create a city power authority—will get about 51% of the vote.

"I'm very proud of our members for the effort they made," said Business Manager Perry Zimmerman. "They proved that our union will not just stand by when jobs are threatened."

The apparent victory of Prop. F is the first step in a process that could eventually lead to a city takeover of PG&E assets in San Francisco. But



Members of Local 1245 and Engineers and Scientists of California mount aggressive get-out-the-vote drive on election day.

such a takeover faces many hurdles, beginning with the possibility that Prop. F could be challenged in court.

In March, San Francisco voters will elect directors to serve on the new power agency. This election

will provide another forum for challenging the wisdom of buying out PG&E. It will also provide opportunities to point out alternative approaches to dealing with the city's energy problems.

"San Francisco already has the authority to buy power on behalf of its residents," said Local 1245 Business Rep. Hunter Stern. "The city should devote its energies to negotiating power contracts and developing city-owned generation facilities rather than spending a billion dollars or more to take over PG&E's infrastructure and saddling San Francisco ratepayers with those huge costs."

A measure to promote solar energy—Proposition B—was overwhelming approved by San Francisco voters on Nov. 6. Local 1245

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Frank Agtang offers his perspective on upcoming negotiations with PG&E.

## Union convenes special meeting on PG&E bargaining

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## EVENTS

NOVEMBER 17

Stewards Conference  
Reno, NV

## APPOINTMENTS

## LOCAL 1245 COMMITTEES

Local 1245 Safety Committee  
David Vipond  
Rich Lane

## NEGOTIATING COMMITTEES

Tree Companies  
Rod Danyuer  
Will SozaOroville-Wyandotte Irrigation District  
Dorinda Matney-Scofield  
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James Lovercheck  
Kevin Merrill  
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Theodis R. Johnson, Jr.  
Yolanda Bocanegra  
Gary Rutland  
John Kaehms  
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Bill Chambers  
Robert Gonzales  
Juanita Green Collins  
Mike McKay  
Ed Taylor  
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## YOUR UNION

## Members made October a remarkable month

By Perry Zimmerman, Business Manager



In the last month, Local 1245 has been involved in several major initiatives. Four of them illustrate what I think a trade union is all about, and why Local 1245 is such a special and successful organization.

**One.** On Saturday, Oct. 27, shop stewards from the public sector, the tree trimming industry, and Citizens Communications, met in Sacramento. They gave up a weekend day to listen and learn, to become better shop stewards. They were trained on the recent changes in California public sector law giving the Public Employee Relations Board jurisdiction over cities and local agencies, on the Family Medical Leave Act, and on several key issues that arise in arbitrations. They listened, they asked

questions, they shared their experiences. They gave their time to their fellow members, and they all became better shop stewards.

**Two.** On the same day, dozens of Local 1245 members fanned out through the neighborhoods of San Francisco, communicating Local 1245's fears about San Francisco Proposition F and Measure I and the effect either one would have on utility workers and the city's electric system. As I write this column, the election is still three days away, and we have no idea how the election will turn out. We do know that even if both measures are defeated, the issue of municipalization will not go away. Most importantly, whatever the results of the election, we know that we did our very best to understand the effects of the measures on our members, to communicate this with our members, and that our members rose to the occasion. Our members made us proud.

**Three.** On Nov. 1, Citizens Communications announced that it plans to close its Elk Grove Call Center and eliminate the jobs of the 100 Local 1245 members who work there. That night, our shop stewards at Citizens met to plan their response. We immediately began a thorough analysis of the collective bargaining agreement for possible arguments against the closure, and we contacted our regulatory attorneys to explore the possibility of a challenge before the Public Utilities Commission. The local PG&E business representatives immediately contacted management at PG&E and identified a number of job openings at PG&E for the displaced Citizens employees. Lastly, we began talks with Citizens over enhancing the

severance bonus and creating a retention premium of some sort. The closure is bad news, but within hours we had mobilized a response on every level.

**Four.** Last but certainly not least, more than 50 members from PG&E met in Concord on Oct. 29 to discuss the effects of the company's bankruptcy reorganization and the scope of bargaining in 2002. There were many remarkable things about that meeting, but the one that struck me most powerfully was the great respect that our members showed each other. We on staff did very little talking and a lot of listening. The purpose of the meeting was to hear what our members had to say. As they spoke, there was not a single divisive word spoken. The historical divisions between physical and clerical, Title 200 and Title 300, gas and electric, old and young, urban and rural were nowhere to be found. Yes, our members recognized that there are differences, but there were no divisions. Salinas Telecommunication Technician Mark Newman spoke of a triage process, which was a perfect metaphor. We have many complex issues to deal with over the next few years, and there was a general recognition of this among all our members. They spoke their minds, but because they knew that we were listening, there was no attempt to be the squeakiest wheel. It was a remarkable meeting.

So there you have it – shop stewards giving up a Saturday to learn their union craft, members canvassing the neighborhoods of San Francisco, a tremendous mobilization effort at Citizens, and an unprecedented pre-bargaining meeting with PG&E members. It's a great union, and it's not hard to see why.



WESTERN LABOR COMMUNICATIONS ASSOC.

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# Split decision in MUD battle

► From Page 1

supported this measure as a useful step toward increasing electric supply for the city.

In its campaign against Prop. F and Measure I, Local 1245 emphasized that acquiring PG&E could cause customer rates to go up, contrary to the claims made by proponents of "F" and "I." The union also argued that the huge cost of buying out PG&E could force the city to look for ways to cut costs, possibly jeop-

ardizing service reliability and safety.

The union campaign featured:

- A half-dozen large billboards strategically placed around the city.
- News conferences that brought our message to television viewers.
- Guest appearances on radio talk shows.
- Packets of leaflets mailed to all Local 1245 members working or living in San Francisco.
- Over 50,000 door-hangers distributed in key neighborhoods.
- Making nearly 1,000 window

signs available to members and supporters.

- Visits to newspaper editorial boards that resulted in endorsements supporting our position.
- Appearances at over three dozen meetings to gain endorsements from community groups for our position.

Assistant Business Manager Jim McCauley, who was responsible for coordinating the union's effort, met with several central labor councils in a successful effort to keep them from endorsing Prop. F and Measure I.



Local1245 member Bob Smith leaves a doorhanger at a San Francisco residence during the campaign.

## Members take action to protect IBEW jobs



Local1245 member Matt Vucurovich checks locations on his precinct list as he prepares to distribute doorhangers.



Local1245 member Al Zazzerone showed up for campaign duty on his bike.



Ray Shepherd, a Local 1245 member from the East Bay, signs up for precinct walking.



Local 1245 member Jose Prado discusses Prop. F and Measure I with a Sunset District resident.

Photos: Eric Wolfe

## Volunteers

The following union members assisted in the campaign against F & I. (List may be incomplete—let us know if we left you out.)

- |                    |                    |
|--------------------|--------------------|
| Mike Emerson       | Larry Magee        |
| John Quintana      | Rich McCoy         |
| Steve Walker       | Gerry Steamers     |
| Jose Prado         | Norma Vella        |
| Ed Broussard       | Aurelia Dancel     |
| Dave Johnson       | Dolores Harrington |
| Jose Moguel        | Pete Whitcomb      |
| H. Ramirez         | Frank Erisman      |
| Bob Smith          | Mike Harrington    |
| Pual Jaber         | Kathleen Cirik     |
| Tim Santo          | Frank Idio         |
| Glenn Durant       | Bryan Garner       |
| James Horton       | Leroy Travis       |
| Jennifer Galindo   | Ben Baur           |
| Tom Medina         | Rick Morino        |
| Tom Gomez          | Danny Trujillo     |
| Bob Quinn          | David Brown        |
| Jerry Takieuchi    | Patrick Edwards    |
| Wyman Ko           | Russ Fairbanks     |
| George Lindsey     | Jose Lopez         |
| William Bouzek     | Lee Nelson         |
| Ray Shepherd       | Nagaraja Rao       |
| Dan Flores         | Anthony Kovacs     |
| Peter o'Driscoll   | Will Durinick      |
| Eamon O'Driscoll   | Bill Robotka       |
| James Duvauchelle  | Marlayne Morgan    |
| Claudia Rios       | Angie Burgess      |
| Vangie Harris      | Michelle Noia      |
| Cindy Jew-Szeto    | Bill Harvey        |
| Cassie Jew-Szeto   | Jim McCauley       |
| Rod Harrington     | Landis Marttila    |
| Matthew Vucurovich | Hunter Stern       |
| Gary Aasland       | Eric Wolfe         |
| Mike Cresci        | Dorothy Fortier    |
| Maxine Cresci      | Bill Brill         |
| Al Zazzerone       | Bernard Smallwood  |
|                    | Lula Washington    |



## Postal justice, day of action & bra burning

### Labor opposes phony 'stimulus'

Since the Sept. 11 terrorist attacks, more than 570,000 layoffs have been announced and the economy is suffering its worst downturn since the early 1990s. Working families are in need of real assistance to help them make it through tough times when the paycheck stops. They need help to buy groceries, pay the rent and afford health insurance.

But the only response from Congress and the White House so far has been a \$100 billion economic stimulus package that earmarks almost \$90 billion for tax breaks for corporations and the wealthy and provides virtually no guaranteed help for laid-off workers and their families.

The House of Representatives passed this massive tax cuts for corporations and the wealthy—calling it “economic stimulus”—on Oct. 24. Now working families and their unions are mobilizing to make sure the Senate stimulus bill provides real and needed relief for workers.

The AFL-CIO, its affiliated unions, state federations, central labor councils and local unions have launched a multipronged effort to urge senators to support economic stimulus legislation that puts working families first.

The key points of economic stimulus, they will tell senators, should be:

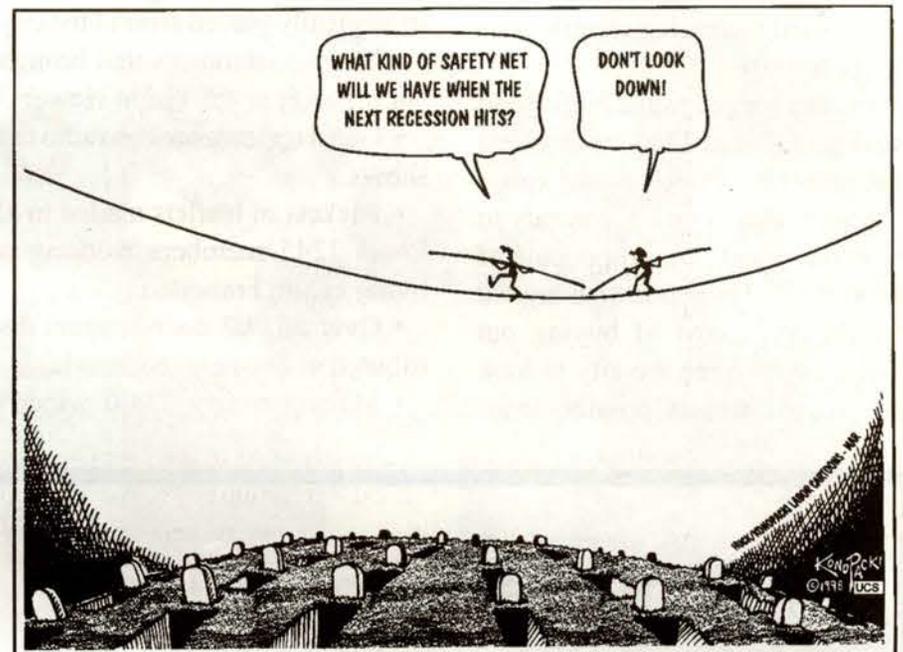
- Enhanced unemployment insurance benefits;
- Federal subsidies to help laid-off workers maintain their health insurance; and
- Federal aid to states so they can continue to provide vital services.

The latest figures on the North American Free Trade Agreement show that while maquila employment in Mexico more than doubled from 1994 to 2001, manufacturing wages dropped by 21%, even though manufacturing productivity rose by 47%. Things haven't worked out so well for the US, either. In 1994 the United States had a \$1 billion trade surplus with Mexico; now it has a \$23 billion trade deficit. By July 2001, 356,000 US workers had qualified for NAFTA retraining programs for work shifted to Mexico or impacted by import competition.

► **Day of Action:** Under the banner “Making Globalization Work for People,” union members and their allies around the world will hold teach-ins, rallies and marches Nov. 9 to call for a more just global economy. The Global Unions Day of Action is sponsored by the International Confederation of Free Trade Unions and coincides with the meeting of the World Trade Organization in Doha, Qatar. As part of the global actions, the AFL-CIO and its affiliate unions plan a candlelight vigil Nov. 8 in front of the office of the U.S. Trade Representative in Washington, D.C., to protest the proposed Fast Track trade authority, which would bar Congress from amending trade agreements negotiated by the president.

► **Grim Report:** The loss of almost half a million jobs during October confirmed that the US economy has endured its most difficult month in a generation. The grim employment report, far worse than even the gloomiest Wall Street expectations, reinforced fears of long-lasting financial damage from the September 11 attacks.

► **Get What You Pay For:** The General Accounting Office, the investigative arm of Congress, reported that in the year 2000 the starting salary for security screeners at 14 of



the nation's 18 largest airports—America's frontline defense against airline hijackers—was \$6 or less. The federal minimum wage is \$5.15 an hour.

► **Postal Justice:** William Smith, president of the New York Metro Area Postal Union in New York demanded last month that postal workers receive the same precautions and care afforded to lawmakers, including the closing of post offices if workers test positive for exposure to anthrax. “We know there's anthrax in the mail,” said Smith. “Those workers have to be tested and they've got to clean it up.” Smith said all workers who have been at the six post offices in recent weeks should be tested for exposure to anthrax. Any positive finding should prompt the Postal Service to close an office for cleanup, he said. “They did it for the senators, the congressmen,” Smith said, alluding to offices that were closed in the Capitol. “They should do it for us just the same.”

► **'Untenable Situation':** Flight attendants will be helpless against attackers without additional defense training, emergency alarm systems and personal weapons such as mace

and pepper spray, the top official of the Association of Flight Attendants said Oct. 22, reported the Atlanta Constitution Journal. AFA International President Pat Friend said fortified cockpit doors, which make it nearly impossible for a passenger to enter a cockpit, put flight attendants at risk. If attacked, she said, flight attendants may no longer be able to rely on the pilot or co-pilot to come to their aid. “We, along with passengers, will be defenseless in an attack,” Friend said. “This puts us in an untenable situation.”

► **Bra Burning:** In a major victory in the union-led campaign against the Burmese military junta, Triumph International has ceased production of bras in Myanmar, according to a report published by the Labour Council of New South Wales, Australia. Triumph made the decision to cease production of the bras days after unions and community groups undertook a ritual bra burning outside a Sydney, Australia department store. Triumph was one of the companies targeted for their refusal to cease trade in Burma, which has been sanctioned by the International Labour Organization over the regime's use of slave labor.

## Local 1245 sues to recover funds

The Local 1245 Executive Board has approved funds to join a lawsuit against Capital Consultants, Inc.

Several years ago, Local 1245 invested just over \$2 million of its general fund with Capital Consultants, Inc. Local 1245 joined with dozens of other unions who believed that Capital was a capable and reliable entity. Unlike most of the other union investors, Local 1245 insisted that interest payments be paid to the union instead of being reinvested.

In the summer of 2000, it became apparent that Capital had serious problems. It appeared that the company had made a number of bad investments and then, to cover that fact up, had used newly invested money to pay

interest—a traditional Ponzi or pyramid scheme.

### SEC steps in

In September 2000, the Department of Labor and the Securities Exchange Commission seized control of Capital Consultants.

The bottom line is that much, if not all, of Local 1245's \$2 million investment is at risk.

Local 1245's Executive Board has authorized attorneys to join other defrauded investors in litigation against Capital. The union hopes that through litigation it can recover upwards of 20% of the initial investment.

Local 1245 will keep members apprised of further developments.



### TREE BARGAINING BEGINS

Business Manager Perry Zimmerman welcomed members of the Local 1245 Tree Trimmer bargaining committee Oct. 2 at union headquarters in Walnut Creek to prepare for negotiations with Arbor, Asplundh, Davey and PROVCO EPA. Union committee members are Darrell Buzzard, Gil Suarez, Bernardo Martinez, Lee Rühl, Jose Valdávinos, Advisory Council member Hector Arellano, Nick Schader and Bill Elliot, assisted by Assistant Business Manager Bob Choate and Business Reps Ray Thomas and Junior Ornelas.

## Sierra Pacific Power Customer Service



Shop Steward Betty Quinn, a 20-year Local 1245 member, discusses a problem with Business Rep. Randy Osborn.

Photos: Eric Wolfe



Customer Service Rep. Gayle Anderson is an 18-year Local 1245 member.



Customer Service Rep. Maria Jenning is a six-year Local 1245 member.

## Utility Reporter wins four awards

Local 1245 took four awards in the International Labor Communications Association Journalism Contest for material published during 2000.

Local 1245 was one of 139 labor organizations participating in the competition.

The Utility Reporter took second place for Best Original Photograph. The newspaper also received two third place awards: for Best Feature Story and Best Use of Graphics.

The union also received a third place award for Best Use of Graphics in Special Publications for its Outside Construction organizing brochure.

### Job openings

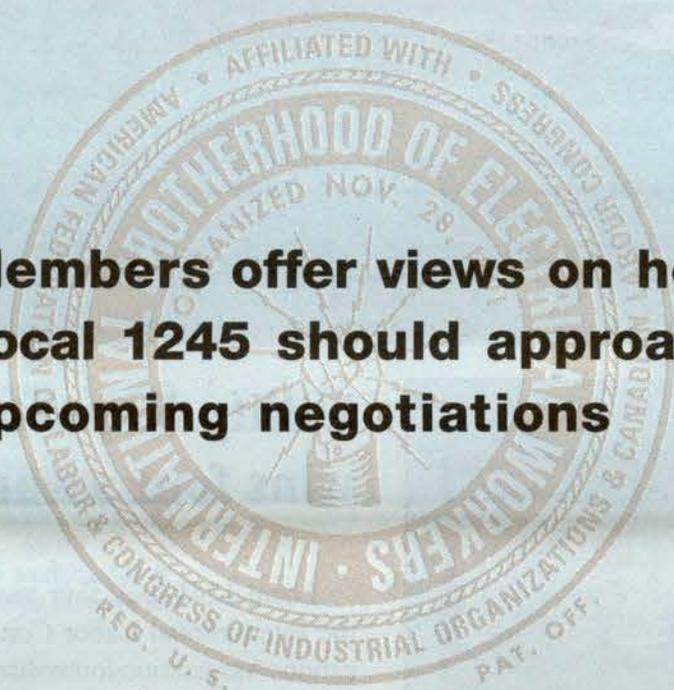
San Diego Gas & Electric is offering a relocation package to attract distribution and transmission linemen and substation electricians. For more info, contact Candy at (619) 583-6633 or email her at:

[candy@gforceca.com](mailto:candy@gforceca.com)

# PG&E

## General Bargaining

### Members offer views on how Local 1245 should approach upcoming negotiations



Russ Fairbanks

**W**ith the expiration of the Local 1245-PG&E labor agreement just 14 months away, the union convened a meeting in Concord on Oct. 29 to hear from 50 rank-and-file members concerning their bargaining priorities.

Business Manager Perry Zimmerman set the stage by noting that the company's plan of reorganization—submitted to the bankruptcy judge in September—has increased members' interest in addressing pension issues. He said many members had also expressed concern in recent months about possible increases in medical costs, and that many Bay Area-members had expressed their hopes for some form of relief from the Bay Area's high cost of living.

A majority of the members present expressed interest in extending the language of the current labor agreement as long as wage and benefit issues could still be addressed. Opinions varied, however, on how long the extension should be.

Lee Thomas, Eureka Lineman, said members in his area would want an extension of no more than one year. Lineman Leroy Foster of Antioch, on the other hand, argued that the bankruptcy might not be resolved as quickly as predicted and

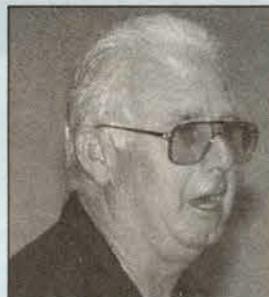
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Linda Gazzoli



Donna Ambeau



Larry Darby



Sam Burton



Jim Findley



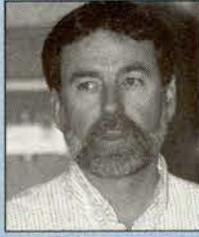
Mark Taylor



John Mendoza



Cynthia King-Felix



Dan Mayo



Grover Day



Brenda Fisher



Anna Bayless-Martinez



Casey Barker



Jeff Campondonico



Lee Thomas

“This union has some decisions to make about bargaining with PG&E. We’re not going to make these decisions until we’ve heard from the members.”



Sherry Barton



Ed Dwyer



Perry Zimmerman  
Business Manager



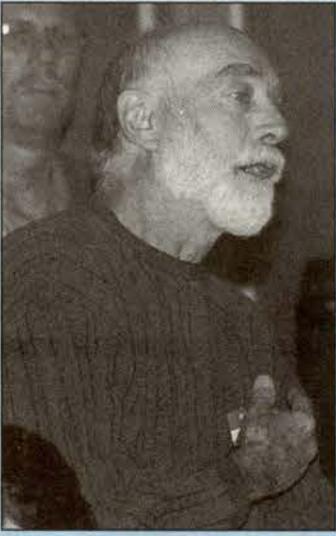
Ed Mallory



Ken Amaral



Terry Andreucci



Leroy Foster



Linda Jurado



Bob Quinn



Natalie Christenson

## Member perspectives

### ► From Page 6

that the union ought to consider extending the contract as long as possible.

Mike Hamm, Table Mountain Electrician, said that extending the contract is the only way to protect the successor clause in the current contract. That clause assures union representation for employees working for any company spawned by PG&E's reorganization plan.

Grover Day, Angels Camp Electric Crew Foreman, said he had surveyed members in his area and that there was strong sentiment for full-scale bargaining with the company. Linda Gazzoli, San Rafael Foreman's Clerk, said members in her area believe a contract extension would be a good idea, as did Natalie Christensen, a San Jose Call Center Service Representative.

Steve Segale, who works in Gas Distribution in San Francisco, spoke forcefully for monetary improvements, saying members in San Francisco want "a real raise" and also some form of supplemental income to offset the high cost of living in San Francisco. He also said Gas Department employees had concerns over pay inequities.

Donna Ambeau, an East Bay clerical member, said the biggest fear in her area is losing job security. "If you don't have a job, none of the rest of it matters," she said.

Business Manager Perry Zimmerman said he welcomed continued feedback from members about the upcoming negotiations.



Ray Shepherd



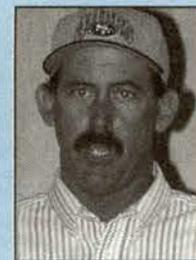
Rick Davis



Jerry Debaca



Assistant Business Managers Howard Stiefer and Bob Choate, Business Rep. Jim Lynn.



John Delsman



Matt Vucurovich



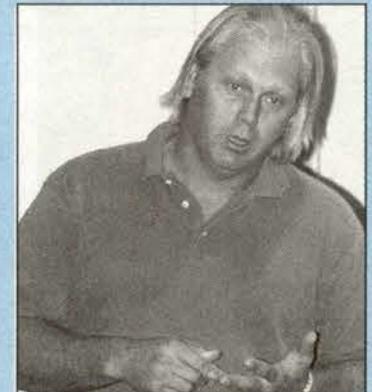
Kathleen Reeves



Olivia Mercado



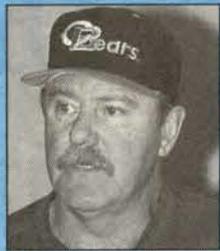
Ignacio Araquistain



Paul Hill



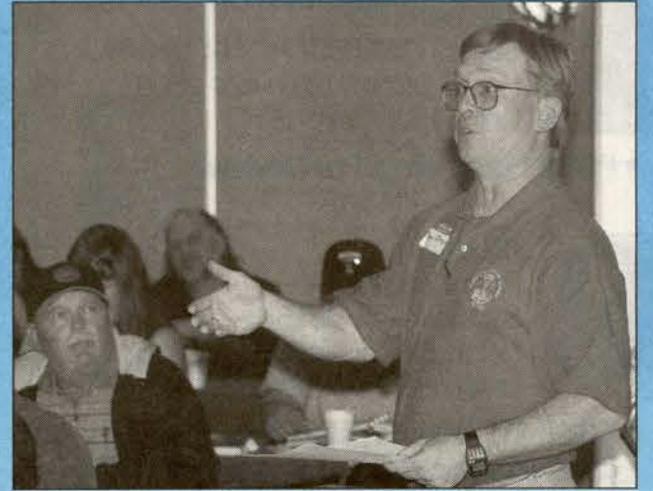
Steve Mayfield



Mike Hamm



Lem Stubblefield



Darryl Turner



Mark Newman



Steve Segale



Chris Habecker



Maryann Denehy

# PG & E

General Bargaining  
Members perspectives



Ron Moon



Pete Christiansen



Peggy Daniels



Sal Lazano Jr.



Cary McDermott



Mary Wise

# IBEW Local Union Report



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- City of Ukiah
- City of Willits
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- Duke Energy – Moss Landing Power Plant and Morro Bay Power Plant



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- City of Santa Clara
- Alameda Power & Telecommunications
- City of Oakland
- AC Transit
- City of Berkeley
- Port of Oakland



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- Tree trimmers (Southern Area)

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- Sierra Pacific Power (except generation)
- Plumas Sierra REC
- Truckee Donner PUD



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- Citizens Communications
- Bella Vista Water District
- City of Gridley
- City of Redding (Electric & Maintenance)
- City of Shasta
- Clear Creek Community Services District
- Lassen Municipal Utility District
- Oroville-Wyandotte Irrigation District
- Richvale Irrigation District



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- PG&E North Bay Division
- City of Healdsburg



**Roy Runnings**  
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- PG&E General Construction (Northern Area)



**Santiago Salazar**  
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- Avista Gas
- City of Fernley
- Mt. Wheeler Power
- Wells REC
- Citizens Communications & Verizon/Elko
- Truckee Meadows Water Authority



**Frank Saxsenmeier**  
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- PG&E Factfinding, Pre-Review Committee



**Bernard Smallwood**  
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- PG&E Peninsula Division, Mission Division



**Roger Stalcup**  
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Union Hall: ext. 311

(Assignment effective Jan. 1, 2002)

- PG&E General Construction (overall administration), General Construction (Stockton Division), PG&E Title 200 & Clerical (Angels Camp, Jackson, Tiger Creek)



**Hunter Stern**  
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- PG&E General Construction (Central Area)
- Mirant Steam Generation
- Foster-Wheeler



**Kit Stice**  
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- PG&E North Valley Division/Shasta, North Valley Division/De Sabla, North Valley Division/Colgate, California Gas Transmission (Willows to Burney)
- Paradise Irrigation District



**Ray Thomas**  
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Union Hall: ext. 356

- Tree Trimmers (Northern Area)



**Lula Washington**  
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- PG&E East Bay Division, Diablo Division



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- Communications
- Relief Assignments

**To leave a message for a Union Representative at the Walnut Creek headquarters, call (925) 933-6060, then enter the Rep's extension.**

## Business Manager/ Financial Secretary



**Perry Zimmerman**  
Business Manager  
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Union Hall: ext. 212

## Administrative Staff



**Tom Dalzell**  
Senior Assistant Business Mgr.  
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Union Hall: ext. 307



**Bob Choate**  
Assistant Business Manager  
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Union Hall: ext. 305



**Dorothy Fortier**  
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**Jim McCauley**  
Assistant Business Manager  
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Union Hall: ext. 210



**Art Murray**  
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**Dennis Seyfer**  
Assistant Business Manager  
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Walnut Creek 94596  
Home Office: (916) 683-1772  
Union Hall: ext. 372

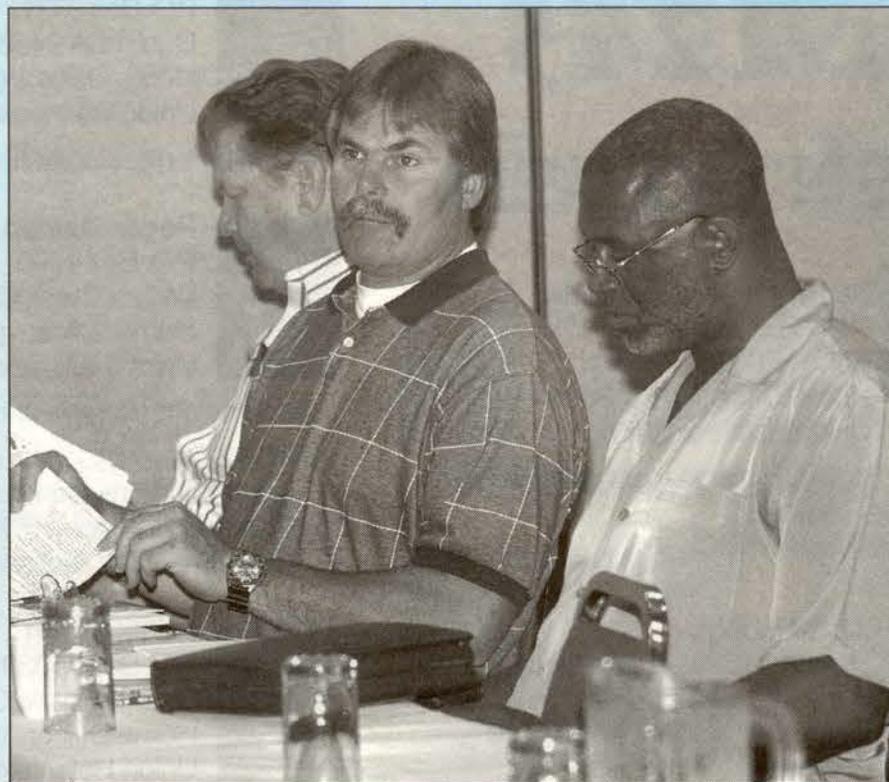


**Howard Stiefer**  
Assistant Business Manager  
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Union Hall: ext. 322



**Sam Tamimi**  
Assistant Business Manager  
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Walnut Creek 94596  
Union Hall: ext. 218

# Stewards study up on employee rights



Port of Oakland stewards Dave Cuthbertson, Dave Nemcik and Gary Rutland.

Local 1245 stewards met in Sacramento on Oct. 27 to review conditions affecting union members at tree trimming companies, at Citizens Communications and in the public sector.

Business Manager Perry Zimmerman outlined some of the changes instituted in recent months to make the union more accessible to its members, including the addition of two full-time business representative for members working in the tree trimming industry: Ray Thomas and Junior Ornelas.

During the morning, tree trimmers and Citizens Communications employees broke off into separate groups to discuss issues affecting them directly, while public sector employees participated

in an extended discussion of recent changes in labor laws affecting public employees. (See related reports.)

## Family & Medical Leave Act

In the afternoon all stewards reconvened in plenary session to hear Kathy Noel of the US Department of Labor discuss the Family Medical Leave Act.

The FMLA, enacted in 1993, requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to eligible employees for certain family and medical reasons.

Unpaid leave must be granted for any of the following reasons:

- ◆ To care for the employee's child after birth, or placement for adoption of foster care;

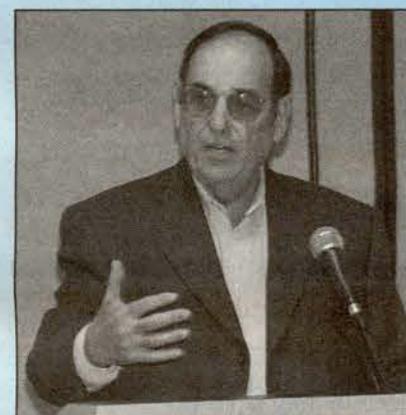
- ◆ To care for the employee's spouse, son or daughter, or parent, who has a serious health condition; or
- ◆ For a serious health condition that makes the employee unable to perform the employee's job.

## Past Practice/Disparate Treatment

Senior Assistant Business Manager Tom Dalzell closed out the conference with a discussion of the critical issue of "past practice."

Past practice can be a powerful tool for fighting disparate treatment on the job. If the union can show that a particular practice has been followed for a substantial period of time, it may be possible to challenge an employer who tries to unilaterally change that practice.

Dalzell, who as the union's staff attorney has participated in many arbitrations, explained that past practice and custom may be used to inter-



Business Manager Perry Zimmerman welcomes stewards.

pret ambiguous contract language to the advantage of the workforce.

On the other hand, it is also possible for the employer to use past practice to justify its actions. This makes it extremely important for stewards to identify and challenge unjust actions by the employer before such actions have been around long enough to be considered the accepted practice.



Stewards tackle tough issues in a Tree Trimmers workshop. From left: Advisory Council member and Asplundh Tree Trimmer Hector Arellano, Davey Tree Trimmer William Rogers, and SMUD Tree Trimmer Martin Correia.

## Stewards Conference

October 27, 2001 ● Sacramento, Ca.

- ◆ Public Sector
- ◆ Tree Trimmers
- ◆ Citizens Communications

## Stewards Conference

### Public Sector Workshop



Tri-Dam steward John Kennedy.

## New law bolsters rights for public employees

**P**ublic sector stewards engaged in a spirited discussion of labor law in a morning workshop during the stewards conference held Oct. 27 in Sacramento.

The workshop was led by Robert Thompson, Assistant General Counsel to the Public Employee Relations Board.

PERB is the agency that enforces the Meyers Milius Brown Act, the 1968 law that established collective bargaining rights for local and state government workers.

In its original form the Meyers Milius Brown Act provided no effective enforcement procedures for local government employees. But with the passage last year of SB 739, local government employees were finally given the same labor relations enforcement protections

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**More on Steward Conference**  
**Pages 14-15**

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Dennis Seyfer is Assistant Business Manager for public sector employees.



City of Redding stewards (from left) Michael Pierce, Matt Cervenka, and Sean McCall.

enjoyed by California workers in schools, colleges, universities and state government.

But labor law enforcement can only be effective when union stewards are vigilant in monitoring their employers' compliance with labor agreements and labor law. Thompson provided Local 1245 stewards with examples of workplace situations where PERB has intervened to settle disputes.

Another new right that came with passage of SB 739 is that a union can request that an agency shop arrangement be voted upon by the bargaining unit. If a majority of the bargaining unit's voting employees want an agency shop agreement, it is placed in effect, with or without the employer's agreement.

The agency shop provision drew questions from Local 1245 stewards at Tri-Dam Project and Modesto Irrigation District, two locations where the union currently has no agency shop agreement.



Truckee-Donner PUD steward Mike Connell and Senior Assistant Business Manager Tom Dalzell.



Robert Thompson, PERB Assistant General Counsel.



Alameda Power & Telecommunications steward Al Fortier.



Sacramento Municipal Utility District steward Grant Ritchie.



Lassen Municipal Utility District steward Jim Lovercheck.



Modesto Irrigation District steward Peter Gartner.



Citizens Communications steward Monte "Toot" Nelson.



Citizens Communications steward Marianne Philipenko.



Susanville-based Citizens Communications steward Bruce Gilbert.

## Change in health benefits raises concerns at Citizens

The potential transfer of Plant Service Center work, changes in the Medical Plan, and performance-related issues were on the minds of union stewards during the Citizens Communications workshop at the Oct. 27 stewards conference in Sacramento.

The possible transfer of electronic call center work was also a major topic of concern. That concern has risen to the top of the list in the wake of Citizen's decision to close the Call Center, announced Nov. 1. See story beginning page 1 and continuing elsewhere on this page.



Elk Grove-based Citizens Communications stewards Susan Lomba (left) and Sheila Lawton.

## Citizens announces Call Center closure

### ► From Page 1

major factor in its decision.

"It costs much more to operate a center in Sacramento, in a very competitive environment, than any other place where we have service centers," the company said in a prepared statement.

The company said it plans to transfer the work to a facility it owns in Kingman, Az. The company said it had intended to use that space for its Qwest acquisitions but that those acquisitions had been cancelled.

The company said the transition to the Kingman facility would begin in late January 2002 and be completed by the end of March 2002.

The Sacramento center was responsible for fielding customer service calls from Northern California, Nevada, Utah, North Dakota, Idaho and Oregon.

## Stewards Conference

## Citizens Communications



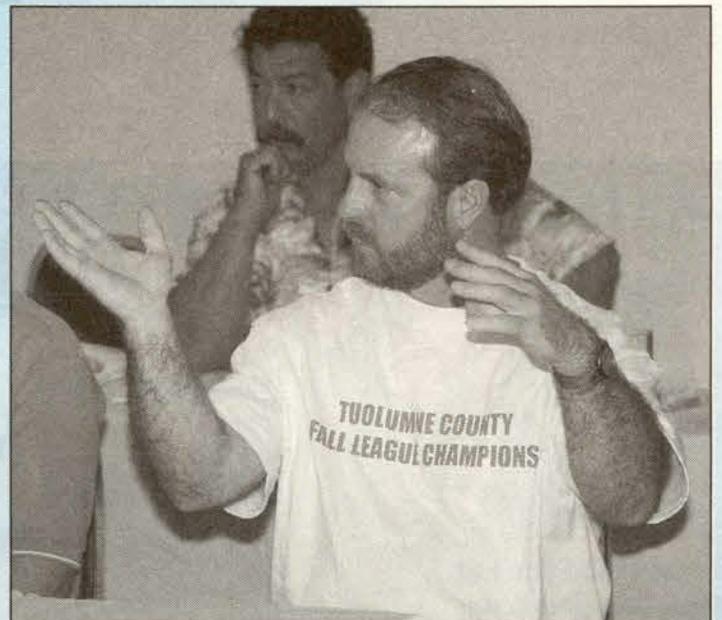
Junior Ornelas, Business Rep. for tree trimmers in the southern area.



Nick Schader, Asplundh Tree



Bill Elliott, Asplundh Tree



Steve Montgomery, Asplundh Tree. In back: William Soza, Arbor Tree.

## Tree trimmers look at grievance handling and negotiations



Jeff Atkinson, Asplundh Tree

**G**rievance handling and current negotiations with tree contractors were the central issues discussed by Local 1245 stewards during the tree trimmer workshop at the Oct. 27 conference in Sacramento.

Business Reps. Junior Ornelas and Ray Thomas used a current grievance involving untimely discipline to highlight the specific steps of grievance handling.

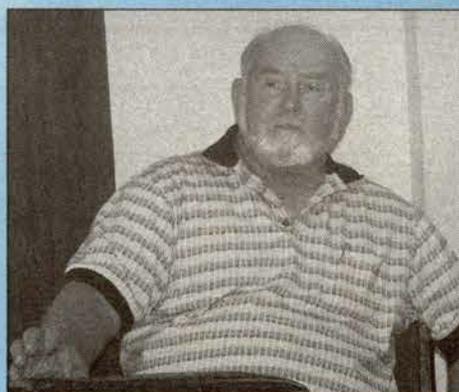
The stewards were briefed on the negotiations now underway between Local 1245 and four tree trimming companies: Davey, Asplundh, Arbor, and EPA Provco. After examining the

many proposals submitted by members, the union prioritized three issues for bargaining: wages increases, pension improvements, and subsistence pay increases.

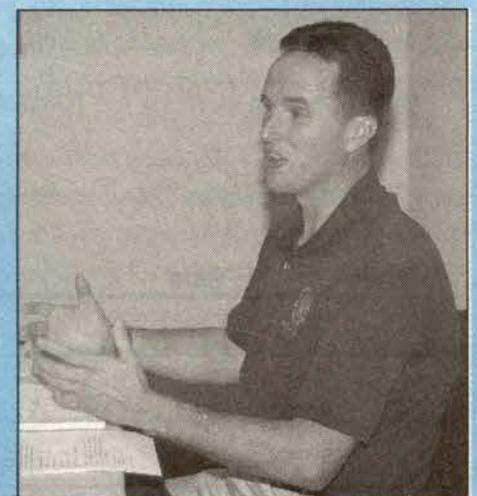
Recent moves by the companies to increase employee co-pays on prescription drugs may also end up being dealt with at the bargaining table.

Subsistence pay is an important issue for tree trimmers, who often work considerable distances from home. Currently tree trimmers receive a flat \$17 a day when working over 60 miles from home.

### Stewards Conference Tree Trimmer Companies



John Shepherd, Davey Tree



Ray Thomas, Business Rep. for tree trimmers in the northern area.

IBEW LOCAL 1245  
**UNION SHOPPER**

**Hats**



**Local 1245 State Hat**  
Black, Calif. or Nev. map  
**\$8.50**  
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(Note: One size fits all)



**IBEW 1245 Hat!**  
Black or Teal  
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(Note: One size fits all)

ALSO...

**Lineman Logo Hat**  
**\$6.00**  
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(Note: One size fits all)

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IBEW (Ceramic)

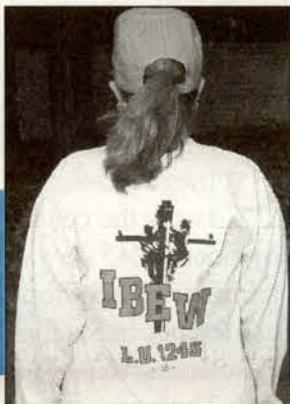
**Ceramic Mug**  
IBEW (Ceramic)  
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+\$3.00 shipping

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(Limited to stock on hand)  
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**SALE ITEM!!**  
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**\$25**  
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(Limited stock; Call Officer Manager before ordering)

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Lineman Logo on Back  
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Black with IBEW Logo  
Small only size available  
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**Other Good Stuff**

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"We Do The Work"  
Songs by Jon Fromer  
**\$15.00**  
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Lineman Logo in Center  
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**IBEW Women Charm**  
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3 inch  
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<b>GRAND TOTAL</b>						<b>\$</b>

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Sorry, no credit card orders!  
IBEW Local 1245  
c/o Office Manager  
PO Box 4790  
Walnut Creek, CA 94596

By the Local 1245  
Safety Committee



## Legislator seeks reforms in workplace fatality reporting

Assemblyman Paul Koretz of West Hollywood has called for reforms in the way workplace deaths are investigated in California.

According to a report in the Orange County Register, Koretz wants stricter deadlines for launching investigations and stiffer penalties for companies that fail to report accidents immediately.

Koretz also said the California Occupational Health and Safety Administration needs to do a better job handling investigations involving Spanish-speaking workers and witnesses. Currently, the agency makes little effort to interview witnesses of workplace accidents if they do not speak English.

An analysis by the Register of Orange County's 64 workplace deaths from 1998 to 2000 showed that witnesses were skipped, investigations started as late as 82 days after accidents, and fines were often severely reduced or thrown out because of poor investigative work.

The Register investigation also showed that, nationally, immigrants die in workplace accidents at higher rates.

In Orange County, 30 of the 64 workplace deaths involved immigrants.

"The two biggest problems I saw was the lack of fines that have real impact and the fact that people get away with not interviewing non-English-speaking witnesses," Koretz said.

Another part of the investigation found that employers failed to provide basic protective measures or safety training in Spanish in one-third of the 30 fatal accidents involving immigrants, records show.

"Cal-OSHA recognizes that many industries exploit immigrant workers who are poorly trained, poorly equipped, poorly supervised and unfamiliar with California law," Vicky Heza, Cal-OSHA chief of enforcement, said in a written statement.

"Because immigrants often take the most hazardous jobs, industries with the highest numbers of injuries and illnesses—construction and agriculture—are targeted with aggressive enforcement actions designed to bring those numbers down and save lives."

Assemblyman Darrell Steinberg, D-Sacramento, said more scrutiny is needed of the agency.

The Legislature has adjourned for the year and will not consider any new bills until January.

## Are you a high roller?

"I would never buy a lotto ticket, it's a waste of time." "I don't gamble much, money is hard to come by."

We have heard people make these statements many times. But some of these same people making these re-

marks will gamble with a hand, or a foot, or a bad back for life.

Body parts are very hard to replace. Don't be the high roller and gamble with your life and health all for a short cut.

Think safety and be safe!

## Hydraulic safety

In the utilities industry, many types of hydraulics are used on the different kinds of equipment.

A daily inspection should be made of all the equipment to be used for that day. Check the fluid levels, check for leaking fittings, check for frayed hoses, check for kinked hoses, check for any sharp edges the hoses could be rubbing on, including the framing, bolts, pinch points, etc.

Lube grease fittings on a regular basis at the elbows and turning points for the different pieces of hydraulic equipment being used.

Most importantly, do not overload

the equipment. If the equipment becomes stuck and will not move correctly, be sure to stop and find the problem before proceeding. Trying to force it could create big problems.

Most hydraulics operate at about 2200 PSI, strong enough to injure a person if a hose ruptures close to your skin, and also strong enough to bend or break the equipment if not being used properly.

Inspecting recently repaired equipment is especially important.

Take care of your equipment so it can take care of you.



Current members of the Local 1245 Safety Committee are: Stoney Burk, Alameda Power & Telecommunications; Keith Hopp, Pacific Gas & Electric; Ralph Muraca, City of Santa Clara; Al White, Pacific Gas & Electric; Rod Wright, Modesto Irrigation District; and Assistant Business Manager Art Murray.



## Women union activists hone their skills

**M**ore than 1,000 activists deepened their understanding of organizing and politics at the Coalition of Labor Union Women's biennial convention in Las Vegas Oct. 4-7.

Workshop topics included stress reduction, domestic violence and financial planning.

Representing Local 1245 at the convention were Assistant Business Manager Dorothy Fortier, Northern Area Executive Board member Kathy Tindall, and Sierra Pacific Power shop stewards Betty Quinn and Rita Weisshaar.

At a pre-convention conference, activists learned about organizing in the Internet age, focusing on using new technologies such as websites and e-mail listservs to boost organizing. Delegates also re-elected CLUW President Gloria Johnson of IUE-CWA.



Representing Local 1245 at the convention were Assistant Business Manager Dorothy Fortier (standing right), Northern Area Executive Board member Kathy Tindall (standing fourth from left), and Sierra Pacific Power shop stewards Betty Quinn (standing left) and Rita Weisshaar (standing second from left).

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& I B E W

### WOMEN WORKERS' HISTORY

#### Mill Town Rebellion (Pt. 3)

Concern for their children's safety, and the desire to see them securely fed, gave striking Mill workers in Lawrence, Ma., the idea to send their kids into the care of supporters in New York and other cities. After a large number were greeted with fanfare by strike supporters in New York's Grand Central Station, the mill owners resolved to prevent other children from leaving Lawrence. The result was a vicious police attack on mothers and children at the Lawrence railroad station.



The attention of the entire nation now focused on Lawrence. A congressional inquiry, initiated by Wisconsin's socialist Congressman, Victor Berger, further exposed the poor health and miserable living and working conditions imposed on the Lawrence mill workers.

The pressure of public opinion—and awkward questions being raised in Congress—brought the bosses to the bargaining table eight weeks into the strike. The strike committee rejected three wage offers before accepting a sliding scale that would give the lowest-paid workers the biggest increase, 25%. The settlement, unanimously adopted by the 20,000 strikers at a meeting on Lawrence Common, also included time-and-a-quarter for overtime and no discrimination against strikers.

Pioneering labor journalist Mary Heaton Vorse wrote of Lawrence: "It was a new kind of strike. There had never been any mass picketing in any New England town. Ten thousand workers picketed. It was the spirit of the workers that seemed dangerous. They were confident, gay, released and they sang. They were always marching and singing." The spirit of the Lawrence strike was best captured in the sign carried by women strikers: "We Want Bread and Roses Too."

## UAW negotiates family service & learning centers

**F**ifteen Family Service and Learning Centers are scheduled to open by 2003 in the American midwest as the result of bargaining in 1999 between the United Auto Workers and Ford Motor Co. Altruism is only part of the motivation for

the centers according to Ed Livorine, manager of a facility to be built in Dearborn, Mich. They are also an important enticement for prospective employees. "There's a war out there for talent," he said. "We want to be the employer of choice." Most

services such as the library and computers are free, while child care and some classes carry charges. Classes range from driver education, tax planning, parenting techniques, self-defense and home repair.

"We have retirees that just stop in during the day for a cup of coffee and some camaraderie," said Sue Branstner, director at the Dearborn center. "We have teens that come in early before driver's training program to do their homework and gather together."

A 32-member local family council, comprised of Ford, Visteon, UAW and community representatives, meets weekly to discuss the types of programs and services the center will offer.

The sprawling child care center has 22 rooms, called home bases, where children can learn math, language and art.



"To start us off, I'm passing out different colored ties to all of you."

# Medicaid provides nursing home care

The following information about Medicaid is provided by the Alliance for Retired Americans.

**M**edicaid helps people with low incomes pay for medical bills. Medicaid is different than Medicare. Medicare provides coverage to people 65 or older and people with disabilities. Medicaid provides health care coverage to all low-income Americans.

Medicaid is a jointly funded federal-state program. It is administered by the states according to federal guidelines. Eligibility varies by state, but generally people who receive Supplemental Security Income (SSI) benefits are eligible for Medicaid benefits.

Medicare beneficiaries also may receive Medicaid assistance for some services not covered by Medicare,

such as prescription drugs, nursing home care, eyeglasses and other medical services.

SCHIP (the State Children's Health Insurance Program) is a special health insurance program for low-income children who may not qualify for Medicaid. Because of SCHIP, 6.7 million of some 7.1 million uninsured children are eligible for health care coverage. However not all eligible children are enrolled in SCHIP. That is a challenge for policymakers and service providers.

### Fast Facts about Medicaid

The Medicaid program:

- ◆ Provides health care to 36 million people;
- ◆ Provides some level of supplemental health coverage for 5.9 million Medicare beneficiaries, includ-

ing prescription drug coverage, nursing home care and more;

- ◆ Provides health insurance coverage for 18 million children; and
- ◆ Covers 45% of the nursing home and home care costs for 3.6 million Americans who suffer long-term, chronic illnesses.

The Alliance for Retired Americans supports state expansion of Medicaid health services to seniors and people with disabilities by extending Medicaid to all people whose incomes are less than 100% of the federal poverty level, and by providing Medicaid to all people receiving SSI benefits.

The Alliance also supports eligibility liberalization for all families of children eligible under the SCHIP and opposes use of SCHIP funds to help fund other programs.



## Make a Date...

The Local 1245 Retiree Club invites you to join us for companionship, discussion and projects. Current meeting locations are:

**East Bay Chapter:** meets 2nd Thursday each month, 10 a.m., at Local 1245 headquarters, 3063 Citrus Circle, Walnut Creek, CA.

**San Jose Chapter:** meets 1st Thursday each month, 10 a.m., at IBEW Local 332, 2125 Canoas Garden, San Jose.

## Congratulations!

The Local 1245 Retirees Club congratulates these recently-retired members of the union. We invite you to join—or start!—a Retirees Club chapter in your area.

## Retirees' needs raised by members at conference

Retirees need relief, too.

That was the message raised by some of the union members attending the Oct. 29 conference to discuss upcoming negotiations with Pacific Gas & Electric.

Advisory Council member Mary Wise noted that there is a real concern in her area for current pensioners, especially in light of their rising medical costs. She said the union should be looking for improvement in retiree benefits as well as improvements for current employees.

Advisory Council member Lee Thomas echoed these concerns, noting that some retirees saw a 50% jump last year in their portion of medical premium payments.



Mary Wise



Lee Thomas

## Adjourn commission

The Alliance for Retired Americans has called for the disbanding of President Bush's Commission on Social Security.

"At a time of both national mourning for the victims of September 11 and mounting concern for the physical safety of the American people, the decent and honorable thing for this already discredited commission to do would be to adjourn indefinitely," said Edward F. Coyle, the Alliance's executive director.

"This is no time to continue the divisive and extremely controversial campaign to dismantle the most important part of America's safety net—the Social Security system."

Coyle noted that the agency responded efficiently to set up an emergency center following Sept. 11 to help families of victims file claims for benefits.

Robin David, 16 years  
San Francisco, CA

Jess Galvan, 37 years  
Roseville, CA

Timothy Hewlett, 32 years  
Fairoaks, CA

George Lema, 36 years  
Woodland, CA

George McLachlan, 17 years  
Fresno, CA

William Orosz Jr., 36 years  
Bakersfield, CA

Alvin Pacheco, 32 years  
Newark, CA

Richard Scaramella, 34 years  
Manchester, CA

Larry Shea, 20 years  
Fortuna, CA

John Souza, 35 years  
Madera, CA

Floyd Swanger, 16 years  
Lemoore, CA



**Hinkley, Ca.**  
**June 2, 2001**

**20 Years**  
Pat Earl



**20 Years**  
Charles Lee



**20 Years**  
Kirk Odegaard



**20 Years**  
Steve Valdez



**25 Years**  
Richard Schmitt

**Topock, Ca.**  
**June 7, 2001**



From left: Greg Shettro, Dave Sahlstrom, Bus. Rep. Mike Grill, Billy Wellage, Raymond Smith, Charles Medrano, Brian Ringgenberg

