



## Trimming Trees



Eric Wolfe

Asplundh Tree Expert Company Line Clearance Foreman Jonathan Jungnitsch trims a Japanese Black Pine that was getting too close to powerlines operated by the Sacramento Municipal Utility District.

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**"A force that couldn't be ignored"**

## Members powered PG&E bargaining

By Eric Wolfe

**W**hat was the key factor in negotiating the richest PG&E contract package in the union's history?

Business Manager Perry Zimmerman can answer that one without a moment's hesitation:

"It was our members."

The wage increases and pension improvements ratified by mail ballot on Sept. 23 didn't come in a clean wrapper. The package bore the scuff marks of a year-long conflict. Earlier versions of the package were rejected by members of the Physical and Clerical bargaining units last December, and rejected again by the

Physical unit in May.

Zimmerman said the members were doing exactly what they were supposed to: engaging in the debate, making their views known, exercising their rights.

"They didn't give up, they stayed involved, they knew what they wanted," said Zimmerman. "They were a force that couldn't be ignored."

Encouraging member participation was a priority from the beginning. Fourteen months before the old contracts expired, in October 2001, the union convened a meeting to hear directly from rank and file members what they wanted to see in

a new contract. Advisory Council members weighed in with their opinions the following February, and in March the union started accepting proposals from members at unit meetings.

More than 700 member-submitted proposals were adopted by unit meetings and forwarded to the Bargaining Committee.

In June of 2002 the entire Bargaining Committee sat down with a large cross-section of rank-and-file members to help finalize the union's bargaining priorities. On Aug. 5, after PG&E submitted its opening

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## Enron bankruptcy ruling jams Sierra Pacific

**P**enny-wise may be proving pound foolish in Nevada's struggle to recover from the energy crisis of 2000-2001 that sent wholesale power prices to the moon and saddled the state's utilities with crushing debt.

The miscalculation began in the spring of 2002, when the Public Utilities Commission of Nevada slashed the rate increases sought by the state's two investor-owned utilities, who were attempting to recover the money they laid out to keep Nevada's lights on during the energy crisis. The regulators, undoubtedly believing they were protecting the interests of consumers, granted Nevada Power only \$437 million of the requested \$922 million, and Sierra Pacific Power's request was trimmed from \$205 million to \$150

million.

The credit rating of the parent company—Sierra Pacific Resources—was immediately lowered to junk status.

By slashing the rate hikes, Nevada energy regulators may have thought they were dodging a bullet. But they have not been able to wish away the energy crisis, nor the financial burden it imposed on the state's regulated utilities, nor the anxiety suffered by utility employees, nor the continuing uncertainty faced by the utilities' customers.

In fact, the decision to disallow the rate hikes has now come back to bite Nevadans on the backside.

In late August, a federal judge in the Enron bankruptcy case ruled that Sierra Pacific Power and Nevada Power owe an Enron subsidiary an

estimated \$309 million for power deals that were cancelled by Enron in May of 2002. Enron claimed it had a contractual right to end the

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WEAKLEY HALL  
GRAND OPENING  
OCTOBER 18<sup>TH</sup>  
11 A.M. - 5 P.M.  
30 ORANGE TREE CIRCLE  
VACAVILLE, CALIFORNIA  
JOIN US!

### Feature



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**EVENTS**

OCTOBER 18  
11:00 AM TO 5:00 PM  
**Grand Opening  
Weakley Hall**  
Vacaville, CA

NOVEMBER 1-2  
Advisory Council  
Vacaville, CA

**APPOINTMENTS**

**PACIFIC GAS & ELECTRIC**

**Ballot Committee**

Jim Findley, Judge  
Ken Amaral  
Sam Burton  
Troy Castanon  
Dottie Denman  
Leroy Foster  
Anna Graham  
Keith Hopp  
Sal Lozano  
Steve Pettigrew  
Marla Pence  
David Pyle  
Liz Rounds  
David Ryan  
Katharine Reeves

**CONFERENCES, COUNCILS & CONVENTIONS**

**Nevada State AFL-CIO**

Mike Davis  
Randy Osborn  
Santiago Salazar  
Robert Vieira

**IBEW Political/Legislative Conference**

Mike Davis  
Jim McCauley

**IBEW 2003 Nuclear Conference**

Manny Mederos  
Dan Lockwood  
Mark Taylor  
Warren Brown

**2003 Inter-Union Gas Conference**

Perry Zimmerman  
Ed Mallory  
Ron Moon  
Sal Mesa  
John Mendoza  
Anna Bayless  
Howard Stiefer  
Jim McCauley  
Manny Mederos  
Lou Mennel

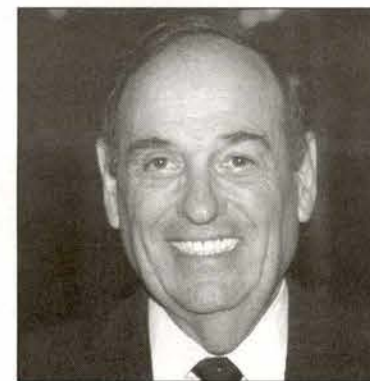
**2003 Rocky Mountain Labor School**

Bruce Warmuth  
Mike Venturino

**YOUR UNION**

**Members did the union proud**

By Perry Zimmerman, Business Manager



I am more proud than ever of Local 1245's membership.

I am proud because of your increased involvement and participation in union affairs.

This union exists so that you can exercise control over your work life. Obviously, this works only if you choose to make it work. In record numbers our members at PG&E voted on the first contract offer in 2002. Even a greater percentage of you voted on the second contract offer earlier this year. Remarkably, even a greater percentage yet voted on the offer that was ratified on September 23rd. You have taken control

of what belongs to you—your union and your work life.

I am proud because you stood tough in negotiations. Twice you voted against contract offers that you felt were not good enough. Through large turn-outs and large margins in voting you gave your bargaining committee the backing it needed to obtain improvements from the company at the negotiating table.

I am proud because when it came time to vote "yes" and get on with what passes for normal life in the utility industry, you did so, and you did so with the largest turn-out yet and the high degree of consensus

that characterized the previous "no" votes.

You kept the company honest and you kept us honest. I am proud of you.

That said, we have no time to rest. We have a great deal to do.

By the end of November we hope to have started most if not all of the ad hoc negotiations mandated by the contract. Obviously, some are more important than others, but they are all important to somebody.

Beginning in January, we expect to see large numbers of employees taking advantage of the improvements in the pension plan and retiring, which will create a number of staffing issues that will require our attention and work.

And then, in less than two years we will back at the table for wage negotiations.

In all of these efforts, I hope that we will enjoy the same level of participation and involvement as we enjoyed in these negotiations with PG&E. Only with member involvement—both in support of our efforts and in the internal debate that shapes our proposals and agreements—will we succeed.

I believe that all of our members can learn a great deal from the actions of our PG&E members over the last two years. They fought, they scratched, they got mad, they got involved—and they worked with and through their union.

They did us proud.



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**Unity Is  
Strength**

## RETIREMENT PLANNING SEMINARS

Local 1245 has arranged to make Retirement Planning Seminars available to members and their spouses. These free seminars will cover financial planning, pre-retirement preparations, and tax planning, as well as changes in the new contract that ultimately affect your ability to retire comfortably. The presentations will be given by Robert Gallo, Senior Vice President, and David Brantley, First Vice President, of Merrill Lynch. After attending the presentation, you may arrange an individual conference with a Merrill Lynch Planning Specialist to analyze your particular situation. However, the seminars and conference are free of charge and involve no obligation. Please return the reservation card you received in the mail and indicate which seminar you plan to attend. If you have any questions, please contact Assistant Business Manager Jim McCauley at (707) 452-2710.

<b>Date/Time</b>	<b>Location</b>
<b>October 24, 6:30 - 9:30 pm</b>	<b>Bakersfield</b> Double Tree, 3100 Camino Del Rio Ct.
<b>October 25, 9:00 am - 12:00 pm</b>	<b>Frenso</b> Ramada Inn, 324 East Shaw Ave.
<b>October 25, 9:30 am - 11:30 am</b>	<b>Sacramento</b> 1025 9th Street, Suite 201
<b>October 28, 7:00 - 9:30 pm</b>	<b>Stockton</b> Radisson, 2323 Grand Canal Blvd.
<b>October 28, 7:00 - 9:30 pm</b>	<b>San Mateo</b> Marriott, 1770 Soputh Amphlett Blvd.
<b>October 29, 7:00 - 9:30 pm</b>	<b>Walnut Creek</b> Marriott, 2355 North Main Street
<b>October 30, 7:00 - 9:30 pm</b>	<b>Monterey</b> Hyatt, One Old Golf Course Rd.
<b>November 1, 9:00 - 11:30 am</b>	<b>San Luis Obispo</b> Embassy Suites, 333 Madonna Rd.
<b>November 1, 9:00 - 11:00 am</b>	<b>Redding</b> Red Lion Inn, 1830 Hilltop Dr.
<b>November 1, 1:00 - 3:00 pm</b>	<b>Chico</b> Masonic Family Center, 1110 W. East Ave.
<b>November 6, 7:00 - 9:30 pm</b>	<b>Oakland</b> Holiday Inn, 500 Hegenberger Rd.
<b>November 8, 10:00 am - 12:00 pm</b>	<b>Santa Rosa</b> Hilton, 3555 Round Barn Blvd.
<b>November 8, 9:00 am - 11:00 am</b>	<b>San Jose</b> Hyatt, 1740 North First St.
<b>November 12, 7:00 - 9:00 pm</b>	<b>Eureka</b> Red Lion Inn, 1929 Fourth St.

## Rate settlement backed by 1245

**P**acific Gas & Electric last month reached a settlement agreement with consumer and environmental representatives in the utility's rate case now before the California Public Utilities Commission.

Joining in the proposed settlement were TURN, the CPUC's independent Office of Ratepayer Advocates (ORA), Aglet Consumer Alliance, the Modesto Irrigation District, the Natural Resources Defense Council and the Agricultural Energy Consumers Association.

"We are pleased that the parties have agreed upon a level of funding that will allow PG&E to continue investing in the the safety and reliability of its service," said Local 1245 Business Manager Perry Zimmerman.

The settlement agreement is intended to resolve all disputed issues among the settling parties in this phase of PG&E's general rate case, with the exception of PG&E's request that the CPUC include funding for a PG&E contribution to its employee pension fund. The pension fund contribution issue, as well as other issues raised by non-settling parties, will be addressed separately in the CPUC proceedings.

The pension fund issue revolves around how quickly PG&E should resume making contributions to the fund to keep it adequately funded.

The settlement, which must be approved by the CPUC, would avoid raising retail rates for electricity customers. Residential gas bills would increase by about 86 cents a month.

Under the settlement, PG&E would receive an increase of about \$236 million in its 2003 revenue for electric distribution operations. The utility would see an increase of about \$52 million for gas distribution, and \$38 million for its electric generation operation, in 2003.

Revenues would be adjusted yearly from 2004 through 2006 based upon the Consumer Price Index.

PG&E has requested a decision from the CPUC by Feb. 5, 2004.



## Income drops, poverty rises for second year

Poverty rose and income levels declined in 2002 for the second straight year as the nation's economy continued struggling after the first recession in a decade, the Census Bureau Sept. 26.

The poverty rate was 12.1% last year, up from 11.7% in 2001. Nearly 34.6 million people lived in poverty, about 1.7 million more than the previous year.

Median household income declined 1.1% between 2001 and 2002 to \$42,409, after accounting for inflation. That means half of all households earned more than that amount, and half earned less.

The poverty rate rose again after having fallen for nearly a decade to 11.3% in 2000, its lowest level in more than 25 years. Income levels increased through most of the 1990s, then were flat in 2000 and fell the last two years.

Bill Spriggs, director of research and public policy at the National Urban League, said the numbers were frightening. "This may become one of the worst downturns in income in 30 years," he said. "We see that people are digging themselves deeper into poverty because the economy is not generating jobs."

The estimates, calculated annually by the Census Bureau, came from a survey of 78,000 households taken in March. They are the government's official measure of income and poverty.

**Y**ale University and two labor unions reached a tentative agreement last month following a three-week strike that included a demonstration where 151 were arrested, including AFL-CIO President John Sweeney. Meg Riccio, a Yale dining hall worker who was among those arrested, said she didn't mind being taken to a police station. "It's worth getting a criminal record because I'm working for a criminal," she said. The strike was over wages, benefits and pensions.

► **Chainsaw Massacre:** Three Columbian trade union activists taken away by a paramilitary death squad in September were discovered dead in a communal grave, ANNCOL Columbia reported. Cesar Augusto Fonseca, Jose Rafael Fonseca Cassiani and Ramon Fonseca Cassiani, members of the Columbian agricultural workers' trade union FENSUAGRO, had been murdered with a chainsaw.

► **Work Sick, Win a Prize:** A Canadian health agency offered workers a chance to win \$300 if they don't call in sick for six months, according to the Vancouver Sun. Vancouver Coastal Health Authority is running the contest to cut staffing costs.

► **Power Workers Protest:** Union leaders at Taiwan Power Co., Chunghwa Telecom Co., and other Taiwanese unions said they were considering actions in solidarity with 8,000 railway workers who took to the streets in Taiwan last month to protest the government's privatization program. They fear privatization would lead to job losses and lower wages.

► **Autoworker Pact:** General Motors Corp., the world's largest automaker by sales, reached a four-year labor accord with the United Auto Workers following contracts at

Ford Motor Co. and DaimlerChrysler that lowered costs to help the U.S.-based companies compete against Asian rivals, Bloomberg.com reported. The agreements come after Chrysler and Ford won concessions that let them hold down wages, close plants and relocate workers.

► **WTO Talks Collapse:** Trade negotiations at the World Trade Organization's (WTO) meeting in Cancun, Mexico, last month abruptly ended as developing nations walked out of negotiations with the United States and European Union, rejecting their attempts to force a corporate-driven trade agenda on African nations. Teamsters General President James Hoffa said the talks had presented the Bush Administration "with an opportunity to push for fundamental reforms in the WTO by advocating for a fair trading system," but that Bush instead had "tried to ram through a trade agenda that benefited the interests of multinational corporations and once again ignored the concerns of working families."

► **Virtual Slavery:** Workers from India, employed as welders, fitters and electricians at John Pickles Company in Oklahoma, have sued the company, alleging their working conditions were "virtual slavery," Mumbai newswire reported. Besides pay as low as \$2 to \$3.50 per hour for gruelling work, the workers claim they were forcibly detained in the factory dorm after work hours.

► **Market Hype:** The principal Electricity Union in Australia, the ASU, is concerned at the reduction in full time jobs in the Generation Sector. According to United Services Union General Secretary Brian Harris these jobs are being outsourced and replaced by contractors, all driven by the National Electricity Market. "...[T]he current staff numbers are being reduced by 50% every 5 years and the aging



"I laid off nine secretaries to save money, and for some reason, the other one quit."

workforce is not being replaced with new younger staff. This means that expertise is not being passed on ... The industry's long term planning and view for stable electricity has gone out the window, caught up in the national market hype."

► **Hertz Skirts Overtime:** Nine branch managers who work for the Hertz Corp. in Houston sued the giant rental car agency in federal court last month for allegedly misclassifying them in order to avoid paying overtime, the Houston Chronicle reported. The nine branch managers contend that instead of doing managerial work, which would exempt them from the overtime laws, they spend a "significant portion" of each day doing manual chores such as washing and vacuuming cars, filling them with gas and driving them from one location to another. In the smaller locations, the branch managers also clean the toilets, wash the windows and change the light bulbs, the lawsuit said.

► **Trojan Horse:** A 15-foot high Trojan Horse toured Ontario, Canada during the recent provincial election campaign, accompanied by activists and supporters of the Ontario Electricity Coalition and the Ontario Health Coalition, to warn about the dangers of electric privatization.

## Amundsen praised; Schwarzenegger defended



### Dedicated rep

To the editor:

I would like to propose a name for the union's Memorial Wall. His name is Norman Amundsen, a wonderful, dedicated business representative who worked for Local 1245 many years ago.

He was our rep in San Francisco when I worked for PG&E in the Clerical group. I remember in those days we always had a lot of problems and grievances to file against PG&E for violating the Clerical contract. My job in those days was shop steward, chairman of the Joint Grievance Committee and chair of my Clerical group in San Francisco.

Those were hard, wonderful years working with Norm. I remember meeting with him several times a week and it was almost customary for Norm to get home at midnight after a very busy day. Only people like myself know how Norm sacrificed his home life so he could properly represent his Clerical people.

After working for IBEW for many years Norm was asked by the University of California labor and research department if he would join with them because of his labor background and his exceptional education at Yale University. Norm finally took the position but kept in touch constantly with Local 1245 to help our local in any way he could.

As a man Norman Amundsen was a real humanitarian who only cared about helping people and he gave his life to doing that. Too bad Norm didn't get to enjoy his retirement years with his wife because Norm died of cancer at a young age.

I will never forget this man who did so much for all of us.

**Michael Escobosa**  
Benecia, Ca.

Editor replies: The Local 1245 Executive Board makes the final decision with respect to any additions to the Local 1245 Memorial Wall. After seeing Brother Escobosa's letter and conducting a review, the Executive Board on Sept. 26 voted to add Norman Amundsen's name to the Memorial Wall.

### Guilt by association?

To the editor:

I was more than a little disappointed at the full page spread on the back page of your recent issue [Utility Reporter, September 2003] insinuating, to put it mildly, that Mr. Schwarzenegger shares the same views as former Gov. Wilson. That kind of guilt by association really turns me off. Why don't you find out how Mr. Schwarzenegger stands on these issues? I am a retired union worker and an independent voter and certainly no fan of Pete Wilson. I owe IBEW Local 1245 a lot and hate to see you stoop to this kind of

mean-spirited, devisive and deceptive practice.

There should be many things taken into consideration when supporting a candidate. Not just whether they have a D or an R after their name.

Gov. Davis has done some good things for working people, but a lot of his actions have been ill-advised and in my view he is just another corrupt politician. So I will vote for his recall. And that only leaves me to decide who is the best man for the job if that recall is successful.

**Thomas Maze**  
Redding, Ca.

Editor replies: Unfortunately, Schwarzenegger avoided taking stands on issues such as overtime pay and health insurance. He also avoided virtually all of the candidate forums. It seems fair enough, then, to look at his advisors to get some idea of where he stands on the issues. Schwarzenegger's top political strategist, George Gorton, was a key Wilson aide. Other top strategists include former Wilson aides Sean Walsh, Don Sipple and Joe Shumate. Wilson's former chief of staff, Bob White, is an advisor to Schwarzenegger, and Wilson himself serves as co-chair of Schwarzenegger's campaign. Union members will decide for themselves whether these associations are a cause for concern. The election's outcome will be known by the time members receive this issue of Utility Reporter.

# Speak Out!

Got something to share with your fellow union members? Send letters (with name and phone number) to:

**Utility Reporter Letters**  
**IBEW 1245**  
**PO Box 2547**  
**Vacaville, CA 95696**

*Note: We can't print personal attacks or letters dealing with union politics. Opinions expressed in Speak Out are those of the individual authors and do not necessarily reflect the views of IBEW Local 1245.*

### Darrin Siegfried

Journeyman Lineman Darrin Siegfried, a traveler out of Local 44 in Montana, died from an electric contact on Sept. 8 while performing work for International Line Builders west of Santa Nella, Ca. off Highway 152. Local 1245 extends its condolences to the friends, families and co-workers of Brother Siegfried.

## Notice regarding agency fee payers objection plan

Any employee who is not a member of the IBEW and who pays agency fees to IBEW Local 1245 pursuant to a union security provision in Local 1245's collective bargaining agreement has the right to object to expenditures of fees for activities which are not reasonably related to collective bargaining or undertaken to advance the employment-related interests of employees represented by the Local. The agency fees paid by a fee payer who perfects an objection will be reduced by an amount reflecting the portion of the overall expenditures of the Local Union that are used for non-chargeable activities. Objections must be made annually and will be effective for a single calendar year. Each fee payer who wishes to file an objection with Local 1245 must do so in writing, addressed to the Business Manager, Local 1245, Post Office Box 2547, Vacaville, CA 95696, by certified mail. In registering their objections, objectors must state their name and address and that they pay fees to this Local, and provide their nonmember identification number, if known, and their social security number. Objections must be postmarked during the month of November preceding the calendar year for which the objection will be in effect, or during the first thirty days after the objector commences paying fees to the Local Union as required by a collective bargaining agreement. Objections must be renewed annually, during the month of November.

# Members powered PG&E bargaining

## ► From Page 1

proposals, Zimmerman brought together more than 60 rank-and-file leaders to provide last-minute strategic input to the bargaining committee.

"The union was requesting more information from the rank and file than they ever have in the past," says Peggy Daniel, a Senior Maintenance Assistant at Los Medanos Compressor Station in Concord and a 25-year union member. At the same time, the strategy meetings helped keep information flowing back to the members as well.

"There were a lot of rumors out there. By attending these meetings we were able to clear up a lot of questions that the crews had," says Daniel.

Richmond Gas Serviceman Cliff Jackson saw value in Zimmerman's decision to reach out beyond shop stewards in putting together the special rank-and-file meetings on bargaining.

"It's important to invite people besides the stewards to those meetings. Most of your shop stewards are pretty well informed, and most of the older ones don't mind sitting back and letting some of the younger ones come in and get involved," says Jackson.

## Debate Intensifies

The debate didn't end when the union and PG&E reached a Table



## May 2003

Grover Day, Electric Crew Foreman, relates members' objections to the second PG&E offer during a meeting of the Advisory Council.

Settlement in October of last year. If anything, it intensified.

To facilitate that discussion, Local 1245 sponsored another rank-and-file summit on Nov. 8 to discuss the merits of the settlement. Some members expressed support for the package; others were blunt in their criticism.

The mail ballot, counted on Dec. 10, produced the largest voter turnout in recent union history—by far. The Clerical unit voted 75% "No." The Physical unit voted a whopping 85% "No."

"I know our members thought we could do better," Zimmerman recalls, "because I had about a million e-mails and phone calls telling me so."

## On-Line Survey

The Bargaining Committee had a pretty good idea why the members were unhappy with the first Table Settlement, but the union conducted an on-line survey in January to give the members' another shot at stating their priorities. The results contained no big surprises. Pension increases led the field, with concerns about medical premium cost-sharing not far behind, followed by general wage increase, medical account balance for future retirees, and an earlier effective date for pension improvements.



## November 2002

Ken Hartje, Gas Crew Foreman, offers his perspective on the first Table Settlement during a unit meeting in San Francisco.

When bargaining resumed on Jan. 23, union negotiators were stunned to hear that PG&E wanted Local 1245 to send out the same Table Agreement for another vote. PG&E claimed that members hadn't understood what they were voting on. Zimmerman promptly led the bargaining committee in a walk-out.

Members were insulted by the suggestion they didn't know what they were voting on.

"I'm amazed they let me drive that \$120,000 rig they got me, if I can't read, if I can't understand [the agreement]," Richmond Troublemaker Jack Spencer said at the time.



## August 2002

Mary Wise, Accounting Clerk, expressive her views about PG&E's opening proposal during a system-wide forum with rank and file leaders in Concord.

## Understand THIS

The union immediately produced a button featuring a fist gripping a lightning bolt, defiantly proclaiming "Understand THIS." Ten thousand of the buttons were snatched up by members in a matter of days.

"I truly believe it was our members who brought PG&E back to the table," says Zimmerman. "The members didn't think it was unreasonable to expect more from the company."

On March 28, the company agreed to a new package that improved the wage offer, accelerated the effective date of the pension im-



## November 2002

Leroy Foster, Electric Crew Foreman, offers his perspective on the first Table Settlement during a special rank-and-file summit in Concord.

"We have the most democratic union probably in the whole US, when it comes to being a grassroots-type movement, and we should be very proud of that."

Gary Weaver, Troublemaker

provements, and cut the medical premium co-pay in half.

Another round of steward conferences was held in April to discuss the new proposal.

"It was nice to actually have so many meetings," says Bob Quinn, a Gas Service Rep. in Colma. "It was different than the past, that's for sure."

In a mail ballot tallied in May, the Clerical unit accepted the new offer, but the Physical unit turned it down. Zimmerman and the committee returned to the table insisting that the company would have to improve its offer to get the agreement ratified.

**Federal Mediation**

But PG&E wasn't budging. Finally, in talks facilitated by a federal mediator, the company agreed to make the 2003 wage increases fully retroactive to Jan. 1, 2003. Zimmerman says it was the members' persistence that made it possible.

That quality of persistence showed up in the voting. Although the turnout was extraordinarily high for the first two rounds of voting, members turned out in even greater numbers last month to ratify the company's "last, best and final" offer. The vote was 5146-1888, a 73% margin of approval.

Gary Weaver, a Madera Troubleman who attended some of the strategy sessions, doesn't think there is any doubt about the role of the rank-and-file in the protracted bar-

gaining season: "The member involvement was great."

**A Matter of Principle**

Although there was some grumbling about it, Zimmerman brought one additional demand to the table in that closing round of bargaining: equal treatment for Clerical members in terms of wage retroactivity.

"This was a matter of principle," Zimmerman explains. "We are not a Physical union and a Clerical union. We're one union."

In the end, PG&E agreed to provide full wage retroactivity to the Clerical unit, which was accomplished by a separate Letter Agreement (#03-26).

The five-year agreement provides 4% wage increases in each of the first three years, including full retroactivity for 2003, with wage re-openers in years four and five.

**Pension Increases**

The agreement also increases pensions, a top priority for many members in PG&E's aging workforce. Effective Jan. 1, 2004, the pension formula will be increased to 1.5% of pay for the first 25 years of service and to 1.6% of pay for years of service above 25.

The agreement also provides employer-funded medical savings accounts to help current and future



**March 2003**  
Daryl Turner, System Operator, talks about the upcoming second round of bargaining during a stewards conference in San Jose.



**October 2001**  
Ray Shepherd, Service Mechanic, discusses bargaining priorities at a system-wide rank-and-file forum held in Concord.

retirees deal with rising medical costs, and provides pension increases for the oldest retirees—those who retired prior to Jan. 1, 1978.

**Flies in the Ointment**

To be sure, there were flies in the ointment.

PG&E steadfastly refused to consider an agreement that did not contain an employee co-payment on the

medical premium. And the negotiations failed to produce agreement on some form of financial relief for members in high cost-of-living areas.

Ironically, in Weaver's view, the extraordinary amount of member participation may have created unrealistic expectations among some members about what was achievable at the bargaining table.

"People looked at all the proposals ... and thought they were all attainable," says Weaver. "We're never going to give up some of the things [the company] asks for, but on the other hand we're not going to attain the level of benefits that we're proposing either."

Weaver thinks the vast array of member proposals that get generated at the start of bargaining should be seen as "blueprints for the future"—something to strive for but not necessarily something that can be achieved all at once. Providing members a forum to put all their ideas into play is one of the great strengths of Local 1245, in Weaver's view.

"I've been in the labor councils and I've never seen a union that takes into consideration the proposals of every single member like ours does," says Weaver. "We have the most democratic union probably in the whole US, when it comes to being a grassroots-type movement, and we should be very proud of that."



**June 2002**  
Mark Taylor, Control Tech, offers feedback to the Bargaining Committee at a special meeting of rank-and-file leaders prior to the start of bargaining.



**April 2003**  
Jerry Takeuchi, Electrician, speaks out in Pacifica at one of the steward conferences held to discuss PG&E's second contract offer.



**February 2003**  
Tom Gillespie, Troubleman, was one of thousands who wore "Understand THIS" buttons.





30 Years



25 Years



30 Years



25 Years



30 Years

**Sacramento, CA**  
**February 8, 2003**

## The Honorees

### 55 YEARS

Poulson, John M  
 Vetter, Joseph

### 50 YEARS

Bauske, Douglas

### 45 YEARS

Farnham, Jack

### 40 YEARS

Hayden, N. B. III  
 Patton, Victor

### 35 YEARS

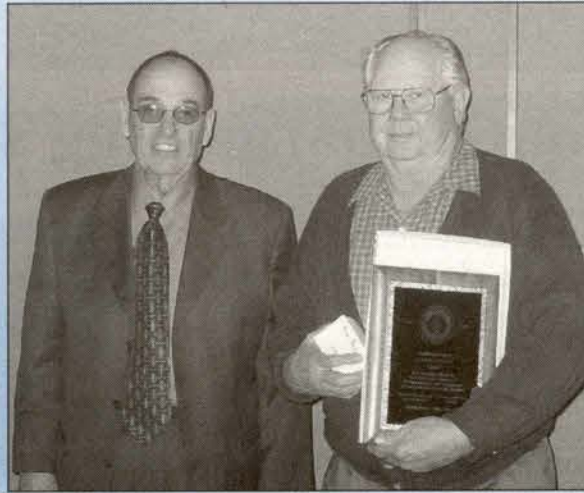
Callender, Robert J.  
 Claessen, David  
 Conroy, Thomas E.  
 Peterson, C. W.  
 Samford, Ted  
 Stewart, Charles  
 West, Roger  
 Wood, Kenneth J.

### 30 YEARS

Adams, Ignacio S.  
 Albert George E.  
 Barkhurst, James L.  
 Baxter, David E.  
 Bender, John H.  
 Bonacci, Richard J.  
 Brzyscz, Jerry  
 Campos, John  
 Cannon, Barbara A.  
 Carrers, Michael L.  
 Carter, Shnirley L.  
 Cervantes, Daniel  
 Corbin, Leberta  
 Corry, Dennis  
 Cox, Floyd  
 Dolcini, Michael  
 Droullard, Daniel  
 Ferguson, Alan T.  
 Fisk, Martin R.  
 Fletcher, Jerry L.  
 Gonzales, Terry R.  
 Graves, Allan M.  
 Guiles, James B.  
 Guterrez, Richard  
 Guterrez, Valentine

Harrin  
 Hickn  
 Ibarra  
 Idio, F  
 Jaque  
 Jimer  
 Johns  
 Jones  
 Kelly,  
 Kings  
 Lewis  
 Loer,  
 Logan  
 Lopez  
 Mald  
 Manz  
 Marki  
 Marti  
 McCl  
 McGe  
 McKi  
 Mead  
 Menc  
 Menc  
 Miller  
 Miller  
 Morg  
 Mosle  
 Murra  
 Natha





**55 Years:** John Poulson, right, receives award from Business Manager Perry Zimmerman.



**35 Years:** Robert Callender, right, receives award from Business Manager Perry Zimmerman.

25 Years

- |  |  |   |   |   |   |
|--|--|---|---|---|---|
| <p>ton, William L.<br/>an, Douglas<br/>Victor I.<br/>ro A.<br/>Richard<br/>z, Cirilo<br/>on, Gary<br/>Larry R.<br/>Daniel J.<br/>y, Terry A.<br/>Daniel E.<br/>ames<br/>Gary L.<br/>Frank C.<br/>nado, Robert Jr.<br/>Gibert<br/>ewitz, Paul S.<br/>z, John<br/>n, William J.<br/>y, Gerald M.<br/>ey, Michael<br/>ws, Paul<br/>nca, John<br/>za, Stephen<br/>Mark<br/>Robert L.<br/>n, William H.<br/>Henderson<br/>Donald R.<br/>Dennis W.</p> | <p>Nelson, Roger<br/>Orta, Ronald<br/>Parker, Scollay C Jr.<br/>Pearson, Catherine<br/>Penick, Jerry D.<br/>Perez, Manual<br/>Perez, Michael<br/>Ramirez, John M.<br/>Ridgeway, Ronnie<br/>Rovillas, Vilma G.<br/>Schneider, Gary L.<br/>Searcy, Robert L.<br/>Sims, George M.<br/>Smith, Aaron<br/>Smith, Richard L.<br/>Stevens, Bradley<br/>Storz, Douglas<br/>Sullivan, Robert R Jr.<br/>Sweeden, Randy B.<br/>Tanaka, Eric T.<br/>Tarro, Ralph<br/>Tassone, David<br/>Tindel, Dale R.<br/>Torres, Steven J.<br/>Turk, Michael L.<br/>Vitan, J.<br/>Walsh, John<br/>Webb, Ivory<br/>Wilhelm, James<br/>Williams, Ike</p> | <p>Zucco, Kenneth</p> <p><b>25 YEARS</b></p> <p>Amburgey, Phyllis A.<br/>August, Edward A.<br/>Bakkie, Terry L.<br/>Barboza, Gloria B.<br/>Bazil, William C.<br/>Berge, Stephen R.<br/>Bethel, James<br/>Bjork, Gary L.<br/>Black, William<br/>Blackshire, Harold R.<br/>Bogdanoff, Fredrick<br/>Boudreau, Paul W.<br/>Boyle, Steve R.<br/>Bruch, Jess L. Jr.<br/>Burkhardt, Keith W.<br/>Burns, Michael W.<br/>Cannarozzi, Randolph<br/>Carrasco, Richard A.<br/>Cipro, Ronald S.<br/>Constant, Susan<br/>Corwin, Mary F.<br/>Cox, Gordon J.<br/>Crowhurst, Peter A.<br/>Dabney, Gary S.<br/>Dalao, Frank S.<br/>DeCasper, Chris R.<br/>Devlin, Dennis</p> | <p>Deyo, Charles R.<br/>Diaz, Sandra<br/>Dulay, Avelino F.<br/>Dunham, Jeffrey E.<br/>Errington, John L.<br/>Falk, david E.<br/>Fancher, Bruce M.<br/>Fowler, Steven D.<br/>Fritz, George<br/>Galvan, Mario<br/>Geck, Phillip J.<br/>Gee, Stanley<br/>Gell, Rex A.<br/>Giesser, Richard L.<br/>Gloeden, Paul D.<br/>Godett, Robert J.<br/>Gomez, Jose Y.<br/>Gonnella, August R.<br/>Goucher, Daniel E.<br/>Girffis, James J.<br/>Gumataotao, Francisco<br/>Harsch, Hervert L.<br/>Hembree, David<br/>Hespeler, Gregory S.<br/>Hinegardner, William S.<br/>Holley, Yolanda R.<br/>Jiminez, Alfred<br/>Jacobs, Martin G.<br/>Kaupanger, Dale R.<br/>Kerr, Stephen D.</p> | <p>Kopriva, John J.<br/>Kuehnau, James K.<br/>Lapane, George H.<br/>Loy, James E.<br/>Maher, Thomas L.<br/>Maldonado, Kathleen<br/>Martin, Robert W.<br/>Martinez, John G.<br/>Mattos, George D.<br/>McCarthy, Sean M.<br/>McElwee, Judith<br/>Means, James T.<br/>Miller, Guy M.<br/>Mochizuke, John A.<br/>Mulder, Ruby<br/>Mulock, Charles D. Jr.<br/>Nelson, James R.<br/>Nicholas, Paul<br/>Oftedal, Annette V.<br/>Olivas, Phil L.<br/>Owens, Lloyd B.<br/>Palacios, Charles<br/>Perry, James S.<br/>Poe, Reggie L.<br/>Pregill, Devin D.<br/>Raines, Kathleen<br/>Raley, Marshall<br/>Rechcygl, William O.<br/>Rios, Josue R.<br/>Risso, Randy</p> | <p>Rowland, Steven H.<br/>Rubio, Ronald D.<br/>Russo, Victor J.<br/>Rutherford, Gary K.<br/>Rutledge, Janice C.<br/>Samaniego, Steven H.<br/>Satterlee, Michael A.<br/>Schroeder, C. F.<br/>Scott, Alice<br/>Sellers, Shirley, A.<br/>Seyfer, Dennis K.<br/>Sharpe, Michelle<br/>Smith, Andrew J.<br/>Stevens, William<br/>Stiles, Leslie M.<br/>Sutherlin, David E.<br/>Tims, A.<br/>Toney, John E.<br/>Troub, Jeffrey R.<br/>Ungles, Daniel B.<br/>Veneracion, Manuel S.<br/>Vigil, Robert D.<br/>Warner, Richard C.<br/>White, Leonard L.<br/>Witherell, Angie</p> |
|--|--|---|---|---|---|

## Unit updates

**Unit 3310, Truckee**, is a new unit comprised of Truckee Meadow Water Authority, Truckee Donner Public Utility District, and the City of Fernley. Meetings are in Reno, Nev. at the Chalk Bluff Water Treatment Plant, 9605 S. McCarran. Meetings begin at 4:15 pm. Unit chair is Dennis Romeo.

**Sal Salazar**  
Business Rep.

**Unit 3911, SMUD**, has a new meeting location: Espanol Restaurant, 5723 Folsom Blvd., Sacramento. Meeting date remains the second Tuesday of the month at 5 p.m.

**Sam Glero**  
Business Rep.

## Open enrollment

The Open Enrollment period for Local 1245 members at Pacific Gas and Electric is Oct. 27 through Nov. 7. Open Enrollment for retirees is Oct. 13-24.

During Open Enrollment, members can make changes to their union-negotiated, company-sponsored health plans for 2004.

This is also the time to drop dependents no longer eligible for coverage. Active employees may enroll online, or call the HR Service Center's automated phone system. All changes will be effective Jan. 1, 2004.

Packages containing important information about enrollment, health coverage and plan changes will be mailed out before Open Enrollment begins.

## Frontier bargaining stalls, despite mediation

**F**rontier showed no signs of moving toward an agreement with IBEW Local 1245 despite the presence of a federal mediator during talks in late September.

When talks stalled after a meeting on Sept. 23, the company called mediator Greg Lim from the Federal Mediation and Conciliation Service for assistance. The mediator met with the company and the union committees on Sept. 24-25.

"The mediator was available to work through the weekend with both committees to try to reach an agreement, but the company declined the offer," said Local 1245 Senior Business Rep. Ray Thomas.

The parties were scheduled to meet with the mediator again on Sept. 30, but the results of those talks were not available at Utility Reporter press time.



### FRONTIER BARGAINING COMMITTEE

Serving on the Local 1245 Bargaining Committee for negotiations with Frontier are, clockwise from left: Larry Martin, Business Rep. Jack Osburn, Monte Nelson, Tom Greer, Eric Tanaka, Sheila Lawton, John Shepphird and Sheila Lawton. Also on the committee is Senior Business Rep. Ray Thomas, who took the photograph.

Members with questions about the status of negotiations should contact a member of the Local 1245 bargaining committee. You may di-

rect your questions to the whole committee, a specific committee member, Business Rep. Jack Osburn, or Thomas.



Eric Wolfe

Performing line clearance tree trimming on Sacramento Municipal Utility District lines are Asplundh Tree employees (from left) Daniel Zoragoza Vasquez, Climber; Juan Avaloz, Climber; and Jonathan Jungnitsch, Foreman.

## Asplundh Tree in Sacramento



Eric Wolfe

Juan Avaloz clears Italian Stone Pine branches away from SMUD lines in Sacramento.

## Notice: Arbor Tree and EPA PROVCO

Negotiations with Arbor Tree Surgery and EPA PROVCO begin the first week of November. All of your proposals for negotiations should be given to your business representative or mailed to the union hall by Oct. 20. Mail to:

**Ray Thomas, IBEW 1245, PO Box 2547, Vacaville, CA 95696**

## PG&E pact offers relief on medical costs

The new labor agreement with Pacific Gas & Electric, ratified by members of the Physical bargaining unit on Sept. 23, offers a measure of badly-needed relief for retirees.

Effective Jan. 1, 2004 a medical account balance of up to \$7,500 will be established for current and future retirees. Retirees may use their account balance to pay 50% of their medical premium contribution.

The new benefit is designed to help offset recent large increases in retiree medical premiums. Providing relief for retiree medical costs was a major priority in the just-completed negotiations.

The account balance amounts will be prorated from 10 to 25 years of

service.

A ten-year minimum service requirement is established for eligibility for future retiree medical benefits. In addition, the company's fixed contribution for future retirees will be prorated from 0 to 25 years of service for both over- and under-age 65 retirees.

Effective Jan. 1, 2003 retirees who drop medical coverage through the company will be allowed to re-enroll during future open enrollment periods. The open enrollment period this year for retirees is Oct. 13-24.

In addition to assistance with medical costs, there will be improved pension benefits for older retirees, whose pensions tend to be much smaller than more recent retirees.

Those who retired prior to Jan. 1, 1978 will receive a 20% pension adjustment.

Although the new labor agreement has a term of five years, retirees won't need to wait that long for retiree issues to be addressed again in collective bargaining. The agreement requires the parties to meet, in good faith, to re-open discussions regarding pension adjustments for 2006 and 2007.

The new labor agreement also provides benefits for future retirees. Effective Jan. 1, 2004, the pension formula will be increased to 1.5% of pay for the first 25 years of service and to 1.6% of pay for years of service above 25.



## 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 IBEW Local 595, 6250 Village Parkway, Dublin, 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 participate in – or start! – a Retirees Club chapter in your area.

Rolland Acton, 43 years  
North Bend, OR

Louis Bargas, 32 years  
Cottonwood, CA

David Bauguess, 34 years  
Oakdale, CA

Lynn Davis, 39 years  
Carlotta, CA

John Egbert, 34 years  
Sacramento, CA

Clara Gray, 13 years  
Sacramento, CA 95828

Delmar Hudson, 33 years  
Beaver Dam, AZ

Steven Lorenzini, 31 years  
Yreka, CA

Cleo Thompson, 39 years  
Citrus Heights, CA

## Retirees invited to Weakley Hall grand opening

By Mike Silva

All retired members and their families are invited to attend the Grand Opening of the union's new headquarters in Vacaville on Saturday, Oct. 18.

The new headquarters is named after Ronald T. Weakley, who led the drive to organize workers at PG&E in the 1940s. Weakley is scheduled to attend the Grand Opening, which begins at 11 a.m. and lasts until 5 p.m.

The union's new address is 30 Orange Tree Circle, right off I-80 in Vacaville.

The Grand Opening was one of the items reported on by Assistant Business Manager Jim McCauley at the August meeting of the East Bay Chapter of the Local 1245 Retirees Club, which now meets in Dublin.

McCauley also reported that retired members of Local 1245 will have some additional health plan options to consider in the future. McCauley said the new options may include plans that have lower co-

pays and afford less service. He explained that the union and the company were trying to offer these plans so that retirees could better tailor a health plan that fits their budget and meets their personal needs.

Assistant Business Manager Dorothy Fortier will attend our chapter meeting on Oct. 9 to explain new developments with our health plans

and to answer any questions. Her visit is timely because the open enrollment period this year for retirees from PG&E is Oct. 13-24. Be sure to invite any of your friends who are members of the retiree's club to attend this important informational meeting.

Mike Silva is president, East Bay Chapter of the Local 1245 Retirees Club

## 40,000 elderly could lose Medicare

Health insurers participating in the government's Medicare program expect to drop 40,000 elderly and disabled members next year because payments haven't kept up with rising medical costs, according to the American Association of Health Plans, which represents insurers.

About 12% of Medicare's 40 million recipients are enrolled in its managed-care option, called Medicare Plus Choice. In California, insurers Health Net, Blue Shield and Pacificare did not plan to drop any members.

Blue Cross, which has about 50,000 Medicare HMO members in Southern California, would not reveal any proposed changes until it receives government approval. Kaiser, one of the few health maintenance organizations that have not announced any Medicare Plus Choice withdrawals in recent years, declined as well to state any changes.

# Winners' Circle

Perry Zimmerman's

**IBEW Local 1245  
Golf Tournament**

**September 13, 2003**



**1st Place: 2003**



**FIRST PLACE, LOW NET:**  
Wence Galindo



**2nd Place: 2003**



**3rd Place: 2003**



and a little belated recognition for...  
**1st Place: 2002**

**FIRST PLACE, 2003**  
Jeff Black  
Don Clifton  
Wence Galindo  
Richard Perry

**SECOND PLACE, 2003**  
Eddie Courtney  
Dennis Gow  
Larry Rodriguez  
Greg Smith

**THIRD PLACE, 2003**  
Sam Glero  
Ed Lenore  
Darryl Norris  
Dave Young

**FIRST PLACE, 2002**  
Eric Burk  
Dan Denning  
Tom Denning  
Jim Jackson

## Safety Training Memo from IBEW Local 1245 and Western Line Constructors NECA

Following are the requirements and training guidelines for the Safety Upgrade Training Program that has been negotiated between the International Brotherhood of Electrical Workers (IBEW) and the National Electrical Contractors Association (NECA). The training will be provided through the IBEW/NECA jointly-sponsored Cal-Nevada JATC program:

### Safety Training Requirements:

**Journeyman Lineman Training:** All Journeymen will be required to complete 8 hours of Advanced Safety Skills Training per year. The hours earned will be tracked on a yearly basis ending on May 31 of each year. The first compliance date will be May 31, 2004. At this time Cal-Nevada JATC is in the process of completing the preparation of the second Point of Contact-Rubber Gloving Course that will be offered between August 2003 and May 2004. By completing this course you will satisfy your 8 hour requirement for the contract period of June 1, 2003 through May 31, 2004.

**Foreman Training:** In addition to the above training all Journeyman Linemen employed in the working classification of Foreman or General Foreman will be required to complete an 8-hour Foreman Safety Upgrade course within 6 months of working in the classification of Foreman or General Foreman, once every two years, beginning June 1, 2003. The first compliance date will be December 31, 2003. Cal-Nevada JATC has this training program completed and has already held some training sessions. Additional sessions have been scheduled and are set forth on the attached Foreman Training Class Schedule. **Note:** This course is open to all Journeyman Linemen and the IBEW and NECA strongly urge all Journeymen to complete this course.

### Guidelines:

**Travelers:** All travelers coming to work in 1245's jurisdiction on or about the training compliance date will be given 60 days from their date of employment to comply with the training requirements set forth above. This rule not only applies to travelers from other Locals but to 1245 members who have been working out of 1245's jurisdiction and are returning to work in 1245's jurisdiction.

**Completion Cards:** Upon completing each of these training courses you will be issued a certificate of completion from the Cal-Nevada JATC in the form of a card you can carry and keep in your possession with your JL Ticket.

**Compliance:** If you choose not to comply with the above training requirements you may not be able to work in 1245's jurisdiction and you may be brought before 1245's E-Board on charges for not complying with the Outside Line Construction Agreement between the IBEW & NECA.

Richard Dunkin, ABM  
IBEW Local 1245

Jules W. Weaver, Chap. Mgr.  
WLCC-NECA

By the Local 1245  
Safety Committee



## Time to winterize

Here it is early fall and the hot temperatures are still upon us. It's hard to believe after a long hot summer that it is time to start thinking about winterizing our vehicles.

Strange things happen to motor vehicles when the weather suddenly turns wet and cold. The battery, if the fluid hasn't been checked, may give up the ghost when you try to start the car on a frigid morning. The windshield wipers, sitting idle for many months in the hot sun, can peel off like spaghetti with the first rain.

The tires, pressure and tread unchecked, can potentially turn a vehicle into something more akin to a fair ride on a wet oil slick highway.

Winterizing your car can be as

easy as going to your local auto shop and requesting a full inspection, including fluid top off. And don't forget to stock your trunk with a blanket, first aid kit, and a flashlight with extra batteries. Doing all of this now will guarantee that you will be ready for the nasty weather when it arrives.

Remember that the majority of accidents happen with the first bit of wet weather because many drivers fail to adjust their speed or allow themselves more time to travel in inclement weather. The safest drivers are those who can recognize changing conditions on the road and adjust their driving behavior appropriately.

Drive safely, friends!

Richard Lane

## Think Safe, Work Safe

Current members of the Local 1245 Safety Committee: Stoney Burk, Alameda Power & Telecomm.; Keith Hopp, Pacific Gas & Electric; Al White, Pacific Gas & Electric; David Vipond, Citizens Communications; Rich Lane, Turlock Irrigation District; Art Torres, Sacramento Municipal Utility District; Gil Suarez, Davey Tree; Bob Burkle, City of Santa Clara; and Assistant Business Manager Jim McCauley.

### Line Construction Foreman Class

#### South

Saturday, October 11, 7:00 a.m.  
Saturday, November 8, 7:00 a.m.  
Friday, December 12, 7:00 a.m.  
Saturday, December 13, 7:00 a.m.

#### Location:

California-Nevada JATC  
9846 Limonite Ave.  
Riverside, CA 92509

#### North

Saturday, October 18, 7:00 a.m.  
Saturday, November 15, 7:00 a.m.  
Saturday, December 20, 7:00 a.m.

#### Location:

IBEW Local 1245 Weakley Hall  
30 Orange Tree Circle  
Vacaville, CA 95696

Call to Reserve & Confirm Space  
(909) 685-8658

### Journeyman Lineman Safety Training "Second Point of Contact"

Saturday, October 11, 7:00 a.m.  
Saturday, November 1, 7:00 a.m.  
Saturday, November 22, 7:00 a.m.

#### Location:

IBEW Local 1245 Union Hall (South)  
1074 E. La Cadena Dr.  
Riverside, CA 92501

Call to Reserve & Confirm Space  
(909) 685-8658



## Employers liable if customer attacks worker

One of the hundreds of newly-passed laws awaiting the signature of Gov. Gray Davis is a measure that could make employers liable for acts of sexual harassment against workers by customers of a firm.

AB 76 addresses an important workplace issue raised by a Los Angeles County lawsuit pending before the California Supreme Court.

AB 76 would make employers liable for sexual harassment by customers or clients if employers—or their agents or supervisors—knew or should have known of the harassment and failed to take immediate action to stop it.

Many business groups oppose the bill on the grounds they already can

be held liable for sexual harassment committed by employees but should not be responsible for the behavior of customers over whom they have no legal control.

### Sexual Attack

The issue came into the public spotlight when a bus driver for Diversified Paratransit sued her employer after being sexually attacked by a passenger with a history of exposing himself to female drivers.

Prior to the assault, the driver had filed a written report of misconduct in which the man had exposed himself. She had asked for a different route, saying that she did not like how the man looked at her and that he frequently wanted to touch her,

according to court records.

The driver quit her job two days after the attack.

Responding to the driver's lawsuit, an appellate court ruled 2-1 last year that employers are not liable under state law for sexual harassment by customers or clients.

AB 76, a direct repudiation of that court decision, would mirror protections provided under federal law, according to a legislative analysis of the bill.

The bill was sponsored by the California Labor Federation and the state chapter of the National Organization for Women. Opponents include the California Chamber of Commerce and California Manufacturers and Technology Association.



### Which Side Are You On?

In the summer of 1931, the National Miners' Union sent organizers to Harlan County, Kentucky to assist striking miners. The company responded brutally with blacklisting and evictions, and arrests, beatings and shooting. Women were an important part of the union struggle. Some wrote songs which union people continued to sing long after the strike in "Bloody Harlan" collapsed.

Aunt Molly Jackson, a ballad singer and a miner's wife, grew up in the mountains around Harlan.

I am a union woman  
Just as brave as I can be  
I do not like the bosses  
And the bosses don't like me.



Florence Reece married her coal miner husband Sam at age 16. This is how she describes writing her best known song:

"Sheriff J.H. Blair and his men came to our house in search of Sam. He was one of the union leaders. I was home alone with our seven children. They ransacked the whole house and then kept watch outside, waiting to shoot Sam down when he came back. But he didn't come home that night. Afterwards I tore a sheet from a calendar on the wall and wrote the words to 'Which Side Are You On' to an old Baptist hymn, 'Lay the Lily Low.'"

Come all you good workers  
Good news to you I'll tell  
Of how the good old union  
Has come in here to dwell

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

If you go to Harlan County  
There is no neutral there  
You'll either be a union man  
Or a thug for J.H. Blair

## Federal law protects pregnant workers

When a woman finds out she's pregnant, she's may feel the urge to broadcast the good news to the world, or at least share the information with her co-workers.

But this actually isn't such a good idea. Many women are fired or passed over for a promotion after they announce their pregnancy, according to author Susan Freinkel, who wrote about the issue in *Babytalk*.

The Equal Opportunities Employment Commission, the federal agency that deals with job discrimination, receives as many as 4,000 pregnancy-related complaints each year.

The good news is that federal law protects women from pregnancy discrimination. The Pregnancy Discrimination Act, passed in 1978, prohibits discrimination based on pregnancy, childbirth, or related medical conditions. However, the pregnant employee must be able to produce certain evidence of discrimination in order to win a legal challenge.

In 1996, a U.S. Circuit Court of Appeals sided with the employer in a case involving a woman who was fired for tardiness after morning sickness kept her from reporting to work on time. Though she brought charges of pregnancy discrimination against her employer, she was not able to show that she was being treated differently than other employees in similar circumstances.

Sometimes, though, employees win. In December of 1997 a jury of 10 women and two men awarded actress Hunter Tylo \$4 million for emotional distress and \$894,601 for

economic loss. Ms. Tylo was fired from the TV drama *Melrose Place* after announcing that she was pregnant.

Since 1993, The Family and Medical Leave Act has given pregnant women who are employed in workplaces with 50 or more people the right to take a combination of paid and unpaid leave equaling twelve weeks to care for a newborn. The act also gives employees the right to take time off for medical problems (including those that are pregnancy related) and to care for an ill family member.

Federal law protects women from pregnancy discrimination. However, the pregnant employee must be able to produce certain evidence of discrimination in order to win a legal challenge.

# Electric Transmission

*You only miss it when it's not there*

The great blackout of August 14 in the eastern United States and Canada reminded the public of the critical importance of transmission systems. Finally, a little respect. Maintaining and upgrading transmission lines is all in a day's work for IBEW Local 1245 transmission crews at Sierra Pacific Power. Crew members are shown here while working last April on a job to bring a new line into a substation in Fernley, Nev.



Lineman William McGahan (above, left) and Equipment Operator Bob Bower (in truck) share some thoughts with Business Rep. Randy Osborn.



Photos by  
Eric Wolfe

## Ruling jams Sierra Pacific

► From Page 1

power deliveries because of the utilities' downgraded credit status.

PUCN's decision to "protect" Nevada consumers by disallowing large portions of the utilities' rate increases in 2002, has now added another \$309 million to the bill that must ultimately be paid.

As happened in California, Nevada regulators attempted to shield consumers from high wholesale energy prices that were engineered by market manipulators while federal regulators were looking the other way. In both cases, the state-regulated utilities were squeezed by wholesale power costs that could not be passed on to consumers.

The Federal Energy Regulatory Commission continued its policy of inaction in June of this year when it refused to modify energy contracts negotiated during the energy crisis, despite an earlier finding that the contracts were tainted by a manipulated market. This prompted Nevada's two US Senators, Harry Reid and John Ensign, to complain that Nevada ratepayers are being forced to pay prices for electricity under the Enron contract "that are clearly unjust and unreasonable."

It's a case of regulatory failure compounded by more regulatory failure. Federal regulators dug the hole by their inaction. State regulators in Nevada stepped right into it.

Don Soderberg, chairman of the PUCN, declined an invitation by the Utility Reporter to defend the commission's actions. But there are signs that the PUCN is belatedly grasping the dimensions of the problem it had a hand in creating.

"You have to imagine \$300 million would be a huge blow to any company," Soderberg told the Las Vegas Sun after the August ruling by the federal bankruptcy court. Soderberg indicated the PUCN would intervene on behalf of Sierra Pacific Resources—the utilities' corporate parent—in any appeal of the court's decision.

But the PUCN's support may be too little, too late. In a filing with the Securities and Exchange Commission, Sierra Pacific Resources said the court's ruling could "make it difficult ... to continue to operate outside of bankruptcy."

The only ray of light for Sierra came on Sept. 25 when Bankruptcy Judge Arthur Gonzalez ruled that postjudgment interest owed by Sierra to Enron will be based on 1.2% annual interest rates rather than the 12% Enron had sought, reducing potential interest expenses by \$30 million a year while the decision is on appeal.

# Cross-Arm Changeout

**K**eeping the electric system in good working order in Lodi, Ca. is the job of the City of Lodi's line department. A line crew consisting of Ken Enzi, Roy Dodgion, Tim Bogetti and Wayne Holley, are featured here changing out a rotten cross arm on Girard Street.

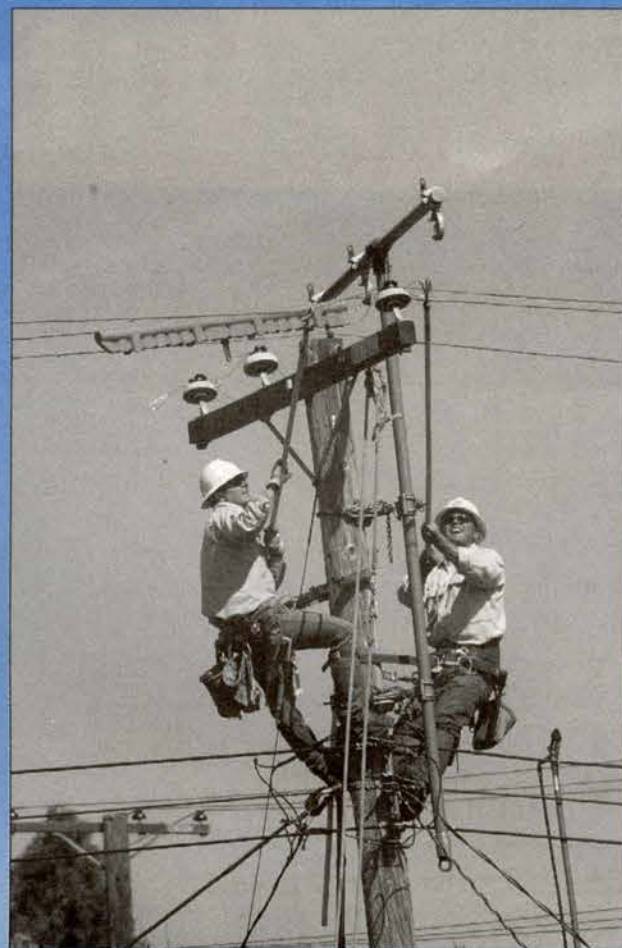
Although there are only 17 people in the entire line department, they recently demonstrated they have the know-how to hold their own with much larger line departments. Lodi line crews took several prizes at the regional linemen's rodeo in Los Angeles last spring, including setting a new record in the cross-arm changeout. Serving on that record-setting crew were Enzi and Holley, along with Lineman Chris Daniell.

City of Lodi lineman will be participating this month in the National Lineman's Rodeo in Kansas City.

Photos by  
Eric Wolfe



Equipment Specialist Tim Bogetti



Linemen Ken Enzi, left, and Roy Dodgion

**CITY  
OF  
LODI**



David Bruiz, Lineman; Jeff Norwood, Lineman; Roy Dodgion, Lineman; Ken Enzi, Lineman; Tim Bogetti, Equipment Specialist; Wayne Holley, Lineman; Mitch Villet, Lineman; Gerard King, Lineman; Barry Fisher, Construction/Maintenance Supervisor; Bill Dolstra, Lineman; Gale Rees, Foreman; Jerry Michael, Sr. Electric Troubleshooter; Carl Lindstrom, Electric Utility Supt.; Michael Boyll, Lineman; Ed Fitzpatrick, Groundman; Daniel Ferguson; Chris Daniell, Equipment Operator.