

UTILITY REPORTER

OFFICIAL VOICE OF IBEW LOCAL UNION 1245 AFL-CIO

IBEW Local 1245's PG&E Negotiating Committee starts work

The newly-appointed PG&E General Negotiating Committee reported to IBEW Local 1245 headquarters last month to begin work.

Committee members first were welcomed by Business Manager Jack McNally, President Howard Stiefer and Assistant Business Manager Manny Mederos.

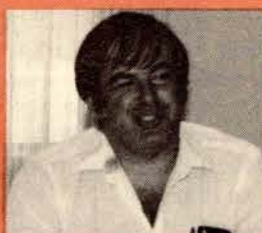
Mederos, who is the committee spokesperson, outlined general bargaining procedures for the group.

Work got underway as committee members began sorting proposals for suggested changes in the Clerical and Physical contract, as well as the Health, Welfare and Benefit Agreement.

First meeting with Company is tentatively set for September 8 where each party will explain their proposals.

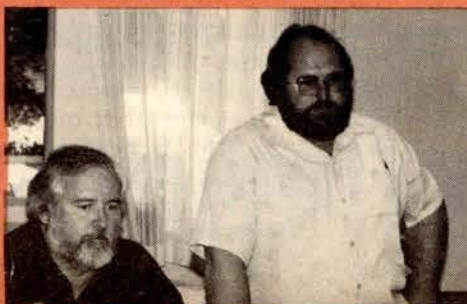
Prior to that both parties will exchange initial proposals the week of August 23.

The contract expires December 31, 1982.

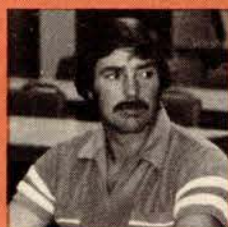


Assistant Business Manager Manny Mederos, Negotiating Committee spokesperson, outlines general bargaining procedures.

Member Stu Neblett was photo shy while on two weeks military duty.



IBEW Local 1245 Business Manager Jack McNally, left, and President Howard Stiefer welcome committee.



Members, l-r, Larry Pierce, Danny Jackson.



Members, l-r, Inga Olson and Jessie Lewis.



Member Ed Caruso.



Members, l-r, Jack Osburn and Olga Estrella.



Members, l-r, Russell Foxe, Bob Choate.



Members, l-r, Jerry Cepernich, Don McKinley.

Utility Coalition set for PUC Public Hearing

The following opening statement was submitted by IBEW Local 1245's Business Manager Jack McNally on behalf of the Coalition of California Utility Workers for an August 9 Public Hearing in San Francisco of the Public Utilities Commission.

Twenty-seven utility unions under the leadership of Local 1245 have banded together to protect the interests of some 130,000 members whose employee benefits, hard-won in bargaining, are under attack.

The Coalition was organized in the summer of 1981 to counter the increasing efforts of the California Public Utilities Commission to take away from utility employees, and union members, job benefits and working conditions which have been hard-won at the bargaining

table. For the reasons set forth below, the Coalition strongly opposes the Commission's attack on the employee discount and the Commission's attempt to usurp the rights of labor and management to engage in free, unfettered collective bargaining.

Impact on collective bargaining

The employee discount is a mandatory subject of bargaining under the National Labor Relations Act, and for this reason even if this investigation by the Public Utilities Commission were an isolated proceeding the Coalition would be concerned and involved. The Coalition, however, views this proceeding not as an isolated, academic exploration of the single issue of employee discounts, but as part and parcel of the continuing pattern of increasing intervention by the Commis-

sion in the collective bargaining process. For the past seven years the Commission has launched a series of alarming attacks on contract provisions and historic labor practices which have governed the relationship between utility companies and their employees. In light of recent Commission attacks on negotiated employee transfer policies, wage rates, medical benefits, and pension benefits we do not believe that the discount investigation is unrelated to the Commission's growing attempts to involve itself in contract negotiations between utilities and their employees' representatives.

The right of labor and management to bargain collectively free from the intervention of external entities is secured by federal labor law, both in the form of federal legis-

See PAGE SIX

I.O. CANDIDATE

Back Bowden!

IBEW Local 1245's Executive Board and the membership have gone on record in support of Clyde Bowden for International Executive Council chairman.

He'll be running for office at the IBEW International Convention in Los Angeles this September.

Bowden is a former Lineman and has been Business Manager of IBEW Local 387 in Phoenix, Arizona since 1967.

When he announced his independent candidacy earlier this year Bowden surveyed all IBEW locals in the United States and Canada to determine what qualities the members wanted in an International Executive Council chairman. Echoed again and again was the theme that "once elected, a chairman should not think that the work and caring is over."

Bowden has committed himself to caring, and Local 1245 is in his full support.

Think conservation! Conservation counts . . . put it into practice!

A big issue in the present PUC examination of the employee discount is the pattern of energy consumption by employees receiving an employee discount. It is the position of the few critics of the discount that employees with a discount are energy hogs. Because employees pay less for energy, these critics argue, they are not inclined to conserve energy to the extent that other customers are.

We believe that the figures and statistics disprove this notion, and that employees are in fact more conservation-minded than the average customer. Local 1245 urges its members who receive an employee discount at PG&E, Sierra Pacific, and CP National to be extremely conscious of the fact that we are all under intense public scrutiny. Specifically, we urge our members to:

1. RECOGNIZE THE GREAT

NEED FOR CONSERVATION. We in the utility industry in the past were expected to set the standard for electric living in our communities. We are now expected to set the standard for conservation in our communities, and we must rise to this challenge.

2. TAKE ADVANTAGE OF THE CHANCE TO HAVE AN ENERGY AUDIT AT YOUR HOME. Even the most conservation-minded utility employee could learn a thing

or two from having an energy audit performed at home. We urge our members to take advantage of the opportunity to have an energy audit.

3. PRACTICE ENERGY CONSERVATION. As utility employees we are all aware of energy-saving practices and technology. Let's put our awareness into practice and lead the way on energy conservation!



YOUR LEGAL RIGHTS

By Frank Brass, Neyhart, Anderson, Nussbaum, Reilly & Freitas, P.C.

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WIPA

G A U

Credit

Contributing writer:
Tom Dalzell, staff Counsel

General look at liability in Worker Compensation laws

The first comprehensive workers' compensation law was established by the German government in 1884.

The employer, irrespective of fault, became the insurer of employees who had sustained industrial injuries. The concept arrived in our country at the turn of the century.

California has a liberal workers' compensation law, which provides a compulsory and exclusive system of employer liability.

An industrial injury is any trauma, disease or illness which is related to work or working conditions.

The definition includes occupational diseases such as silicosis, asbestosis and lead poisoning.

The injury may be the result of repetitive physically or mentally traumatic activities extending over a period of time.

The worker is entitled to receive all medical treatment necessary to cure or relieve the effects of the work related injury or illness. The benefit includes transportation expenses incidental to care.

If the worker is unable to perform his or her job, while recovering from the effects of the industrial injury or illness, he or she is entitled to temporary disability indemnity. These weekly payments continue until the worker is able to return to his or her occupation or until the condition reaches maximum improvement.

If the industrial injury or illness results in a permanent impairment, which reduces the worker's ability to compete in the labor market, he or she is entitled to permanent disability indemnity.

If the worker is unable to return to his or her usual occupation because of the permanent effects of

the industrial injury or illness, he or she is eligible for vocational rehabilitation.

If the industrial injury or illness causes the worker's death, benefits must be paid to his or her qualified surviving dependents.

If you believe that you have suffered an industrial injury or illness, the facts should be reported to your supervisor promptly.

However, remember that you are not bound by the employer's decision as to the compensability of your claim.

Consequently, if you encounter any difficulty or delay in obtaining the appropriate benefits, please contact your union representative immediately.

Future articles will examine the California workers' compensation law in detail.

Local 1245's Group Legal Services

What is Group Legal Services Coverage?

Coverage under the IBEW 1245 Group Legal Services Plan assures you, and members of your immediate family, of having access to quality legal service at reduced rates.

How The Plan Works

By providing for free consultations and easy access to lawyers, the Plan allows members to act preventively and to consult with lawyers before problems become serious. By offering reduced fees, the Plan significantly decreases the cost of retaining legal representation.

Participating law firms have been carefully selected by IBEW 1245's attorneys, Neyhart, Anderson, Nussbaum, Reilly & Freitas. Union members enjoy the benefit of this selection process. By contract, Group Legal Services attorneys are accountable both to the IBEW 1245 members who utilize their services and to the Union and Neyhart, Anderson, Nussbaum, Reilly & Freitas.

Who Is Covered?

Only present and retired members in good standing and their immediate families are covered by the Plan. ("Immediate Family" includes only a spouse, dependent children up to the age of 21, or children still in school and supported by their parents.)

Benefits

Each year, every individual covered by the Plan is entitled to:

1. Two free half-hour initial consultations;

2. Representation at reduced rates which may be no greater than in the attached fee schedule.

What Is An Initial Consultation?

An initial consultation takes place when you describe your problem to an attorney and discuss the alternative actions available to you. Two half-hour initial consultations are provided free of charge during each membership year.

The Following Is A Partial List Of Legal Services Available Under The Plan:

Adoption
Bankruptcy
Civil Litigation
Consumer Fraud
Incorporation
Marital Problems
Criminal Charges
Partnership Agreement
Personal Injury
Collection Remedies
Debt Problems
Landlord-Tenant
Guardianship
Property Damage
Real Estate
Traffic
Wills
Workers' Compensation

How To Use The Plan

IBEW 1245 Legal Services Plan lawyers are located in offices throughout California. If you wish to use the Plan, call (800) 652-1569; and in Nevada, call (702) 358-1086. You should identify yourself as a member of the IBEW 1245 and describe briefly the problem you wish

to discuss. Depending upon the type of problem you have, you will either be immediately connected with an attorney or you will be given the telephone number of the contracting attorney's office nearest your home. If no attorney is available to take your call at the time you call, leave a message and your call will be returned as soon as possible.

You may discuss your problem by telephone, or, if you prefer, make an appointment to meet with the attorney. In some instances the attorney may request that you make an appointment. **WHETHER HANDLED BY TELEPHONE OR BY OFFICE APPOINTMENT, THE INITIAL CONSULTATION IS FREE OF CHARGE.**

The attorney with whom you consult will advise you of your legal rights and remedies, and may recommend a course of action to you. You will also be told what fees and costs, if any, you can expect to pay in order to follow the various avenues available to you.

IBEW Local 1245 Legal Plan

To use the plan call:

In California: 800-652-1569

In Nevada: 702-358-1086

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Ed Johnson
Les Banta

CENTRAL LABOR COUNCILS SAN FRANCISCO

Dorothy Fortier
Bernice Aston

Dean Gurke
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PACIFIC GAS AND ELECTRIC COMPANY APPRENTICE GAS WELDER

Nick Jordan

GENERAL CONSTRUCTION JOINT GRIEVANCE COMMITTEE

Barry J. Humphrey

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Dorothy Fortier
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If you have just moved, or are about to move, please complete this form to insure your continued receipt of all Union mail. Send completed form and your mailing label from the front page to:

UTILITY REPORTER
P.O. Box 4790
WALNUT CREEK, CA 94596

Old label: _____

Name _____

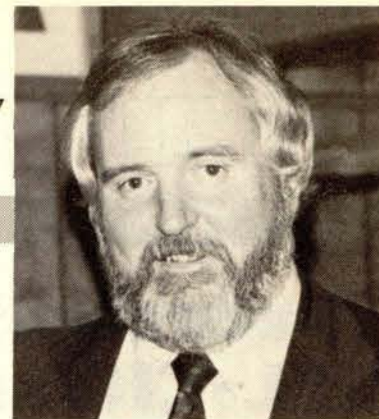
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POINT OF VIEW

By Jack McNally

IBEW 1245 Business Manager



Challenges face members as union principles tested

Three events in the coming weeks will test our deepest principles as trade unionists and will greatly influence our work and lives in years to come.

First the ability of our union to negotiate with management free from governmental interference is being challenged by the Public Utilities Commission, secondly we will soon be entering into General Negotiations with Pacific Gas and Electric Company for the first time in three years, and in November the elections will give unionists the opportunity to speak out against President Reagan's disastrous domestic and foreign policies.

In the 14 years since I left my job with PG&E to come to work for Local 1245 I cannot recall any time when so much was at stake at one time for our future as unionists.

Much of this issue is dedicated to articles bringing our members up to date on the Public Utilities Commission and our legal efforts to keep the Public Utilities Commission from interfering with our bargaining. Its recent attacks on the employee discount and wage rates threaten the cornerstone upon which our union is built — unfettered collective bargaining.

Every new attack by the Commission proves one thing — our decision last summer to join other utility unions to form the Coalition of California Utility Workers was the best thing we could have done. Our united opposition to the Public Utilities Commission is a living example of solidarity.

Our efforts to protect our right to bargain could not be more timely, for shortly after Labor Day general bargaining with Pacific Gas and Electric Company will begin.

While I am well aware of the economic problems which grip our nation, I am also aware of the upturn of PG&E's profits and the increased productivity of Local 1245 members. Local 1245 does not intend to engage in "concession bargaining" that many unions have experienced in the last two or three years. While it would be naive to think that this will be an easy year for bargaining, with the support of every member our bargaining committee will work to negotiate a fair and equitable contract.

Lastly, on November 2 Local 1245 members will go to the polls for the first real referendum on President Reagan's devastating "country club" economic policies, heartless attacks on the elderly and poor, extravagant and wasteful military spending, unprincipled "big stick" foreign policy, "moral majority" attempts to control our private lives, and violently anti-labor attacks on OSHA, Davis-Bacon, and the minimum wage.

Just as the 1934 Congressional elections served as a vindication of the progressive programs initiated by Franklin Roosevelt in 1932, so should the 1982 elections serve as a counter attack on Reagan's "corporate state" policies. Our choices are clear in both California and Nevada, and Local 1245 will be working hard to turn the tide against Reagan at every level.

There can be no doubt but that forces whose goals include the destruction of the free trade union movement in the United States are on the move. Our principles and our future are at stake, but I am confident that the task before us is one to which we can rise.

In Unity—

Jack McNally

PCB NOTICE TO MEMBERS:

Watch next month's Utility Reporter for information you can give your physician on diagnosing PCB exposure and effects.

Ron Fitzsimmons/Jullann Sum

Hazardous substances info blocked; Worker victory recorded

The AFL-CIO and six environmental organizations are suing the Environmental Protection Agency for the release of information on 11 toxic pesticides that pose serious health risks to workers and the public.

A suit filed in federal district court in Washington accuses EPA Administrator Anne M. Gorsuch of illegally blocking access to documents on the hazardous substances.

The labor and environmental groups sought scientific data on the pesticides that are suspected of causing nerve damage, cancer, birth defects, sterilization, genetic mutations and other health damage to humans.

Producers, distributors and sellers of the chemicals must submit pre-market testing data to EPA under a 1972 federal law, and the agency is required to make the information available to the public under 1978 amendments to the law.

But Gorsuch slapped a "moratorium" on the release of the information "at the urging of several major pesticide producers in direct violation of federal law," the AFL-CIO and the National Resources Defense Council (NRDC) charged in a joint statement.

In addition to the federation and NRDC, other parties to the suit are the California Agrarian Action Project, Environmental Defense Fund, Friends of the Earth, National Coalition Against Misuse of Pesticides and the Sierra Club.

In asking the federal court to order Gorsuch to release the data, the suit notes that EPA also foiled attempts by the parties to obtain the test results under the Freedom of Information Act.

The labor and environmental groups have expressed concern that the test results are essential in determining the threat to public health and safety posed by the chemicals as well as in establishing limits on the amounts of pesticide to be used on food and animal feed.

The AFL-CIO and NRDC pointed out that recent findings show that the scientific data submitted to the EPA is often incomplete, inadequate or fraudulent.

"A series of congressional investigations uncovered evidence of fraud by the largest domestic source of these studies — the Industrial Bio-Test Laboratory, Inc.," they charged.

Four officials of the testing laboratory have since been indicted "in connection with these fraudulently

conducted health and safety studies," the joint statement noted.

Even so, some 200 pesticides registered by the EPA on the basis of the laboratory's questionable studies continue to be used throughout the country.

After Congress passed the 1978 amendments to the Federal Insecticide, Fungicide & Rodenticide Act (FIFRA), the pesticide industry attempted unsuccessfully to have the law overturned through court challenges.

With FIFRA now up for extension, AFL-CIO Occupational Safety Director George H. R. Taylor warned that industry is lobbying Congress to weaken the safeguards in the law. On the other hand, labor is seeking to strengthen worker protection because of the "major cutbacks in the EPA enforcement program," he said.

In a related matter in California, Citizens for a Better Environment, California Agrarian Action, and the Humboldt Herbicide Task Force, are filing suit against the State Department of Food and Agriculture to force them to release studies on the health and environmental effects of pesticides. IBEW Local 1245 has donated \$100 to this cause.

Cincinnati joined a growing list of cities and states that have adopted "right-to-know" statutes requiring employers to inform their workers about toxic substances they encounter on the job.

The hard-fought battle for city council passage of the ordinance was spearheaded by the Cincinnati chapter of the Ohio Public Interest Campaign, a labor-consumer coalition.

The victory has been termed "the strongest right-to-know law in the country," one that could well serve as a model for other communities.

After the Reagan Administration killed a proposed federal toxic labeling standard that had been drafted by the Carter Administration, a nationwide grass-roots campaign was launched by the AFL-CIO for state and local regulation of hazardous substances.

The effort has resulted in the passage of right-to-know laws in seven states — Maine, Connecticut, Michigan, New York, California, West Virginia and Wisconsin — and several cities, including Philadelphia and San Diego. Similar measures are pending in a number of other states and cities.

IBEW Local 1245 participated actively in developing the California law and regulations over the last three years.

The regulations entitled "Material Safety Data Sheets" will be effective after a hazardous substances list is adopted by the State of California.

Reagan appointees at the Occupational Safety & Health Administration withdrew the federal toxic labeling proposal under heavy pressure from industry and employer groups. But after labor's grass-roots drive began to show results in the states and cities, employer groups switched signals and persuaded OSHA to propose a watered-down "hazard communication" standard.

Because of its limited scope and weak enforcement provisions, labor safety specialists charged that OSHA's substitute proposal would give employers a "right-to-conceal" regulation by keeping workers in the dark on hazardous substances.

Coverage of the new proposal would extend to only about 14 million workers in manufacturing, while leaving out millions more workers in construction, service trades, mining, farming and transportation.

Hazard alert...hazard alert...

From State of California Hazard Evaluation System and Information Service.

New findings of birth defects and damage to sperm and testes of exposed animals.

- Used in solvents, epoxies, stains, varnishes, paints, and inks.

- Brand names for 2-ethoxyethanol, or ethylene glycol monomethyl ether:

Cellosolve
Dowanol EE
Polysolve EE
Oxitol

- Brand names for 2-Methoxyethanol, or ethylene glycol monomethyl ether:

Methyl Cellosolve
Dowanol EM
Polysolve EM
Methyl Oxitol
Jeffersol EM
Ektasolve

If you believe you are being exposed to glycol ether, first talk with your co-workers and supervisor. See your Shop Steward if the potential hazard continues to exist.



Santa Cruz leads nation in asbestos ban

Santa Cruz has become the first city in the nation to prohibit the purchase of products containing asbestos, the fibers of which are known to cause cancer.

A resolution barring the purchase of products with asbestos if another product can do the same job was approved by the Santa Cruz City Council by a 5 to 2 vote on June 8.

The resolution was presented to the Council by Mayor Michael Rotkin at the urging of Jim Vermeulen, a county resident and founder of

Asbestos Victims of America who is a victim of asbestos himself.

The ordinance states that "it shall henceforth be the policy of the city of Santa Cruz to no longer purchase any product containing asbestos for which commercial substitutes are available, or that for a reasonable additional price could be made available."

Vermeulen, who worked for 10 years as a production coordinator at a Johns-Manville plant in Stockton, charged that industries

have attempted to conceal the danger because they would lose profits and said that as a result "we have an epidemic of needless suffering and deaths going on throughout the nation."

"It may be too late for people like me. Physically, I'm deteriorating. My lungs are saturated with asbestos fibers and filling with scar tissue. It's like taking 10 years to drown. What we have to do now is stop this from happening in other people's lives," he declared.



Health and Safety survey underway in PG&E General Office

By Juliann Sum
IBEW Local 1245 Industrial Hygienist

One of our major projects underway is an investigation of health and safety problems at PG&E's Payment Processing Center in San Francisco.

On June 24, I spent the day with Business Representative Dorothy Fortier, Shop Steward Don Watts, and other members employed as document machine operators. We spent most of the time discussing their health and safety concerns.

In conjunction with the Company's hygienist, I collected air and liquid samples for testing of the spray cleaner used to clean the rollers of the new machines. We are awaiting the laboratory results.

Based on that day's discussions, we are also conducting a questionnaire survey to determine the extent of back problems, which may be caused or aggravated by the office chairs, and repetitive arm motion problems with the new machines.

Participation in the survey by the approximately 100 affected members will eventually help lead to a reduction or elimination of some of the hazards.

Photos: Juliann Sum



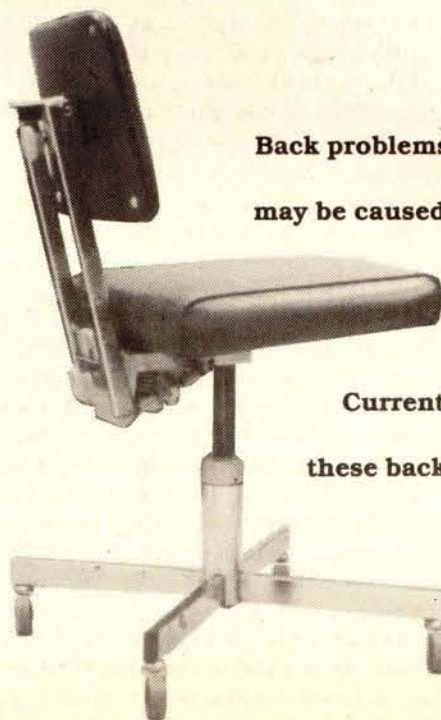
Marguerite Grier at her work station.



Shop Steward Don Watts, above and left, is being monitored for airborne exposure to 1,11 trichloroethane while he uses the spray to clean rubber rollers which sort PG&E bills.



Blurring indicates repetitive right-hand arm motion which is a concern for some employees, possibly causing muscular and skeletal stress and strain.



Back problems in General Office are a concern, and may be caused by something as seemingly simple as an improperly adjusted chair, or prolonged sitting in one position.

Current information suggest that sometimes these back problems have been eased by use of a foot rest.

PUC tears into bargaining process

TESTIMONY

Local 1245 set for PUC Public Hearing

From PAGE ONE

lation and court precedent which has interpreted and upheld the legislation. The Commission's recent holding in which it reserved the "right" to order specific changes in collective bargaining agreements defies firmly established national labor policy of unfettered bargaining between management and labor, free from governmental intrusion and participation.

Because we believe in the principles of our national labor policy, because we trust the expertise of both management and labor to create and implement their industrial relationships free from bureaucratic intervention, and because we bitterly oppose three-party bargaining, we oppose this proceeding.

Employee discount as a fringe benefit

The employee discount has historically been considered part of an employee's total compensation in each of the gas and electric utilities subject to the first phase of the Commission's investigation. Tariffs and rate schedules have included the employee discount for the last 65 years. A discount for the employee and even the employee's family is also a common fringe benefit in many other American businesses, including the airline industry, the railroad industry, department stores, manufacturers of consumer goods, banks, gas and oil companies, and travel agencies.

We believe that the employee discount is a desirable fringe benefit for the employee, the company and the customer for several reasons. It is, first of all, subject to neither payroll taxes for the employer nor income taxes for the employee. As a tax-free benefit on both ends, then, it maximizes the benefit to the employee while minimizing the cost to the employer and the rate payer. Secondly, the discount fosters employee morale and pride in working for the company. Thirdly, the employee discount serves as an incentive for employees to live within the company's service area, a benefit for all customers during emergency situations when fast response to emergencies is critical.

Critics of the discount argue that it is a bad fringe benefit because its cost increases with each utility rate increase. The variable nature of the cost of the discount is no different than most fringe benefits. A number of fringe benefits increase each time there is a general wage increase or cost-of-living adjustment, which itself is dependent upon the government's measurement of inflation. Other fringe benefits vary in cost depending upon insurance premium in-

creases, legislative action, or the stock market. That the cost of the discount is variable does not distinguish it from most fringe benefits. One unique feature of the discount which is not often pointed out by the discount's critics is that its cost to the company is subject to decrease with rate decreases such as those recently implemented by Pacific Gas and Electric Company, a virtual impossibility with most other fringe benefits.

Discount's influence on employee energy consumption

Critics of the employee discount have been arguing since at least 1975 that the employee discount is a disincentive to conservation which results in excessive energy consumption by utility employees. Statistics have consistently disproved this notion and demonstrated that employees receiving the employee discount as part of their total compensation are not the energy-hogs which their critics would lead us to believe they are. Undeterred by years of statistics, the critics persist.

We who have been involved with utilities and utility employees over the years strongly believe that while the cost of energy is one factor influencing the level of consumption, it is a minor factor. More significant influences on energy consumption include the following: (1) geography and climate; (2) demographic variables such as income, marital status, size of family, or stability; (3) housing characteristics (primary vs. second residence, size of house, floor space, age of house, insulation, cathedral or open beam ceilings, ownership status of occupant, occupancy, ratio, etc.); and (4) appliance mix (electric vs. gas or propane or wood). In past years, utility employees were expected to set the standard for electric living in their community. All-electric homes were encouraged with employee appliance purchase plans, and for this reason especially among older employees one will find a high proportion of all-electric homes.

Statistics from sufficiently large samples which take into account demographic and geographic influences fully support our contention that utility employees with a rate discount actually consume less energy than their neighbors. For example, employees of the Pacific Gas and Electric Company, the utility under the closest scrutiny in the past months, have over the last seven years used less total energy than their neighbors. In the last seven years, the total energy consumption by the average PG&E employee has decreased 49 percent as

opposed to a 46 percent decrease by the employee's neighbors.

Furthermore, each day on the job brings utility employees into contact with the need for energy conservation by all of us and the actual application of energy-conservation practices.

In light of the above, it cannot be said that the discount serves as a disincentive to conservation efforts. Other arguments against the discount having failed, it is our belief that die-hard critics of the discount have simply hitched their wagon to the conservation issue, knowing full well that it is without merit. The pretextual nature of the argument can further be seen in the simple fact that employees with the discount represent less than one percent of the utility customers in the State. The Coalition of California Utility Workers fully accepts the policy of energy conservation. However, it is no more than a straw argument when it comes to the employee discount.

Cost and replacement cost of the discount

The attached testimony by members of the Coalition of California Utility Workers demonstrates that the discount costs the average utility customer less than \$2.00 per year. Consumers who are understandably concerned with their growing utility bills would thus find little relief if the discount were to be eliminated without replacement.

However, because the employee discount is a mandatory subject of bargaining under the National Labor Relations Act, its elimination could only be accomplished through agreement by labor and management and by implementation of a replacement benefit of comparable worth to the employees.

Replacement of the employee discount would create a number of problems which illustrate the unique nature of the discount as a fringe benefit. First, if the negotiated replacement benefit were subject to payroll and income taxes, the cost to the employer and ratepayer would be approximately double that of the discount just to maintain a comparable net benefit to the employee. As employees move into higher tax brackets because of wage increases, the gross taxable replacement benefit would have to increase further to result in the same net benefit to the employee. Secondly, the replacement benefit would have to be indexed to future increases in utility rates to assure its continued comparable worth to employees. Thirdly, much of the administrative and bookkeeping work now done by the companies as

part of their employee billing process would have to be continued apart from the billing process to assure the replacement benefit's continued comparable worth to employees. These administrative problems further illustrate the desirability of leaving the balancing and accommodating process in the hands of labor and management, free from external intervention.

A hidden cost which cannot be ignored in this process is the instability which the Commission's intrusion into the bargaining process would cause. If employees are not confident that the terms and conditions of employment which they negotiate with their employer will be protected from governmental veto, the resulting insecurity will irreparably damage the stability needed to retain skilled, experienced employees.

Impact on retirees

That any group would even suggest considering elimination of the discount for retired utility employees is a sad reflection on our society's attitude towards the elderly. Retired utility employees loyally served California's utility ratepayers for years based on their knowledge that the employee discount was part of their total compensation as employees and that it would continue as part of their total compensation after retirement. Pension and retirement plans were negotiated based on this same premise — that the employee discount would be part of a retiree's total compensation. To now eliminate the discount for retirees, most of whom live on fixed incomes, would increase the burden of hard-





Utility Coalition calls for hands off!

part of their employee billing process would have to be continued apart from the billing process to assure the replacement benefit's continued comparable worth to employees. These administrative problems further illustrate the desirability of leaving the balancing and accommodating process in the hands of labor and management, free from external intervention.

A hidden cost which cannot be ignored in this process is the instability which the Commission's intrusion into the bargaining process would cause. If employees are not confident that the terms and conditions of employment which they negotiate with their employer will be protected from governmental veto, the resulting insecurity will irreparably damage the stability needed to retain skilled, experienced employees.

Impact on retirees

That any group would even suggest considering elimination of the discount for retired utility employees is a sad reflection on our society's attitude towards the elderly. Retired utility employees loyally served California's utility ratepayers for years based on their knowledge that the employee discount was part of their total compensation as employees and that it would continue as part of their total compensation after retirement. Pension and retirement plans were negotiated based on this same premise — that the employee discount would be part of a retiree's total compensation. To now eliminate the discount for retirees, most of whom live on fixed incomes, would increase the burden of hard-

ship on retirees and would be both immoral and blatantly illegal. We urge the Commission at its earliest convenience to assure retirees that their discount is beyond the scope of this investigation.

Conclusion

The Coalition of California Utility Workers resents and resists the two premises underlying this entire investigation — (1) that utility employees are an unequal class of workers not entitled to negotiate with their employers free of governmental intervention, and (2) that utility employees are excessive consumers of gas and electricity. As workers and consumers, our

members have always been keenly concerned about the quality and cost of service provided by California's utilities. Our members deserve better than this. Just as importantly, California ratepayers upset with rising utility bills deserve this Commission's continued analysis of the real reasons for high utility bills, not a fishing expedition into miniscule labor costs. We urge the Commission to announce in its decision in this case its intention to cease hereafter its attempts to bargain for California's investor-owned utilities and utility employees and to return to its constitutional and legislative mandate. The public deserves no less.

Hearing testimony submitted by Union C

Dated: June 30, 1982

Jack McNally, Business Manager
International Brotherhood of
Electrical Workers, Local
1245, AFL-CIO

A. B. Montes, Vice President,
District 9, Communication
Workers of America, AFL-CIO

R. W. Rivers, Administrative
Assistant, District 9,
Communications Workers of
America, AFL-CIO

William C. Demers, Vice
President, District 11,
Communication Workers of
America, AFL-CIO

Ben Hudnall, Business Manager,
Engineers and Scientists of
California, MEBA, AFL-CIO

Rae Sanborn, Business Manager,
International Brotherhood of
Electrical Workers, Local 47,
AFL-CIO

Dick Robbins, Business Manager,
International Brotherhood of
Electrical Workers, Local 465,
AFL-CIO

Ted Carmack, Business Manager,
International Brotherhood of
Electrical Workers, Local 543,
AFL-CIO

Jim McLean, Business Manager,
International Brotherhood of
Electrical Workers, Local 659,
AFL-CIO

K. W. Springer, Business
Manager, International
Brotherhood of Electrical
Workers, Local 1011, AFL-CIO

Opinion: Watsonville's Register-Pajaronian

May 7, 1982

A free cookie is un-American?

It's almost easy to become sorry for Pacific Gas & Electric Co., which can't seem to manage to do anything right — at least in the eyes of the consumers who have been batted around this season by utility bills that boggle the mind and batter the checking account.

Now PG&E is under attack from another direction, and this time we think the criticism is a bit unfair.

Utility companies, almost since they came into being, have given their employees discounts on their home utility bills. PG&E knocks off 25 percent. Pacific Telephone has a sliding schedule of discounts, depending on rank and job. A power company lineman gets a utility bill that's \$12 to \$15 less per month than it would be if he worked for some other employer; the average discount for active and retired phone company workers is \$9.72.

Consumer advocates have been complaining about this for years, but now the Public Utilities Commission is going to investigate. The rate cuts, of course, are made up by people who pay the regular rates, and some PUC members think this ought to be stopped. The company and its workers emphatically disagree, contending that the reduced rates are really part of the compensation for the job.

To be honest about it, they are. They've been a part of the PG&E system since 1906, and there's nothing either novel or evil about them.

Reasonable "perks" for workers are not confined to the public utility field. Many people employed by retail stores enjoy price discounts. The people who write, edit and print this newspaper don't have to pay 20 cents to take home a copy. Folks who work in a bakery are entitled, we'd imagine, to eat a cookie or two without visiting the cashier. In all cases, the costs are passed on, some way or other, to the ultimate, non-employee consumer — who isn't squawking.

What bothers the PUC folks is that if PG&E workers paid full fare, the company would have \$4.7 million more revenue per year, and its rates to the rest of us could be reduced correspondingly.

Well, maybe, but how big a deal would that be? PG&E has 6.4 million customers, and so the saving to each of us would come to 73 cents a year — about 6 cents a month.

Furthermore, if reduced rates are part of compensation, as they've always been, surely we'd find PG&E's unions insisting — and PUC approving — paycheck increases to restore the benefit in dollars. These, unlike the discounts, would be taxable dollars. When added to the utility's permitted rate base, that would not cut the ordinary customer's bill six cents a month; it would make it larger by about a dime.

We can do without that.

We can also do without the grandstanding of PUC Commissioner Richard Gravelle, who says such employee discounts are "contrary to the American spirit."

Yeah. That's as un-American as the cookie consumed by the bakery worker.

Utility Coalition calls for hands off!

ship on retirees and would be both immoral and blatantly illegal. We urge the Commission at its earliest convenience to assure retirees that their discount is beyond the scope of this investigation.

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Hearing testimony submitted by Union Coalition leaders:

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Manager, International
Brotherhood of Electrical
Workers, Local 1011, AFL-CIO

Arthur G. Wood, Vice President,
International Chemical
Workers Union, AFL-CIO

Dan Kyle, Representative,
International Chemical
Workers Union, AFL-CIO

Robert Aubry, President,
International Chemical
Workers Union, Local 47,
AFL-CIO

Doug Guenther, President,
International Chemical
Workers Union, Local 58,
AFL-CIO

Ellen McCormack, President,
International Chemical
Workers Union, Local 350,
AFL-CIO

William Inger, President,
International Chemical
Workers Union, Local 78,
AFL-CIO

Herb Lum, President,
International Chemical
Workers Union, Local 995,
AFL-CIO

Edward Hall, Director 5th
Region, Utility Workers Union
of America, AFL-CIO

Sam Weinstein, President of
Local 132, Utility Workers
Union of America, AFL-CIO

Charles E. Carter, Business
Agent, Local 246, Utility
Workers Union of America,
AFL-CIO

Robert K. Smith, President, Local
259, Utility Workers Union of
America, AFL-CIO

Harry Miller, Utility Workers
Union of America, AFL-CIO

LETTERS OF AGREEMENT

BARGAINING REPORT - PUBLIC AGENCIES

By Tom Dalzell, Staff Legal Counsel

PG&E Letters of Agreement

- 81-107 Clarification regarding pre-bid rights, General Office, Clerical
- 81-108 Cancelled.
- 81-109 Cancelled
- 81-110 Bidding and demotion rights for regular employees in temporary jobs, Physical and Clerical.
- 81-111 Cancelled.
- 81-112 Placement in Accounting Clerk position following return from LTD, Clerical Vice President and Comptroller.
- 81-113 Pending.
- 81-114 Elimination of Utility Water Systems Repairman classification, Camp 5, Sacramento Division, Physical.
- 81-115 Placement of employee into Utility Clerk position without reference to Section 18.5, Clerical East Bay Division.
- 81-116 Change in hours for Gas T&D employees, Walnut Creek, East Bay Division, Physical.
- 81-117 Reclassification of an employee to Parts Clerk following his return from the Compensation Payroll, San Francisco Division, Physical.
- 81-118 Placement of an employee in the Building Mechanic's classification, Humboldt Division, Physical.
- 81-119 Substation and Hydro Rerate Agreement, Electric Operations Systemwide, Physical.
- 81-120 Pending.
- 81-121 Change of regular work hours, Reprographics, General Office, Clerical.
- 81-122 Revision to the Painters classifications and wage rates, General Construction.
- 81-123 Temporary change of hours, Garage, Mail Processing Center and Maintenance and Operations, General Office, Clerical and Physical.
- 81-124 Seasonal holiday change, General Office, Clerical, Mail Clerk Drivers and Third Shift Employees.
- 81-125 Pending.
- 81-126 Pending.
- 81-127 Amendment to Flextime Agreement, Accounts Payable Section, Vice President and Comptrollers.

Business Representative Hank Lucas recently completed 1982-1983 negotiations with the Western Area Power Administration (WAPA).

Highlights of the agreement include the following: a \$14.40 per hour journeyman Lineman rate; up to 24 hours paid leave for employees participating in voluntary safety activities; increased benefits for shop stewards, participants in arbitrations, and members of the safety inspection committee; boot allowances; a bonus for work on towers 175 feet or taller; and a bonus for

hot stick or bare hand work on 69 KV phase to phase.

Hank Lucas told the *Utility Reporter* that the agreement, which was ratified by the membership of the various IBEW locals employed by WAPA in late June, was in his opinion "better than we could have hoped for given the political climate and the 4.8 percent limit on federal wage increases." Lucas is chairman of GCC 1, the Coordinating Council created by IBEW International President Pillard to represent WAPA employees.

\$9000 AWARD

NLRB orders reinstatement

Union activist Steve Gilbert was ordered reinstated with a \$9,000 back pay award by the National Labor Relations Board as a result of unfair labor practice charges filed against his employer by Local 1245.

The union filed the charges after Gilbert was fired from Sammons Communications, a cable TV employer in Turlock, California. Gilbert had been a leader in the IBEW organizing drive at Sammons in early 1980 and was fired along with another activist Kerry Lindquist in an effort to thwart unionization.

The employer's blatant anti-union campaign culminating in Gilbert's discharge resulted in the loss by Local 1245 of the representation election held in the fall of 1980.

In addition to the back pay and reinstatement order the NLRB required Sammons to post official notification to employees of employee rights protected by the National Labor Relations Act and indicating their intent to refrain from interfering with any attempts by employees or the union to exercise those rights.

OUTSIDE LINE - By Jerry Robinson, Business Representative

Members of IBEW Local 1245 and Local 47 have ratified a new contract with Western Line Constructors, Chapter of NECA calling for an 11% pay raise across the board, of which 25 cents will be applied for a pension and 20 cents for health and welfare.

The contract went into effect on July 21, the date of the ratification and expires May 31, 1983.

In order to try to stimulate work for Groundmen, we have added to the duties of the Groundmen, which include driving light trucks, bucket trucks and line trucks on job sites, and also taking care of water and ice for drinking purposes.

The Groundman base rate was changed from 75% to 70% of the Journeyman scale.

Participating on the Negotiating Committee were Bill Payner, Tommy Heyl and Jerry Robinson.

This is a summary of the meeting of the Board of Trustees of LINECO which was held recently in Chicago. The principal items which were discussed and decided are as follows.

New Booklet

The Trustees decided that a new

booklet would have to be published later in the year so that all of the various changes that have been made in the Line Construction Benefit Fund since the last booklet's publication in 1980 could be incorporated. Preparation of the new booklet is moving forward, and it is expected that the booklet will be available for distribution during the third quarter of 1982.

Chiropractic Claims

After hearing a report from the Fund Administrator on problems of determining what portions of claims submitted by a chiropractor did in fact constitute covered expenses under that definition as used by the Fund, the Trustees decided to limit the coverage of chiropractic claims to a maximum of \$400 per year per person and that the reimbursement of these claims would be at 50 percent. This change will become effective as soon as the new booklet is distributed.

Alcoholism Treatment in a Hospital

On the recommendation of the Fund Administrator, the Trustees

moved to arrange the payment of benefits in respect to treatment for alcoholism in a regular hospital so that this would be on the same basis as payment for such treatment in an alcoholism treatment center. The principal features of this change are as follows:

1. The treatment would be limited to 28 days and if treatment is terminated without medical approval, no benefits will be paid.

2. A 28-day period of treatment will be provided for a maximum of three times during the lifetime of a covered individual.

3. Only the employee and his spouse will be eligible for treatment.

4. The foregoing limitations will apply to treatment for alcoholism or drug addiction.

5. This change is to be effective as of March 16, 1982.

LINECO Office Moving

The Administrator advised the Trustees that with the expiration of the lease on the current Fund Office and in view of the need for additional space, he had made a survey of available offices and recommended a specific location

to the Board of Trustees. Effective August 1, 1982, the new address is 1307 Butterfield Road, Downer's Grove, Illinois, 60515. Phone (312) 963-3590.

Contribution Rate Change

The Trustees decided that self-contributions will be increased from 45 cents an hour to 65 cents an hour effective January 1, 1983 for all employees. This means that self-contributions will increase from \$72 a month to \$104 a month.

The Trustees further decided, in respect to non-bargaining unit employees covered by LINECO, that the increase in the contribution rate to 65 cents an hour will be effective with the date of the first collective bargaining agreement in the area of the group in question. Non-bargaining unit employees are those employees of the local unions such as the business agent, his assistants and his office staff, the employees of the NECA Chapter office, and those employees of employers who are not covered by any collective bargaining agreement.

Fun in the sun

Building Trades Family Jamboree



Members Don McKinley, above, and Jerry Peters and Manual Donato participated in pole climbing.



Clydesdale horses were part of the special features presented during the Jamboree.

A large turnout of members and families participated in the recent Santa Clara County Building Trades Family Jamboree.

The pole climbing event was sponsored by IBEW Local 1245 and coordinated by Business Representatives Bob Thomson, Bill Twohey and Wayne Greer.

Photos: Bob Thomson



Thousands of visitors watched as Linemen prepared to climb poles.

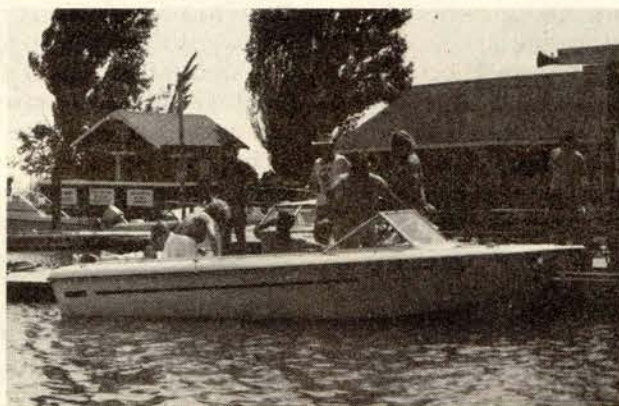


Pole toppers prepare for speedy descent.

Day on the Delta Poker Run: Big success



Member Bert Jeffrey keeping busy at the barbeque.



Boat set to start run on the Delta.



Member Jim Poindexter, center, was event chairperson.

IBEW Local 1245 members and families all had a great time at the recent 'Day on the Delta' sponsored by Antioch Unit.

Prize money was awarded to more than two dozen participants and a ramp raffle was held where gifts from local merchants were presented.

Coordinating the event were Antioch Unit members, Jim Poindexter, Jim Duncan, Fred Henderson, Bert Jeffrey and Bob Martin.

IBEW Local 1245 Business Manager Jack McNally attended the event and was numbered among the prize winners.



Boat launching underway.

A past of progress... a future of promise

Women's issues addressed

A IBEW Local 1245 delegation was recently represented at the second biennial convention of the Coalition of Labor Union Women in Los Angeles.

Nearly 1000 delegates, alternates and observers participated in the information-packed convention. They came from around the country as well as across the continent. More than a dozen participants came from countries throughout the world.

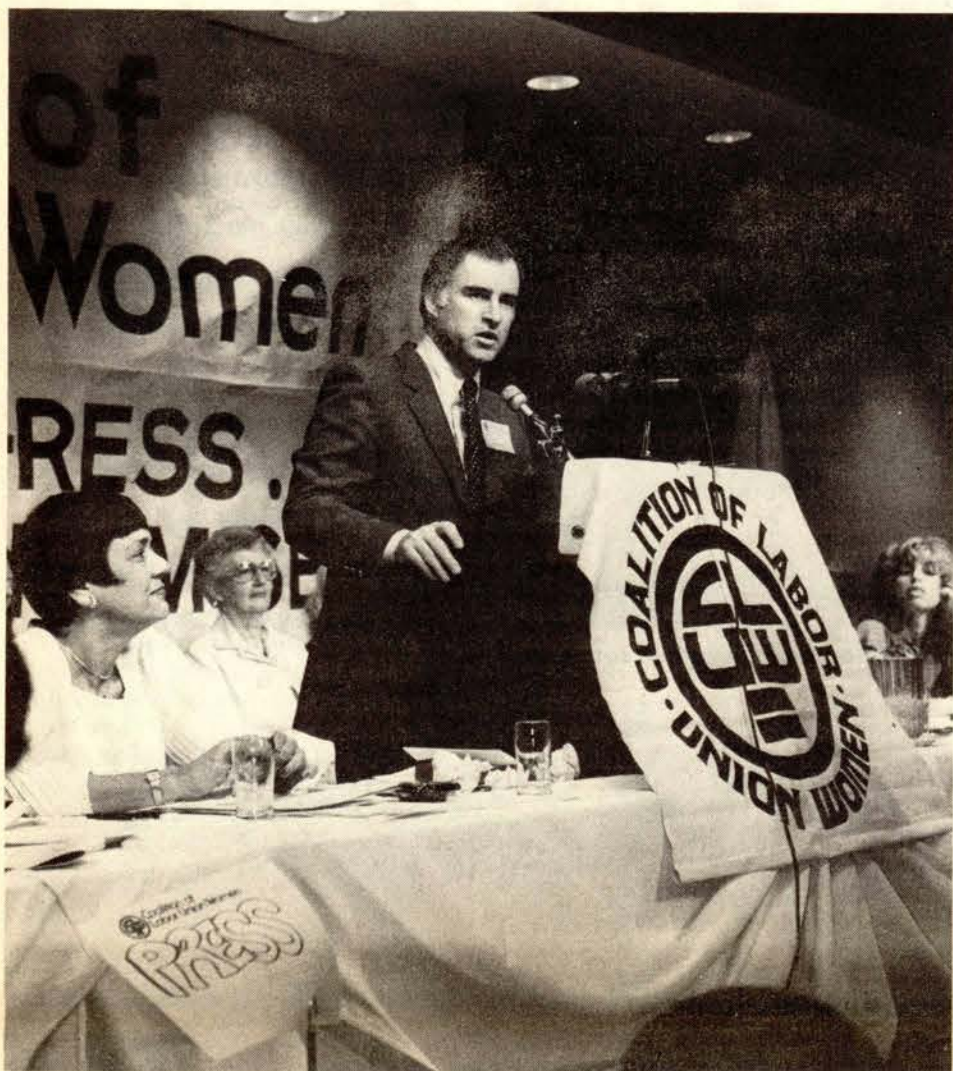
Delegates attended workshops where issues relating to areas of major concern to working women were addressed including comparable pay for comparable work, the need for childcare and the importance of an Equal Rights Amendment.

President Joyce Miller, an ACTWU vice president and member of the AFL-CIO Executive Council cited CLUW's growth since its 1979 convention. During those years chapters have more than doubled, and now number 65 strong with a doubling of membership.

Founded in 1974, goals of the organization are:

- 1) to organize the unorganized;
- 2) to promote affirmative action in the workplace;
- 3) to encourage political action and education; and
- 4) to increase participation of women within their own unions.

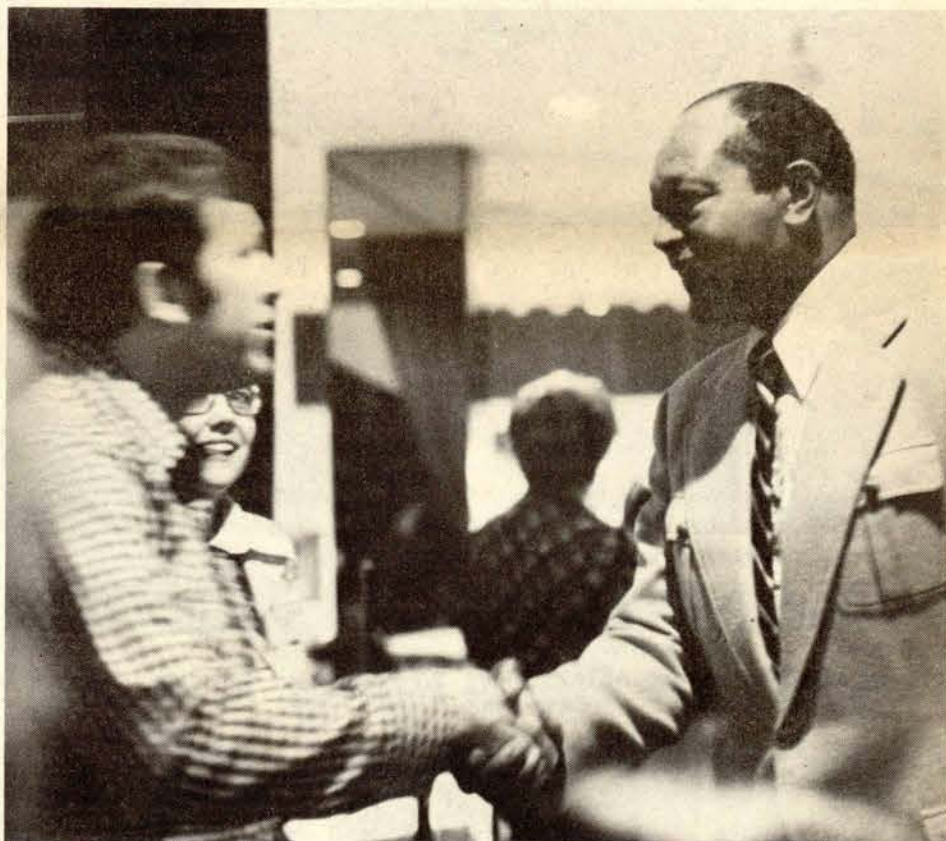
Local 1245 members interested in learning how to participate in local area CLUW chapters should contact Vice President Dominguez at Local Union headquarters in Walnut Creek.



Governor Jerry Brown, current candidate for U.S. Senate addressed the convention delegates.



David Sickler, Coors Beer boycott coordinator, praised CLUW for its part in the boycott. A '60 Minute' film crew taped Sickler's presentation.



Los Angeles Mayor Tom Bradley, candidate for Governor, met with convention delegates.

Photos: Carol Bedsole, Cliff Kalick



Placards throughout convention showed boycott support.



Yvonne Burke former California Congresswoman received a rousing welcome from delegates.

Coalition of Labor Union Women



IBEW Local 1245's Vice President, Nannette Dominguez, left, meets Joyce Miller, CLUW President.



Marie Cook, IBEW Local 1974, Omaha, center, with IBEW Local 1245's CLUW delegation, l-r, Ocean, Nannette Dominguez, Carol Bedsole and Dorothy Fortier. Cook was elected to the CLUW Executive Council and Dominguez, was elected alternate.



Joyce Miller, receives a rousing ovation as her re-election is announced. An officer of the Amalgamated Clothing and Textile Workers Union, is the first woman named to the Executive Council of the AFL-CIO.



IBEW delegate on the convention floor.



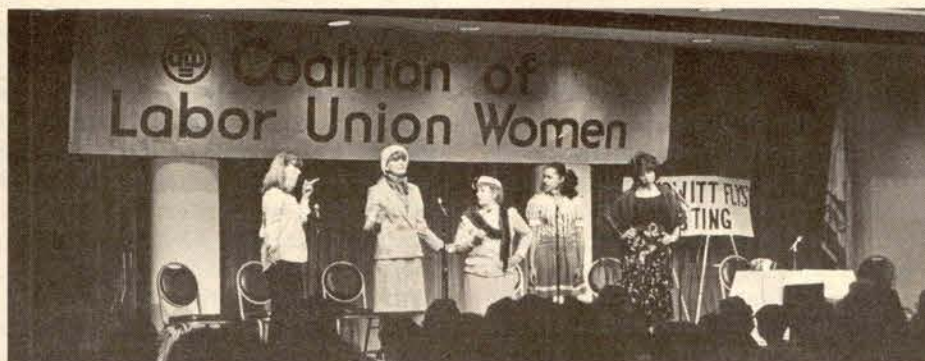
Hundreds of delegates travelled to Beverly Hills to picket corporate offices of Litton Industries protesting firm's flagrant union-busting activities.



Media coverage was extensive as picketers chanted in front of the Litton offices and distributed informational material on Litton's union-busting actions.



Jehane Dyllan.



Theatrical productions included San Francisco SAG members, above, in The Audition, a "spoof" on male domination and general stereotyping in the advertising world, and Jehane Dyllan, in a play based on the life of Karen Silkwood.



"Silkwood" play.

Utility Coalition set for August PUC Public Hearing

See pages 1, 6, 7

AMERICAN WATER

PUC attack on contract

As this issue of the *Utility Reporter* went to press the Public Utilities Commission launched its most blatant attack to date on the right of utility employees to free collective bargaining.

In late June, the staff of the Public Utilities Commission recommended that a pre-negotiated 12-percent, 1982 wage increase for 58 employees of the California American Water Company's Monterey Peninsula be reduced for rate-making purposes to 8 percent, meaning that any portion of the wage over 8 percent would have to come directly from the company's profits. The Commission's staff has apparently taken the position that it, rather than labor and management, should decide utility employee wage levels.

Business Manager Jack McNally blasted the PUC action as "an outright usurpation of the right of management and labor to bargain free from intervention by the government." Local 1245 Staff Attorney Tom Dalzell, representing the 27 union members of the Coalition of California Utility Workers, appeared at the PUC hearing on July 6 and July 8 to present witnesses and argue the Coalition's position. The Coalition will be filing a brief to the PUC, and if the full Commission agrees with the staff's recommendation to roll back wages the Coalition will in all probability pursue the matter in court. Details of the PUC's action in this case will appear in future issues of the *Utility Reporter*.

NEVADA SCENE

Local endorses Nevada Candidates for office



COPE convention earlier this year where Nevada unionists considered candidate qualifications.

Vote, August 14!

Members are encouraged to get out and vote in the approaching August Nevada primary election.

Remember every vote counts, and votes for candidates who are supportive of the goals of the Labor Movement are critical.



Photos:
Thanx to
Kathy Tindall



Richard Bryan for Governor.



District 1, House of Representatives, Harry Reid.



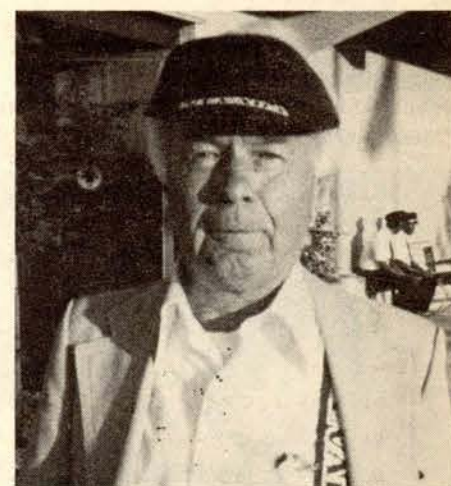
District 2, House of Representatives, Mary Gojack.



Bob Cashell for Lt. Governor, left, and Jim Kosinski, right, for Attorney General.



Howard Cannon for U.S. Senator.



Bill Swackhammer for Secretary of State.

Local 1245 argues for discount before Nevada Supreme Court

Local 1245 attorney Sandy Nathan travelled to Carson City, Nevada on June 17 to argue for retention of the employee discount at Sierra Pacific before the Nevada Supreme Court. Several years ago, the Nevada Public Service Commission ordered Sierra to discontinue the employee discount for both union and management employees. Local 1245 immediately filed a suit in federal court, arguing that the Commission had illegally interfered with the right of free collective bargaining guaranteed by the National

Labor Relations Act.

At the same time the company filed an appeal of the Commission's decision in Nevada state court, and it was this case which was heard by the Nevada Supreme Court on June 17. Appearing as an *amicus*, or "friend of the court", Local 1245 urged the Court to overturn the Commission's action on several grounds. First, Nathan pointed out that Local 1245 had not been given due notice of the Commission's intent to examine and modify its contract with Sierra. Secondly, he

argued that there was no evidence to support the Commission's conclusion that employees with the discount waste energy. Lastly, he urged as a matter of law that the Commission did not have the right to interfere with Sierra's management or the right of Local 1245 to bargain freely with Sierra.

According to Nathan it will be several months at the earliest before a decision from the Nevada Supreme Court is expected. In any event, he stated that it is not likely that the decision will end the controversy for

once and for all inasmuch as the Court could simply send the case back to the Public Service Commission for further consideration.

Business Manager Jack McNally has pledged to continue the fight for however long it takes to preserve the discount for Local 1245's members at Sierra Pacific. "Management employees lost the discount last year," McNally pointed out, "But we intend to take every legal step possible to make sure that our members are protected and our right to bargain is respected."