



# UTILITY REPORTER

OFFICIAL VOICE OF IBEW LOCAL UNION 1245 AFL-CIO

## CP NATIONAL

### Members voting on offer

By Assistant Business Manager Orv Owen

Members at CP National, Lassen, are voting on a new contract.

The offer went out with no recommendation from the Local's Negotiating Committee.

The Company and Union Negotiating Committees met on October 22 and October 23, 1985 at Company's regional headquarters in Reno to conduct the collective bargaining process for a new agreement to be effective on January 1, 1986.

The Union's Committee, including members Scott Merrill, Don Raymond, Joann Villalobos, Business Representative Jack Osburn and Assistant Business Manager Orv Owen, submitted detailed proposals to Company's Committee covering as follows:

1) Wage increases providing parity with PG&E. 2) Two additional holidays. 3) Service anniversary vacation allowance. 4) Extensive sick leave pay off provisions. 5) Establishing new classifications of Apprentice Meterman and Senior Customer Services Clerk with job definitions and wage rates. 6) Compensation to employees for the loss of their employee discount resulting from the sale of the Water System. 7) Union would be acceptable to a longer term agreement that provided economic stability and job security for Local 1245 members.

The Company's Committee submitted their proposals that provided a three-year term with wage increases only in each year, 3 percent January 1, 1986, 2 percent January 1, 1987, and 2 percent January 1, 1988.

After two days of proposals and counter-proposals, it became clearly apparent that Company's Committee was only interested in a long-term agreement with wage increases that do not provide the wage parity our members are seeking.

The Union's Committee was just as adamant in their position that a longer term agreement must contain other benefits as well as wage parity in order to be acceptable.

On October 23, 1985, the Company submitted what they designated as their best and final offer to amend the current agreement and requested the Union submit their offer to its members for their consideration and vote. Therefore, since both parties were not willing to change their positions, the Union's Committee did agree to submit Company's offer without any recommendations to the membership for their consideration, evaluation and final determination by a secret ballot vote. Votes were scheduled to be counted November 15.

## Davey Tree bargaining underway

The Local's Davey Tree Negotiating Committee met with the Company on November 6 and 7 in Livermore to exchange initial proposals. Counter proposals are expected at a meeting scheduled on November 21. Committee members include: Chris Clutton, Sam Hernandez, John Smullen, Assistant Business Manager Orv Owen, Bill Mamola, Business Representative Bill Twohey, John Paige, and Fred Serrano.



## Utility Coalition adopts bylaws

After meeting informally for the last four years in an effort to coordinate efforts to protect the right of California's utility workers to bargain with their employers free from interference by the California Public Utility Commission, representatives of all major unions who represent employees of investor-owned utilities in California voted in Los Angeles on Wednesday, November 6 to adopt a set of formal bylaws and formally create the Coalition as an organization.

Business Manager Jack McNally, who has been instrumental in organizing the Coalition since its in-

ception in 1981, explains that the various unions who have belonged to the Coalition will now go to their governing bodies for authority to join the newly formalized Coalition.

"With recent Commission Staff attacks on collective bargaining at San Diego Gas and Electric Company and Pacific Bell," McNally explained, "we felt that the time was ripe to put together the Coalition formally so that we have some time to get out there and cut fire trails instead of just rushing around putting out brush fires."

The affiliation procedure, which must be approved by Local 1245's

Executive Board, will provide the Coalition with an annual budget of approximately \$14,000, with which to monitor and participate in Public Utility Commission cases.

The next meeting of the Coalition is scheduled for February 19, at which officers for the next two years will be elected by those unions whose governing bodies approve affiliation. By that time, the Pacific Gas and Electric Company will have filed its general rate case application and the Commission will have issued its decision in the San Diego Gas and Electric Company and Pacific Bell cases.

## ARBITRATION VICTORY

### Member back on job; reinstated with full pay

"The Employer violated the Agreement when it discharged J. M. Caballero. The grievant is ordered to be reinstated to his former position with full backpay and benefits..." With these words, Arbitrator Gerald R. McKay concluded his decision in Arbitration Case No. 131 upholding completely Local 1245's position.

The case involved a North Bay Electrician, Joe Caballero, who on September 6, 1984, was fired after 18 years of service for including a profit in an invoice which he had submitted in June, 1983, for a transformer which he purchased with his electrical contractor's license and resold to the Company

at the Company's request.

The arbitration hearing was held on July 10, 1985, and briefs were filed with Arbitrator McKay on October 14. In a strongly worded opinion vindicating the grievant, Arbitrator McKay held as follows:

The Employer has accused the grievant of knowingly and unlawfully deceiving the Employer by submitting a false invoice. The Employer has failed to prove that the grievant unlawfully deceived the Employer or that the grievant engaged in any act of dishonesty. The Employer has not established that it has a policy of not doing business with its own employees at a profit. While the

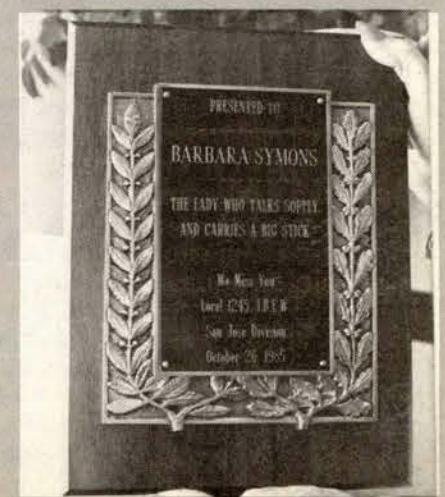
Board of Arbitration believe that the Employer should have a policy that precludes employees from submitting their own independent invoices for payment when items are purchased on behalf of the Employer, it is the Employer's responsibility to establish that policy and publish it so that its employees know what is to be expected.

The grievant, who in his 18 years with the Company had a perfect disciplinary record, was elated at the decision and as this issue of the Utility Reporter went to press was preparing to return to work after more than a year of uncertainty and unemployment.

## Secretary Symons honored



L-R Business Representatives Larry Pierce and Bill Twohey, and Advisory Council member Rich Bidinost congratulate IBEW Local 1245 Secretary Barbara Symons on a recognition plaque she received from her former San Jose Unit, when she recently moved to Santa Rosa to take a new job with PG&E in San Rafael.







# YOUR LEGAL RIGHTS

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## Death benefits remain; Governor vetoes increase

By Joan Foster

When an employee suffers an industrial injury which proximately causes death, his or her dependents are entitled to a death benefit.

Dependents may include a wife, a husband, a natural child, a step-child, an adopted child, a father, a mother, a father-in-law, a mother-in-law, a grandfather, a grandmother, a brother, a sister, an uncle, an aunt, a brother-in-law, a sister-in-law, a nephew, a niece, or a good faith member of the household of the deceased employee.

Dependency is determined as of the date of injury rather than as of the date of death.

In the case of two or more total dependents, the death benefit for injuries occurring after January 1, 1983 is \$85,000. On or after January 1, 1984 is \$95,000. However, dependent benefits are based on extent of dependency and number of dependents.

The death benefit cannot be diminished because of another predisposing cause when it is established that the industrial injury is a contributing cause of the death.

In addition to the death benefit, the employer is also liable for reasonable burial expenses not exceeding \$1,500.

It should be noted that a blow to Workers' Compensation law reforms has just been dealt by Governor George Deukemejian.

These reforms would have established a small increase in death benefits and temporary disability.

After passing both the State Assembly and Senate, SB1273, establishing these increases was vetoed by the Governor on October 2, 1985.

In a press release after the veto, John Henning, Executive Secretary-Treasurer of the California Federation of Labor, AFL-CIO, who favored the bill, stated, "What big busi-

ness demanded of the Governor, big business got."

Henning was referring to the fact that in a veto message issued by the Governor, Deukemejian stated that he would not support such a cost-of-living increase unless it was accompanied by reforms to reduce employer costs, administrative costs and litigation costs.

In addition, this bill was strongly opposed by Californians for Compensation Reform, a coalition of private and public employers and the insurance industry seeking a complete change in the Worker's Compensation system. This group lobbied for a veto and had urged employers to contact the Governor.

If you have any questions regarding death benefits or any aspect of Workers' Compensation laws, please contact an attorney.

### Legal Questions ?

#### Contact IBEW Local 1245's Legal Service Plan



In California  
(800) 652-1569

In Nevada  
(702) 358-1086



# APPOINTMENTS

## GROUP W TV CABLE

Group W — Santa Cruz Negotiating Committee  
Kenny Murray

## CITY OF ALAMEDA BUREAU OF ELECTRICITY

### Negotiating Committee

Dennis Gow  
Ray Young  
Art Linden  
Larry Rodriguez  
(Alternate)

## CONFERENCES AND CONVENTIONS

### Ninth Annual Congress of California Seniors Convention

Gene Hastings  
Tom Riley  
Eddie Nye

### Rocky Mountain Occupational Safety and Health Project Seminar

John Stralla  
Mack Wilson  
Gino Aramini  
Dora Carone  
Marsha Barker  
Ronda Drew  
Jan Davis  
Sally Peden  
Donald Moler  
Dan Keefe  
Frank Davis  
Louis Johnson

## Town of Paradise new MOU accepted

Members at the Town of Paradise recently accepted a new 1-year MOU, effective 10-1-85, by a narrow margin.

Our members are not willing to accept a longer term without substantial wage increases or guarantee of a modified agency shop, Business Representative Scott Thomas reports.

Committee members Jay Howard Hanson, Sunny Helen Lundgren, and Beverly Duncan worked with Thomas over a three-month period to arrive at a tentative offer with the Town.

Major gains include a four percent salary increase retroactive to 10-1-85, and paid on-call provisions.

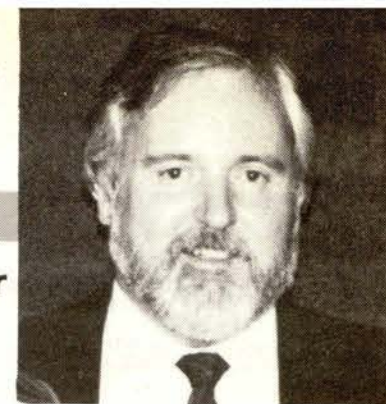
Medical benefits remain fully paid with caps of \$260, 10-1-85, and an increase to \$287 on 7-1-86.

Additionally our members may now participate in the Town's purchase agreement with the federal GSA, General Service Administration, as was previously provided management and confidential employees.

## POINT OF VIEW

By Jack McNally

IBEW 1245 Business Manager



## Local Union supports Consumers' Protection Act

For almost two years there has been proposed federal legislation concerning the relicensing of investor-owned hydroelectric power projects. House Bill HR44 and Senate Bill S426 are entitled, "The Electric Consumers' Protection Act." The intent of this legislation is to insure that any existing licensee will be able to continue operating its hydroelectric project unless a competing applicant has a better plan.

Recently, a federal appeals court has ruled that under current law a municipal utility has first right to take over a hydroelectric when its federal license expires, even though the investor-owned utility built the hydro facility and it was paid for by the utility's customers.

This provision of the law that has been interpreted to give preference to public agencies was enacted in 1920. The conditions and the energy environment were quite different then as compared to the present. Across the entire country today there are high energy bills that an angry public pays.

In this nation there are 73 million electric customers served by investor-owned utilities versus 13 million electric customers served by municipal utilities. Investor-owned utilities generally have a mix of fuels or resources from which they generate electricity. The cheapest fuel or resource to generate electricity is water. If the cheapest source of generation is removed from the mix of other generating fuels, higher rates for the utility's customers will result. In addition, state and local tax revenues from investor-owned utilities will be lost, along with disruption of integrated regional power systems.

Today there are 366 hydroelectric power plants operated by investor-owned utilities in this country. There is no question that if public agencies take over these plants the electric rates of the investor-owned utility customers will rise. There is no question that public agencies want to take over these plants because they are filing for takeover as these license renewals are beginning to come up.

The IBEW supports the enactment of "The Electric Consumers' Protection Act." In the interest of fairness and equity, the owner of a hydroelectric plant, be it private or public, should have first right to relicense. The utilities who currently own these hydro plants have a track record of almost fifty years of reliability and efficient operation of the facilities.

There are a large number of organizations along with other international unions who have endorsed this proposed legislation. The Bill HR44 has 178 cosponsors in the House of Representatives. A majority of California's House of Representatives are cosponsors, and both California Senators Cranston and Wilson support S426 in the Senate.

These bills would not change the municipal preference which exists during the initial licensing procedures. They would, however, provide the first right to relicense to the existing license holder. The low-cost hydro electricity should be shared as widely as possible in this country. To insure that, all that remains to be done is to put the proposed legislation on the floor and pass it into law.

In Unity,

*Jack McNally*



By Juliann Sum, Industrial Hygienist

## Testing, research explored for members at Geysers

The 25-square-mile Geysers Geothermal Power Plant near Healdsburg, California, is a major generator of electricity for PG&E, SMUD, and several other utilities. It is also a major source of health and safety problems. Groups of workers have been rushed to the hospital on at least three different occasions since 1983. Numerous Worker's Compensation claims have been filed. Recently, the occupational health clinics at San Francisco General Hospital and U.C. San Francisco have seen Geysers employees who exhibit permanent neurobehavioral injury.

For several years, the Local Union has been requesting that PG&E contract for a medical study which would uncover the causes of the emergency incidents and survey the risks of long-term disease. PG&E's ongoing medical surveillance program does not address these questions. PG&E has consistently turned down our request.

The Local Union, assisted by the U.C. Labor Occupational Health Program, convened a meeting on October 30, 1985, to discuss ways to uncover the Geysers health hazards. Attending the meeting were physicians and researchers from San Francisco General Hospital, U.C. San Francisco, U.C. Berkeley School of Public Health, and the State Department of Health Services, and attorneys from the law firms of Neyhart & Anderson and David Mastagni. Industrial Hygienist Juliann Sum and Business Representative Sam Tamimi presented the Union's facts for discussion.

As a result of the meeting, numerous possibilities for testing and long-term research are being explored. Possibilities include a long-term mortality study, studies of Geysers "pink slips" and Cal/OSHA-required injury and illness logs, medical releases of Workers' Compensation case files, and on-site neurological testing.

## Union seeks protection in home generator use

On April 10, 1985, a fatality involving a Local 1245 Lineman occurred as a result of an apparent backfeed from a privately-owned generator. This was not the first fatality or serious injury as a result of similar circumstances.

Local 1245, in an effort to give additional protection to the worker, is currently exploring several avenues of redress, i.e. seeking legislation and/or petitioning the Cal/OSHA Standards Board for a new standard.

The Department of Consumer Affairs may have some jurisdiction regulating the use of privately owned generators.

What concerns Local 1245 most is the increased use of generators

and the lack of knowledge and understanding by the vast majority of the public when using generators.

Advertising commercials show how easy it is to plug a generator in when the power goes out and it's business as usual. What the commercials fail to show is what could happen when proper caution is not used to ensure isolating the generator to prevent a possibility of a backfeed.

Local 1245 has asked other IBEW locals to send any information in regards to fatalities and serious injuries as a result of privately owned generators. When the information is received, we will contact the agencies involved.

## CLOR-N-OIL found unreliable

This summer, the Local Union asked PG&E to stop using CLOR-N-OIL, the disposable PCB test kit, to determine the need for protective measures and employee safety gear. PG&E has denied our request. We continue to recommend that Union members not rely on the test kit for the following reasons:

- The testing procedure is compli-

cated, and it is easy to make errors. PG&E's health and safety training is often not effective enough to prevent such errors.

- Eight percent of men and 0.5 percent of women have some form of color blindness. Many of these people do not realize they are color blind, and color blindness does interfere with the use of the kit.

## Office clean air supported

Adequate ventilation in office buildings has never been enforceable by Cal/OSHA inspectors. Many Labor groups and occupational health professionals testified on October 24, 1985, in favor of a proposed minimum ventilation standard for which IBEW Local 1245 and numerous other unions petitioned in 1982. The testimony was heard by the State Occupational Safety and Health Standards Board.

John Callejas, Shop Steward, Local Union Safety Committee

member, and clerical employee of PG&E, testified on behalf of IBEW Local 1245. He highlighted the fact that 20% of our 20,000-member Union consists of clerical workers, and that many of these members experience stale air, headache, dizziness, irritation, fatigue, and other signs of inadequate ventilation.

Cal/OSHA officials have indicated that the Standards Board will probably vote in January or February on whether to adopt the standard.

## RESOLUTION

### Miller Brewery product boycott

Whereas, the Miller Brewing Company, a division of the corporate multinational Philip Morris Company, is engaged in a campaign to destroy the collective bargaining rights of Operating Engineers and Electricians employed at its Irwindale, California, brewery; and,

Whereas, the company is embarked upon its program of union-bashing to revenge itself upon these workers for honoring the picket line of another AFL-CIO union; and,

Whereas, the company, contrary to its marketing slogan, "Miller, Made the American Way", has flaunted the law of the land by refusing to bargain in good faith with the International Union of Operating Engineers Local 501 and the International Brotherhood of Electrical Workers Local 2295; and,

Whereas, management has broken the bonds of trust between the company and its employees by hiring strikebreakers as permanent replacements for the Electricians and Engineers, thereby threatening the life's work of these union members faced with the loss of their homes, their cars and every other aspect of the "American Way" they have worked to provide their families; and,

Whereas, the working men and women targeted by this corporate bid to deprive them of their contract rights and their jobs have no recourse but to mount an economic boycott of Miller Brewery products distributed in the Western United States:

Therefore, Be it Resolved, that IBEW Local Union 1245 joins with IUOE Local 501 and IBEW Local 2295 in their boycott of Miller Brewery products (including Miller High Life, Miller Lite, Lowenbrau, Meisterbrau and Milwaukee's Best) distributed in the Western United States and will continue to support the boycott until such time as the company relents and agrees to restore its employees to their jobs with the protections guaranteed by their collective bargaining contract.

## IBEW Local 1245 backs boycott of Miller beer

IBEW Local 1245 has issued a resolution supporting a boycott of Miller Brewery Company products, in support of IBEW Local 2295 which is on strike at Miller's Irwindale plant.

In a letter to IBEW Local 1245, A.J. Musingo, Business Manager of Local 2295, detailed the reasons that a boycott has been called for:

"The Operating Engineers and Electricians employed at Miller's Irwindale brewery have been off the job since July 1, 1985. Initially, we were simply honoring the picket line of Machinists Lodge 311 which had struck Miller over management demands for a sub-contracting clause. Although that strike has been settled and the machinists are back at work, our collective bargaining contracts expired during the IAM Strike and the company is attempting to revenge itself on the Engineers and Electricians for their daring to honor the picket line of another union.

"Currently, the Operating Engineers are walking an unfair labor practice picket line while the Electricians are involved in an economic strike against Miller. The company is demanding a contract that would trash job classifications, give management unlimited authority to institute layoffs and destroy the benefits and safeguards negotiated over 35 years of collective bargaining.

"We feel that we have no choice but to call upon our brothers and sisters in organized labor to stand with us by boycotting Miller beers produced at the Irwindale plant. An

effective boycott will force Miller to reconsider its rapacious attempt to destroy our contracts. A division of the multinational conglomerate Philip Morris, Inc., Miller Brewing Company is not a soft target. Miller's 1984 income was \$116 million; Philip Morris, Inc. posted earnings of \$888.5 million in 1984. Clearly, it is going to take the united support of organized labor to bring Miller back to the bargaining table to negotiate a fair contract."

In addition to Local 1245's boycott resolution, Business Manager Jack McNally has written officials at Miller Brewery and at Phillip Morris asking them to reconsider their position.

McNally wrote, "I am writing this letter to ask you to reconsider your position on the current labor dispute at your Irwindale, California, brewery plant.

Our sister Local Union 2295 of the International Brotherhood of Electrical Workers has had a contractual relationship with the Miller Brewing Company for thirty-five years, and needless to say, this dispute certainly chills the relationship and could cause long-term ill effects. In addition, Miller products are consumed by a large segment of organized labor — particularly in view of the fact that labor unions support the boycott of Coors Beer.

Local Union 1245, IBEW, has adopted the enclosed resolution, and I, on behalf of our 22,000 members in California and Nevada, request that you reconsider your position on this dispute and bring it to a speedy conclusion."



# "WE DON'T PATRONIZE..."

The following firms are currently on the "We Don't Patronize" list of the California Labor Federation, AFL-CIO. Firms are placed on the list in response to written request from affiliates and only after approval by the Executive Council.

All trade unionists and friends of organized labor are urged not to patronize firms listed here.

Unfair firms are:

## HOTELS & RESTAURANTS

### Los Angeles Area

**The Grand Hotel** at One Hotel Way in Anaheim.

**The Pacifica Hotel** at 6161 West Centinela Street in Culver City.

**The Sheraton Plaza La Reina Hotel** at 6101 West Century Blvd., near the Los Angeles Airport.

### Sacramento Area

**Beverly Garland Motor Lodge**, 1780 Tribute Road, Sacramento.

**Days Inn**, 200 Jibboom St., Sacramento.

**Sacramento Inn**, Arden Way at Interstate 80, Sacramento.

**Red Lion Motor Inn**, 2001 West Point Way, Sacramento.

**The Nut Tree and the Coffee Tree Restaurants** on Interstate 80 between San Francisco and Sacramento.

### San Francisco Bay Area

**Perry's and Victoria Station** on Union Street in San Francisco.

**The Mandarin**, in Ghirardelli Square, San Francisco.

Other eating places in San Francisco:

**McDonald's Hamburgers (all);**

**Colonel Sanders Kentucky**

**Fried Chicken (all);**

**H. Salt Esquire Fish & Chips**

**(all);**

**Jack In The Box (all);**

**Benihana of Tokyo;**

**Carol Doda's;**

**Mabuhay Restaurant;**

**The Casbah;**

**Ernies;**

**Franciscan;**

**North Beach Restaurant;**

**Pompei's Grotto;**

**Tia Margarita;**

**Vanessi's;**

### San Jose Area

The following hotels, motels and restaurants in Santa Clara County:

**Sainte Claire Hotel** at South Market and San Carlos.

**Vagabond Motor Hotel**, 1488 North First, San Jose.

**Giorgio's Pizza House**, 1445 Foxworthy, San Jose.

**Holiday Inn — Palo Alto**, 625 El Camino Real, Palo Alto.

**Cindy's Restaurant**, 17025 Condit Road, Morgan Hill.

**Sirloin & Brew Unlimited, Restaurant**, 12333 Saratoga-Sunnyvale Road, Saratoga.

**Hungry Tiger Restaurant**, 1010 Sunnyvale-Saratoga Road, Sunnyvale.



## AN AMERICAN TRADITION Buy American and look for the Union Label

Union Label and Service Trades Department, AFL-CIO



**Magic Pan Restaurant**, 335 S. Winchester Blvd., San Jose.

**House of Genji/Cathay Restaurant**, 1335 N. First St., San Jose

**Travelodge**, 940 Weddel Drive, Sunnyvale.

**Red Baron Restaurant**, 2500 Cunningham Ave., San Jose.

**Marriott's Great American Theme Park and Hotel**, Santa Clara.

### Santa Barbara Area

**El Encanto Hotel and Garden Villas.**

### Stockton Area

**Hilton Hotel**, 2323 Grand Canal Blvd.

**Stockton Inn Motel and Restaurants**, 4219 Waterloo Road at Hwy. 99.

**Stockton Joe's Restaurant**, 1503 St. Mark's Place Plaza.

**Vagabond Motor Hotel**, 33 N. Center

**Denny's Restaurant**, 4747 Pacific Ave.

**Sambo's Restaurant**, 11 N. Center.

## MANUFACTURING

**Coors Beer**

**Gaffers & Sattler products**

**Goehring Meat Co.**, Lodi.

**Ito-Cariani Sausage Co.**, San Francisco: Cariani and Pocino brands.

**Masonite Corp. plant**, Cloverdale, Sonoma County.

**Pemko Mfg. Co.**, Emeryville.

**Rylock Company, Ltd.**, 1285 Atlantic Ave., Union City.

**Sonoma Vineyards products**, including Windsor Winery, Tiburon Vintners and Piper-Sonoma Sparkling Wine.

**Tennessee Plastics** of Johnson City, Tennessee.

## PRINTING

**Sacramento Bee**

**San Francisco Bay Guardian**

**Vallejo Times-Herald**

**New York Times**, (Northwestern Edition).

## THEATERS

**Broadway Theatre**, 4th and Broadway, Santa Ana.

**Kindair Theatre Corporations**, operators of the following anti-union theaters in Santa Cruz and Monterey Counties:

**Cinema 70 in Monterey;**

**Steinbeck Theater in**

**Monterey;**

**Valley Cinema in Carmel**

**Valley;**

**Globe Theater in Salinas;**

**Cinema Theater in Soquel;**

and, **Twin I & II in Aptos.**

The following theaters owned by United Artists and Syufy Enterprises:

In San Francisco: **Alexandria, Balboa, Coronet, Coliseum, Metro, Stonestown Twin and Vogue** (all United Artists) and **Cinema 21 and Empire** (Syufy).

In Sacramento: **Capitol Theater and State Theater** (both Syufy).

In Orange County: **Syufy Cinemas, Orange; Syufy Stadium Drive-In, Orange; Syufy City Cinemas, Orange; Family Twin Cinemas, Fountain Valley; Fox Fullerton, Fullerton; Villa Theater, Villa Park; Miramar Theater, San Clemente; Cinema-land Theater, Anaheim; Stanton Theater, Stanton; Valley View Twin Cinemas, Cypress.**

## OTHERS

**American Poultry Co.**, San Francisco.

**Bank of America Branches:**

178 North 1st St., Dixon.

2400 North Texas St.,

Fairfield.

1120 Texas St., Fairfield.

South Vacaville Office,

Vacaville.

367 Merchant St., Vacaville.

Larwin Plaza, Vallejo.

831 Tennessee St., Vallejo.

200 Georgia St., Vallejo.

2141 Springs Rd., Vallejo.

1429 Lincoln Ave., Calistoga.

1700 First St., Napa.

70 Solano Square, Benecia.

1001 Adams St., St. Helena.

### Barbers, Fairfield

Top Hat Barber Shop,

914 Texas St.

Mad Hacker,

1143 Missouri St.

### Barbers, Vallejo:

Sir Cedric's Barber & Beauty

Salon, 1115 Maple Ave.

Mr. Al's, 500 Sacramento St.

Mare Island Barber Shops,

Mare Island Navy Exchange.

### Blue Shield of San Francisco.

**Doctor's Hospital** of San Leandro.

**Hertzka and Knowles**, San Francisco, architects.

**John Ascuaga's Sparks Nugget** in Sparks, Nevada.

**KNTV Channel 11**, San Jose.

**Lousiana-Pacific Corporation** products.

**Montgomery Ward** in Redding.

**Mervyn's Store in Ventura.**

**Norbert Cronin & Co.**, insurance agents, San Francisco.

**Non-Union Iceberg Lettuce.**

**Qantas Airways.**

**Raley's Food Market**, Oakhurst, Madera County.

**State Farm Insurance Complex**, Santa Rosa.

**Twin Pines Federal Savings and Loan Assn.**, branches in El Cerrito, Berkeley, and Walnut Creek.



# Advisory Council hears PG&E President



Business Manager Jack McNally introduces PG&E President Dick Clarke, who answers questions from Advisory Council members.



Local 1245 officers: John Callahan, Lyman Morrison, Kathy Tindall, Barbara Symons and President Howard Stiefer.



Other officers are Ron Blakemore, Mike Davis and Ron Field.

PG&E's newly elected President, Richard A. Clarke, made one of his first formal presentations following his November 1 appointment to the members of the Local Union's Advisory Council on Saturday, November 2, at the Sheraton Inn in Concord, highlighting the changing conditions in the utility industry.

Business Manager Jack McNally introduced Dick Clarke by saying that just yesterday Clarke had become President of the largest utility in the United States, and that he had come on the day after his appointment to specifically address the Advisory Council of IBEW Local 1245.

In addition to the office of President of the Company, Clarke was elected by the Board of Directors of PG&E to succeed Fred Mielke on May 1, 1986, as chairman of the Board and Chief Executive Officer.

Clarke made it clear that with the deregulation of many phases of the industry, competition is a new way of life for utility companies. He views the new set of rules, which are also changing at a fast pace, as a challenge for PG&E to develop new ways to meet the needs of customers in the marketplace, as well as to continue to assure customers of the high quality of service that PG&E delivers.

He sees the need to be cost-conscious at all levels of operations, from management to workers in the field. Clarke also stated that he sees the competitive spirit as requiring something of an entrepreneurial attitude among all workers.

Not taking a back seat to innovative energy conversions by some major industrial clients who are now generating a good deal of their own energy with on-site generators or through cogeneration, PG&E is installing and servicing these generator units and buying excess power from cogeneration.

Clarke said that millions of dollars have been lost as a result of major industrial customers supplying a large part of their own power, but that with aggressive research and development, PG&E is striving to replace these dollars in other areas. A total of 60 percent of industrial gas sales have been lost since 1974, which amounts to \$1 billion in annual revenue at current rates.

In some instances, governmental regulations tie the hands of public utilities whose rate schedules are set by law, making it easier for other nonregulated providers to sell energy cheaper than PG&E can buy it. PG&E is developing attractive rate packages for industrial customers who use power at off-peak hours, as an example of one of the ways to meet stiff competition.

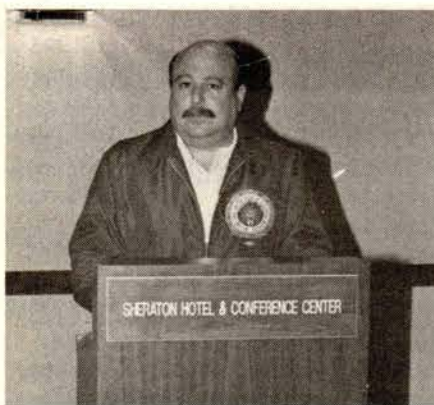
Clarke indicated that there are new proposed rules that would require utilities to carry other providers' power over its lines and charge only transport fees for the distribution to customers.

In looking toward the future, he was quick to point out that it is almost impossible to project what the utility industry will look like in 10 years, but he was clear about the days of large central power plant construction being behind us. He said it is simply a thing of the past.

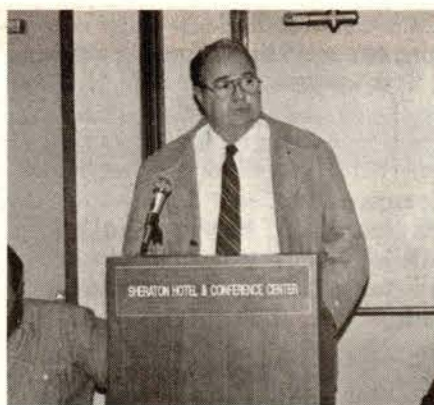
Clarke was candid in stating that there are many unknowns in the industry because of the variety of changes underway.

Clarke stated that to be competitive, PG&E would have to be more productive, but would not insult anyone's intelligence by saying that one has to work harder to increase productivity. He said that the latest state of the art in tools and equipment, increased technology, and working smarter are all essential to increased productivity and that it is necessary for management to provide these tools to make it happen.

## Administrative Staff presents reports



Senior Assistant Business Manager Darrel Mitchell.



Assistant Business Manager Orv Owen.



Assistant Business Manager Roger Stalcup.



Assistant Business Manager Ron Fitzsimmons.

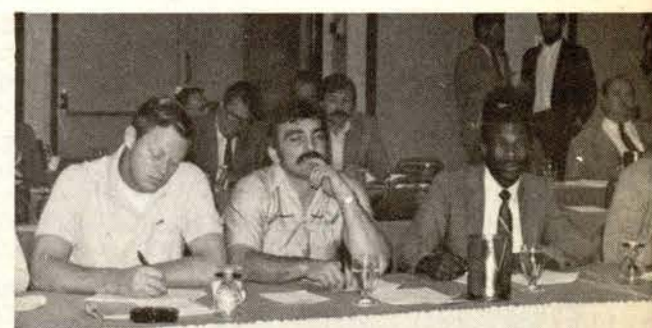


Assistant Business Manager Manny Mederos.



Staff Attorney Tom Dalzell and Corb Wheeler, Assistant Business Manager.

## Council particip



Advisory Council participants included: Randy Abbott, G Mark Abercrombie, Sacramento; Leroy Adams, Pipeline O Adams, Alameda/CC Transit/EB Muni; Duane Bartlow, Richard Bidinost, San Jose/City of Santa Clara; Grover Da



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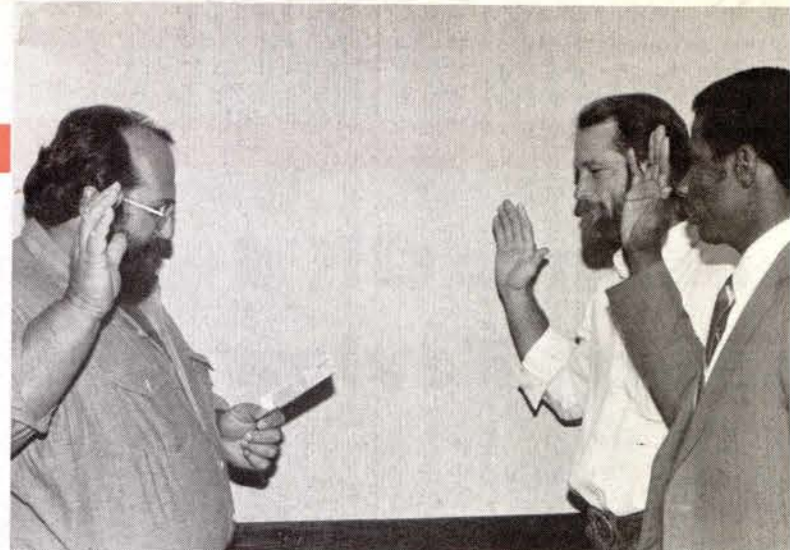
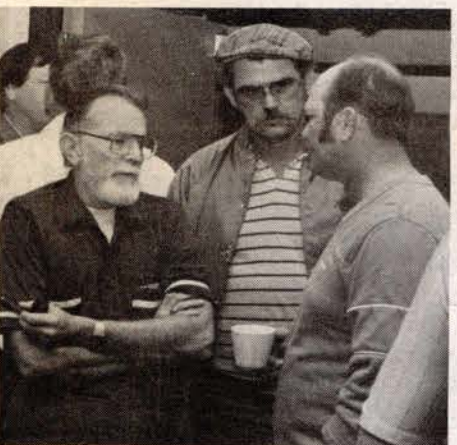
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## members meet with staff



Council members meet with staff during meeting break.



New members, l-r, Randy Abbott, Stanley Adams sworn in by Pres Howard Stiefer.



## Participants



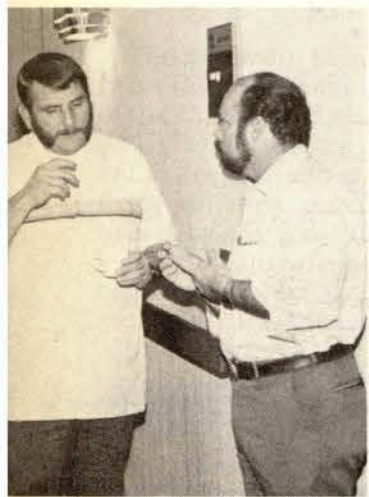
Randy Abbott, General Construction;  
Stam, Pipeline Operations; Stanley L.  
Duane Bartlow, Irrigation Districts;  
Clara; Grover Day, Stockton & City of

Lodi; John Delsman, Coast Valleys; Clark Fleming, Humboldt; Skip Harris, De  
Sabla; Stan Justis, Drum; Jay Killgore, Sierra Pacific; Al Knudsen, Colgate;  
Dave Mason, Citizens Utilities; Jim Mitchell, Clerical-at-Large; Jack Noble,  
SMUD; Wilfred Nunez, Regional Transit; Chet Pacheco, PGT; Bill Paynter, Out-

side Construction; Sal Perales, San Joaquin; Richard Perry, USBR;  
Ramsey, East Bay & Material Control; Hermann Reuther, San Franci  
General Office; Anne Spencer, Manufacturing; John Trunnell, Shasta;  
Wood, North Bay; and Gwen Wynn, San Francisco VP&C.



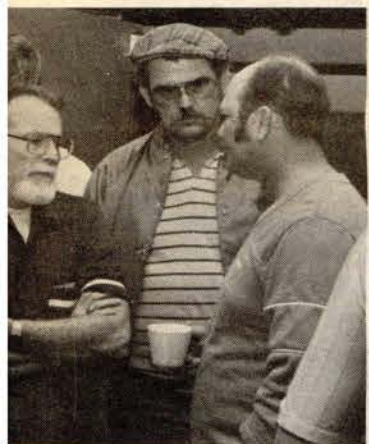
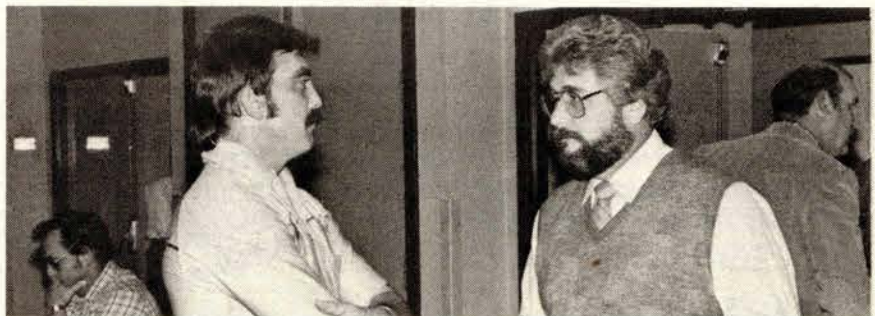
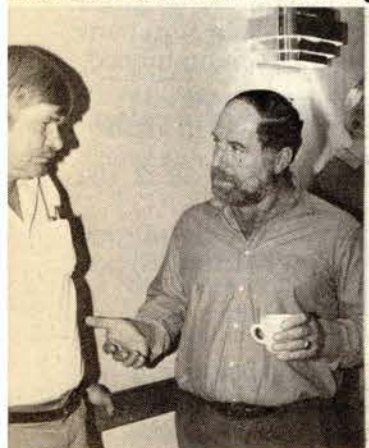
# Members meet with staff



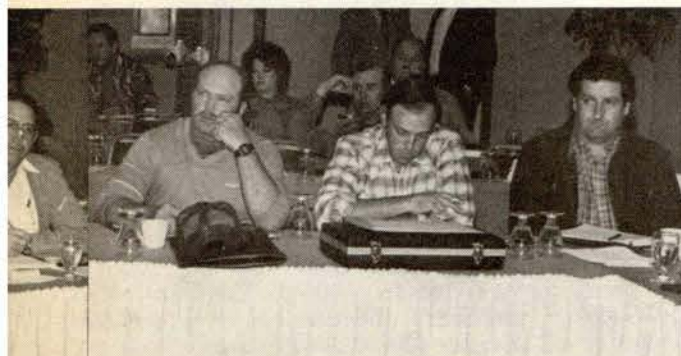
Members meet with staff during meeting break.



New members, l-r, Randy Abbott, Stanley Adams sworn in by President Howard Stiefer.



## Members



General Construction; Lodi; John Delsman, Coast Valleys; Clark Fleming, Humboldt; Skip Harris, De Sabla; Stan Justis, Drum; Jay Killgore, Sierra Pacific; Al Knudsen, Colgate; Irrigation Districts; Dave Mason, Citizens Utilities; Jim Mitchell, Clerical-at-Large; Jack Noble, Stockton & City of SMUD; Wilfred Nunez, Regional Transit; Chet Pacheco, PGT; Bill Paynter, Outside Construction; Sal Perales, San Joaquin; Richard Perry, USBR; Paula Ramsey, East Bay & Material Control; Hermann Reuther, San Francisco & General Office; Anne Spencer, Manufacturing; John Trunnell, Shasta; Larry Wood, North Bay; and Gwen Wynn, San Francisco VP&C.



## Guidelines OK'd for Gas Serviceman Training Review pilot project

On October 15, 1985, Union and Company met to draft guidelines for the Gas Serviceman Training Review Pilot Program. The agreed to guidelines are as follows:

### PURPOSE

1. Determine the feasibility and benefits of having Gas Servicemen and Reserve Gas Servicemen accompany Reviewers as their work is being reviewed.

### SUBCOMMITTEE

2. The subcommittee that will oversee and evaluate the pilot program results will consist of the following eight representatives: Assistant Business Manager Ron Fitzsimmons and members Mike Woodward, Finlay Boag and Ron Field, from Local 1245; and Sara Johnson, Bob Hudson, Kim Robbins and Dave Cole from PG&E.

### LOCATIONS

3. The program will be conducted at the following four headquarters: Oakland, Merced, Hayward, and Eureka.

### DURATION

4. Program will start on January 1, 1986 and be completed no later than June 30, 1986.
  - 4.1 In the first week of November 1985, one member from the IBEW and one member from the Company will visit each of the selected headquarters and explain the program to the servicemen, reserves, and their supervisors.
  - 4.2 By consensus of the subcommittee, the program or any part of the program may be terminated anytime during this period.

### TEST PARAMETERS

#### 5. MANPOWER IMPACT:

- 5.1 Monitor how many non-productive hours are involved (see Form A).
  - 5.1.1 Gas Servicemen and Reserve Gas Servicemen's non-productive time, related to the program, should be charged on "Time Worked on Exception Basis" to the training activity.
  - 5.1.2 Non-productive time will include time spent in:  
Reviews on the District level,

Reviews on the Regional level,  
Reviews on the General Office level,  
Standby time,  
Travel necessary for rendezvous,  
Service Foremen scheduling rendezvous, and  
Reviewers returning to the yard to pick up another Serviceman or Reserve.

#### 6. CUSTOMER IMPACT:

- 6.1 Document the customer's reaction re: the program (see Form B).
  - 6.1.1 It may be advantageous to phone customers and schedule appointments to avoid CGI's and having three Company employees arrive at the customer's residence unannounced.

#### 7. PROGRAM EVALUATION:

- 7.1 Document Serviceman and Reserve Gas Serviceman comments on the attached Forms C and D.
  - 7.1.1 Will provide documentation on whether any or all of the program has merit.

Note: They should be asked to comment separately on each phase of the program they were involved with (District, Region, General Office).

### TRAINING REVIEW MANUAL

8. A copy of the current Training Review Manual shall be carried by the Reviewer and be available to the Serviceman/Reserve being reviewed.

### TEST RESULTS

9. The subcommittee will meet once a month to evaluate all data collected during that period.
  - 9.1 By consensus of the subcommittee, meetings may be scheduled at other than once a month intervals.
10. The subcommittee will publish their final evaluation of the program no later than July 31, 1986.

Meetings were held in the four Pilot Program headquarters on November 4, 5, 7 and 8, 1985, to explain the objectives of the program. Committee members Ron Field, Mike Woodward and Finlay Boag were in attendance at the various meetings.

## Regulator Changers disputes resolved

Recently Local 1245 met with PG&E to resolve a number of disputes involving the General Classification of Field Regulator Changer. This classification has been established for the primary purpose of replacing certain gas regulators. At the meeting the parties agreed to the following:

1. The classification can make modifications to meter sets which are necessary to replace domestic and small commercial regulators;
2. The classification can rebuild meter sets to accommodate a different meter type; when assigned a scheduled meter change in conjunction with a regulator changeout. How-

ever, relocating meter sets such as from under the house to the outside or from the inside wall to the outside of wall is Street Fitter work; and if such Field Regulator Changers are assigned such work they shall be compensated at the Street Fitter rate consistent with the provisions of Section 304.2;

3. The classification shall be limited to changing regulators on manifolds with two or less active meters.

The parties also agreed that no system-wide productions have been established.

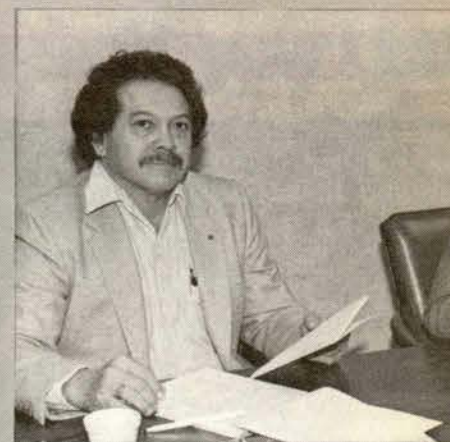
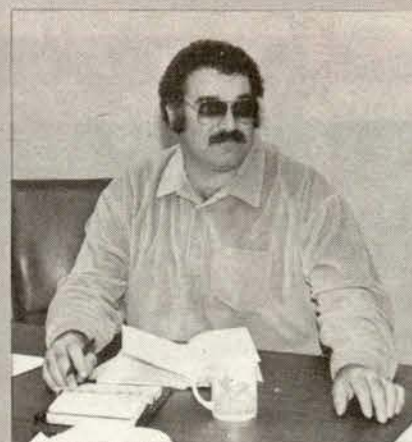
The agreement was signed by the parties on September 26, 1985.

### MEMBER ALERT:

**If you need employment verification, please have your employer contacted, not the Local Union.**

**The Local Union can only verify your membership, not your job history or earnings.**

## Pipeline Operations group presents new proposals



Local 1245 and PG&E commenced discussions on November 7, 1985 on a number of items involving Pipeline Operations. On this date Union presented and explained its proposals. PG&E is to review the proposals and to respond in writing prior to additional meetings being scheduled.

Union's committee is comprised of (pictured top, l-r) Business Representative Bob Choate, Ruben Arredondo, Gary Hughes, Hal McClure, (bottom, l-r) Sam Tamimi, Senior Assistant Business Manager Darrel Mitchell and Business Representative Wayne Weaver.



## Agency employee work opposed by Local

### Arbitration Case No. 128

On Thursday, October 24, representatives of Local 1245 and PG&E met in San Francisco to present their witnesses in Arbitration Case No. 128, which has been described as "the first skirmish in the long battle to come over contracting out."

The case, which was heard by Arbitrator Barbara Chvany, involves the Company's use of temporary employees provided by agencies such as Kelly Girls in two different situations. The first situation has been the document library for Diablo Canyon at the Company's General Office; the second has been residential conservation programs in the Divisions.

Under the Clerical Contract, the Company may have work done by outside agencies, "where temporary services are required for a limited period of time, such as an emergency situation or for a special function." This contract language, found in Section 24.5 of the Clerical Agreement, is based upon a 1964

Review Committee decision.

At the hearing, the Company argued that the two projects which the agency employees are working on are temporary projects within the meaning of the contract.

The Union, on the other hand, has argued that both the document library and residential conservation programs have lasted a number of years and are likely to be around for several more years, thus removing the situations from the contractually permissible.

Furthermore, the Union has argued that by using agency employees at a cost approximately one third of that of Company employees, the Company is indirectly dispensing with the services of Company employees in violation of the contract. The reporter's transcript from the arbitration hearing should be ready by the middle of November, meaning that briefs will be due before the end of the year and a decision from Ms. Chvany expected early in 1986.

## GC tool list updated

On October 15, Local 1245 and PG&E reached agreement on a revised Employee Provided Tool List for General Construction employees. Discussions on this subject started in September of 1980.

In addition to updating the list to reflect the necessary tools needed by various classifications, the parties extended the application of 107.3 of the Agreement to permit local agreement for additional

tools to be covered. The parties also agreed to apply the obligation to purchase tools new to the list to employees that are not currently in the affected classifications.

The new agreement will be available in booklet form in the near future.

Union's committee was comprised of Joel Ellioff, Darrel Mitchell, Fred Pedersen, Marv Rubendall, Ron Van Dyke, and Gene Wallace.



# ARBITRATIONS

**Arbitration Case No. 128** involves the use of agency employees to replace bargaining unit employees and to perform work identical to that performed by bargaining unit employees. Arbitrator Barbara Chvany heard the case on October 24, 1985; the date for filing briefs has yet to be set.

**Arbitration Case No. 132** involves the discharge of a Stockton Division Meter Reader for alleged improper actions towards a female customer in a dress shop during work hours. Arbitrator Donald Wollett heard the case on July 25, 1985. Briefs were filed on October 14, 1985.

**Arbitration Case No. 134** involves the transfer of overhead T&D employees from the Martin Service Center in the San Francisco Division to 2225 Folsom Street. Arbitrator John Kagel will hear the case on December 11, 1985.

**Arbitration Case No. 137** involves the discharge of three Belmont Credit Representatives for allegedly "withholding company cash collections, falsification of company records and misuse of company time" and the five-day suspension of one Credit Representative for alleged "falsification of company records and misuse of company time." Arbitrator Barbara Chvany heard the case on June 27 and July 28, 1985. Briefs were filed on October 14, 1985.

**Arbitration Case No. 138** involves a dispute over the proper calculation of the vacation allowance to be paid an employee who resigned in his seventh year of service. Arbitrator Kathy Kelly will hear the case on January 6, 1986.

**Arbitration Case No. 139** involves the discharge of a General Construction Garage Mechanic for refusing an order to be examined and tested by a company doctor to determine if he was under the influence of intoxicating drugs. Arbitrator Adolph Koven will hear the case on January 21, 1986.

**Arbitration Case No. 140** involves the demotion of a San Francisco Division Cableman/Cable Splicer for alleged work performance. Arbitrator David Concepcion will hear the case on a date yet to be set.

**Arbitration Case No. 141** involves the appropriateness of using a Lineman as a Working Foreman without upgrading him to Line Subforeman. The arbitrator has not yet been named.

## FOCUS: SHOP STEWARD JOHN DELSMAN

John Delsman puts a lot of effort into his work as a Shop Steward for the Local Union.

An Electrical Crew Foreman at Monterey T&D Service Center, Delsman attends Unit Meetings in both Monterey and Salinas, where he formerly worked. He believes it's important to keep our members up-to-date on current Union activities.

A member of the Local's Advisory Council, Delsman, a 12-year member, has been a Shop Steward for six years.

He makes a point of attending all Stewards' Training Conferences and is a member of the Monterey County Central Labor Council. This year he also relieved as a Business Representative in Coast Valleys and San Joaquin.

On the job, he participates on the Coast Valley Productivity Enhancement Committee, the Joint Grievance Committee, and in Labor Management meetings.

Delsman states that he likes being involved in decision making on the job, and having a part in contract enforcement.

When he first became a Shop Steward he says he thought very seriously about what he could do, and his commitment level.

Delsman said he felt that there was more that could be done to enforce the contract, and develop unity in the yard, so he volunteered to be a Shop Steward.

One of his highlights as a Steward was when nearly the entire Salinas Yard turned out to a Unit Meeting to watch a 13-year non-member sign up with Local 1245, thus making



the entire Electric T&D Department in Salinas 100 percent Union.

Additionally rewarding to Delsman is the fact that since that time the new member has become a very active unionist, and has even considered becoming a Shop Steward. Delsman said that this show of unity among the whole yard was great.

Delsman works closely with Business Representative Ken Ball, and keeps him informed on a regular basis.

Business Representative Ball said Delsman does a very good job in the first step of the grievance procedure, and as a result few issues go beyond the local area.

Ball also said that Delsman is excellent when it comes to internal organizing and that Delsman communicates the activities and goals of the Local Union to all members so they know what's going on.



# Time to prepare for scholarship contest; 'Union importance to politics' essay topic

## Al Sandoval Memorial Competitive Scholarship

The purpose of this contest is to provide a grant in aid for scholarships to colleges and junior colleges, thereby making financial assistance toward the attainment of a higher education.

1. The grant will be as follows:  
\$500 per year, up to four (4) years, as long as a C (2.0) average is maintained and the parent maintains their membership in good standing in Local Union 1245.
2. In order to be a candidate in this contest, you must be a son or daughter, natural, legally adopted, or a legal ward of a member of Local Union 1245. You must also be a high school student who has graduated or is graduating in 1986. A copy of your diploma or a letter from your high school stating that you will graduate in 1986 must be attached to your scholarship application.
3. The scholarship grant will be made only to that candidate who intends to enroll full time in any college certified by their State Department of Education and accredited by the local accrediting association.
4. Applications may be secured by addressing the Recording Secretary of Local Union 1245 or by calling the Union office, or by using the form printed below.
5. Checks will be paid directly to the college upon presentation of tuition bills to the Local Union.
6. All applications shall be accompanied by a written essay, not to exceed five hundred (500) words, on the subject designated by the Executive Board.
7. Essays should be submitted on 8½" by 11" paper, on one side, preferably typed and double spaced, with applicant's written signature at the conclusion of the essay.
8. Applications and essays must be mailed to IBEW Local Union 1245, P.O. Box 4790, Walnut Creek, CA 94596, by registered or certified mail only, and be postmarked no later than Monday, March 3, 1986.
9. Each year the scholarship shall be presented at the Advisory Council meeting in May; the judge and a guest and the recipient and parents shall be invited, at Local Union expense, to present and receive the scholarship award.
10. A suitable trophy or plaque shall be purchased by the Local Union, at a cost not to exceed \$75, to be presented to the scholarship recipient.

NOTE: THE TOPIC FOR THE 1986 AL SANDOVAL MEMORIAL COMPETITIVE SCHOLARSHIP ESSAY IS "WHY ARE LABOR UNIONS IMPORTANT TO THE POLITICAL STRUCTURE OF THE UNITED STATES?"

### APPLICATION FOR THE AL SANDOVAL MEMORIAL COMPETITIVE SCHOLARSHIP Sponsored by

LOCAL UNION 1245  
INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS, AFL-CIO  
P.O. Box 4790 Telephone  
Walnut Creek, CA 94596 (415) 933-6060

DATE \_\_\_\_\_

I hereby make application to enter the Competitive Scholarship Contest sponsored by Local Union 1245, IBEW, AFL-CIO:

NAME \_\_\_\_\_ DATE OF BIRTH \_\_\_\_\_  
(Last) (First) (Initial)

ADDRESS \_\_\_\_\_ CITY \_\_\_\_\_

STATE \_\_\_\_\_ ZIP \_\_\_\_\_ PHONE ( ) \_\_\_\_\_

NAME OF PARENT \_\_\_\_\_

COMPANY \_\_\_\_\_

WORK LOCATION \_\_\_\_\_

HIGH SCHOOL \_\_\_\_\_

GRADUATION DATE \_\_\_\_\_

ADDRESS OF HIGH SCHOOL \_\_\_\_\_

I EXPECT TO ATTEND \_\_\_\_\_ COLLEGE OR SCHOOL

LOCATION \_\_\_\_\_

(Candidate's Signature)

This is to certify that the above named candidate is currently enrolled as a student at \_\_\_\_\_ and has or will be graduating in \_\_\_\_\_, 1986.

(Official's Signature and Position)

This is to certify that I am a member in good standing of Local Union 1245, IBEW, and the candidate, whose name is signed to this application is my \_\_\_\_\_, and graduated during the term ending \_\_\_\_\_, 1986.

(Parent's Signature and Card Number)

## Trade and Vocational School Grant

The purpose of these grants is to provide aid to the children of members to attain a trade or technical education.

1. The grants will be as follows:  
\$500 per year, for up to two years for two candidates, as long as a passing grade is maintained, and a parent maintains membership in good standing in Local Union 1245.
2. In order to be a candidate in this contest, you must be a son or daughter, natural, legally adopted, or a legal ward of a member of Local Union 1245. You must also be a high school student who has graduated or is graduating in 1986. A copy of your diploma or a letter from your high school stating that you will graduate in 1986 must be attached to your application. Additionally, a letter of recommendation from your vocational teacher, department head, or school principal must accompany the application.
3. Applications may be secured by addressing the Recording Secretary of Local Union 1245, by calling the Union office, or by using the form printed below.
4. The grant will be made only to a candidate who intends to enroll full time in any industrial, technical or trade school (other than correspondence schools) which is accredited by the National Association of Trade and Technical Schools or the Association of Independent Colleges and Schools.
5. Applications must be mailed to IBEW Local Union 1245, P.O. Box 4790, Walnut Creek, CA 94596, by registered mail or certified mail only, and postmarked no later than Monday, April 7, 1986.
6. Two names will be drawn by the Judge of the Competitive Scholarship Contest from those submitting applications. These two will be recipients of the grants.
7. Checks will be paid directly to the school upon presentation of tuition bills to the Local Union.
8. Presentation of awards will be made to recipients at the unit meeting nearest his/her residence following the drawing.

### APPLICATION FOR THE LOCAL 1245 TRADE & VOCATIONAL SCHOOL GRANT FOR MEMBERS' CHILDREN ENROLLING IN TECHNICAL, INDUSTRIAL, OR TRADE SCHOOLS

Sponsored by Local Union 1245  
International Brotherhood of  
Electrical Workers, AFL-CIO

P.O. Box 4790  
Walnut Creek, CA 94596  
(415) 933-6060

#### CANDIDATE INFORMATION

CANDIDATE'S NAME \_\_\_\_\_ BIRTH DATE \_\_\_\_\_

ADDRESS \_\_\_\_\_ CITY \_\_\_\_\_

STATE \_\_\_\_\_ ZIP \_\_\_\_\_ PHONE ( ) \_\_\_\_\_

HIGH SCHOOL \_\_\_\_\_ GRADUATION DATE \_\_\_\_\_

ADDRESS OF HIGH SCHOOL \_\_\_\_\_

WHAT SCHOOL DO YOU EXPECT TO ATTEND? \_\_\_\_\_

WHERE IS IT LOCATED? \_\_\_\_\_

WHAT TRADE OR CRAFT WILL YOU BE STUDYING? \_\_\_\_\_

WHY THIS PARTICULAR SKILL? \_\_\_\_\_

CANDIDATE'S SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

#### STATEMENT OF MEMBER/PARENT

NAME OF MEMBER/PARENT \_\_\_\_\_

EMPLOYER \_\_\_\_\_ LOCATION \_\_\_\_\_

I certify that I am a member in good standing of IBEW Local Union 1245, that the Candidate named above, \_\_\_\_\_ is my

\_\_\_\_\_, and that the Candidate will graduate from high school during the term ending \_\_\_\_\_, 1986.

Signature of Member/Parent \_\_\_\_\_ Union Card No. \_\_\_\_\_

This is to certify that the above named Candidate is currently enrolled as a student at \_\_\_\_\_ and has or will be graduating in \_\_\_\_\_, 1986.

Official's Signature and Position



## Public Agency Stewards meet

Business Manager Jack McNally discussed Governor George Deukmejian's vetoes on Labor measures which had been approved by the Legislature including a bill increasing unemployment insurance benefits and a bill increasing temporary Workers' Compensation benefits which are currently among the lowest in the nation.

McNally generally reviewed legislative activity for the Stewards and stressed the strong need for grass roots involvement by our members in local politics.

He urged members to become involved in supporting labor-oriented candidates for various local area boards and city commissions.

He told the Stewards that participation does make a difference and that some key agreements with public sector properties can be traced back to Labor's support of candidates who have demonstrated awareness of collective bargaining interests.



Shop Stewards participating in the recent Public Sector training conference included Joseph Vienna, Bob Geer, J. Allen, Sam Bologna, John P. Hendry, Bill Crismon, Mike Higgins, David Varnell, Mark Stirtz, Bill Uphoff, Jim Johnson, Ron Simpson, John H. Lineback, Harry Janson, Steve Suess, Bill Wallace, Lissa Schreiver, Robert D. Kerr, and Larry Mather.

## FLSA LEGISLATION

# New proposals reach House, Senate

A bipartisan agreement on overtime compensation for employees of state and local governments has defused an attempt in Congress to roll back the Fair Labor Standards Act and nullify a Supreme Court decision that reinstated wage-hour coverage for public employees.

Almost identical bills are being cleared for speedy action by both the House and the Senate.

Both bills incorporate the principles agreed to in discussions involving the AFL-CIO and its public-sector unions on one side and organizations of city, county and state governments on the other side of the table.

Under the proposed legislation, state and local governments will be able to substitute compensatory time off for the cash payments they complained they couldn't afford. But any "comp time" given instead of cash will have to be at time-and-one-half rate. Thus, two hours of overtime work will entitle a public employee to three hours of compensatory time off.

The time-and-one-half principle was the key concern of the unions whose members would be directly affected. As AFL-CIO Legislative Director Ray Denison noted in a letter

to members of Congress involved in shaping up the legislative compromise, it "preserves the integrity of the Fair Labor Standards Act, which is so vital to the interests of employees, while addressing the concerns of public employers."

Both the House and Senate bills would put off overtime coverage for most public workers until April 15, 1986, although any coverage resulting from a collective bargaining agreement would remain in effect. When the new law took effect, any collective bargaining agreement providing less than time-and-one-half compensatory time would be upgraded.

As under present law, most public workers would be entitled to premium compensation for overtime after 40 hours a week. Both bills provide a ceiling on accumulated compensatory time, after which payment must be made in cash. The Senate bill provides a 480-hour cap on comp time. The House version would require cash after a 180-hour accumulation for most workers, and after 480 hours for public safety employees. Neither bill affects the existing wage-hour coverage of private-sector workers or federal and postal employees.

With public employers and unions in basic accord, bipartisan action came quickly.

Senate Labor Subcommittee Chairman Don Nickles (R-Okla.) had initially sponsored a bill to remove public employees from the overtime provisions of the wage-hour law. But he joined Sen. Howard M. Metzenbaum (D-Ohio) in sponsoring the new legislation and getting immediate approval of the full Labor & Human Resources Committee in a telephone poll.

In the House Labor Standards Subcommittee, where Chairman Austin J. Murphy (D-Pa.) had presided at hearings that explored the issues, every member of the subcommittee joined in sponsoring the new bill. The full committee plans

to bring the bill to the House floor before the end of the month.

Congress brought public workers under the wage-hour law in 1974, but the Supreme Court first held in a 5-4 decision that the extension of coverage to persons employed in "traditional government functions" was an unconstitutional infringement on states' rights.

Early this year, however, the Supreme Court reversed itself and reinstated the 1974 law, also by a 5-4 margin. Mayors and governors then launched a major lobbying effort to get Congress to rescind the wage-hour coverage.

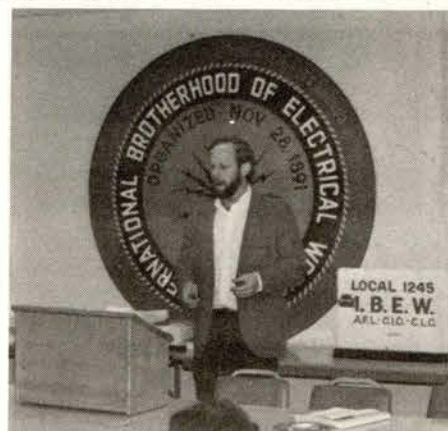
Final legislation will be reported in an upcoming issue of the Utility Reporter.



Business Manager Jack McNally and Business Representative Pete Dutton.



Senior Assistant Business Manager Darrel Mitchell.



Staff Attorney Tom Dalzell.



## Bella Vista bargaining continues

Business Representative Jack Osburn and Negotiating Committee members Gary Summit and Richard Welch were set to meet with the Bella Vista Water District on November 15 to discuss on-going bargaining issues.

The Districts Board of Directors had previously reviewed tentative contract language and the November meeting was scheduled so both the District and the Local Union Committee could firm up specific contract language, Osburn reported.

The Union's committee is working to establish a modified agency shop in this initial contract with the District, Osburn said.



# San Francisco Stewards attend training session

Participants at the recent Shop Stewards conference included: Ron Field, Nagaraja Rao, Harry Hom, Kathleen Campana, Millie Phillips, Everett Flowers, Jamie Tieri, Robert Quinn, Daniel Duffy, Peter O'Driscoll, James Horton, Tom Abfalter, Billy Powk, Herman Reuther, Reymundo Godoy, R. G. Woodford, Shirley Henry, Ray Slattery, Mike Woodward, Steve Carpenter, George Oryall, Walter McClure, and Gwen Wynn.



Blue Cross representative George Lovett, standing, discusses Insurance issues. L-R are Business Representatives Dorothy Fortier and Joe Valentino.



## Pacific Tree wage opener

Local 1245 and Pacific Tree Negotiating Committee will meet in Concord on November 19, 1985 to start negotiations on Wage Allocations at the June 1985 listing of 3.1%.

The Union's Committee will consist of Douglas Bonham, Harry Beckwith, David Vanderplas and Assistant Business Manager Orv Owen.

The Pacific Tree Agreement provides that the January 1, 1986 Wage Increases will be determined based upon the following Collective Bargaining Agreement provisions as follows:

1/1/86 — 1985 Wage rates plus increase of the percentage increase in the Hourly Earnings Index for production or non-supervisory workers on private non-agricultural payrolls, by industry, as reported in the Monthly Labor Review. U.S. Department of Labor, Bureau of Labor Statistics, Table 15, total private (in current dollars). The base month index shall be the June 1985 listing. Total wage and benefit allocations to be determined by agreement between the Company and Union.

## OUTSIDE LINE

### Local set to present grievance to IR Council

Business Representative Tom Conrad and Staff Attorney Tom Dalzell traveled to Washington D.C. in the second week of November to present Local 1245's case on a grievance against Interstate Electric to the Council on Industrial Relations for the Electrical Contracting Industry.

The grievance stems from a job performed by Interstate on a job let by San Diego Gas and Electric Company on a shopping center just south of Escondido, California.

When the job began on July 19, 1985, Interstate elected to perform

work without regard to its collective bargaining Agreement. Then Local 1245 filed a grievance, and at a Labor-Management meeting in late August convinced the employer members of the committee that Interstate had violated the agreement by performing the work without following the contract.

The Labor-Management committee could not agree on the proper remedy for the contract violation, and for this reason sent the case back to the Council on Industrial

Relations, whose decision in Outside Line cases is final and binding.

The Union's position has been and will be in Washington, that the employees who lost work as a result of Interstate's actions should be made whole by Interstate for their lost wages and benefits, and that Interstate should be required to make contributions to all benefit plans and programs which it would make had it performed the work under the contract.

### MEMBER ALERT:

**—Davey Tree Members—  
Please be sure your  
CPR and First Aid  
Cards are up to  
date, as required  
by your Contract.**

### NEVADA MEMBER ALERT:

Blackie Evans, Executive Secretary-Treasurer of the Nevada State AFL-CIO reminds our members in Nevada that during the 1985 session of the Nevada Legislature a bill, AB608, was passed which affects Worker's Compensation claimants.

Evans reports that, "Basically, this law states that if an employer requests a hearing before a hearings officer for a worker's compensation claim and the employee receives a favorable decision, his actual expenses incurred for travel to and from the hearing, if more than 20 miles one way, and any regular wages lost as a result of attending the hearing will be reimbursed.