

UTILITY
REPORTERSB 441 VETOED
SEE PAGES 2-3

Monterey cable T.V. firings reversed

The results are in at Monterey Peninsula Cable Television, where two dozen Local Union members were fired earlier this year in connection with a variety of drug-related charges.

In all, 21 of the fired workers contested their terminations, with assistance from Local 1245. The net result is that, in 12 cases, these terminations were confirmed; in eight cases, the fired workers were reinstated; and in one case a decision is still pending.

Why were some employ-

ees reinstated while others were not? Basically, because two different kinds of rules were in question. Those workers who were *not* reinstated had signed written company confessions stating that they had set up illegal cable hookups or had engaged in on-the-job drug sales or purchases. By contrast, the reinstated employees had been charged with less serious offenses (such as drug use).

When the union pressed the issue, the company decided that it would be unwise to punish minor infractions of company policy with outright terminations. The result is that eight union mem-

bers remain on the job — and that some major lessons have been learned.

Employees will almost certainly be punished if they are found guilty of on-the-job drug sales or purchases, and the union's power to defend them is very limited in such cases.

Employers, in striking contrast, may *not* be punished even if they break important labor laws. This is the message driven home by the fact that, in this case, Monterey Peninsula Cable subjected its workers to marathon interrogations — four to nine hours long! — without allowing them to have shop stewards present, even when the work-

ers explicitly demanded this. In olden days (well, a few years ago, anyway), the NLRB would have called this a major labor practices violation, earning a stiff penalty. No more. When the company's guilt was called to NLRB attention, the NLRB reacted with less than a slap on the wrist — reprimanding the company, and ordering management to post the rule in a public place.

With this kind of "protection" from the NLRB, workers will have to rely more than ever on their own unity and determination. The firings that were overturned in Monterey are one indication of the way to go about this. ■

Drugs at work: Part II

Last month, the Utility Reporter examined the growing problem of substance abuse in the workplace. We looked mainly at the punitive, negative ways in which the courts and many employers, including some of those represented by Local 1245, are responding to this important social problem.

This month we consider several alternatives to the "crimebusters" approach to the drug problem. In one article, Steve Diamond reports on a groundbreaking Employee Assistance Program set up by the Association of Flight Attendants (AFL-CIO). A second story introduces a new program, established jointly by Local 1245 shop stewards and PG&E management, which is just getting started in the Company's Central Division, East Bay Region. Two other stories report on positive recent developments in drug cases involving Local 1245 members.

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Huge rally calls for housing now

At least 150,000 marchers took to the streets in Washington, D.C., on October 7 in a mass demonstration urging the government to take emergency action to address the housing crisis. "Hopefully now they'll see everyone is unified," said Cassandra Benton, a 24-year-old electrical apprentice who marched with the International Brotherhood of Electrical Workers. "They'll stop spending so much on weapons."

The giant demonstration, one of the largest and most spirited in recent memory, was called by Housing Now!, a coalition of the AFL-CIO, the Urban League, the National Organization of Women, the United States Conference of Mayors, and roughly 200 other organizations. The purpose of the demonstration, in the words of IBEW International President J. J. Barry, was "to dramatize the crisis in housing and demonstrate in favor

of policies favorable to decent, affordable housing for all Americans."

The plight of the homeless is just the most visible symptom of the current housing crisis, which affects literally tens of millions of Americans and which the Reagan ad-

End
Homelessness
.....
Housing
NOW!

ministration raised to a fever pitch by slashing \$24 billion in housing funds from the federal budget. Demonstrators from all walks of life and every region of the country called for an alternative on October 7.

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CALENDAR

November	
4-5 - Advisory Council	
December	
1 - Shasta Division Pin Dinner	
1 - IBEW-PG&E Clerical Job Evaluation Implementation (Operations and Customer Services Department)	
2 - Redwood Region Shop Stewards' Conference	
16 - Sacramento Region Shop Stewards' Conference	
16 - San Joaquin Region Shop Stewards' Conference	

State Senate and Assembly vote overwhelmingly for Local 1245 supported bill

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How they voted

Each member of the California State Assembly or State Senate listed below is identified in three ways — by party, district, and region. The codes after the legislators' names identify them by party and district. "R-71," for example, means "Republican from the 71st District."

Aye votes - Assembly

Allen, Doris (R-71)
(Part of Orange)
Areias, Rusty (D-25)
(San Benito and parts of Merced, Monterey and Santa Clara)
Bane, Tom (D-40)
(Part of Los Angeles)
Calderon, Charles (D-59)
(Part of Los Angeles)
Campbell, Robert (D-11)
(Part of Contra Costa)
Chacon, Peter (D-79)
(Part of San Diego)
Clute, Steve (D-68)
(Part of Riverside)
Condit, Gary (D-27)
(Stanislaus and part of Merced)
Cortese, Dominic (D-24)
(Part of Santa Clara)
Costa, Jim (D-30)
(Kings and part of Fresno, Madera and Merced)
Eastin, Delaine (D-18)
(Parts of Alameda and Santa Clara)
Eaves, Gerald (D-66)
(Part of San Bernardino)
Elder, Dave (D-57)
(Part of Los Angeles)
Epple, Bob (D-63)
(Part of Los Angeles)
Filante, William (R-9)
(Marin and part of Sonoma)
Floyd, Richard (D-53)
(Part of Los Angeles)
Frazee, Robert (R-74)
(Parts of Orange and San Diego)
Frizzelle, Nolan (R-69)
(Part of Orange)
Hannigan, Tom (D-4)
(Solano and part of Yolo)
Harris, Elihu (D-13)
(Part of Alameda)
Harvey, Trice (R-33)
(Parts of Kern and Tulare)
Hauser, Dan (D-2)
(Del Norte, Humboldt, Mendocino and part of Sonoma)
Hayden, Tom (D-44)
(Part of Los Angeles)
Hughes, Teresa (D-47)
(Part of Los Angeles)
Johnson, Ross (R-64)
(Part of Orange)

Johnston, Patrick (D-26)
(Part of San Joaquin)
Killea, Lucy (D-78)
(Part of San Diego)
Klehs, Johan (D-14)
(Part of Alameda)
Leslie, Tim (R-5)
(Parts of Placer and Sacramento)
Moore, Gwen (D-49)
(Part of Los Angeles)
Murray, Willard (D-54)
(Part of Los Angeles)
Nolan, Patrick (R-41)
(Part of Los Angeles)
O'Connell, Jack (D-35)
(Parts of Santa Barbara and Ventura)
Peace, Steve (D-80)
(Imperial and part of San Diego)
Polanco, Richard (D-55)
(Part of Los Angeles)
Pringle, Curt (R-72)
(Part of Orange)
Roos, Michael (D-46)
(Part of Los Angeles)
Roybal-Allard, Lucille (D-56)
(Part of Los Angeles)
Seastrand, Eric (R-29)
(San Luis Obispo and parts

of Monterey and Santa Barbara)
Speier, Jackie (D-19)
(Parts of San Francisco and San Mateo)
Statham, Stan (R-1)
(Glenn, Lassen, Modoc, Plumas, Shasta, Siskiyou, Tehama, Trinity and part of Butte)
Tanner, Sally (D-60)
(Part of Los Angeles)
Tucker, Curtis (D-50)
(Part of Los Angeles)
Vasconcellos, John (D-23)
(Part of Santa Clara)
Waters, Maxine (D-48)
(Part of Los Angeles)
Wright, Cathie (R-37)
(Parts of Los Angeles, Santa Barbara and Ventura)
Speaker of the Assembly, Willie Brown, Jr. (D-17)
(Part of San Francisco)

No votes - Assembly

Bader, Charles (R-65)
(Parts of Los Angeles and San Bernardino)
Bates, Tom (D-12)
(Parts of Alameda and Con-

tra Costa)
Brown, Dennis (R-58)
(Parts of Los Angeles and Orange)
Chandler, Chris (R-3)
(Colusa, Nevada, Sierra, Sutter, Yuba, and part of Butte)
Connelly, Lloyd (D-6)
(Part of Sacramento)
Ferguson, Gil (R-70)
(Part of Orange)
Hansen, Bev (R-8)
(Lake, Napa and parts of Sonoma and Yolo)
Isenberg, Phil (D-10)
(Parts of Contra Costa, Sacramento and San Joaquin)
Jones, Bill (R-32)
(Mariposa and parts of Fresno, Madera and Tulare)
Kelley, David (R-73)
(Part of Riverside)
Lancaster, Bill (R-62)
(Parts of Los Angeles and San Bernardino)
Lewis, John (R-67)
(Part of Orange)
McClintock, Tom (R-36)
(Part of Ventura)
Mojonnier, Sunny (R-75)
(Part of San Diego)

see PAGE THREE

Deukmejian refuses to sign bill and explains

September 23, 1989

To the Members of The California Senate:

I am returning Senate Bill No. 441 without my signature.

This bill would direct the Public Utilities Commission, in establishing public utility rates, not to reduce or otherwise change any wage rate, benefit, working condition, or other term or condition of employment that was the subject of collective bargaining. Further, this bill presumes such terms contained in a collective bargaining agreement to be reasonable and rebuttable only upon a finding by the Commission, based on a preponderance of the evidence, that the costs are clearly unreasonable.

This bill is very similar to Assembly Bill No. 2730, which I vetoed last year. The Public Utilities Commission has a broad mandate to establish reasonable rates for all public utility ratepayers. Labor and labor-related costs comprise a major component of utility rates, and involve sums in excess of one hundred million dollars annually for California's largest investor-owned utilities.

The legal presumption that would be established by this bill is in direct conflict with the fundamental principle of utilities regulation that utilities must bear the burden of proving that their costs are reasonable before they may be passed on to ratepayers in rates. Senate Bill No. 441 inappropriately shifts that burden to ratepayers and the Public Utilities Commission. There is nothing in the fact that a utility employer and a labor organization have reached an agreement to suggest that the costs are reasonable. Ratepayers are not represented at the collective bargaining table. Furthermore, in the case of monopoly public utilities, there is no competitive market to hold labor costs to an economically sound level. The Public Utilities Commission reasonableness review is the only mechanism to ensure reasonable labor costs; it should not be needlessly handicapped by a presumption in favor of the interests of labor and utilities.

This bill would inappropriately reduce any incentive the utilities would have to bargain effectively in labor negotiations as this expense would be passed on to ratepayers without critical review or any prospect of ratemaking adjustment.

Cordially,
George Deukmejian

APPOINTMENTS

City of Roseville Negotiating Committee

Donald P. Cox
Larry Layton
Michael Northcutt
Randy Wilkens

CONFERENCES

A. Philip Randolph Western Regional Conference

Danny Jackson
Norma Ricker
Thelma Dixon
Louis Johnson

IBEW/NECA Benefits Conference

Jack McNally
Richard Dunkin

Unit Meetings

New Places and Times

UNIT 1217 — TEMPLETON (formerly the Paso Robles Unit)
Good Neighbor Deli
2985 Theater Drive
Paso Robles, CA
Second Tuesday of each month 4:00 p.m.

UNIT 3914 — SMUD-GEO
Little Red School House
Cobb, CA
First Wednesday of each month 6:00 p.m.

Upcoming Contract Negotiations October

31 State Cable TV

December

31 City of Alameda
31 Oakdale Irrigation District
31 Pacific Tree Expert Company
31 PG&E Wages
31 Richvale Irrigation District
31 City of Roseville
31 Wells REC
31 Yuba County Water Agency

How they voted from PAGE TWO

Mountjoy, Richard (R-42)
(Part of Los Angeles)
Quackenbush, Charles (R-22)
(Part of Santa Clara)
Sher, Byron (D-21)
(Parts of San Mateo and Santa Clara)
Woodruff, Paul (R-61)
(Part of San Bernardino)
Wyman, Phil (R-34)
(Inyo and parts of Kern and Los Angeles)

SB 441

Not voting - Assembly

Baker, William (R-15)
(Parts of Alameda and Contra Costa)
Bentley, Carol (R-77)
(Part of San Diego)
Bronzan, Bruce (D-31)
(Part of Fresno)
Burton, John (D-16)
(Part of San Francisco)
Farr, Sam (D-28)
(Santa Cruz and part of Monterey)
Felando, Gerald (R-51)
(Part of Los Angeles)
Friedman, Terry (D-43)
(Part of Los Angeles)
Hill, Frank (R-52)
(Part of Los Angeles)
Katz, Richard (D-39)
(Part of Los Angeles)
LaFollette, Marian (R-38)
(Part of Los Angeles)
Lempert, Ted (D-20)
(Part of San Mateo)
Margolin, Burt (D-45)
(Part of Los Angeles)
Waters, Norman (D-7)
(Alpine, Amador, Calaveras, El Dorado, Mono, Tuolumne and parts of Placer and Sacramento)

Aye votes - Senate

Alquist, Alfred (D-13)
(Part of Santa Clara)
Beverly, Robert (R-29)
(Part of Los Angeles)
Boatwright, Dan (D-7)
(Part of Contra Costa)
Dills, Ralph (D-30)
(Part of Los Angeles)
Garamendi, John (D-5)
(Alpine, Amador, Calaveras, Mono, San Joaquin, Tuolumne and parts of Sacramento and Yolo)
Green, Cecil (D-33)
(Parts of Los Angeles and Orange)
Greene, Leroy (D-6)
(Part of Sacramento)
Hart, Gary (D-18)
(Parts of Los Angeles, Santa Barbara and Ventura)
Keene, Barry (D-2)
(Del Norte, Humboldt, Mendocino, Solano and part of Sonoma)
Kopp, Quentin (I-8)
(Parts of San Francisco and San Mateo)
Leonard, Bill (R-25)
(Inyo and parts of Los Angeles and San Bernardino)
Lockyer, Bill (D-10)
(Part of Alameda)
Marks, Milton (D-3)
(Marin and part of San Francisco)
McCorquodale, Dan (D-12)
(Parts of Santa Clara and Stanislaus)
Mello, Henry (D-17)

(San Benito, Santa Cruz and parts of Monterey and Santa Clara)
Montoya, Joseph (D-26)
(Part of Los Angeles)
Morgan, Rebecca (R-11)
(Parts of San Mateo and Santa Clara)
Petris, Nicholas (D-9)
(Parts of Alameda and Contra Costa)
Presley, Robert (R-36)
(Part of Riverside)
Robbins, Alan (D-20)
(Part of Los Angeles)
Roberti, David (D-23)
(Part of Los Angeles)
Rosenthal, Herschel (D-22)
(Part of Los Angeles)
Stirling, Larry (R-39)
(Part of San Diego)
Torres, Art (D-24)
(Part of Los Angeles)
Vuich, Rose Ann (D-15)
(Tulare and part of Fresno)
Watson, Diane (D-28)
(Part of Los Angeles)

No votes - Senate

Bergeson, Marian (R-37)
(Imperial and parts of Orange, Riverside and San Diego)
Craven, William (R-38)
(Part of San Diego)
Doolittle, John (R-1)
(El Dorado, Lassen, Modoc, Nevada, Placer, Plumas, Sierra, Siskiyou, Sutter, Trinity, Yuba and parts of Sacramento and Yolo)
Maddy, Ken (R-14)
(Madera, Mariposa, Merced, San Luis Obispo, and parts of Fresno, Monterey and Santa Barbara)
Nielsen, Jim (R-4)
(Butte, Colusa, Glenn, Lake, Napa, Shasta, Tehama and part of Sonoma)
Rogers, Don (R-16)
(Kern, Kings and parts of Los Angeles and San Bernardino)
Royce, Edward (R-32)
(Part of Orange)
Seymour, John (R-35)
(Part of Orange)

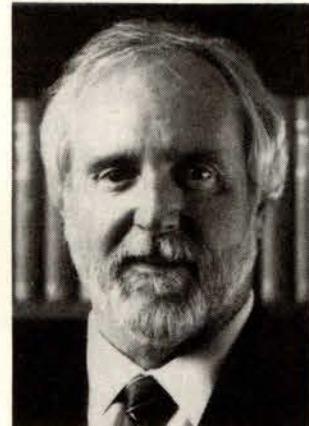
Not voting - Senate

Ayala, Ruben (D-34)
(Parts of Los Angeles and San Bernardino)
Campbell, William (R-31)
(Parts of Los Angeles and Orange)
Davis, Ed (R-19)
(Parts of Los Angeles, Santa Barbara and Ventura)
Deddah, Wadie (D-40)
(Part of San Diego)
Greene, Bill (D-27)
(Part of Los Angeles)
Russell, Newton (R-21)
(Part of Los Angeles)

POINT OF VIEW

Senate Bill 441 and the PUC

By Jack McNally, IBEW 1245 Business Manager



Governor Deukmejian has done it again! Two years in a row he has vetoed bills which would have required the California Public Utilities Commission and its Staff to be credible when reviewing the wages, benefits, and working conditions that result from collective bargaining.

Last year Assemblywoman Gwen Moore, a Democrat who chairs the Utilities and Commerce Committee in the Assembly, carried our bill and did a fine job getting it through both houses of the legislature, only to have the Governor veto the bill.

This year, Senator Larry Stirling, a Republican from the 39th Senatorial District, introduced our Collective Bargaining Bill, SB 441. He also did a great job moving the bill through both houses of the legislature and getting it to the Governor's desk.

As SB 441 moved through the legislature this year, it picked up a lot of support. Most of the utilities supported the bill and sent letters to that effect. The IBEW utility locals, of course, were very active, with California's organized labor also providing lots of support.

Basically, the opposition to the bill consisted of the California Public Utilities Commission, which lobbied heavily against SB 441 and apparently convinced the Governor to veto it.

The vote on the floor of the Assembly was 47 votes for SB 441 and 19 votes against. It is interesting that 11 Republicans voted for the measure and five Democrats voted against it, which indicates that to some degree it had bi-partisan support.

In the Senate the vote was 26 for SB 441 and eight against. Four of the Aye votes were Republican, and all eight of the No votes were also Republican.

What does all this mean? That a lot of support came from management, labor, and the State legislature — both the Assembly and Senate — but that nothing came from the Governor, the main man.

In the Governor's statement when vetoing SB 441 he says, among other things, that labor costs are a significant portion of a customer's bill. Further, he says that our SB 441 would shift the burden of proof to the Commission on whether or not a bargaining table settlement is reasonable. He believes that the utilities should prove that wages and benefits are reasonable.

Needless to say, we were disappointed in the Governor's action on SB 441. One hell of a lot of work was expended by our lobbyists and others in getting the bill to the Governor's desk.

Also, a large number of our members took the time to write letters to their legislators asking them to support SB 441. And to all of our members who did write, I want to thank you for taking the time. Letters to legislators do mean something and do have an effect.

It is apparent that this Governor will not support this kind of legislation. So it appears that the next step is to wait for a new Governor or to come up with an alternative way to make the Commission more credible on the issue of wages and benefits.

It is obvious from the actions of the Commission that they intend to continue to chip away at the wages and benefits of utility employees. Therefore, we must continue to resist this intrusion and continue the fight to retain what we had to fight for at the bargaining table. ■

Conflict in Chowchilla

Imagine how Scrooge would have reacted if Bob Cratchit had joined a union. Throw in a rousing response from Cratchit and his supporters, and you have a pretty good picture of the situation now prevailing in the Chowchilla Water District.

Local 1245 negotiators visited Chowchilla on August 24th to discuss a proposed Water District layoff, at the invitation of the eight ditch tenders and maintenance

workers who recently joined the union. On August 25th, seven of the eight union members were laid off (until February).

Suspensions of anti-union bias in this case seem well founded.

To start with, no one else was laid off or denied benefits or work — not even the supervisors whose main task is to oversee the laid off union members.

The Chowchilla Water District, meanwhile, seems to be far less poverty-stricken than they claim to be. Though they've spent freely in recent years — joining Madera County in the construction of no fewer than three power

plants designed to sell electricity to PG&E — they give every outward sign of solvency:

They have a \$1 million cash reserve; they spent \$320,000 this year to buy a new building; they sold their old building for \$78,000 (to the friend of a Board member, for whom they carried the first mortgage); and they spent \$20,000 to buy their manager a new car.

What does the Water District Board say they hope to gain by laying off seven Local 1245 members for six months? A paltry \$22,000.

That's their story, and they're sticking to it.

So far, anyway.

The ditch tenders and maintenance workers may have surprised the Water District Board by their willingness to fight back. They drew 42 people recently to what would otherwise have been a routine Board meeting, and they've won a measure of support from farmers, whose crops will be injured if it rains between now and February, while the ditches are unmaintained. And farmers, like the general public, are less than enchanted by the fact that the Water District Board raised its rates 45% earlier this year and is now requesting an increase of 67% for 1990.

Local farmer Manuel

Aquino, who expressed sympathy for the laid off ditch tenders, is quoted in a *Chowchilla News* report as saying "It's frustrating when the Water District increases taxes twice, builds new power plants, and builds a new office, and the farmers have no say... It's discouraging when you have no control." (9/20)

To ensure that union members *do* have some control over their jobs and future, Local 1245 lawyer Jane Brunner is now negotiating a first-ever contract with the Water District. With any luck, the Board, like Scrooge, will see the light long before February rolls around. ■

Inter-Union conference on gas industry issues

by Jim McCauley

Over 500 delegates from 11 international unions attended the 1989 Inter-Union Gas Conference held in Florida this past September 11-15. A valuable exchange of ideas and information took place on a variety of problems facing unions in the gas industry today.

The IBEW was well represented at the conference, with more than 200 delegates from all over the United States in attendance. Manuel Mederos, International Representative and former Assistant Business Manager of Local 1245, was the IBEW delegate coordinator.

The First Day

The session started with addresses by Carol Golubock of the Service Employees International Union (SEIU) and Neil Eisner, Assistant General Counsel of the Department of Transportation (DOT), on the DOT's new drug testing procedure — a procedure that will affect the entire gas industry.

Sheldon Samuels of the SEIU Industrial Union Department spoke on ways to



Local 1245 delegates to the Inter-Union Gas Conference at the Diplomat Hotel in Hollywood, Florida (from left to right): Ed Caruso, Jim McCauley, Frank Hutchins, Frank Saxsenmeier, Bob Olsen, Joel Elliof, Robert Wilk, and Jack McNally. Not pictured: Richard Bidinost, Al Knudsen, Frank Locati, and Darrel Mitchell.

negotiate drug testing provisions in union agreements, and Tom Balanoff, SEIU Research Director, discussed bargaining in connection with health benefits.

An interesting talk was given by Sam Weinstein, Region 5 Director of the Utility Workers Union of America (UWUA), on the issue of union candidates who run for utility company boards. As a Board of Directors candidate for the Southern California

Gas Company, Mr. Weinstein was thought to have almost no chance to win a sizeable number of votes, yet lost by less than 100,000 votes out of a total of more than two million, thanks to the cooperative efforts of the UWUA and the Utility Workers Union.

Workshops

The next two days were spent in workshops on clerical, field operations, service, and distribution issues. The

distribution workshop was led by Manny Mederos with help from Frank Hutchins and Jim McCauley of Local 1245. Many topics of interest were discussed in each workshop, including such issues as crew size and make-up, the contracting out of gas worker jobs, the combination of gas and electric crews, and new tool technology and materials.

The open forum provided by these workshops and the active involvement of the participants facilitated the exchange of an abundance of information.

The Last Day

In the general session on the final day, Local 1245 Business Manager Jack McNally reported to the conference on the Public Utility Commission's growing involvement in labor relations.

Charlie Byrant, the president of the striking Eastern Airlines local union, reported on the progress of the strike, saying that the employees are still firmly loyal to the strike and that they plan to stay out until they get rid of the No. 1 union buster in the United States, the owner of Eastern and Continental Airlines, Frank Lorenzo. ■

Huge Rally

from PAGE ONE

Sugar Ray Leonard, Gerardo Rivera, Marlee Matlin, Tracy Chapman, Martin Sheen, Dionne Warwick and many other celebrities joined large contingents of labor, the homeless, church members, and others in an animated march that the *New York Times* called "buoyant and celebratory." Banners, chants, and speeches urged the government to "Build Houses, Not Bombs."

Rally bagpipers, widely featured in many news reports, were from the Electrical Workers Bagpipe Band.

Housing Now! calls for policies intended, according to the AFL-CIO Executive Council, "to reduce mortgage interest rates, increase funding for low-rent housing, make permanent the Nehemiah Housing Opportunities Grant Program to assist moderate-income families to become homeowners, develop new financing mechanisms that will help low-income families obtain decent housing, and provide decent shelter to the homeless."

Mary, a 39-year-old homeless woman who was huddled in a blanket in a glass-enclosed bus stop a few blocks from the rally, said she was glad that it happened. "It might get money for needy people."

Housing Now! plans to march until this is assured. ■

New ways to prearrange overtime at PG&E

Everyone knows what a headache it can be trying to guarantee a fair distribution of prearranged overtime. Over the years Local 1245 has filed many grievances on behalf of members who have felt slighted in the assignment of overtime.

Now, thanks to a recommendation of the Pre-Review Committee, a mechanism has been set up which can make everything a great deal easier — if we take advantage of it.

Facing the Music

The Pre-Review Committee, which is made up of both company and union representatives, agreed late last year that without some administrative guide the contract is somewhat difficult to interpret on this point.

The intent of the contract is clear:

"Prearranged overtime work shall be distributed among employees in the same classification and in the same location as equally as is practicable." (Section 208.16, Physical Agreement) But determining exactly what "practicable" and "equal" mean in this connection has proven to be far from easy. A great many cases have come before the Committee in which complicating factors have made it extremely difficult to decide where fairness lies. Illnesses, vacations of unequal length, temporary assignments to higher classifications, light duty, and many other complexities cloud the picture.

The result has been a profusion of grievances, often (but not always) justified.

At Last, A Solution

In order to help PG&E managers and Local 1245 members to prearrange overtime as equitably and consistently as possible, the Pre-Review Committee has issued a set of detailed recommendations on a broad spectrum of practical questions, including the following:

How to handle employees who are newly hired or reclassified in mid-year; how to balance uneven work schedules (e.g., 10-hour days vs. eight-hour days); how to de-

cide who should have the first crack at new overtime assignments; how to calculate and publicize accumulated overtime; how to handle illnesses and vacations; and much more.

It should be clearly understood, though, that the Pre-Review Committee's recommendations are just that — recommendations. They offer us a path forward, but they will only lead us onto this path if they are adopted at the headquarters and department level.

Making It Happen

A good example of what can be done is being demonstrated right now in PG&E's Shasta Division by the Line Department of Redding Electric T&D.

Supported by Business Representative Rich Hafner, electric department employees in Redding have urged management to participate in drafting a joint written agreement concerning prearranged overtime. Management is reluctant, but the employees are persisting — and with persistence they will succeed.

Adoption of the procedure drafted by the Pre-Review Committee, or an amended version of that procedure, is strongly recommended for each headquarters and department. Every Local 1245 Business Representative and every responsible PG&E Human Resources manager is authorized to enter into a written agreement on prearranged overtime. Shop stewards and others who have ideas on how to go about this should feel free to convey these ideas to their Business Reps. Stewards should also start finalizing their plans for the remainder of the year; the final quarter of the year is our last chance to rectify any imbalances which may have arisen up to now. Then, with 1989 accounted for, we'll be prepared to start 1990 with a clean slate.

The success of this approach to the equal distribution of prearranged overtime depends entirely on the initiative of the Local's shop stewards and members, with the assistance of their Business Reps. Now is the time to make sure it works. ■

Shop stewards to meet

Fifth annual public sector conference

"Political Action" is the theme of this year's Public Sector Training Conference for shop stewards, and every eligible steward is warmly encouraged to attend.

The keynote speakers will be Richard Holobar, Assistant COPE Director for the California Federation of Labor, and Joe Pasqualini, a Legislative Advocate who frequently works on behalf of the California State Association of Electrical Workers. Both speakers will address a wide spectrum of issues important to the Local Union, including Workers Compensation.

Stewards who are eligible to attend include those from all public sector agencies represented by IBEW Local 1245, including the cities of Alameda, Berkeley, Gridley, Healdsburg, Lodi, Oakland, Redding, Roseville, and Santa Clara; irrigation districts in Lindmore, Merced, Modesto, Nevada, Paradise, Richvale, South San Joaquin, and Thermalito; AC Transit; Sacramento RTD; SMUD; WAPA; the Tri-Dam Project; the US Bureau of Reclamation; Bella Vista Water; Yuba County Water; OWID; the Shasta DAM PUD; and Truckee-Donner PUD.

Local 1245 Business Manager Jack McNally will give a State of the Union update, with information on Meyers Millias Brown, and Senior Assistant Business Manager Darrel Mitchell will give an overview on recent trends among employers.

The conference will convene on Saturday, October 21, 1989, at the Radisson Hotel (formerly the Woodlake), 500 Leisure Lane, in Sacramento (916/922-2020). Registration begins at 9 a.m. and sessions will run from 10 a.m. until 4 p.m. ■

Local 1245 approaches its Golden Anniversary

In 1991, the International Brotherhood of Electrical Workers will celebrate two notable anniversaries:

- the International Union, founded in 1891, will mark the completion of its first century
- the Local Union, founded in 1941, will commemorate its golden anniversary.

Anyone who has remembrances of the Local Union which they would like to share — memoirs, photos, anecdotes, or old Local documents — should dust them off and send them to the Utility Reporter. Just 18 months remain before we reach our 50th birthday, and any memorabilia you can send us will help the Local celebrate this birthday in the proper style.

Meeting the challenge of non-union tree

by David Smith

Union tree trimmers have begun to confront a host of new problems and possibilities in recent years, and many questions remain unanswered. Will PG&E and the other utility companies continue their ill-advised shift away from safety and efficiency in favor of short-term savings? Will the aggressively antiunion tree contractors that have sprung into existence continue to pose a threat to the big unionized tree contractors?

And is the public going to tolerate the costly inefficiencies it will be expected to bear?

Answers to these questions can only emerge from hard-fought battles of the kind that IBEW Local 1245 has waged with growing but still-mixed success in the recent past.

Victories on some fronts — for example, in the Arbor Tree unionization drive — have been offset by the continued growth of such unrepentant sinners as Utility Tree and Bartlett Tree.

According to Assistant Business Manager Orv Owen, the outcome of this conflict remains in grave doubt. "It is my view," Owen says, "that collective bargaining for our Davey Tree and Pacific Tree members this year will be different from past negotiations, and will require very hard choices by our tree membership."

In the end, hard choices will have to be made on all sides. PG&E will have to settle its priorities. The employees of non-union contractors will have to definitively accept or reject the substandard pay and working conditions they are offered. And the public will have to make an informed decision about the level of reliability it will accept in the services it purchases.

The union can play a major role in both framing and resolving these questions. Argument and action will be equally necessary.

Indicated, below, are some of the arguments to be made in the months and years to come. ■

The company

Barking up the wrong tree

PG&E managers seem to think that, by awarding tree trimming contracts to non-union bidders, they can trim their labor costs and rake in higher profits. Nothing could be more mistaken, as calculations by Assistant Business Manager Orv Owen show.

When PG&E switches from an established, unionized tree surgery firm such as Pacific to a non-union firm like Utility — as it did in Sacramento last year — it does more than simply obey "market dictates" in an attempt to

cut costs. It also cuts expert tree trimmers from its roster.

This can be more costly than PG&E realizes.

Arbor Tree, for example, was the largest non-union tree contractor in California in 1987, with a bigger share of the total tree trimming business than any firm except Davey and Pacific. Yet even so Arbor was wildly unstable. "Based on testimony we received in our NLRB hearings," Orv Owen recalls, "Arbor Tree in 1987 hired 345 employees to fill approximately 80 positions! That made them little more than a revolving door, with an average of more than four workers hired for every job — and all in just one year."



Orv Owen

"Does that sound cheap? It's anything but. Inexperienced workers cause more accidents,

are injured more often, file more Workers Compensation claims, and trigger more power outages than experienced professionals. And that's not cheap, believe me."

"According to my calculations, this year's increase in Workers Compensation will cost PG&E something like \$725,000 in unnecessary expenses. Most of this increase is the responsibility of non-union contractors, and when you consider that PG&E's total yearly

budget for tree trimming labor is in the neighborhood of \$25 million, you get a pretty clear picture of the significance of this figure."

"It isn't minor, and it doesn't add up to good business." ■

Photo: Kua Patten

e contractors

Non-union workers Out on a limb

Injuries in the tree trimming business are more frequent and more severe than in most other industries, and inexperienced tree trimmers of the kind hired by non-union contractors are even more sharply at risk than their union counterparts. Adding insult to injury for these workers is a laughable pay scale and bottom-of-the-barrel job security.

Utility Tree, for example, pays climbers hired to work

for PG&E in the Stockton Division just \$6.70 an hour — after nine months on the job! That amounts to less than two-thirds the pay that a Davey Tree climber would receive to perform the very same work (\$10.70). And Davey Tree formerly held the Stockton Division contract.

In the Sacramento area, Utility pays its workers an average wage which is \$2.00 per hour below union rates.

For inexperienced workers, with few real qualifications for their jobs, these pay figures may seem fairly decent. But for any tree trimmers who stick around with their antiunion employers long enough to be considered genuinely experienced, this wage scale will sooner or later come to be seen in its true light.

That happened earlier this year among the tree trimmers at Arbor Tree, and it is likely to happen elsewhere, no matter how frantically or cleverly management tries to prevent it.

At times, feeling the hot breath of the union on their necks, some non-union employers have raised wages in a transparent (and momentary) effort to curry favor with their workers. Never yet, however, have they offered their workers anything resembling real job security or a seniority system.

Only the union offers adequate pay, full benefits, and job security, as the workers at Arbor Tree realized.

Today Arbor Tree, tomorrow the world?■

The union Branching out

IBEW Local 1245 takes its 700 members in the tree trimming trade very seriously. To defend and improve the pay rates and working conditions in this industry, the Local Union intends to pursue a multi-level strategy.

Organizing, to begin with, remains as important as ever.

The victory at Arbor Tree was hardly an aberration, and it seems likely that workers employed by other non-union contractors will also be open to persuasion. Their substandard pay may serve the interests of the employers in the short run, but, ultimately, it will spur unhappiness and resistance among the tree trimmers.

Meanwhile, the excellent organizing that Jim Travis and his allies carried out at Arbor will not soon be forgotten.

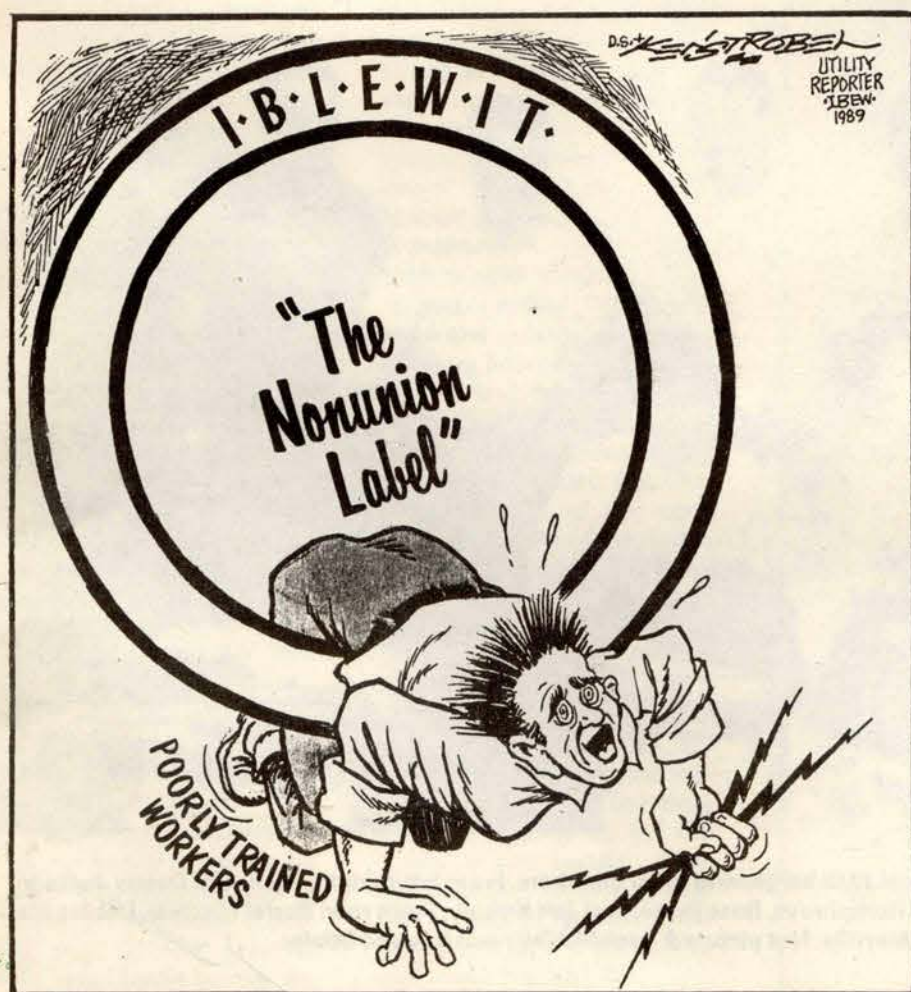
Similar efforts are needed elsewhere.

At the same time, it will be necessary to make a greater effort to communicate with

PG&E and the public about the important safety, energy, and fiscal issues raised by the turn to non-union labor.

PG&E and the other utilities should be encouraged, for example, to accept bids only from contractors with above-average injury and Workers Comp rates. The crucial importance of training and Cal/OSHA training standards should be stressed. New, upstart contractors should be mandated to hire experienced workers first, whenever such workers are available in a given region. And prevailing wage rates and benefits should be upheld, to ensure the continuing availability of skilled tree workers in the Local 1245 area.

Tree surgery may be less delicate than brain surgery, but (properly performed) it is still highly skilled labor. And it has important consequences, not only for the company and the workers, but for the public as well.■



Public

Less power for the people?

If PG&E persists in its misguided effort to enlist the cheapest tree trimmers that money can buy, the public can expect an outcome as certain as death and taxes:

An increase in power outages; an upswing in down time.

But will they buy it?

PG&E will argue that cost savings are passed on to the customer, so that what's good for the company is good for everyone. Unfortunately, there are at least two problems with this claim.

On the one hand, PG&E has not always covered itself with glory when it comes to sharing the wealth with the public — as ratepayers know only

too well. And it is far from clear, as Orv Owen indicates above, that cost savings will in fact result from the new corporate policy. Wages are only part of the total labor cost, and what the company gains by pay cuts can easily be offset by increases in Workers Comp costs. This is what appears to be happening in the case of the tree trimmers.

So the public can only expect less from PG&E's miserly policy — less power and less reliable service. The promise of a corresponding drop in energy rates seems empty.

For consumers, this is an equation filled with zeros.■

LINECO and the case of the missing quarter

Assistant Business Manager Ron Fitzsimmons reports that LINECO will raise its rates 25 cents beginning January 1, 1990. The question this raises is whether Local 1245 members will be expected to bear the cost of this increase. An initial meeting to consider this question will be held on October 24, 1989, with representatives of Local 1245 and NECA in attendance.

The main possibilities are that the 25 cent increase could be paid by the Local Union; by Local Union members; or by NECA.

CAPCO settles

A strike was narrowly averted last month at two CAPCO cogeneration plants whose employees recently affiliated with Local 1245.

When CAPCO made its initial contract offer, the workers at the Chow I plant (in Chowchilla) and the El Nido plant (near Crow's Landing) voted to strike. Management got the hint. They returned to the bargaining table with a modified offer, which the workers voted to accept on September 26, 1989.

The vote at Chow I was 15-1 in favor of the contract and at El Nido it was also 15-1 yes.

This is the first Local 1245 contract ever negotiated at these plants, and according to Business Representative Corb Wheeler "all the basics are in place: seniority, layoff procedures, rehires, just cause, job transfers, grievance procedures, and 27 days off with pay — half of which the CAPCO workers can sell."

"This is a one-year contract, with a wage increase ranging from five to 12 percent. That's on top of a large wage increase that CAPCO granted eight months ago when they were trying to keep the union out."

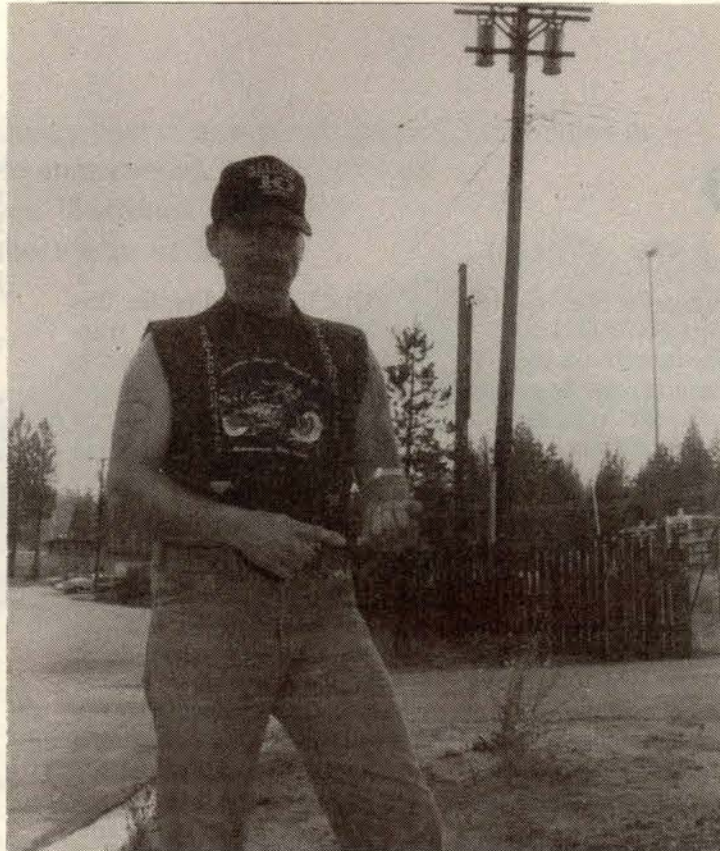
"Chow I and El Nido are now agency shops with payroll deduction."

Lightning strikes... ..twice

Sierra Pacific Power lineman Smiley Stahl, a Local 1245 stalwart, was struck by lightning and injured slightly while repairing a faulty insulator 55 feet in the air during a spectacular thunderstorm near Truckee early Tuesday, August 8th.

"Lightning hit the line a few feet down and traveled to the spot where I was working," Smiley recalled the next day, adding that he was knocked backwards. "There was this great big flash in front of me, and a big bolt of lightning extended in an 18-inch arc from my little finger to the pole. I was energized and it numbed me, but I wasn't burned because I was wearing leather gloves."

Released from the hospital later in the morning, Smiley returned to work the same day.



Photos: Tahoe Tribune

Another Sierra Pacific lineman, Jimmy Bender, 43, was struck by lightning a few minutes later while standing near a Truckee-to-Portola power line in the vicinity of the Boca Raton reservoir. "The lightning traveled to the ground and caused a flash explosion which sent him flying through the air," according to Robert Sagan of Sierra Pacific.

Bender was briefly hospitalized in Truckee, where tests revealed an abnormal heart condition. He was listed in stable condition and was apparently not seriously injured.

P. T. "Smiley" Stahl, 38, points to the little finger that gave off sparks when he was struck by lightning near South Lake Tahoe recently.

PG&E wage bargaining begins

On Tuesday, October 10th, Local 1245 began a new round of wage bargaining with PG&E. "The mood of the members is pretty clear," reports Senior Assistant Business Manager Darrel Mitchell. "People want a good solid pay increase, and that's what we're trying to get them. And we plan to push for an equitable, across-the-board increase."

"Nothing is ever guaranteed, of course, but that's our game plan."

Bargaining is being handled for the Local by a very capable team consisting of Barry Humphreys, GC; Danny Jackson, Sacramento; Jeff Knisley, DCP; Debbie Manzatti, Oakland; Landis Martilla, San Francisco; Jack McNally, Business Manager; Darrel Mitchell, Senior Assistant Business Manager; Bob Olsen, Santa Rosa; Russ Rylee, Redding; and Howard Stiefer, President.

Full details of the wage negotiations will be forthcoming in future issues of this newspaper.



Photo: Kua Patten

In the huddle: Local 1245 bargaining team members. From left to right, back row: Danny Jackson, Bob Olsen, Barry Humphreys, Russ Rylee, and Jeff Knisley. Front row: Darrel Mitchell, Debbie Manzatti, and Landis Martilla. Not pictured: Jack McNally and Howard Stiefer.

WAPA negotiations go to arbitration

Negotiations with WAPA have reached an impasse. At the first bargaining session in Denver on August 15, 1989, management offered a 2.96% pay

increase across the board. The union countered with a proposal of 5.39%. After prolonged negotiations spreading over four days, management stood firm by an offer of 3.45% in October 1989 or 3.1% in October and .7% in April, 1990. The union refused to accept anything less than the figure indicated by

the union wage survey, 3.77% across the board. The negotiations have thus been referred to arbitration.

"We will expedite arbitration as soon as possible," the IBEW negotiating committee writes, "and keep you posted. Attend your Local Union meeting for updated information." ■



Photo: Rich Hafner

The IBEW's WAPA Negotiating Committee, left to right: Stan Spencer, Local 640; Tom Shearer, Local 2159; Carl Nyquist, Local 1759; Richard Peary, Local 1245. Not pictured: Rich Hafner, Local 1245.

Retirees, take note

"...National health care for all Americans is an idea whose time has come," was the message delivered to Con-

These are the opening paragraphs of two major stories in the September issue of *Senior Citizens News*,

"...National health care for all Americans..."

gress by the more than 1200 delegates attending NCSC's 1989 Legislative Conference and Special Constitutional Convention..."

"A defiant Senate Labor and Human Resources Committee, angry over President George Bush's veto of the minimum wage bill, has again voted approval of the measure."

newspaper of the pro-labor National Council of Senior Citizens. Anyone who would like a copy of this paper can write to Gene Hastings, delegate of the Local 1245 Retirees Club, via Local 1245, PO Box 4790, Walnut Creek, California 94596 (attention: Gene Hastings). ■

PG&E benefits guide

Sure to be a Local 1245 bestseller is the *Benefit Agreement by and between Local Union 1245 and Pacific Gas and Electric Company*.

Now hot off the press for the first time, this 117-page booklet covers all aspects of Group Life Insurance, Long-Term Disability, Retirement, the Savings Fund Plan, and the TRASOP and PAYSOP plans, with a fully updated text that includes all 1989 revisions of this agreement.

Free copies of the agreement are available to every member. Just ask your Business Representative. ■

Oops!

In our last issue we incorrectly identified Business Representative Dennis Seyfer's daughter Shannon as "Sharon." Sorry, Shannon.

Stand up and be counted

Come to your census!!

That's the message conveyed to IBEW members by International Secretary-Treasurer Jack F. Moore, who reminds us that in 1990 the Census Bureau will survey the entire US population for the first time since 1980.

Union members will want to be counted, and there is also a directly political motive for being counted, since Congressional seats are awarded in part on a per capita basis. The significance of this is stressed by Assembly Speaker Willie Brown, who points out that "California [stands to] gain five to seven Congressional seats."

Any members who have not been counted by April 1, 1990, should seek to be counted in the Bureau's follow-up "Were You Counted" campaign.

Also, there are temporary Census jobs that people should know about. For more information on these jobs, call (818) 892-0846 in Southern California or (415) 536-6210 in Northern California. ■

In memoriam: Steve Ables

Local 1245 members have been saddened to learn of the untimely death of Outside Line journeyman Steve Ables, who was killed Monday morning, October 2nd, when the plane he was flying to work crashed during a heavy rainstorm. Ables had no passengers with him at the time of the crash, which occurred near Pyramid Lake in Washoe County, Nevada, about 40 miles east of Reno. Steve will be missed. ■

Rancho Seco down for the count

For a brief period in September it seemed that a white knight might step in to purchase the Rancho Seco nuclear power plant and bring it back to life. That bubble has since burst, however, and "it is now definitely clear," Business Representative Gary Mai reports, "that Rancho Seco will never open as a nuclear facility."

Quadrex, a principal in the Golden State Energy Limited Partnership, had filed an offer for Rancho Seco in response to a SMUD request. The SMUD Board of Directors decided, however, that this offer was not truly responsive, and voted unanimously to reject it. The Board then announced that there would be no further attempts to revive Rancho Seco and has gone ahead with defueling.

For the remaining Local 1245 members who continue to staff the power plant, "the most important point right now," Gary Mai says, "is that what will happen next is still tentative and unclear. When or if further layoffs take place remains to be seen."

"There's still a fractional chance that the plant could be converted at some point into a gas plant, but that's very remote right now."

Cal/OSHA on the move

A major Cal/OSHA conference was held at the University of California in Berkeley on October 6 and 7 under the joint auspices of WORKSAFE, of which Local 1245 is a member, and the Labor Occupational Health Program of the UC Berkeley Institute of Industrial Relations.

This conference, which will be fully reported in the next *Utility Reporter*, was attended by several Local 1245 delegates, including Enid Bidou, Bob Bustamante, Gary Hughes, Bill Hunt, and Lee Thomas.

Shop stewards and line supervisors move forward

by Steve Diamond

On August 9, 1989, a seminar that was called to discuss the growing problem of substance abuse on the job at PG&E drew more than a dozen Local 1245 shop stewards and first line supervisors. This gathering, held in Oakland, was the first step in a new joint program, centered in the Central Division, which includes PG&E management, IBEW Local 1245, and the PG&E Employee Assistance Program (EAP).

The new program is an attempt to find positive ways to respond to the problems associated with substance abuse, as an alternative to the disciplinary, "law-and-order" tactics traditionally used by the company. It closely resembles the union program set up by the Flight Attendants (see the article, "Union Flight Attendants Take the Initiative," on page 11), since, like the Flight Attendant EAP, the PG&E program includes shop stewards in an official capacity. At PG&E, though the program is still company-based, shop

stewards are being asked to learn more about the symptoms of workplace drug or alcohol problems so that remedies short of disciplinary action can be found.

The Oakland Meeting

This first gathering heard presentations from a series of experts and from union and management representatives. "We need to work together to keep good people," said one Local 1245 steward, "people who often have a lot of years with the Company. We hope that this program will establish a lasting partnership with PG&E."

In his opening remarks to the Conference, Local 1245 Business Manager Jack McNally called the new attempt "a realistic approach."

"Losing their jobs doesn't give troubled, formerly productive employees the chance to solve their problems — but rehabilitation *does* give them this chance."

The meeting won praise from Barbara Stern, Program Director of the Merritt Peralta Institute, an Oakland-based rehabilitation facility. "This is the first time I have

addressed a joint union-management program," Stern said. "This is a breakthrough in the industrial field."

Stern emphasized that drug addicts have only been recently understood as people who can be rehabilitated. Alcoholics have been able to take advantage of EAP's and groups like Alcoholics Anonymous for many years. "But drug addicts can be treated, too," Stern said. She noted that if symptoms of alcohol or drug abuse (and quite often both occur in the same person) show up on the job, then "this person is out of control, because the job is usually the last place where substance abuse shows up. That's why shop stewards have such a crucial role to play."

Local 1245 shop stewards reacted very positively to the presentation.

"The program is a little late," said Ray Shepard, a Gas Serviceman and a 25-year PG&E employee, "but it's still fantastic. We're simply losing too many people. It will really help to meet more often and get more training on how to deal with

this problem."

"Getting trust from management is the number one thing," Shepard said. "Establishing confidentiality is key."

According to Barbara Cook, a meter reader and 11-year shop steward, "This problem affects everyone, and everyone has to help. For this program to be effective, co-workers and supervisors have to create a good environment which helps problem employees stay clean and sober."

"This means," Cook adds, "that management must step back and reconsider its militaristic attitude." One major source of the increase in substance abuse problems at PG&E, she says, is the "tightening up in the company and the increased work load in the last few years. Unreasonable pressure can lead to unreasonable behavior. That's a fact of life which has to be considered, too."



Local 1245 members at the Oakland meeting, left to right: Felicia Mack, Marie Kizzee, John Roberts, Barbara Cook, George Adas, Jim Mc Cauley, Joe Audelo, Robyn Trost, Debra Mazzanti, Ken Walsh, Donna Dido, Eugene Wilson, Donna Ambeau, Ray Shepard, Jerry Dorman, Jim Hopkin

Arbitration gains in SMUD drug testing cases

Arbitrator Kathy Kelly recently decided three major cases concerning the Fitness for Duty policy adopted by the Sacramento Municipal Utility District (SMUD). All three decisions lend support to the Local 1245 view of SMUD policy.

Ambiguous Alcohol Test

In one case a Local 1245 member was terminated after SMUD administered an early-morning test which revealed a urine alcohol level of .03%. Local 1245 attorney Tom Dalzell argued, however, that this test was unreliable since there could be no assurance that the alcohol detected in the urine was consumed in the hours just prior to work. SMUD's expert on alcohol testing, when called as a witness by the un-

ion, conceded that the "generally recognized protocol" is to have test subjects void their bladders before taking alcohol tests, and that in this case SMUD had not observed this protocol.

Arbitrator Kelly agreed with the union that SMUD's failure to follow the test protocol invalidated the District's presumption that the fired Local 1245 member had a reduced work capacity. She also noted that SMUD's experts themselves "point[ed] out that there is an ambiguity in the Handbook which is supposed to inform Employees of precisely what is expected from them. The Handbook advises that .03% alcohol will be treated as a positive indicator, without clarifying whether this refers to one's blood alcohol level or one's urine alcohol level. [But] the two may be quite different..."

(Urine alcohol levels are generally well above blood alcohol levels.)

"Since alcohol is a legal substance," Kelly added, "it is to be expected that Employees will use it during their off hours. This heightens the need for clear information as to precisely when such consumption will be treated by the District as off duty conduct impermissibly impacting on fitness for duty. At present, the ambiguous reference to '.03% alcohol as a positive indicator' does not accomplish that. It does not apprise Employees that such an alcohol level in their urine will be treated as grounds for action, no matter when that urine entered the bladder."

Kelly reinstated the fired employee, ruling that since the employee had grieved when he was initially suspended on substance abuse charges, he did not forego

his right to contest his termination, even though he did not immediately file a second grievance upon termination.

Finally, however, Kelly ruled that the employee was not entitled to back pay, since he had failed to live up to the terms of an earlier rehabilitation plan. She also warned him that he would not be forgiven a second failure to pursue rehabilitation.

Drug Cases

In two other cases Local 1245 members were fired after testing positive for drugs while on a one-year period of random testing. One of the employees originally tested positive after an on-the-job accident, while the other first tested positive after the District received information that he was abusing drugs off the job.

In both cases, Arbitrator Kelly ordered the District to

reinstate the grievants after any appropriate rehabilitation. In her decisions, Arbitrator Kelly provided precedent-setting interpretations of several aspects of the Fitness for Duty Policy which had been in dispute.

First, Arbitrator Kelly accepted Local 1245's argument that the District was inappropriately requiring drug tests of all employees involved in OSHA-recordable accidents.

Ms. Kelly noted that post-accident testing is included in the "discretionary" section of the Fitness for Duty policy, and thus concluded that "it is not consistent with this to predetermine that a drug screening test will make sense in the case of all injuries where some treatment beyond first aid is required."

Building on this concept,

see PAGE ELEVEN

Union flight attendants take the initiative

by Steve Diamond

To many people there is no more glamorous and exciting job than that of a flight attendant for a major airline. The chance to fly all over the country, even the world, for free; the prospect of meeting a wide variety of different people — all this is part of the allure of the work.

But few people are aware of the stress, strain, and even extreme danger that goes with this occupation. Only in the wake of a major disaster does the public typically get a glimpse of the reality behind the facade. This was the case, for example, when a DC-10 crashed in Iowa recently and tearful United Airlines flight attendants held a news conference, sponsored by the Association of Flight Attendants (AFL-CIO), to tell their side of the story.

The whole country was moved by the harrowing account of death and horror these workers reported. It was clear to all that the courage and resourcefulness these flight attendants had shown had enabled them to save dozens of lives. Their ability to stay cool and collected had made them genuinely heroic.

Airline flight attendants, of course, are only human, and they face the same problems that other workers face. In the course of their work, with its unusual stresses, flight attendants sometimes fall victim to substance abuse — which, in the air, can have serious consequences indeed. The Association of Flight Attendants has long been concerned about this problem and recently developed a unique program to solve it.

Sky High? An Alternative

Most large firms, including the airlines, maintain an "EAP" or Employee Assistance Program in which employees who face personal problems can obtain professional help. Inside the EAP, all information about the employee is kept strictly con-

fidential.

The value of this confidentiality is compromised, however, when firms permit their employees to enter the EAP only through their supervisors. PG&E is one of the many corporations to enforce this rule, and it creates a number of problems:

First, many workers who could benefit greatly from an EAP are discouraged from taking advantage of it, since they are often afraid to discuss their personal lives with anyone, much less with a supervisor who has the power to discipline them.

Second, supervisors often tend to ignore EAP-related issues, since they care less about solving the "personal" problems of their workers than about short-term productivity, discipline and control — which they feel may be hampered by remedial action on behalf of the employee. This short-term view, of course, disregards the long-term investment that corporations make in their employees, but it still exerts a powerful pull.

Finally, supervisors can do only so much at any one time. Flight Attendants, for example, often see their supervisors only on an irregular basis. The result is that airline managers seldom have enough information to accurately assess whether an employee truly needs the support of an EAP.

In 1978, in recognition of these problems, the union initiated a peer-based referral system in which trained union representatives identify co-workers who they feel would benefit from enrollment in the Employee Assistance Program. They then refer these workers to outside professionals. All in all, this system has worked exceedingly well, and it is well worth studying.

How It Works

The basis of the Flight Attendant program is its union EAP Committee. "These full-time flight attendants are volunteers who have been chosen by their union leadership," the AFA reports, "because they possess the qualities necessary to be effective

in helping troubled co-workers and administering the EAP on their respective airlines."

These "health ambassadors," as they are referred to by the union's EAP Director Barbara Feuer, are the key to the program's success. "We identified people in the workplace who were well liked, who were accessible, who could be trusted, who could abide by confidentiality, and who wanted to help their co-workers."

"We don't train these volunteers to be diagnosticians," Feuer added. "We train them to recognize problem behavior and to be able to refer people to appropriate services or self-help groups. And the training that we offer in Washington is really state-of-the-art. EAP Committee members learn how to intervene both formally and informally; they learn about alcoholism and drug addiction as treatable diseases. Since we have a predominantly female workforce, they learn a considerable amount about women and substance abuse. They learn about crisis intervention, suicide prevention, and about working with victims of rape. They also learn about domestic violence and eating disorders — a whole spectrum of human problems."

Committee members receive an average of 96 hours of training developed by the union EAP staff. Seminars are divided into Basic and Advanced sessions. Participants view films and videotapes, as well as participating in small group activities and role-playing exercises which are accompanied by guest lecturers with special expertise.

"EAP committee members are responsible for developing community treatment resources within their own communities — psychologists who can do a differential diagnosis to screen out alcohol or other drug abuse, psychiatrists, social workers, safehouses for battered women, financial assistance, whatever," according to Feuer. "They and their committees develop the resources. We give them a lot

of screening information, questions to ask, forms to use to make sure they're getting the best resources possible."

Feuer emphasized the positive impact that the union-based Employee Assistance Program has on the "law and order" approach which many corporations use to deal with substance abuse problems. "One of our goals when we started was to develop a joint program with the company," she said. "However, since it was a time of deregulation in the airline industry and a lot of companies were scrambling to survive, they never really picked up on it at first. But then they saw that our people were really helping, and they began to refer to us."

"The traditional adversarial relationship fell by the wayside here. Our committee members say to management, 'We can help you, and we need you to help us, to aid people in trouble rather than disciplining them.' The managers then say, 'Since we don't know how to identify this kind of problem — since we don't have the expertise — yes, we'll work with you.' Every year, the percentage of referrals from management has gone up."

"There's a direct benefit," Feuer explained. "We can work with people with addiction problems before they get involved in the disciplinary process. It makes everybody's job a little easier. Our attorneys say that there are fewer drug and alcohol grievances as a result of this program."

"Our leverage with our members is to say, 'We are your advocates, we are your union, but you can only continue this kind of behavior for so long before the company's going to get involved, and then you're going to be subject to some kind of discipline and be in more trouble. Then it will be harder for us to help you.'"

The Results

Does the AFA program work? In a five year period, from October 1980 through June 1985, more than 3,000 flight attendants and their

family members sought help. Some 31% of the cases in the final year of that period were peer-referrals; slightly more than 50% were self-referrals; and the remaining 17% were referred by management. Clearly, in other words, both employees and managers have confidence in the Flight Attendant's EAP — and confidence is at the heart of a successful assistance program. If the employee does not feel safe in discussing his or her problem with someone else, it is almost impossible to resolve the problem. The peer-based and union-sponsored program set up by the Association of Flight Attendants is a major innovation worthy of the close attention of all people concerned about substance abuse on the job. ■

SMUD Arbitration

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Arbitrator Kelly held that the district should look at the "circumstances of each particular accident" and test only when "the District has a reason for doing so, thereby assuring that privacy of Employees is not unnecessarily invaded." If the accident is the result of a lapse of judgment where "drugs or alcohol were one factor which could have contributed to the lapse," Arbitrator Kelly would permit testing "so that the possible involvement of drugs could either be confirmed or refuted."

Lastly, Arbitrator Kelly held that in both cases the District should have offered the grievant the opportunity to participate in a drug rehabilitation program instead of being fired. This holding by Ms. Kelly was based on both a sense of fair play and the District's own "stated desire to prefer a medical approach over a disciplinary approach if the employee is willing to cooperate with rehabilitation."

While Local 1245 did not prevail in all arguments which we made in these arbitrations, Arbitrator Kelly accepted most of our arguments. ■

Unit leadership conference convenes

Every three years Local 1245 convenes a gathering of newly-elected unit chairmen and recorders. A gathering of this kind was held in Concord on the weekend of September 9-10, with 84 officers in attendance from 52 units. The results were heartening.

Excellent presentations were given by two guest speakers — Assemblyman Ted Lempert, who spoke on "Labor's Role in Electoral Politics," and Tom Rankin, Legislative Advocate for the California Federation of Labor, who reviewed the impending changes in Workers Compensation. Three solid training workshops were attended by every unit officer. Political and legislative action, health and safety issues, and officers' duties and responsibilities were some of the major topics explained by lobbyist Art Carter and Local 1245 workshop presenters including Business Manager Jack McNally, Senior Assistant Business Manager, Darrel Mitchell, Assistant Business Manager Ron Fitzsimmons, Vice-President Jim McCauley, Executive Board member Ron Blakemore, and Recording Secretary Barbara Symons.

The single most notable feature of the Conference was the evidence it furnished of the ever-growing experience and insight of the unit officers. Three of these officers spoke to the Utility Reporter about themselves and their outlook on the Conference.



Photos: Bob Martin

Participants at the Unit Leadership Conference

Mary C. Barber, Unit 1112 Recorder, Bakersfield

"I was the unit recorder and shop steward when I worked in Physical, and I'm doing the same thing now that I'm working in Clerical. Both experiences have been good, and they've given me a handle on the problems in both areas."

"There's no pay for being in unit leadership. The pay is being able to come to conferences like this, to get a better idea of how the union works and how I can play a more useful role."

"The lessons I learn at these conferences help me do a better job

back in my unit. When I visit worksites on health and safety business, I've learned what it means to see things with union eyes."



Larnell Gill, Unit 3011 Chair, Sacramento RTD

"I'm starting my third term in office, and I've found that conferences like this one serve a really valuable purpose in building the leadership. It's great to have the chance to meet so many fellow officers who have faced the same problems I'm facing."

"My special goal right now is to strengthen the safety committee in my district. We have a rail section and a business section, and I do have someone working on health in each section,

but I'd like to build a real safety committee. I think that the information and ideas I bring back from this conference will help me do it. The last conference I attended helped a lot."

Larnell Gill in conversation with Business Representative Gwen Wynn



Paul C. Hathaway, Unit 3024 Recorder (PGT), Redmond, Oregon

"This is my third leadership conference. I was looking through my papers the other day and I ran across my file from the 1980 conference."

"I learn more about the inner workings of the union every time, and it really comes in handy back at home. We're a small unit with all the problems that small units have, and this gives me the chance to meet with other people who also

deal with these problems."

"And there are nuances of union building — getting people involved, the practical uses of the By-Laws — that we need to understand as well as we can. All of us at PGT (there are two chairs and two recorders here) have been involved in negotiations and the whole gamut of activities, and we really get a lot out of sharing experiences with others here."



Photo: Floyd Tucker

At a Labor Day breakfast on September 4, 1989, held in honor of John F. Henning, Executive Secretary-Treasurer of the California Labor Federation, IBEW Local 1245 Business Manager Jack McNally received a plaque from Walter Johnson, Secretary-Treasurer of the San Francisco Central Labor Council, recognizing Local 1245's "outstanding support in assuring passage of Proposition 97, thereby guaranteeing safety and protection for California workers."