



## Sierra Pacific Power negotiations

### Union seeks to protect power plant workers

**W**hat happens to your hard-earned union benefits if your employer sells the facility where you work?

This is one of the knotty problems facing union negotiators in Nevada as Sierra Pacific Power prepares to divest three electric generating facilities at the direction of state regulators.

Displacement provisions in the labor agreement provide an avenue for some employees to bump their way into other bargaining unit positions at Sierra Pacific Power. Further protection was provided when Business Manager Jack McNally secured a two-year "no layoff" pledge from the company. And for those who choose to leave the company, enhanced retirement and severance provisions bargained in 1997 provide a cash package, coupled with retraining benefits.

What happens if the plants' new owners hire you? Generally speaking, you start at square one. Your seniority, pay, hours, fringe benefits, along with classification and job definition, can be changed. Only the minimal protections contained in Nevada state law are assured.

"When severance is triggered, you lose your contractual protections," said Business Rep. Ray Thomas. "Your sick leave accrual, your pension accrual, your vacation accrual, all those things are gone with a severance—even if you pick up a job with the new employer at the same plant."

One way unions typically try to

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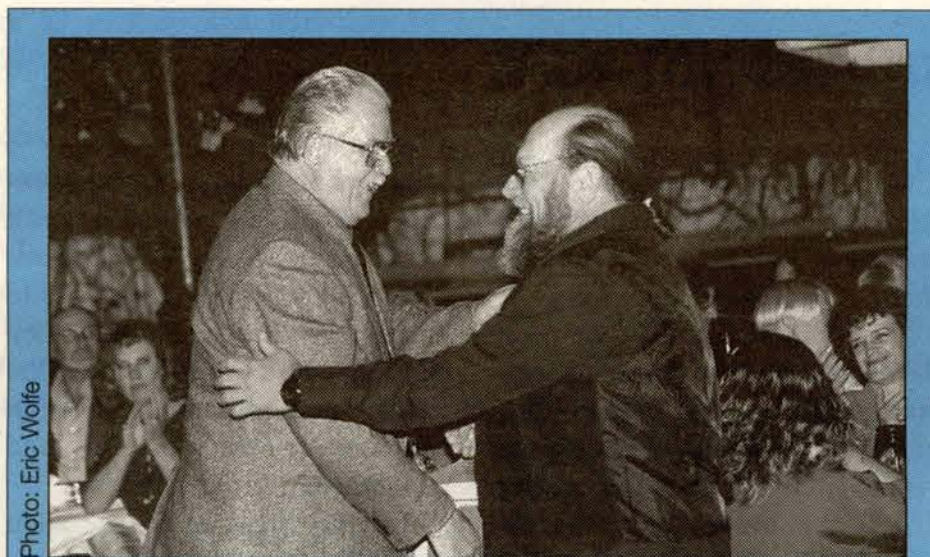


Photo: Eric Wolfe

Mickey Harrington, left, is congratulated by former Business Rep. Ed Fortier.

## Harrington Farewell

See Pages 10-11

### SMUD tries 'reengineering'

**U**nion-represented employees at the Sacramento Municipal Utility District are being asked to rethink the way they do their work as the District positions itself in California's newly-competitive electric service industry.

SMUD's effort to "reengineer" itself has given employees an opportunity to think about new ways to accomplish traditional objectives: delivering power safely and reliably to the District's Sacramento-area customers. At the same time, reengineering seeks to erase some distinctions between traditional job classifications, raising concerns that long-established wage scales could be eroded in the process.

From the outset, SMUD solicited

the participation of the union and brought Local 1245 Business Rep. Dennis Seyfer onto the project's steering committee. After a pilot project convinced the District that its distribution services could be improved through reengineering, management and union began serious discussions about a year ago concerning the impact on employees.

"The District was looking at classification changes that would expand job duties. They were interested in making changes in the distribution side of things—the electric department, meter shop, line department, and tree trimming," said Seyfer. "We knew we needed to be

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### Legislator rips outage report

The California Public Utilities Commission staff and its consultants were sharply rebuked last month by State Senator Steve Peace for their report on last December's power outage in San Francisco, which included allegations that an "error-prone work culture" at Pacific Gas and Electric was to blame.

Peace called on Local 1245 Business Manager Jack McNally to testify and expressed support for McNally's position that the Independent System Operator (ISO), not the CPUC, had jurisdiction over the outage investigation.

Peace did not dispute McNally's view that the outage was an isolated problem, and not the product of an "error prone" work culture.

However, Peace clashed sharply with a CPUC official over the cost of the investigation. When the official suggested the cost of the investigation was somewhat over \$300,000 Peace interrupted, saying, "Don't lie to me," and referred to documents showing the cost to be \$400,000.

Peace also criticized the ISO for heeding a request by the CPUC to delay release of the ISO report on the outage so that the CPUC report could be released at the same time. Again adopting McNally's position, Peace said the ISO was the proper organization to investigate the outage and said the ISO should not listen to the "nincompoops" at the CPUC.

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Service Awards  
Fresno, CA

**May 22**  
Service Awards  
Bakersfield, CA

**May 22**  
Service Awards  
Redding, CA

**June 5**  
Service Awards  
Reno, NV

**June 19**  
Service Awards  
Sacramento, CA

**June 26**  
Service Awards  
Salinas/Monterey, CA

**July 10**  
Service Awards  
Pacifica, CA

**July 17**  
Service Awards  
Santa Rosa, CA

**July 24**  
Service Awards  
San Jose, CA

## APPOINTMENTS

### SIERRA PACIFIC POWER

**General Negotiations Committee**  
Mark Chidwick  
Tom Cornell  
John East  
Grant Garrison  
John Mauldin  
Randy Osborn  
Lee Soukup

### CITY OF OAKLAND

**Negotiations Committee**  
John Hendry  
Edward Myall

### CONFERENCES, COUNCILS & CONVENTIONS

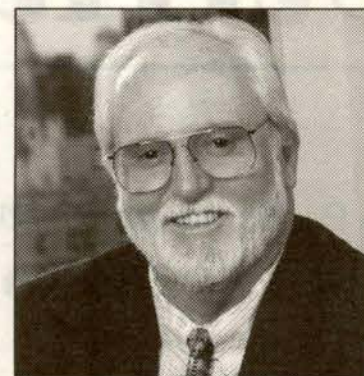
**Alameda Central Labor Council**  
Bernard Smallwood

**A. Philip Randolph Institute  
Western Regional Conference**  
Bernard Smallwood

## POINT OF VIEW

# A busy season of bargaining

By Jack McNally, Business Manager



It's a busy season for Local 1245, with negotiations just completed, under way, or about to begin with many of our biggest employers.

The General Rate Case has been the biggest obstacle to starting general bargaining with PG&E for a new labor agreement. Without a decision in the GRC, it is difficult for PG&E to know what kind of revenues it will have available for labor costs—or any other kind of costs.

Originally we had hoped the GRC decision would be announced by early June, permitting us to begin bargaining by mid-June. However, the California Public Utilities Commission has been unable to keep to the legally-mandated timetable. The preliminary decision by the Admin-

istrative Law Judge—originally expected in March—was pushed back to April and then to May. The commissioners will need some time to digest that document before they come up with a final decision in the GRC. It now appears that decision will come no earlier than July, and perhaps considerably after that.

In light of these delays, the union and PG&E have tentatively agreed to begin bargaining in July, with or without a GRC decision. There will be plenty of non-monetary issues to discuss while we wait for the commissioners' decision.

With utility deregulation now in full swing, this round of bargaining could be different from any other we've ever conducted with PG&E.

Meanwhile, we are engaging in equally vital negotiations at other locations.

At Sierra Pacific Power we are bargaining over the the impacts of utility deregulation on the company's power plant employees. The utility is required to divest its generating assets, which puts the future of these employees in jeopardy. As reported elsewhere in this issue of the Utility Reporter, we are working to protect the pensions and other benefits of our members who go to work for the plants' new owners. We are trying to build on the earlier agreements we've bargained for early retirement incentives, for voluntary severance incentives, and for a two-year moratorium on layoffs.

At Citizens Communications we are dealing with an industry—telecommunications—that is farther along in the deregulation process. We expect basic monetary issues to be a big issue in these negotiations. Over 500 proposals have been received from our members at Citizens on a wide variety of issues.

A major set of negotiations already has been concluded at Sacramento Municipal Utility District, where we were successful in bargaining wage improvements as well as enhanced job security.

In all of these negotiations, the union's success is directly related to the unity and support of our members. There's no substitute for member solidarity when you're going in to face management negotiators across the table. So don't hesitate to tell your supervisor as well as your fellow employees that you stand by your bargaining committee 100%.

With your support I'm confident we can meet the challenges that await us in these negotiations.



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# Q: How has utility deregulation affected you?



Donna Dito  
Senior Service Rep.  
PG&E San Francisco  
Call Center



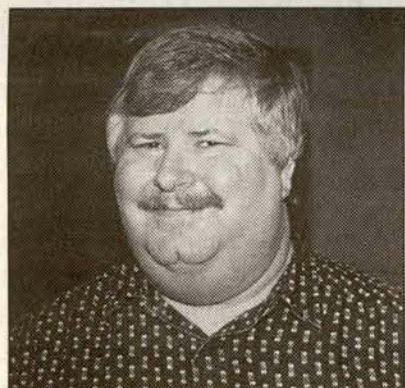
“Before the call centers were consolidated our lives were in limbo for three years because we didn’t know where our new job locations would be. Once we got to the call centers it was a completely different atmosphere. You answer calls and then delegate problems out to local offices, so you never get to see things through to completion. And now we have to use “noncompetitive” language—you have to appear neutral, so you can’t correct customers’ misconceptions and defend the company’s position.

Linda Norris  
Service Representative  
PG&E Santa Rosa



“My original training was to give real high-quality service to customers. I’m restricted from doing that now by what services are available. It used to be there was budgeting for home audits for low income and the elderly. Now there’s no home audits at all. Also there’s change in how high bills are handled. Before, we had standards where we’d get back to customers within a week. Now it has to be a week old before we even look at it.”

Bill Hunt  
Chemical Technician  
PG&E Geysers



“It’s making it more difficult to do our job safely in that we have a different set of economic priorities we’re dealing with. When we’re regulated we can take time to do it properly. But now there will be pressures to cut corners, do it faster than we should and not prepare properly. We already see these pressures, but we know it’s going to get worse.”

Sandi Damitz  
Power Plant Operator  
PG&E Geysers



“I’ve got to make a decision in two years on whether to stay with PG&E, or sever and go to CalPine [the new owner at Geysers], which could be union, non-union, who knows? If I stay with PG&E, it’s geographically unknown where I’d end up. Classification-wise, that’s up in the air, too. If PG&E doesn’t get its rate case there may be fewer positions for people to bump into.”

Have a union issue you’d like to see addressed in *Speaking Out*? Send your suggested topic to: Speaking Out, IBEW 1245, P.O. Box 4790, Walnut Creek, CA 94596. Opinions expressed are those of the individual, and do not necessarily reflect official Local 1245 policy.





## Bosses who can order you to commit a crime

**I**magine your employer fires you because you're a woman. You'd sue, right? You wouldn't get very far if you lived in Alabama, according to WorkingUSA. A study by Patrick Cihon, who teaches at Syracuse University School of Management, found that workers have few protections in a number of states. Alabama, for example, has no state fair-employment laws. Federal antidiscrimination laws protect only workers in companies with 15 or more employees. That means Alabama employers with fewer than 15 employees could fire you because you're a woman. Or a Presbyterian. Georgia and Mississippi also rank toward the bottom of the 50 states when it comes to worker-friendly protections. Both states allow employers to fire employees who refuse to commit crimes.

► **Tosco Memorial:** Over 250 people gathered outside the Tosco oil refinery in Martinez on Workers Memorial Day—April 26—to honor

four workers killed in a February fire. "The company's disregard for workplace safety resulted in the tragedy," said John Dalrymple, secretary-treasurer of the Contra Costa Central Labor Council. The workers who died were Ricardo Enriquez, Ernie Pofahl, Rollin Blue and Raynold Rodacker.

► **Can't Get There From Here:** About 15,000 bus company employees went on strike last month in South Africa in a wage dispute. The taxi industry, born out of a bus boycott during the apartheid era, has enjoyed a temporary boon as it transports those stranded by the bus strike. However, taxi drivers then commenced rolling blockades to voice their opposition to the taxi permit system and fuel price increases.

► **Back Wages Demanded:** All 600 Kinshasa-based employees of Congolese mining giant Gecamines went on strike last month over unpaid wages, Reuters reported. Strikers said they had not been paid for

nine months and demanded the removal of the chairman of the Generale des Carrieres et des Mines (Gecamines). A mines ministry official told Reuters that management had also gone on strike, under pressure from the workers. Gecamines mines copper and cobalt in the country formerly known as Zaire.

► **Benefits Reduction Protested:** Up to 450,000 public sector workers in Colombia, including oil industry and health care workers, staged a day-long strike April 22 to protest the threat of job cuts and a reduction in worker benefits, Reuters reported. State-run hospitals attended emergencies only and workers blocked entrances to oil production facilities across the country until mid-day. Luis Eduardo Garzon, head of the Unitary Workers' Federation, the country's largest labor organization, said a full-fledged strike could follow if the government persists in "draconian" austerity measures, such as slashing social security benefits,

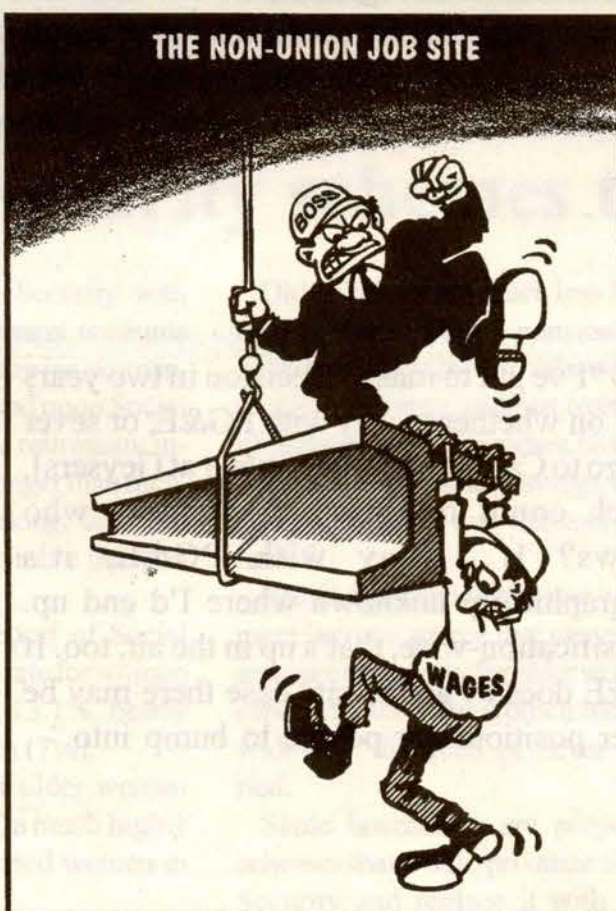
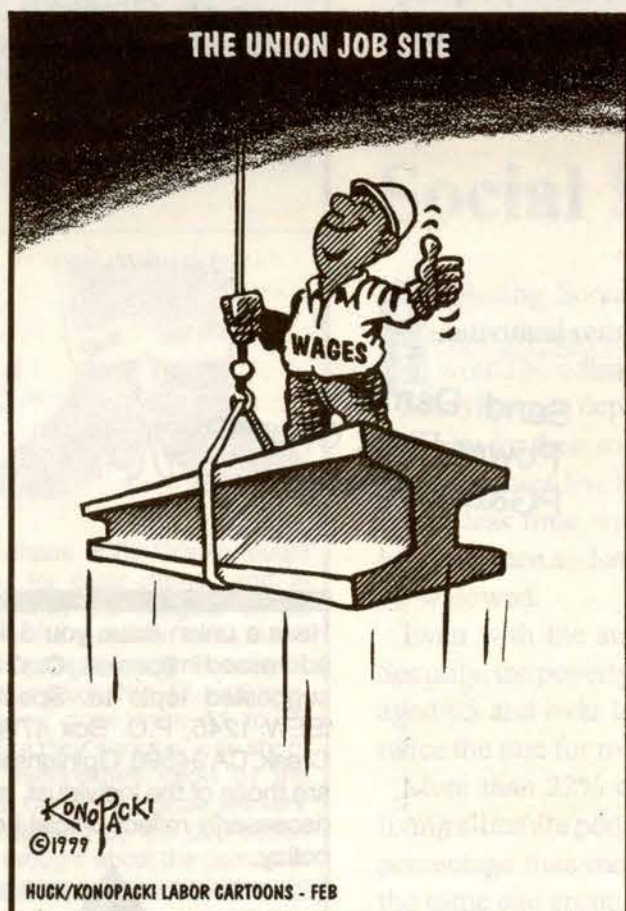
imposing new taxes and hiking Colombia's retirement age.

► **Thai Power Workers Protest:** More than a thousand workers from the state-run Electricity Generating Authority of Thailand (EGAT) last month conducted a week-long protest against a government plan to privatize the country's largest power plant now under construction in the western Ratchaburi province. EGAT union leaders fear job losses and higher power prices if the agency's units are privatized. "Once the power plant is privatized, foreigners will dominate shareholdings and Thai people will become slaves," Somsak Kosaisuk, the president of the federation of state enterprises workers, told reporters.

► **Timor Massacre Protested:** The Australian Manufacturing Workers Union (AMWU) is threatening industrial action over the Australian government's handling of massacres in East Timor. AMWU delegates, who service planes for Indonesian and Garuda airlines, passed a resolution condemning the Australian and Indonesian governments for a lack of action in response to the recent massacres in East Timor. Since the mid-1970s, tens of thousands of East Timorese have been slaughtered by the Indonesian military.

► **Unionists Rule Finland:** Of the 200 Members of Parliament elected in March in Finland, 118 are union members. The ranks of union member MPs reflect the various ideological divisions within the Parliament. Finland's social Democratic Prime Minister Paavo Lipponen is a member of a public sector employees' union.

► **Peruvian Protest:** In one of Peru's broadest national protests in a decade, labor unions and opposition parties staged a strike April 28 against poverty, unemployment and the possible 2000 re-election bid of President Alberto Fujimori.





## Member at Citizens wins top safety award

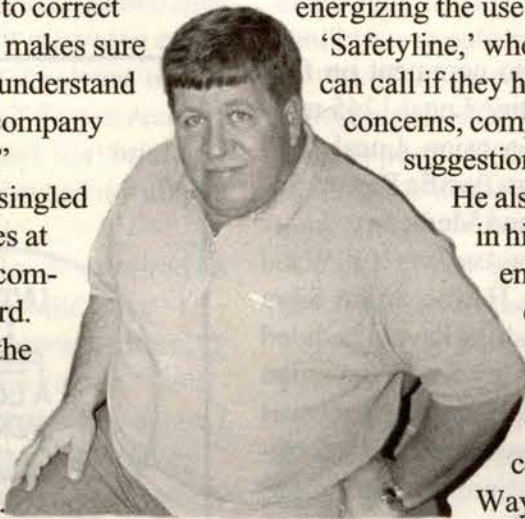
Citizens Communications technician Dave Morrison was presented the telecommunications industry's top safety leadership award at the annual conference of the California Telephone Association.

Morrison, who served 11 years on the Local 1245 Safety Committee, was presented with a plaque and a \$1000 cash prize for his contributions to safety.

"Dave consistently volunteers his services for safety and health-related matters," said Citizens Communications' Safety/Environ-

mental Coordinator Vince Pearson in nominating Morrison, "and he takes the initiative to correct problem areas and makes sure fellow employees understand and comply with company safety procedures."

Morrison was singled out from employees at 14 CTA-member companies for the award. He has served on the company's Safety Committee for 16 years, including four years as chair.



He was credited by the company with playing a key role in "re-energizing the use of the 'Safetyline,' where employees can call if they have safety concerns, complaints or suggestions.

He also participates in his facility's emergency evacuation plan and accident investigation committee.

Way to go, Dave!

## Union seeks to protect power plant workers

► From Page 1

protect employees in transition situations is to negotiate successorship provisions that would make the labor agreement binding on the new owner of a facility. Local 1245 has an existing successorship agreement with Sierra Pacific Power.

"Our concern and our goal is that all Sierra Pacific Power employees affected by this sale have a job opportunity with the new employer," said Thomas. "We also want their pensions to be protected as a defined benefit program, rather than being cashed out on unfavorable terms."

Local 1245 has received lobbying assistance from Blackie Evans, head of the Nevada AFL-CIO, and from labor consultant Mike Reed. They have drafted language for a bill that would require Nevada utilities to sit down and negotiate over the impacts of power plant divestment.

"That legislative effort gave Sierra Pacific an added incentive to negotiate an agreement with us," said Thomas.

About 185 bargaining unit employees would be affected by the sale of the company's three power plants: Valmy, a coal plant outside of Winnemucca; Ft. Churchill, a natu-

ral gas plant in Yerington; and Tracy, a natural gas plant east of Reno. The plant sales were mandated by the Public Utilities Commission of Nevada as a condition of the recently-approved merger between Sierra Pacific Power and Nevada Power.

Understandably, the plant sales have generated a high level of concern among union members.

"At the April unit meeting in Reno we had a full house," Thomas reported. He said that a sizeable majority of those attending weren't directly affected by the plant sales, but they are interested in the union's efforts on behalf of those who will be affected.

"We've been having weekly meetings to update the membership about the progress of our talks with the company," said Thomas. "We expect soon to have an agreement worthy of the union membership's consideration."

He said the union will have meetings to explain the package, followed by a vote.

The union's negotiating team consists of: Mark Chidwick, John East, Grant Garrison, John Mauldin, Randy Osborn, Lee Soukup, Steve Dobyns, and Tom Cornell, along with Thomas, Assistant Business Manager Perry Zimmerman, and Business Rep. Bob Choate.

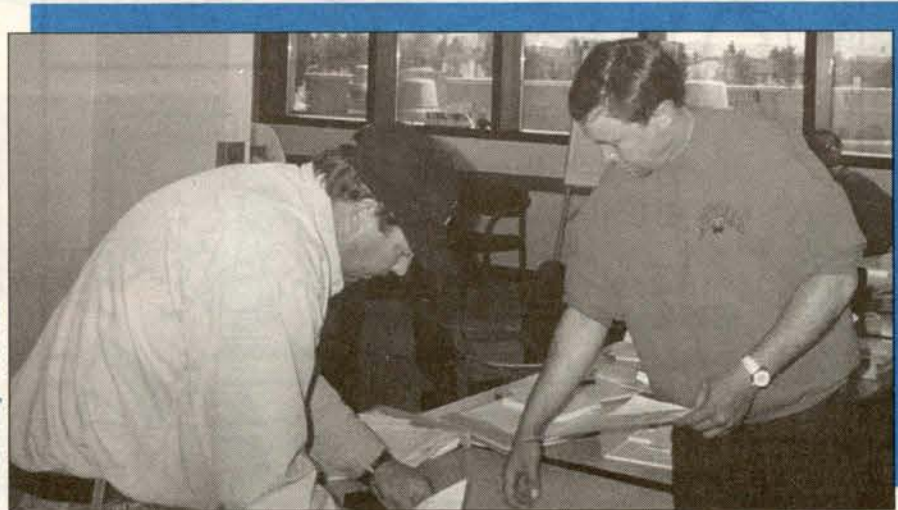


Photo: Ray Thomas

Steve Dobyns and John Mauldin help prepare the union's position in negotiations with Sierra Pacific Power Co.

## Union-Made Checks



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Monday - Friday  
6:00am-2:00pm (Pacific Time)



**UNION  
FAMILY  
SAVERS**





## Four issues facing Local 1245 retirees

### Make a Date...

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

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

**San Jose Chapter:** meets 1st Thursday each month, 10 a.m., at Local 332, 1870 Stone Ave., San Jose.

### Congratulations!

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

Bob Clark, 42 years of service  
Browns Valley, CA

Alvie Cunningham, 37 years  
Redding, CA

Ollie Day, 34 years  
Suisun, CA

Sharon Foster, 7 years  
Fremont, CA

Kenneth Gann, 34 years  
Livermore, CA

William Goodes, 17 years  
Atascadero, CA

Martin Griffith, 39 years  
Tracy, CA

Albert Guidice, 14 years  
Copperopolis, CA

Norman Hall Jr., 31 years  
Lodi, CA

Margaret Johnson, 35 years  
Grass Valley, CA

Raymond Liggett, 28 years  
Santa Rosa, CA

By Orv Owen

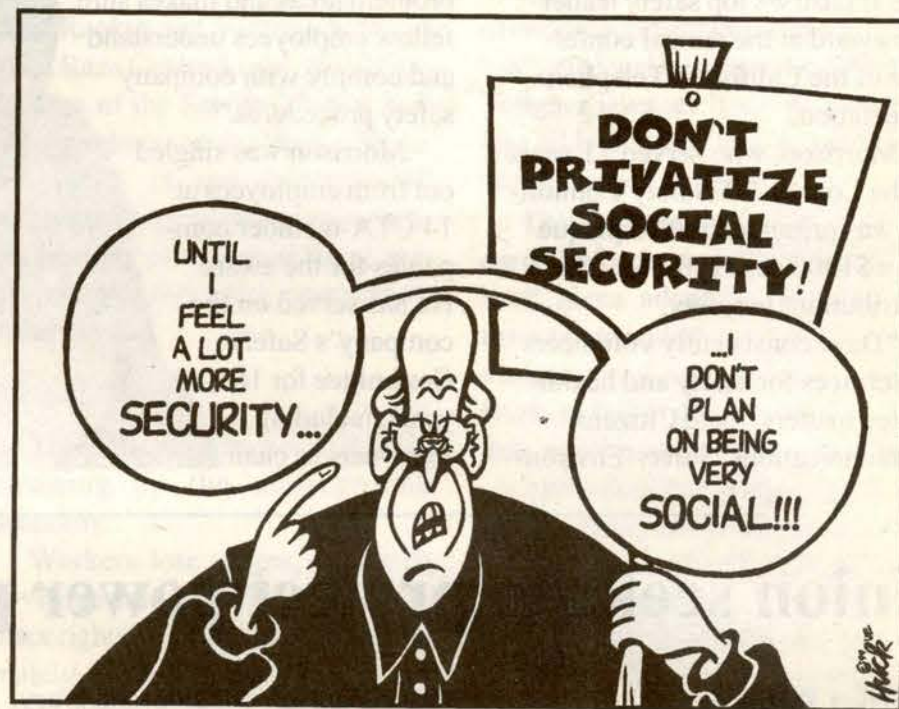
I would like to comment on four issues affecting Local 1245 retirees: PG&E pension, Local 1245 retirees at Sierra Pacific Power, Social Security, and Medicare.

Local 1245 retirees Jack Hill, Watie Anthney, Don Hardie, Mike Silva and Ralph Weidling have scheduled a meeting for May 5 with the union to discuss PG&E retirees' concerns and suggestions relative to the forthcoming negotiations between PG&E and Local 1245.

Communications with the local union and PG&E by retirees in the past have been productive in improving retirees' pension plan benefits for both bargaining and non-bargaining employee retirees.

Continue to consult the Utility Reporter for updates on this matter. May I also suggest to all retirees that you attend Local Union unit meetings in your home areas and keep informed about—and supportive of—your union's efforts in your behalf.

The current discussions between Local 1245 and Sierra Pacific Power on the company's merger with Nevada Power and the proposed divestiture of generation plants will have a



direct and profound effect on current members and also retirees. May I also suggest that all Sierra Pacific Power retirees attend Local Union unit meetings in your home area. This enables you to be participants—to be informed and supportive of your union's efforts in protecting your pension plan and retirement benefits.

### Activism Pays Off

Based on recent reports, it appears that politicians who favor privatizing Social Security are for political reasons gearing down their drive to change the current Social Security program. They are taking the advice of their political party leaders to put on hold any changes to Social Security during the upcoming political campaign and election. It would seem that the message from labor and the senior community has had more political credibility than Wall Street and the insurance companies in this recent confrontation over the fate of Social Security.

This temporary victory shows how important it is for labor and seniors to be involved in the political process.

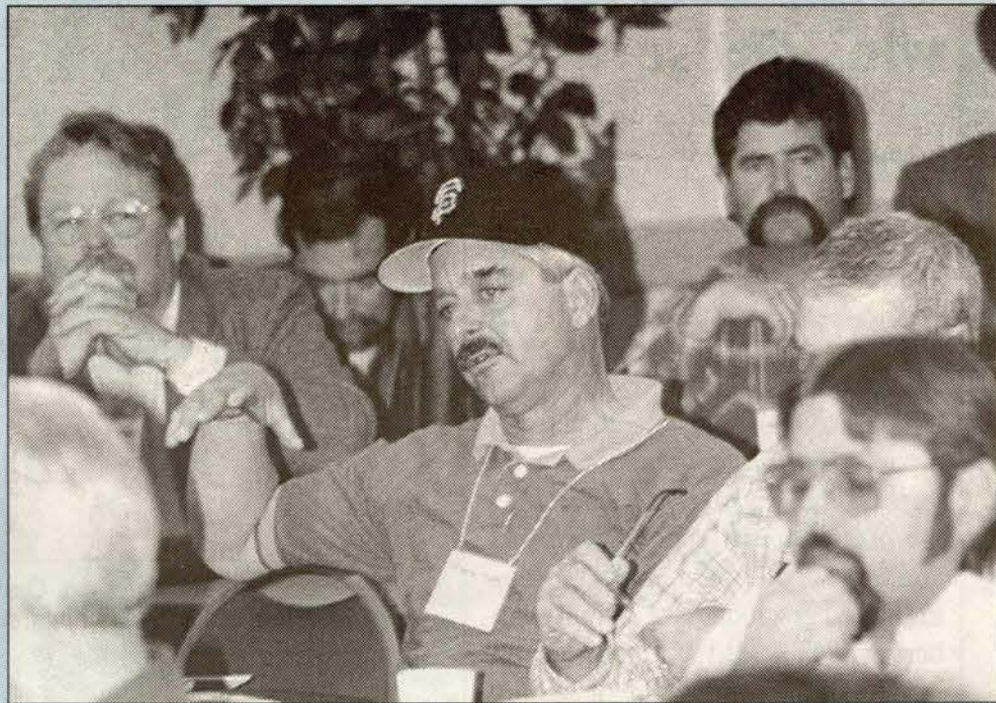
Proposed changes in the Medicare program are still being debated by all parts of the political spectrum. It appears that Medicare will also be put on hold until after the next election. If a major change is to be implemented because of necessity, let it be an affordable quality health care system for all our citizens with effective cost controls!

Keep the faith!





# Unit Leader Conference wins praise



If the post-conference evaluations are any guide, Local 1245 unit leaders came away from last month's training conference with a much better idea what the union is doing—as well as some useful tips on how to run an efficient unit meeting.

A sampling of members' remarks: "This workshop really made me think."

"You got to hear ideas from other unit people on how they handle certain things."

"I liked the political information. I also liked the IBEW history that Jack

McNally presented, and Jack's behind the scenes info."

"Lots of good info—I always learn something new."

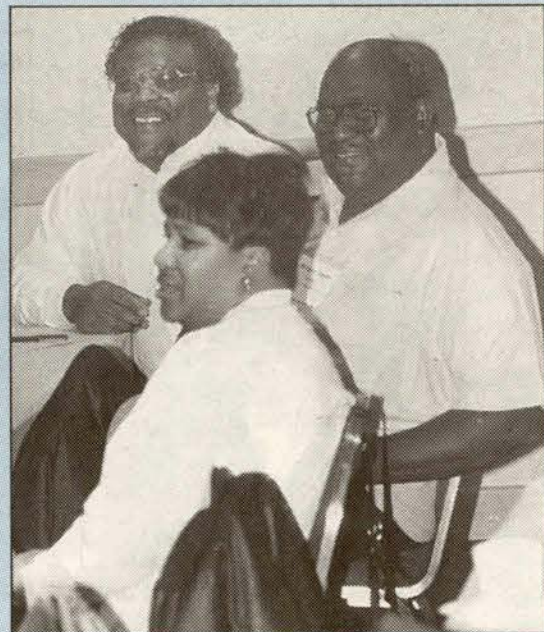
The two-day conference, held April 10-11 in Concord, Ca., featured a keynote address by Steve Smith, newly-appointed director of California's Department of Industrial Relations. Legislative Advocate Art Carter gave an update on issues in the California legislature affecting working families, including

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Top: Rodney Dyer, Unit 3417 recorder, Paradise, raises an issue at the April 10 Unit Leader Conference in Concord, Ca.

Left: Randy Sandifer, recorder, and Bob Irwin, chair, Unit 4419, Davey/Redding; and Mark Rose, Unit 4418 recorder, Davey/Eureka, were part of the tree trimmer contingent at the conference.

Right: Business Rep. Bernard Smallwood, Tina Jones, Unit 2301 recorder, and William Smith, Unit 2314 recorder, Hayward/Livermore/Fremont.





## Conference wins praise

► From Page 7

AB1421, a bill promoted by Local 1245 to protect utility jobs and service.

Business Manager Jack McNally gave a comprehensive "State of the Union" address that ranged across a broad spectrum of issues, including legislative initiatives, developments in the divestiture of generating plants, and the role of organizing in preserving the living standards of current members. McNally also reminded the unit leaders of the importance of sending in unit minutes in a timely fashion.

Following McNally's address, the conference conducted a "mock unit meeting" to illustrate some of the challenges unit leaders may face in trying to run an orderly and productive meeting.

The unit leaders also heard from Vice President Jim McCauley, who chairs the union's political action committee. McCauley noted how labor had demonstrated its ability last year to deliver activists into the street, citing the successful campaign to defeat Prop. 226.

The closing session of the conference—led by Marty Letsinger, director of the IBEW Education Department in Washington D.C.—focused on increasing personal communications skills.



Photos: Landis Martilla

Legislative Advocate Art Carter outlines the union's goals in California's current legislative session.

## Unit Leader Conference

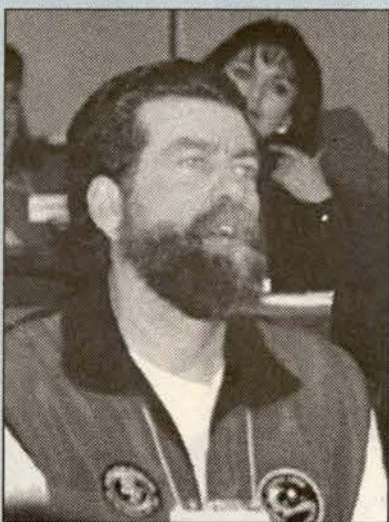
April 10-11  
Concord, California



Annette Oftedal, Unit 3511 recorder, Auburn



Steven Mayfield, Unit recorder, E. Geysers



Art Freitas, Unit 1513 chair, Santa Cruz



Business Manager Jack McNally, left, listens to a concern of Asplundh tree trimmer Angel Martinez, chair, Unit 4. Looking on is Davey tree trimmer Mark Rose, recorder, Unit 4418, Eureka.

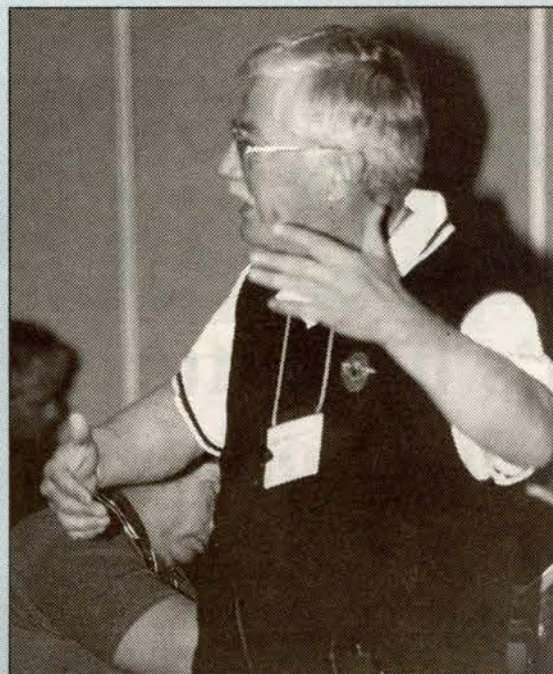


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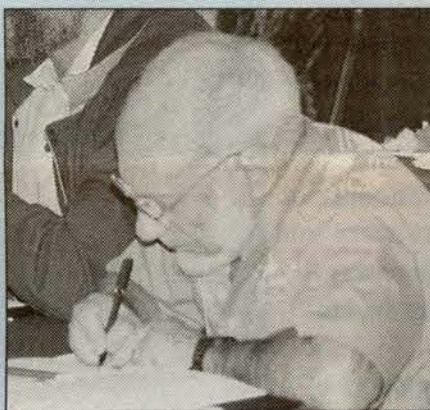
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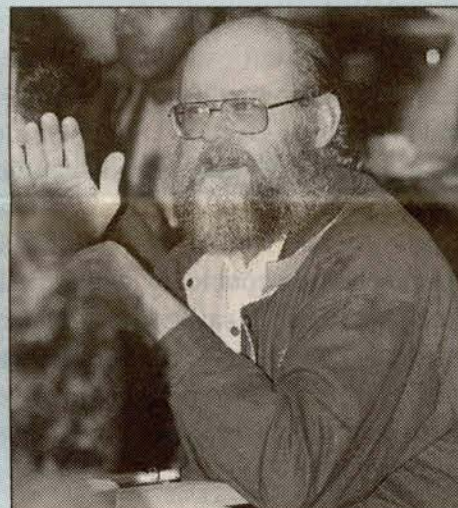
Making a point is Dan Lockwood, Unit 1220 chair, Diablo Canyon



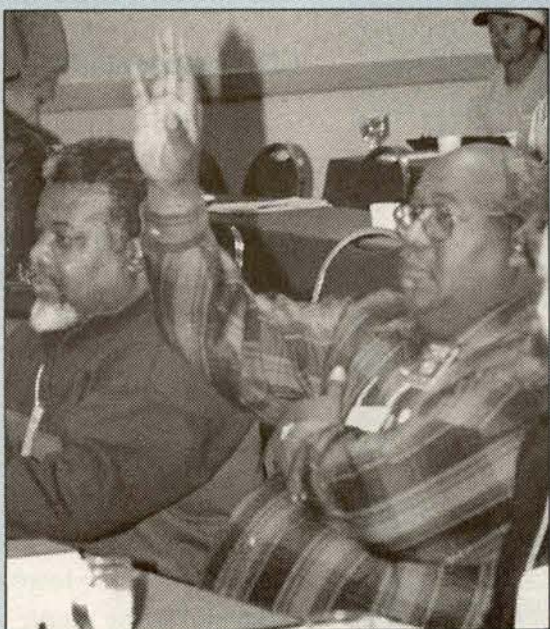
Local 1245 Vice President Jim McCauley stresses the importance of political action.



Joe Fradin, Unit 1511 chair, San Jose

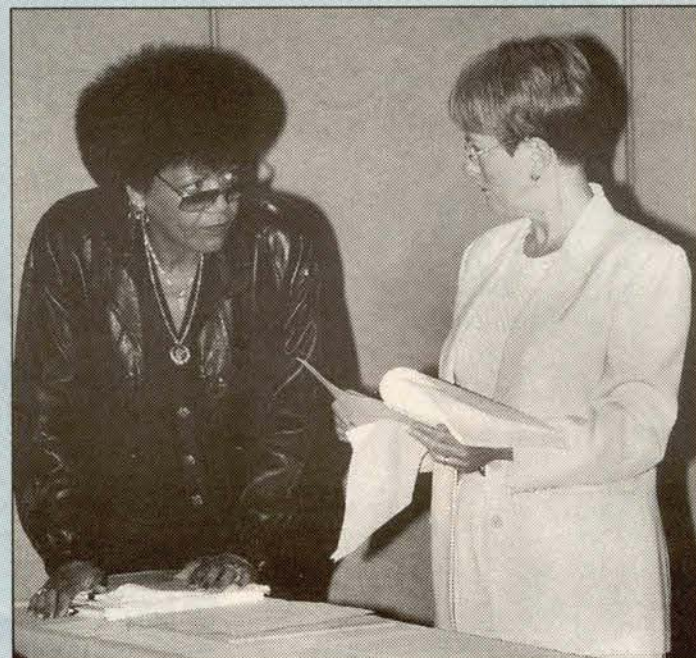


Mark Newman, Unit 1211 recorder, Salinas



Left: Asking for the floor is William Smith, Unit 2314 recorder, Hayward/Livermore/Fremont. Next to Smith is Clifton Jackson, Unit 2318 chair, Richmond.

Right: Assistant Business Manager Dorothy Fortier (left) confers with Marty Letsinger, director of the IBEW Education Dept. in Washington D.C.



712.



# Mickey

## It's his nature to help others

By Eric Wolfe

**"**If I was a member, I tell you what," says retired Local 1245 Business Rep. Ed Fortier, "I'd want Mickey as my rep. The guy's got a heart of gold."

Talk to anyone who knows Mickey Harrington well and you pretty much hear the same thing: the long-time Local 1245 Business Rep who retires this month doesn't help people because it's his job. It's his nature.

"If there was somebody in trouble, Mickey was the guy to call," says Fortier.

"Friday night he'd get a call from Bakersfield, there's a problem down

there, and he's heading to Bakersfield," says former Local 1245 President Leland Thomas Jr., recalling Harrington's early years as a business rep for General Construction at PG&E, an assignment that could take a rep from one end of the state to the other. "And I remember Ron (Weakley) and Mitch (Mitchell) saying, 'Hey, you don't have to do that, you can wait 'til Monday morning and go down there. You go home.'"

But Harrington, says Thomas, wouldn't listen.

"He would go down there anyway, he was that kind of guy, had to get involved in it."

Harrington, whose long service



Mickey Harrington at work in GC Gas (above), around the time he won election to the Local 1245 Executive Board in 1968. Below, Mickey with other Executive Board members (from left) Bud Gray, Jack Graves, Red Henneberry, Mick, and Ron Field.

to the union will be celebrated by friends and co-workers on May 1 in Sacramento, hired on at Pacific Gas and Electric in August of 1959. He started attending the local unit meeting because he was "interested in seeing where my dues were going."

He liked what he saw: an organization that helped ordinary people. He found a kindred spirit in union steward John Shuringa, whom Harrington remembers as "an equipment operator with a big old heart of gold."

"He was kind of my role model," says Harrington. When Shuringa moved out of the area in the early 1960s he arranged for Harrington to take his place as steward.

### GC Representative

By 1966 Harrington was active in the General Construction joint grievance committee, and in 1968 he won election to the Local 1245 Executive Board, where his talents were recognized by Weakly and Mitchell, the union's leadership team. Within a few months Harrington was brought on staff as an organizer and business representative for General Construction.

In those days, it was part of a business rep's job to keep members signed up in the union—a demanding and time-consuming responsibility. The union had only a tenuous





presence in GC gas at that time, and Harrington was probably seen as somebody who could do something about it.

Harrington says he traveled "from camp to camp, place to place, signing people up."

In 1971, following the retirement of Weakley, Harrington returned to the company. Working backhoe for PG&E once again, Harrington retained his strong commitment to the union, and to GC members in particular. During the 1970s, Harrington served on the GC Line of Progression and GC Equipment Committees, and also served as a GC shop steward.

"There was no union in the Gas Department, GC, except Mickey," says Fortier of those early years. "He was the union. He was sort of a legend."

In 1971 Harrington won a union-wide election to become Local 1245's Recording Secretary, and served his local unit as vice chair and then chair.

#### 'Good Listener'

Though obviously attracted to leadership roles, Harrington's pursuit of union office was rooted in something deeper than self-promotion. Win or lose, he always found some way to contribute, some way to connect to the union and its members.

"I've always felt I was a good listener. Sometimes you could do something, sometimes you couldn't, but people felt better if they could unload on you," says Harrington. "It's always been my nature to take up for the underdog."

Championing the underdog wasn't just a matter of lending a

kindly ear to a troubled soul, however. Harrington had a strong allegiance to his co-workers, and a large capacity for outrage. When provoked, he could be downright ornery.

In the late 1970s, after Harrington had returned to the staff as a GC rep working under Fortier, the two men walked into a joint grievance meeting—"something involving one of Mickey's buddies," Fortier recalls.

"Mick slammed his briefcase down and said, 'I've had it with you guys!' and left."

Fortier was just as surprised as the management people.

"He didn't just leave the meeting, he left the city," says Fortier. "Somebody asked me what it was about. I said, 'I don't know. Ask Mickey.'"

Harrington's allegiance to workers was shaped in part by his own family experiences. His step-father at age 57 was told by his long-time employer to find another job.

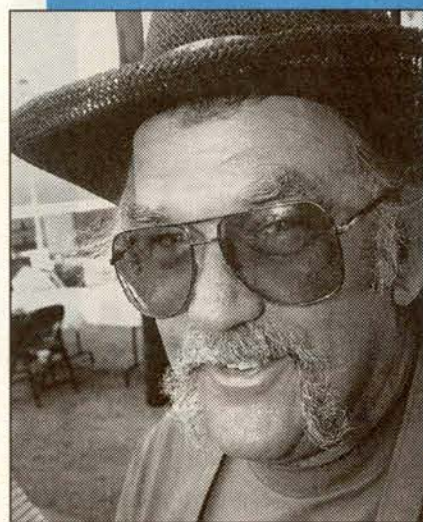
"Here he is a management guy and they're doing this to him. And I'm saying, this isn't right. You give them 30 years service and they treat you like (this). You'll never see me crossing over to the other side," says Harrington.

As well as anyone, Harrington appreciates the importance of political action in defending the interests of workers. For two decades Harrington has been a fixture at California AFL-CIO legislative conferences and endorsement conventions, and routinely throws himself into campaigns to elect labor-endorsed candidates to political office.

"I don't know why. It's just me. I enjoy the politics, trying to get union-friendly people elected," Harrington says. "And where I live, that's an uphill battle."

Harrington's political commitment led him to become secretary-treasurer of the Calaveras-San Joaquin Central Labor Council in the 1980s. He currently serves as president of the Butte-Glenn Central Labor Council. One advantage of retiring, he says, is that during election season he can "spend more time getting people organized for phone banks."

Harrington's retirement plans also include a campaign to gain an appointment to the Industrial Welfare Commission, where he would have a voice in setting hours and working conditions for workers who don't have the advantage of union mem-



bership.

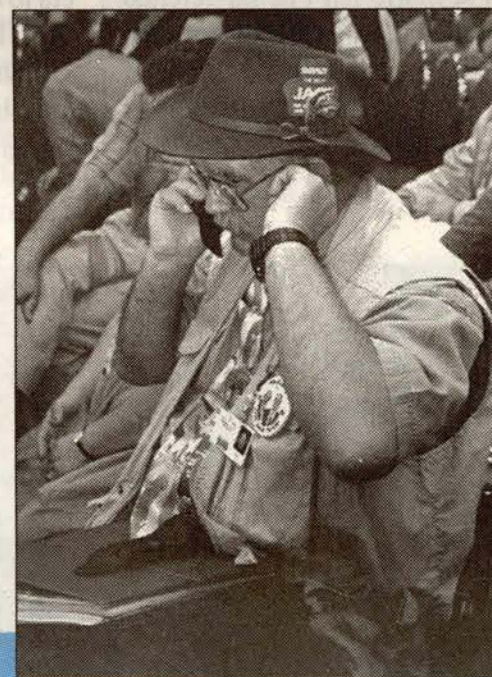
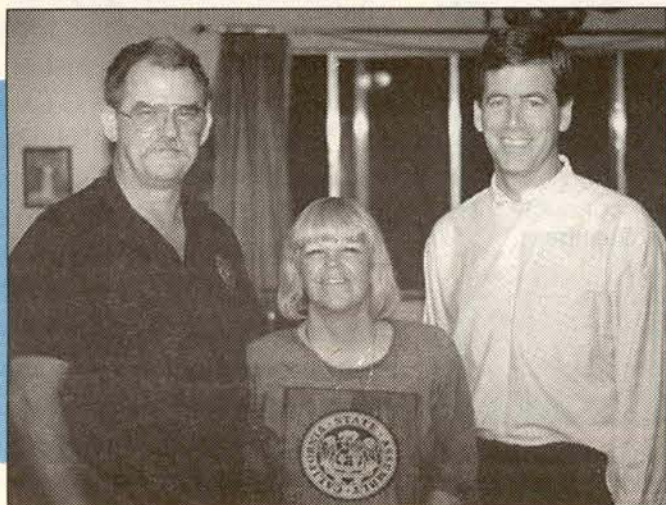
Fortier has some additional retirement advice for his old colleague from GC:

"My recommendation is he finally ought to start listening to Joanie," Harrington's wife of 41 years. "She's always been Mickey's strength."

It's unlikely, however, that Joanie Harrington or anyone else could ever pry Mickey loose from his commitment to help people, even if they wanted to.

"He's on a crusade," says Fortier. "I don't know what it is. Sometimes I'm not so sure *he* does. The little man inside speaks to him, he marches. He has heart, he has soul, a special person."

**Championing the underdog wasn't just a matter of lending a kindly ear to a troubled soul. Harrington had a strong allegiance to his co-workers, and a large capacity for outrage. When provoked, he could be downright ornery.**



**MICK IN THE THICK OF IT**  
Politically speaking, Mickey has always liked to be in the thick of things. Far left: Mickey and wife Joanie with then-Assemblyman Pat Johnston. Left: Mickey with IBEW President J. J. Barry. Above: Mickey works the phones at the 1996 IBEW Convention.





## Crooked boss cheat workers every day. AB 633 would help put a stop to it.

**E**ver wonder what connection there is between your job and all those laws the union tries to get passed?

Say you're a lineman. Say you work in a state that has deregulated electric distribution.

What do you think would happen to your job if a new company came to town. A company that paid lower wages and fewer benefits.

In fact, let's say this company pays its employees "under the table," so the employer doesn't have to pay any Workers Compensation, doesn't withhold anything for disability insurance, and can pay straight time wages no matter how many hours its workers put in.

Which company do you think will win the bid to provide electric service in your town? Who do you think would be climbing the poles you once climbed?

This scenario isn't as far-fetched as you might think. Californians are still actively debating the issue of opening up electric distribution to competition. And right this very

minute there are employers throughout California in many industries who get away with breaking the laws that protect overtime pay and require Workers Compensation insurance.

California taxpayers, businesses and workers lose when unscrupulous employers are permitted to operate in the "underground economy." And as more and more employers enter the electric service industry in California, the risks increase that Local 1245 members could be harmed by employers who gain a competitive advantage by breaking the law.

A new bill by Darrell Steinberg, chair of the Assembly Labor Committee, seeks to end these gross injustices to workers and employers who play by the rules. AB 633 would stiffen penalties against scofflaw employers and permit cheated workers to collect damages. The bill provides both restitution and deterrence.

At hearings conducted in March, Steinberg took testimony from California Labor Federation President

Tom Rankin and Virginia Villegas of La Raza Centro Legal, and Eliseo Medina of the Service Employees, among others, on the abuses workers suffer in the underground economy. Legitimate business owners testified that underground employers put them at a competitive disadvantage.

### Serious Money

There is serious money at stake in cleaning up the underground economy:

Workers lose wages, insurance coverage and benefits, and workplace rights. California loses approximately \$3 billion each year in income taxes when employers pay workers subminimum wage, no overtime pay and cash under the table.

And legitimate businesses suffer a competitive disadvantage when they compete with scofflaw employers. "Underground" firms put pressure on lawful employers, forcing them out of business, or into the underground economy themselves.

California's underground

economy supplants an estimated \$60 billion in legal business transactions. Tougher laws are needed to ensure that all businesses pay proper taxes and insurance premiums.

The Department of Labor Standards Enforcement (DLSE) has not been given adequate resources to investigate and prosecute labor law violations. Consequently, many workers fail to recover their wages due, and the state forfeits monies in civil penalties. Providing employees the ability to receive a portion of the civil penalties when they bring lawsuits to recover unpaid wages would provide workers with real justice and at the same time alleviate the burdens imposed on an understaffed DLSE.

Penalties need to be strengthened to provide a deterrent. Shareholders, directors, and officers should not be shielded from personal liability for the wages of their former employees. And retailers and manufacturers should be held jointly liable for the acts of their contractors, which would force these entities to provide the contract price necessary to bring the hourly wage up to at least the minimum wage.

AB 633 would apply wage and hour provisions to all industries. It allows workers to collect liquidated damages for overtime pay violation. It increases penalties for failure to provide employees itemized wage statements; increases penalties for failure to maintain payroll records; and provides higher interest on unpaid wages when court awards wages due. It also permits an employee who sues to recover unpaid wages to also obtain a judgment for civil penalties for the State of California.

These and other provisions in AB 633 would go a long way toward assuring that your job isn't someday threatened by outlaw employers in your industry. Tell your legislators to support AB 633.

Virginia Villegas of La Raza Centro Legal (left), and Eliseo Medina, Service Employees Executive Vice President for the Western Region (center), join California Labor Federation President Tom Rankin in testifying about employer abuses at hearings conducted by Assemblyman Darrell Steinberg.



Photo: Eric Wolfe



# AB 1421 would protect utility jobs

Legislation designed to ensure reliable gas and electric service for California consumers has been introduced in the California Legislature by Rod Wright, chair of the Assembly Utilities and Commerce Committee.

The Basic Utility Service Protection Act, AB 1421, would provide ordinary gas and electric customers the benefits of competitive pricing while sparing them the aggravation of having to research and evaluate the claims of competing providers, an ordeal that many customers would just as soon do without.

AB 1421 would slow down the CPUC's headlong rush toward radical deregulation of gas and electric service, and would place more emphasis on insuring the continuity of reliable service. Incumbent utilities would be the default provider for both gas and electric service.

Under AB 1421, gas and electric customers would benefit from whole gas and electric prices even if they choose to entirely ignore the raucous debate that has surrounded utility deregulation for the past six years in California. And by halting efforts to dismember existing investor-owned utilities like PG&E, AB 1421 would go a long way toward protecting reliable service and the jobs of the utility workers who provide it.

## Natural Gas

AB 1421, as described by the Legislative Counsel's Digest "would require each gas corporation to pro-

Write or call your state legislators today and ask them to support AB 1421, "The Basic Utility Service Protection Act." Don't know who your state legislators are? The Secretary of State's Office will be happy to tell you. Just call:

(916) 657-2166

vide bundled basic gas service...to all core customers in its service territory unless the customer makes a positive declaration to have natural gas purchased and supplied by another entity."

The CPUC has looked very seriously at the idea of forcing natural gas customers to choose an alternative provider, a practice Local 1245 has criticized as "slamming." Under AB 1421, no customer could be legally forced by the CPUC or anyone else to switch to another provider.

In addition, the bill "would require the commission to allow only a gas corporation to provide revenue cycle services...in its service territory, and would require the commission to require the distribution rate to continue to include after-meter services..." according to the Legislative Counsel's Digest.

"This is a very important provision," said Local 1245 Business

Manager Jack McNally. "As things are going now, the CPUC wants to remove incumbent utilities like PG&E from the business of buying natural gas for core customers. They have proposed banning utilities from participating in natural gas meter reading, billing, and collecting—the commissioners would just throw out all that expertise."

By keeping these services "bundled" together, AB 1421 would prevent the "Balkanization" of gas service, and spare customers the hassle and expense of getting billed separately each time they need a pilot relit or a leak inspected.

## Electric Service

In a similar fashion, AB 1421 would preserve a coherent framework for the delivery of electric service.

According to the Legislative Counsel's Digest, the bill "would require the commission to require each electrical corporation to provide bundled basic electric service...to all customers in its service territory unless the customer makes a positive declaration in accordance with specified existing law to receive electric power through a direct transaction with another electric service provider.

"The bill would authorize an electric power supplier, if a customer makes a positive declaration to receive electric power through a direct transaction with an electric power supplier, to also provide metering, billing, and collection service for that customer, but if a positive declaration is not made, would require metering, billing, and collection service to be provided by the existing electrical corporation."

In other words, the bill retains the competitive features of AB 1890 (the restructuring law passed in 1996), but requires that competitive choices must truly be choices by the customer—not something foisted upon them involuntarily by unscrupulous companies, high-pressure sales people, the CPUC, or any other party.

## Labor's bills make progress in legislature

Several bills sponsored by the California Labor Federation are now progressing through the legislature:

**SB 546**, approved last month by the Senate Industrial Relations Committee, would increase maximum weekly unemployment benefits from \$230 to \$300, and allow more workers to qualify for benefits.

**SB 996**, also approved last month by the Senate Industrial Relations Committee, would establish immigrants' rights to state disability and Workers' Compensation insurance. These workers currently pay for these benefits are barred from receiving them.

**AB 1127**, heard last month by the Assembly Labor and Employment Committee, would make substantial improvements in workplace health and safety.

**AB 1268**, scheduled to be April 21 by the Assembly Judiciary Committee, would protect picketline freedom of speech.

**AB 60**, scheduled to be heard last month in the Assembly Appropriations Committee, would restore daily overtime pay.

**AB 1220**, scheduled to be heard in the Assembly Revenue & Taxation Committee, would provide some necessary oversight to corporate tax credits, which cost the California treasury billions each year.

Watch future issues of the Utility Reporter for details on these important bills, or find out more right now by logging onto the new "Politics" section of the Local 1245 website at [www.ibew1245.com](http://www.ibew1245.com).

**AB 1421 would slow down the CPUC's headlong rush toward radical deregulation of gas and electric service, and would place more emphasis on insuring the continuity of reliable service. Incumbent utilities would be the default provider for both gas and electric service.**





## Why working parents can't find quality child care assistance

**W**orking parents need to know their children are in good hands during the workday. Quality day care and after-school care make a difference in children's lives and give parents real peace of mind.

Nearly half of working people are raising children. We can't concentrate on our jobs unless we're sure our children are safe, healthy and learning. We can't keep our jobs if care isn't reliable.

### Wanted: High-Quality Care

In high-quality child care, preschoolers thrive and learn. Older kids are safe and supervised after school. But care that meets high standards is hard to find for kids of any age.

**FACT:** Studies show that six out of seven day care centers provide mediocre to poor quality care.

**FACT:** Nine out of 10 family day care homes, where babies and preschoolers spend their days, also fall short.

Why isn't the quality better? Partly because good child care workers

can't afford to stay in their jobs.

**FACT:** Child care workers earn less than parking lot attendants and animal caretakers. Is it any wonder that turnover among child care workers is three times the national average?

We need high-quality care—where safety and education are ensured and child care workers are paid for their valuable work.

### 4 p.m.: Where's Your Child?

High-quality after-school programs help kids become better students and stay out of trouble. But on the job at 4 p.m., too many of us are wondering about our kids.

**FACT:** Seven out of 10 public schools have no after-school programs.

Shouldn't our kids be safe and supervised after school?

### Parents Need Help

As working parents, we're pretty much on our own when it comes to child care. Depending on where you live, good quality child care costs

**Taxpayers are allowed to deduct more for gambling losses than for child care costs.**

anywhere from \$4,000 to \$10,000 a year for one child.

**FACT:** The federal child care tax credit is too small. It hasn't gone up in 17 years. A wealthy taxpayer can deduct an average of \$9,800 for his or her home and vacation houses—but a working parent can deduct no more than \$1,440 a year for child care costs. Taxpayers are allowed to deduct more for gambling losses than for child care costs.

**FACT:** Only 8% of working women have jobs that offer any kind of help with child care.

Parents invest plenty in child care. We need a bigger tax credit for families—and a bigger national investment in child care.

## Social Security schemes threaten women

**R**eplacing Social Security with individual retirement accounts would be a disaster for women.

Many women depend upon Social Security for their sole retirement income. Women live longer than men, spend less time working, are paid less than men and are more likely to be widowed.

Even with the support of Social Security, the poverty rate for women aged 65 and over is 13.1%, nearly twice the rate for men (7%).

More than 22% of older women living alone are poor, a much higher percentage than married women in the same age group.

Older women are much less likely to get income from a pension than older men. Only 26% of older women receive pensions, and just over half of unmarried older women have income from personal savings compared with nearly two-thirds of older men.

Social Security is the one retirement income source that provides a measure of security for older women, especially for older women who are widowed, divorced or never married.

Some lawmakers are proposing schemes that would privatize Social Security and replace it with indi-

vidual accounts—moves that are likely to require raising the retirement age to 70 or older.

Private accounts do not address the fact that women live longer than men. Unlike Social Security, which lasts throughout an individual's lifetime, under a privatized system women could possibly outlive their benefits, which wouldn't be protected against inflation.

Some privatization schemes would cut annual cost-of-living adjustments that help retired workers keep up with rising prices. This would have the greatest impact on people who live the longest—women.

### WOMEN WORKERS' HISTORY

#### Daughters of St. Crispin\*

Conditions which prompted the great shoe strike of 1860 in Lynn, Mass., worsened in the years that followed due to increased mechanization. Rebelling against longer hours, lower wages and speedup, Lynn's male shoe workers organized a local of the Knights of St. Crispin, a national trade union of shoe workers. Shortly after, the Lynn Women organized the Daughters of St. Crispin.

\* PATRON SAINT OF SHOEMAKERS...



From this beginning in Lynn, the Daughters of St. Crispin became the first national union of women workers. A founding convention took place in "the Shoe City" on July 28, 1869, attended by 30 delegates who represented lodges in Massachusetts and Maine and in Rochester, NY, Philadelphia, Chicago and San Francisco. Two veterans of the 1860 strike, Carrie Wilson and Abbie Jacques, were elected president and secretary.



The Daughters of St. Crispin fought militantly for their rights, and in coalition with the Knights of St. Crispin, were able to force shoe manufacturers to increase wages. In three years the Daughters' organization grew from 11 to 29 lodges. But their success was short-lived. A determined effort by the bosses to break both shoe workers' unions, followed by the depression of 1873, brought about the demise of the Daughters and the Knights.



## Pass AB 1127 for job safety

**W**orkplace deaths, injuries and illnesses take a tremendous, tragic and unnecessary toll in California. AB 1127, sponsored by the California Labor Federation and introduced by Assembly Member Darrell Steinberg, is an attempt to reduce workplace risks.

Based on national estimates, Californians annually suffer approximately 780 job-related deaths from injury, 1.584 million nonfatal injuries, 7,200 deaths from occupational disease, and 104,000 occupational illnesses among the civilian workforce. The price tag is estimated at \$21 billion annually in California.

For years California was widely recognized as having the best occupational safety and health program in the country, but during the last 16 years, the program has weakened significantly. The decline of the Cal-OSHA program began in the early 1980's and included a return of the program to the jurisdiction of the Federal government; the return was reversed by the California Labor Federation-sponsored Proposition 97 in 1988, which received substantial support from IBEW Local 1245.

A multi-faceted approach to solving problems quickly at the work site, emphasizing workers' rights and education, employers' duties and education, and backed up by government enforcement, is key. Workers need an aggressive Cal-OSHA committed to protecting the health and safety of California workers to set and enforce standards. To be successful, we need changes in the administration of Cal-OSHA, and we need a Cal-OSHA budget that will allow it to meet all of its mandates as well as to implement programs to prevent injuries, illnesses and deaths.

AB 1127 addresses a number of administrative roadblocks to effective health and safety enforcement:

### Changes Penalty Process

The legislation would allow prosecutors to charge a misdemeanor for serious violations, repeat violations, or a failure to comply, and increase

the penalties from six months to one year in jail and the fine from \$5,000 to \$200,000. Financial penalties would be greater for a corporation or limited liability company: maximum of \$1 million and minimum of \$100,000.

The bill would also allow prosecutors to charge either a misdemeanor or a felony for willful violations of safety or health provisions which cause death or permanent or prolonged impairment of the body. The bill would permit the assessment of penalties on government agencies.

### Ergonomics

This legislation puts in place an ergonomics regulation similar to that ordered by the Superior Court after litigation brought by the California Labor Federation. The legislated regulation would require action by an employer, no matter how many employees are employed. It would not require that workers be injured before the regulation is applicable.

### Complaint Procedure

This bill would require a three-day timely response when a representative of the employee, such as a family member, union representative, attorney, health or safety professional, files a Cal-OSHA complaint. Any serious complaint filed by another government agency would require a three-day response.

### Interim Measures

The bill would allow Cal-OSHA to apply to a court for an injunction if a place of employment or machine is likely to cause death, serious injury or illness or serious exposure. It would also allow a local or state prosecutor to seek an injunction.

### Abatement Pending Appeal

The bill would require the employer to fix unsafe or unhealthful situations even if an employer files an appeal, unless the OSH Appeals Board stays the abatement based on evidence of good cause.

By the Local 1245  
Safety Committee



## Tips for careful cutting

**H**ere are 10 safety tips for those of you who operate chainsaws.

Whether for yard maintenance or restocking the firewood pile, chainsaws make most jobs easier. But they carry a greater risk of injury.

1. Wear OSHA-approved ear and eye protection.
2. Use the thumb lock method (wrap your thumbs around the handles for a positive grip.)
3. Never use a chainsaw one handed—keep both hands firmly gripped on the saw.
4. Keep everyone back 10 feet from the saw operator.
5. Activate the chain brake or shut the saw off when moving from one spot to another.
6. Never cut over your head—you

have less control over the saw.

7. Keep your body and head off center to the bar. In case of a kick-back it will have less of a chance to hit you.

8. Keep your saw sharp. A dull saw requires more energy to operate and you'll fatigue faster.

9. Try not to cut in elevated positions, like on a ladder or standing in a tree. There's a greater risk of injury from a fall or from the chainsaw itself. Consider hiring a certified and insured professional to do elevated work.

10. Use Kevlar chaps.

These last two items are inexpensive compared to a trip to the emergency room. Chainsaws rip tissue, not cut it, making for some ugly scars. So please use extra caution.

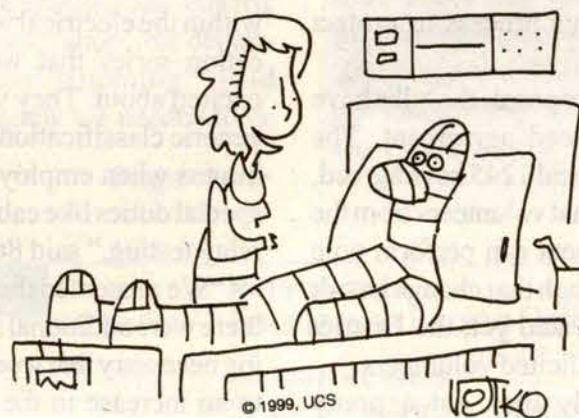
## Go fly a kite, but . . .

**G**o fly a kite! But not around electrical conductors! All trained electrical workers know of the potential for injury of property damage caused by foreign objects in the high voltage lines.

So if you see someone with kites,

balloons or other airborne objects near power lines, let them know of the possible dangers.

It's best to keep it friendly: you're not a police officer, just a concerned citizen looking out for people's safety.



"The boss wants you to get well soon. He had to hire five temps to do your job!"



## An organizer's lament

by Drew Mendelson, SEIU Local 1000  
(with apologies to Rudyard Kipling)

I went into a workplace with all my union gear;  
An arrogant free rider says, "We want no union here,  
no pocket picking labor skates; go hang the union high."  
So I called my organizers back and to them all says I:  
Oh it's, "union this," and "union that," and union go away;  
but it's "Thank god for my union!" when they want a raise in pay.  
When they want a raise in pay, my friends, they want a raise in pay.  
It's "Thank god for my union!" when they want a raise in pay.

I watched a union hater jeer an organizer down,  
sneering, "No one asked you for your help, you no good union clown."  
"It's shirking bums and lazy jerks who hold the union dear,"  
"But the boss and I are just like this. No union needed here!"  
For it's "union this," and "union that," "the union is a fake."  
But it's "Thank god for the contract," when his job they try to take.  
His job they try to take, my friends, his job they try to take.  
It's "Thank god for the contract," when his job they try to take.

Yes, they'll make light of the contract that protects their workplace rights.

Say they could have got it by themselves "in a couple of days and nights."

They never made a meeting or paid a dime in dues,  
But they're the first to holler "union" when the bosses turn the screws.  
For it's "union this," and "union that," "decertify the crew!"  
But it's "Call the steward goddamn quick!" when trouble's on the brew,  
When trouble's on the brew, my friends, when trouble's on the brew.  
Yes, it's "Call the steward goddamn quick!" when trouble's on the brew.

O they razz the hard-won contract, it's not enough they say.  
Their pension's bad, their sick leave's worse, they work too long a day.  
"A real union would have got a big fat raise for us;"  
"It should have marched, it should have struck, it should have raised a fuss."

It's "union this," and "union that," and "union give me mine!"  
But it's "union see you later" when you need them on the line.  
When you need them on the line, my friends, you need them on the line,  
Yes, it's "union see you later" when you need them on the line.

They've never filed a grievance or held a picket sign;  
They've never risked their job or health for a brother on the line.  
They've never told a sister, "Your fight is my fight, too."  
But they're first to say "the union sucks," when the contract's overdue.  
For it's "union this," and "union that," and "I don't give a damn,"  
But it's "better call the union," when they find they're in a jam.  
For it's "union this," and "union that," "the union's time is past."  
But when there's trouble on the wind it's "Get the union, fast!"

Support Your  
Local Union!

## SMUD aims to 'reengineer'

### ► From Page 1

involved in this process to protect our members."

On some proposals the talks have already produced agreement. The District and Local 1245 have agreed, for example, that volunteers from the Tree Department can perform pole testing. Although that change hasn't been implemented yet, the District has already solicited volunteers.

"Apparently they got a pretty good turnout," said Seyfer.

The union has been in no hurry to accept certain other proposals, how-

ever.

"The District proposed changes within the electrical worker classification series that we weren't too excited about. They wanted to have generic classifications, and pay premiums when employees performed special duties like cable splicing and relay testing," said Seyfer.

"We presented the argument that there were additional skills and training necessary that would entitle folks to an increase in the base rate," he noted.

The District withdrew the proposal last month during a meeting

that included union negotiators Art Torres and Jim Waits.

But discussions continue, despite the disagreements, including an ongoing exchange of proposals on restructuring the line department. Representing the union in those discussions have been Scott Hylton, Don Kreuter, and Ike Williams.

In addition to Distribution Services, SMUD is actively engaged in trying to redesign other parts of its business.

In March, the District rolled out a pilot project in Supply Chain Services—the ordering or contracting of goods and services. According to Hi Lines, the magazine for SMUD employees, the District will use "more precise planning and just-in-time de-

livery," including an extensive use of technology for electronic approvals and ordering, and electronic receipt settlement.

Two other reengineering projects are in the planning stages at SMUD, according to Seyfer: Enterprise Resource Planning, and Energy Supply.

"We are keeping an eye on all these projects—to help the District where we can and to protect our members whenever necessary," said Seyfer.



Seyfer