

## Members prepare package for PG&E negotiations



Photo: Eric Wolfe

### UNION BARGAINING COMMITTEE AT PG&E

Serving on the Local 1245 bargaining committee in negotiations with PG&E are, from left: Ed Dwyer, Senior Assistant Business Manager Darrel Mitchell, Mark Newman, Arlene Edwards, Business Rep. Bob Martin, Mike Scafani, Larry Darby, Donna Ambeau, 'Jypsy' Jo e Johnson, Brian Gines, Business Manager Jack McNally.

**M**embers of the Local 1245 general bargaining committee spent the month of June reviewing unit recommendations and preparing a contract proposal to present to Pacific Gas & Electric Co. when general bargaining begins July 9.

Negotiations will cover four major agreements: Physical, Clerical, Health, and Benefits.

Bargaining will begin in accordance with provisions of the National Labor Relations Act, which requires good faith bargaining between employers and the representative of the employees.

Local 1245 Business Manager Jack McNally and PG&E President Gordon Smith are scheduled to personally open the negotiations. On July 12 various subcommittees will begin the nuts and bolts task of fashioning

mutually agreeable contract language.

These drafts will be presented to the full committee around Sept. 1, with the goal of wrapping up negotiations by Oct. 15, with a ratification vote before the end of the year.

These negotiations will be the first full-scale negotiations between the parties since 1993. In 1996 the union negotiated a 10% general wage increase for 1997-99 while preserving all existing benefits.

Negotiations will be conducted under the authority of the National Labor Relations Act of 1935, which requires both parties to bargain in good faith over wages, hours and other terms and conditions of employment.

The union will provide additional information to members as bargaining progresses.

## AB 1421 seeks to protect jobs

**T**he California Assembly on May 27 approved legislation sponsored by Local 1245 that aims to safeguard reliable gas and electric service and to protect the utility workforce against foolhardy downsizing.

Assembly Bill 1421, the Basic Utility Service Protection Act, garnered a solid 50-18 majority, with 30 Democrats and 20 Republicans voting yes. To become law, it must pass the California Senate and be signed by Gov. Gray Davis.

AB 1421 would assure that ordinary gas and electric customers benefit from wholesale gas and electric prices without having to "shop" for a new provider.

Specifically, the bill would require any gas corporation to provide 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.

Similarly, the bill would require any electrical corporation to provide bundled basic electric service to all customers in its service territory unless the customer makes a positive declaration to receive electric power through a direct transaction with another provider.

The bill would put the brakes on

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### National Labor Relations Act

[Title 29, Chapter 7, Subchapter II, United States Code]

Sec. 8 (d) [Obligation to bargain collectively] For the purposes of this section, to bargain collectively is the performance of the mutual obligation of the employer and the representative of the employees to meet at reasonable times and confer in good faith with respect to wages, hours, and other terms and conditions of employment...

## Gov. Davis appoints union utility worker to California Public Utilities Commission

See 'Point of View' on Page 2



Photo: Greg Castillo

Carl Wood

### Members At Work



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## EVENTS

July 10  
Service Awards  
Pacifica, CA

July 17  
Service Awards  
Santa Rosa, CA

July 23  
Service Awards  
San Jose, CA

July 24  
Service Awards  
Oakland, CA

July 31  
Service Awards  
Avila Beach, CA

August 7  
Service Awards  
Stockton, CA

August 14-15  
Advisory Council  
Reno, NV

## APPOINTMENTS

### PACIFIC GAS & ELECTRIC

#### PG&E General Bargaining

##### Committee

Jack McNally  
Darrel Mitchell  
Larry Darby  
Brian Gines  
Donna Ambeau  
Mark Newman  
Joe Johnson  
Ed Dwyer  
Arlene Edwards  
Mike Scafani  
Bob Martin

### CITIZENS COMMUNICATIONS

#### Citizens Communications

#### General Bargaining Committee

Jack Osburn  
Joe Aquilio  
Larry Martin  
Monte "Toot" Nelson  
John Shepphird  
Kathy Silas  
Eric Tanaka  
David Vipond

## POINT OF VIEW

# Welcome change at the CPUC

By Jack McNally, Business Manager



The newest member of the California Public Utilities Commission understands the needs and concerns of California's utility workers.

That's because he's been one.

Carl Wood, appointed to the CPUC by Gov. Gray Davis on June 9, is a former nuclear maintenance electrician. More recently he served as senior national representative for the Utility Workers Union of America, where he served as national deregulation coordinator.

As a union representative Carl helped UWUA locals in California deal with both electric and gas restructuring. Along with myself, he served as a founding member of the Coalition of Utility Employees (CUE). Together our unions fought

hard to protect the interests of utility workers and customers in this chaotic era of utility restructuring.

And Local 1245 also worked hard to win Carl's appointment as a CPUC commissioner. In a meeting with me prior to his election as governor, Gray Davis agreed to consult with our union prior to making any CPUC appointments. Following his election, Gov. Davis moved slowly in making his CPUC appointments, but he kept his word about seeking out our advice.

On June 9 he followed our union's recommendation and appointed Wood.

This is truly a historic appointment. Carl Wood is the first working stiff to be appointed to the CPUC in

modern history, a man who has actually worked with tools in the utility industry.

Obviously he will be only one vote out of five on the commission—he can't create a majority vote all by himself. But Carl can educate other members of the commission about our issues, and he is somebody we can communicate directly with when we have a concern. His appointment is strong evidence that our union's involvement in the political process is the right way to go.

We also have reason to be hopeful about Gov. Davis's other appointment to the CPUC.

Joel Hyatt, a lecturer at Stanford University's school of business, won national recognition as a young lawyer when he founded Hyatt Legal Services, which made legal services more accessible to average Americans. His firm pioneered group legal service programs, and his clients included many unions.

Hyatt was politically allied with Howard Metzenbaum, the retired pro-labor US senator from Ohio, who also happens to be Hyatt's father-in-law. Hyatt himself recently ran for one of Ohio's US Senate seats as a Democrat, but lost.

Prior to appointing Hyatt, Gov. Davis asked Hyatt to give me a call so that I could discuss some of our union's concerns on regulatory issues, and he proceeded to do so.

In today's world, access counts for a lot. The appointment of Wood and Hyatt means that our union, for the first time in a very long time, will have open lines of communication with regulatory authorities in our industry.

It's a welcome change, and long overdue.



## Utility Reporter

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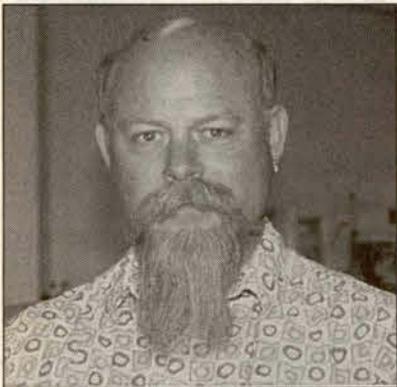
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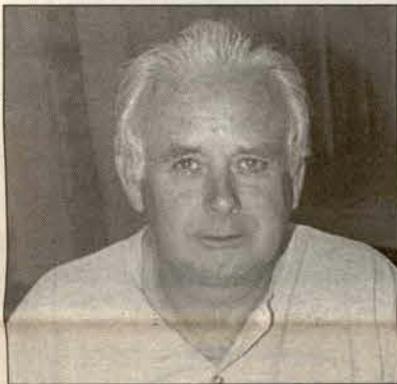
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**Q: Why should our members care about contract negotiations? What difference does bargaining make in their lives?**



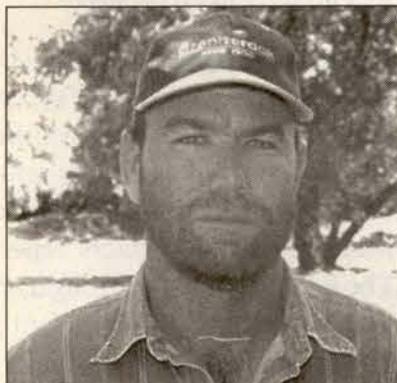
“It affects our entire livelihood...our wage, our vacations, our holidays. We gauge our lives by these things. Saul Bello said, “A great deal of intelligence can be invested in ignorance when the need for illusion is deep.” We don’t use our intelligence enough in trying to make our lives better. People should study the contract.”



“I think most employees are very concerned about their benefits package. All members care about pay raises. A lot of people may assume the company is just going to give us something. But they’re not. We have to bargain for it. You don’t get anything unless you bargain for it.”



“Without the union negotiating a contract for the employees, more likely than not the company would take away many of the benefits we have already negotiated. Bargaining is really the only way to protect our wages, our benefits, and our job security. It’s really important for people to be informed about their contract and know their rights.”



“A contract makes it so your job is more secure, and you have good benefits for your family and yourself when you retire. When you retire there will be something there for you.”



**'Jypsy' Joe Johnson**  
Troubleman  
PG&E General  
Bargaining Committee

**Larry Darby**  
Working Foreman A  
PG&E General  
Bargaining Committee

**Arlene Edwards**  
Customer Service Rep.  
PG&E General  
Bargaining Committee

**Brian Gines**  
Subforeman A  
PG&E General  
Bargaining Committee

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.



## Defiant nurses, jaywalkers, inmate hawkers

**T**wo picketing workers in Grand Forks, ND, were ticketed by police for jaywalking after they were hit by a truck in a crosswalk near the J.R. Simplot plant where they work. Police said the two men were cited for blocking traffic. Union members went on strike June 2, protesting management's proposal to increase health insurance premiums for some workers.

► **Inmates Making Calls:** An Australian government agency wants to employ women prisoners at the Mulawa Correctional Centre to perform telemarketing for companies and charities. Similar ventures in the United States led to problems after prisoners made abusive calls with information obtained through telemarketing. Call centers, one of the fastest growing industries in the world, have been called sweatshops and dark satanic mills because of the high level of worker surveillance. The Australian Services Union has expressed concerns about health and safety issues, the level of training, and possible undercutting of outside operators' wages. Prison workers are paid a maximum \$40 a week.

► **Battling Layoffs:** When the Finland-based petrochemical company Borealis announced plans to cut its workforce, Finnish workers responded by banning all overtime work, refusing to participate in any improvement discussions, staging walkouts, and threatening to organize a boycott of Borealis products, according to the Finnish Chemical Workers' Union. The company withdrew its plan, drastically scaled back the reductions, and offered early retirement and voluntary severance incentives. The Finnish unions organizing Borealis workers and salaried staff plan to invite union representatives from all Borealis plants in other countries to Finland in the autumn to coordinate efforts. Borealis has pro-

duction plants in Norway, Sweden, Denmark, Belgium, Austria and Portugal, and units under construction in the Persian Gulf.

► **Honor the Deal:** Tens of thousands of Romanian teachers went on strike June 7 to protest against the government's failure to fulfill a wage deal that included wage indexing. Last year, leaders of four trade unions representing 300,000 teachers signed a deal under which the government would index wages and pay a bonus amounting to a 13th month's salary.

► **Cross-Border Ties:** Leaders of SEIU Local 1877 and Section 87 of the Mexico telephone workers union signed a mutual assistance pact in May pledging to continue efforts to work cooperatively to end worker exploitation on both sides of the border. After years of informal mutual support, the two unions began to formalize their ties last October.

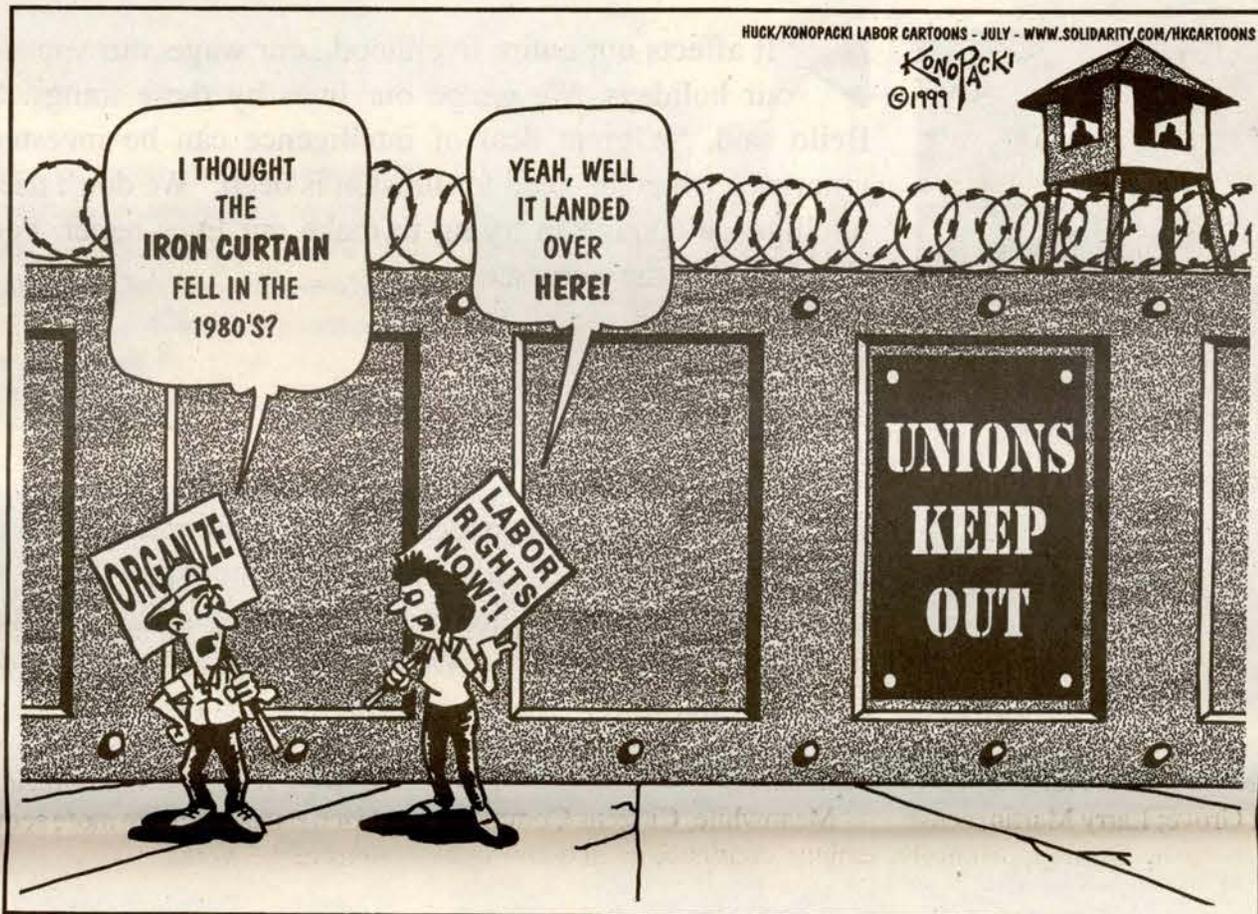
► **Family Leave Clarified:** A federal district court in Iowa ruled last

month that an employee can get leave under the Family and Medical Leave Act for any illness that lasts three days and requires treatment by a doctor. An employee of Gemini Inc., a manufacturer of store signs, sued after being fired for excessive absences for relatively minor digestive ailments. The court said she was entitled to leave and awarded her \$49,592 in damages. During the case the Labor Dept. weighed in with an opinion that any doctor-treated illness of three days or more is a "serious health condition."

► **Defiant Nurses:** In Quebec, Canada, 47,000 striking nurses rejected an offer by Premier Lucien Bouchard to personally sit in on negotiations to end the illegal strike. The Quebec Assembly in early July was preparing emergency legislation to hold 650 union leaders personally responsible for any illegal activity by any nurse in their union local. The president of the Quebec Federation of Nurses says her mem-

bers will defy the special legislation. Federation President Jennie Skene said her members are prepared to go to jail if necessary to get what they want. The government is proceeding slowly with the legislation because public opinion is firmly backing the nurses. Meanwhile, 90% of the pharmacists in the province have submitted their resignations in a separate labor dispute, and Quebec's ambulance crews have voted overwhelmingly to go on strike.

► **Social Security Protest:** Turkish unions threatened mass strikes on July 1 to try to force the government to withdraw social security reforms being pushed by the International Monetary Fund, Reuters reported. The Fund has been pressing Turkey to raise the national retirement age. "Mass demonstrations in major cities will be held later and a general strike will follow those if the government insists on its bill," said Kamil Kinkir, leader of the Revolutionary United Metalworkers' Union.



## Members gearing up for talks at Citizens

**M**embers of Local 1245 last month began gearing up for bargaining with Citizens Communications.

The union's bargaining committee met June 28 to begin reviewing proposals submitted by members at unit meetings last spring. Talks with the company are currently scheduled to begin the week of Aug. 2.

"We have a committee that has experienced people and also some newcomers," said Local 1245 Business Rep. Jack Osburn, who will lead the union delegation in the talks.

"They are enthusiastic about the preparations now underway, and they are looking forward to meeting with the company and dealing with our needs and issues," Osburn said. "We're going to listen to what the company has to say, but we're going to be prepared with our issues."

Serving on the union's negotiating committee are: Joe Aquilio, plant tech, Elk Grove; Larry Martin, central office tech, Burney; Monte

"Toot" Nelson, plant tech, Alturas; John Shepphard, radio carrier tech, Susanville; Kathy Silas, business service rep., Elk Grove; Eric Tanaka, plant tech, Elk Grove; and David Vipond, plant craftsperson, Elk Grove.

Local 1245 staff attorney Tom Dalzell and Business Rep. Art Murray were slated to meet with the committee to help members prepare for bargaining. The committee will also hear from an attorney from the Dave Mastagni law firm concerning Workers Compensation issues.

The current agreement expires Sept. 30.

Meanwhile, Citizens Communications continues to acquire addi-



Photo: Eric Wolfe

Summer Brown, a service representative for business customers, takes calls at Citizens call center near Sacramento.

tional properties as it seeks to expand its presence in the delivery of telecommunications services to rural markets. According to Osburn, the company has acquired GTE and US West properties in approximately a dozen states, with two more acquisitions in the works.

## SMUD re-engineering provokes concerns

**L**ocal 1245 continues to raise concerns as the Sacramento Municipal Utility District proceeds with its long-term plan to "re-engineer" its operations.

A SMUD proposal to roll several classifications into one has led union member Grant Ritchie to wonder if

SMUD is heading down a road that will lead to employees who are "jack of all trades and master of none."

"They want everybody to be able to do everything," said Ritchie, a SMUD electrician, during an interview at the union's Walnut Creek headquarters a few weeks ago. "They

end up with knowledge a mile wide and an inch deep."

The District runs the risk, said Ritchie, of creating employees "not sufficiently trained in anything."

"You need to specialize to some degree. You need to be confident, comfortable and proficient with the equipment you're working on," said Ritchie.

Currently at SMUD, "you have building electricians that specialize in our building electrical systems, substation electricians that specialize in T&D substations, and you have network electricians/cable splicers that specialize on our downtown network—everyone is highly trained and proficient in what they do."

"I can't go over to the network and work on a protector and feel as safe about it as somebody who's been doing it every day for 10 years," said Ritchie.

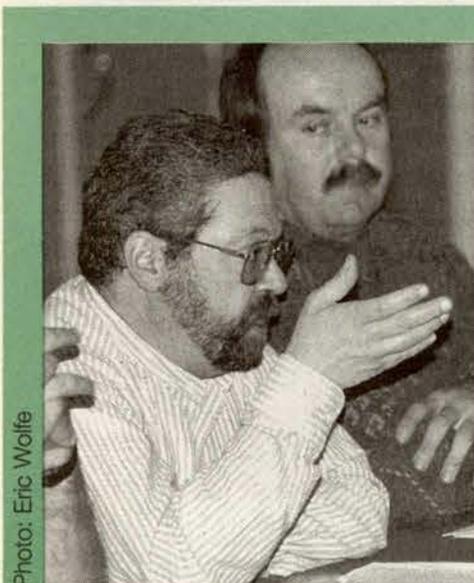


Photo: Eric Wolfe

SMUD ADVISORY COUNCIL REP Art Torres discusses SMUD re-engineering and other issues at the May meeting of the Advisory Council in Sacramento.

## Utility Reporter takes second

The Utility Reporter was awarded second place for Best Overall Publication in the annual labor journalism contest sponsored by the Western Labor Communications Association.

The paper also received an honorable mention in the category of Best Column/Editorial for Business Manager Jack McNally's Point-of-View column.

## Unit updates

**Unit 1123, Merced:** Some of the dates listed in the unit schedule in the June issue of Utility Reporter were in error. The correct dates are: July 7, Aug. 4, Sept. 1, Oct. 6, Nov. 10, and Dec. 8 (all dates are on Wednesday).

Gary Hughes  
Business Rep.

**Unit 3024, PG&E Gas Transmission NW,** meets at company headquarters on the first Tuesday of the month at 5:30 p.m.

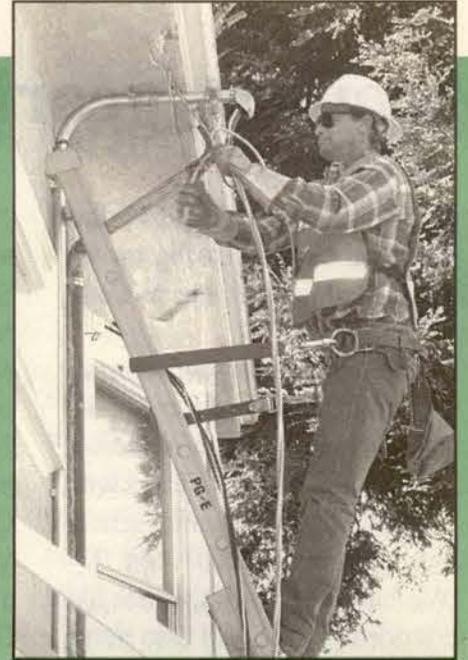
Jim Lynn,  
Business Rep.

**Unit 3713, East Geysers,** meets at the Starview Lodge, Caffor Springs Road, Cobb, CA, on Thursday of the first full week of the month at 5:00 p.m. Meetings for the remainder of 1999 are: July 8, August 5, September 9, October 7, and December 9. There will be no meeting in November due to the Veterans Day holiday.

Roy Runnings,  
Business Rep.

**Unit 3814, Woodland,** now meets at 4:30 p.m. Meetings are still on the first Thursday of the month.

Wayne Greer  
Business Rep.



## Serving the community

Every day, in ways the public seldom notices, Local 1245 members employed by Pacific Gas & Electric are providing service to the people and communities of California. Routine gas and electric service is mostly taken for granted by those who use it. But that service is not some mysterious gift of nature—it's a product of work. Work performed by thousands of men and women whose skills and dedication are the secret ingredient in the essential gas and electric services enjoyed by California residents. Performing such work on a spring day in the East Bay were Al Webster, temporary foreman, Jeff Boschee, lineman, and Ron Lockhart, lineman. The crew is shown here installing a new service at a residence on 39th Avenue in Oakland.



# Union helps block radical deregulation in Nevada

A long campaign by Local 1245 to block job-killing electric utility deregulation in Nevada made substantial headway in May when the Nevada Legislature approved a bill that will introduce competition but preserves the customer's right to continue receiving service from the existing utility or its affiliate.

Senate Bill 438, passed in the closing moments of Nevada's 1999 legislative session, designates Sierra Pacific and Nevada Power as the Providers of Last Resort (PLR) for customers until July 1, 2001, and permits the utilities to create affiliates to serve as the PLR after that date.

SB 438 heads off a more radical vision of utility deregulation put forward last year by the Public Utilities Commission of Nevada. The PUCN's proposal would have prohibited the existing utilities from performing metering, meter reading, billing, and customer assistance, and would have empowered the PUCN to forcibly switch customers to another provider of those services.

Local 1245 denounced the PUCN proposal in full-page newspaper advertisements in Carson City, Reno and Las Vegas last August. The ads, which accused the PUCN of wanting to give itself the power to "slam" customers by forcing them to change providers against their will, provoked a heated debate, which in turn persuaded many legislators to take a closer look at the possible negative impacts of radical utility deregulation.

## Local 1245 Lobbyists

Following publication of the ads, Local 1245 Business Manager Jack McNally retained lobbyist Mike Reid to present the union's concerns to Nevada legislators. Additional lobbying assistance was later provided by Danny Thompson of the Nevada AFL-CIO.

"This law is a major improvement over what we were facing before," said McNally. "The Public Utilities Commission of Nevada last year seemed determined to tear apart the workforce that has provided reliable service to Nevada customers for the last half-

century. SB 438 in essence says, 'Let's be careful and take our time in making these changes rather than just go charging off a cliff.'"

Local 1245 and Sierra Pacific vigorously promoted two key elements in SB 438: a provision that permits utility affiliates to use the name and logo of the parent utility, and a provision that makes the incumbent utilities Providers of Last Resort until July 1, 2001.

## Provider of Last Resort

As Provider of Last Resort in its service territory, Sierra Pacific can continue offering the traditional metering, meter reading, billing and customer assistance services to its customers. After July 1, 2001, the utilities will have to establish an affiliate company in order to continue providing these services. When customers are given a choice of electric providers—and they choose to do nothing—their electric service will continue to be supplied by the Provider of Last Resort.

SB 438 does not authorize competition for basic distribution service, which will continue to be offered by Sierra Pacific in its service territory.

**"SB 438 in essence says, 'Let's be careful and take our time in making these changes rather than just go charging off a cliff.'"**

**Jack McNally**

Rates the PLR can charge are capped for a period of three years from the beginning of competition in Nevada until March 1, 2003. The rate charged will be set for Sierra Pacific customers at the prevailing rate on July 1, 1999.

The PUCN cannot initiate or conduct any proceedings to adjust the rates, earnings, rate base or rate of return of the PLR during the time rates are capped.

## Licensed Alternative Seller

After July 1, 2001, a licensed alternative seller of electricity may submit an offer to provide PLR service if certain criteria are met. The alternative seller must:

- Request to serve at least 10% of the PLR load;

- Provide the service to more than one class of customers; and

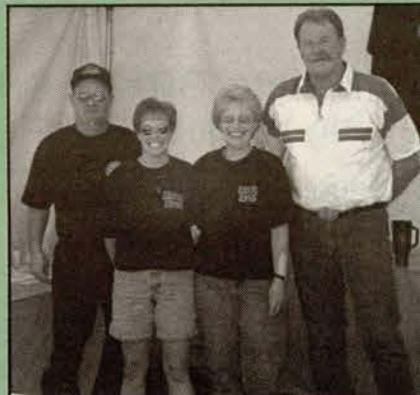
- Provide a discount of 5% off the PLR rate.

Upon receiving the offer from the alternative seller, the PUCN may conduct an auction, if it determines that doing so is in the best interest of the customers.

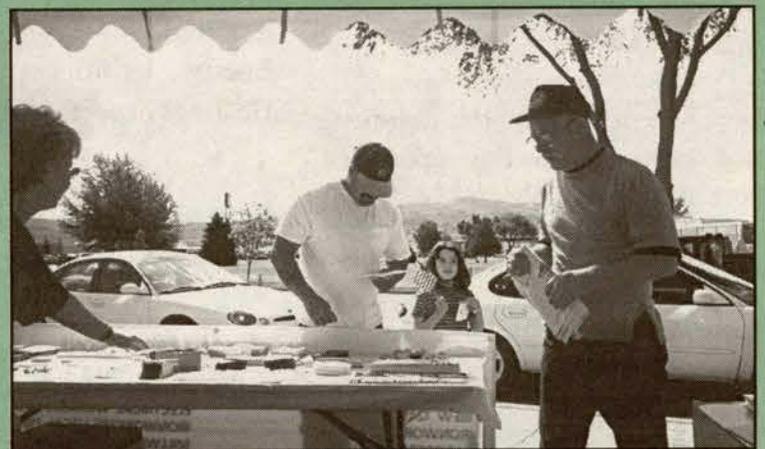
An alternative seller who is the successful bidder becomes the PLR for the auctioned customers. The remainder of the customers continue with the company providing their electric service before the auction.

Alternative sellers of utility services may begin selling potentially competitive services on or after March 1, 2000.

## Talkin' Union at the ELKO MINING EXPO



Staffing the booth are: Mike Smith, Operating Engineers Local 3; Spring Baker and Joyce Bailey, IBEW Local 1245; and Steve Backherms, Operating Engineers Local 3.



Photos: Ray Thomas

Local 1245 and other unions affiliated with the Northeastern Nevada Central Labor Council handed out American flags and union literature at the Elko Mining Expo, which drew about 3,000 people a day for three days.

Local 1245 members at Sierra Pacific Power assisting the effort were Spring Baker, customer service rep and shop steward; Joyce Bailey, customer service rep; and Lynn Allen, Unit 3318 chair.

Many school-age youths helped themselves to the union literature, according to Local 1245 Business Rep. Ray Thomas.

## AB 1421

### ► From Page 1

efforts to force existing utilities out of their traditional lines of business, and would make it harder to break apart the experienced workforces employed by those utilities.

Only a bona fide gas corporation would be permitted to provide revenue cycle services (e.g. metering, billing and collections) in its service territory. The CPUC would be required to include after-meter services as part of the basic distribution rate. Without such protection, gas customers could be forced to locate—and pay—independent repair persons every time they need a pilot relit or a leak inspected.

On the electric side, where current law already permits customers to choose an alternative supplier of electric generation, AB 1421 would authorize an electric power supplier to provide metering, billing and collection services only if the customer made a positive declaration asking to receive these services from the alternative supplier. In the absence of such a declaration, the existing electric company would continue to provide these services.

The bill, which passed the Assembly on May 27, was referred to the Senate Committee on Energy, Utilities and Commerce on June 7. Hearings are scheduled for mid-July.

Find out below which Assembly Members in Local 1245's jurisdiction supported us on this important vote in the Assembly on May 27:

#### Voted WITH Local 1245

Alquist	Frusetta	Rod Pacheco
Cardoza	Honda	Papan
Cox	Leach	Pescetti
Cunneen	Mazzoni	Steinberg
Dickerson	Olberg	Thomson
Dutra	Oller	Torlakson
Florez	Rbt. Pacheco	Wiggins

#### Voted AGAINST Local 1245

Aroner	House	Migden
Ashburn	Keeley	Reyes
Bock	Lempert	Strom-Martin
Briggs		

#### Absent or Abstained

Aanestad	Machado	Shelley
Corbett	Maldonado	

## Protecting Members' Income

# Union approaches victory

Local 1245's efforts in the political world are nearing victory on several key issues, including bills to protect utility worker jobs and restore the daily overtime premium.

The election of Gray Davis and a majority of pro-labor legislators last November, coupled with a vigorous legislative campaign by Local 1245 and other unions, shows promise of soon increasing the economic security of working families.

Here is the status, as of July 5, of some of the top bills backed by unions in the current legislative session:

### Assembly Bill 1421: Gas and Electric Service

**The Bill:** AB 1421, as reported on Page 1, would help protect the jobs of utility workers—including thousands of Local 1245 jobs—as the industry continues to undergo restructuring. AB1421 would make utilities the provider of last resort, so that customers who take no action to switch providers would remain with their existing utility.

**Status:** Passed the Assembly 50-17. Referred to the Senate Committee on Energy, Utilities and Commerce. Hearings expected in mid-July.

### Assembly Bill 60: Overtime Premium

**The Bill:** AB 60 would restore the daily overtime law that was abolished under Gov. Pete Wilson. The bill mandates that work in excess of eight hours in a day be paid at time-and-a-half, allows workers to vote to approve alternative work week schedules, and allows up to four hours per week without overtime to accommodate workers who take time off to attend to personal or family matters.

**Status:** Passed the Assembly 49-30. Referred to Senate Committee on In-

dustrial Relations. Passed in a key committee vote of 7-5 on June 29. Needs approval by the full Senate.

### Assembly Bill 109: Sick Leave

**The Bill:** AB 109 allows a worker with paid sick leave to use one half of that leave to care for an ill child, spouse, or parent.

**Status:** Passed the Assembly 50-26. In the Senate, bill has cleared the Industrial Relations Committee and is now before the Appropriations Committee.

### Assembly Bill 1127: Workers' Health and Safety

**The Bill:** AB 1127 would establish stronger penalties for OSHA violations, increase enforcement staffing, limit the right of the Appeals Board to reduce penalties, and strengthen the ergonomics standard.

**Status:** Passed the Assembly 45-32. Will be heard in Senate Public Safety Committee on July 6. Chamber of Commerce is fighting this bill very hard.

### Senate Bill 16: Prevailing Wages

**The Bill:** SB 16 codifies the existing methodology for calculating prevailing wage rates on public projects. Protects construction workers against the kind of attacks on prevailing wages they suffered under Gov. Wilson.

**Status:** Passed the Senate 21-12. Passed the Assembly 54-17. Approved by the Governor on June 1.

### Assembly Bill 442: Freedom to Choose a Union

**The Bill:** Some California businesses receiving state funds engage in aggressive anti-union campaigns at taxpayer expense. AB 442 would establish parameters to disqualify labor law violators from receiving state funds.

**Status:** Passed the Assembly 48-32. Scheduled to be heard in Senate Appropriations Committee on Aug. 16.

### Assembly Bill 1220: Job Creation for Tax Credits

**The Bill:** AB 1220 requires accountability for corporations that take tax credits from the state.

**Status:** Passed the Assembly 45-32. Scheduled to be heard in Senate Revenue and Taxation Committee July 7.

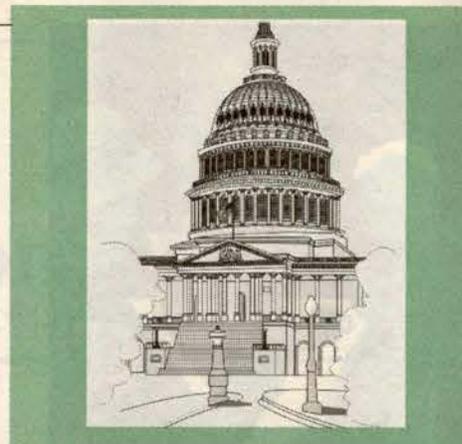
### Senate Bill 26: Age Discrimination

**The Bill:** SB 26 would reverse a recent Court of Appeals ruling that essentially invited age discrimination against older workers. SB 26 would give older workers more protection against discrimination than they now enjoy.

**Status:** Passed the Senate 24-12. Vote due on Assembly floor.

### Assembly Bill 633: Clean Up Sweatshops and Underground Economy

**The Bill:** AB 633 would increase penalties and enhance law enforce-



# in key legislative battles

ment by state agencies against employers who violate wage and hour laws and other labor regulations.

**Status:** Passed Assembly 48-30. Scheduled to be heard in Senate Industrial Relations Committee July 14.

## Assembly Bill 1268: Picketline Freedom of Speech

**The Bill:** AB 1268 will conform state law to the federal Norris-LaGuardia Act standards for temporary restraining orders and for union liability during labor disputes. Currently, state

law allows employers to enjoin union activity without open testimony and cross-examination in a court of law.

**Status:** Passed the Assembly 47-31. Scheduled to be heard in Senate Industrial Relations Committee July 14.

## Assembly Bill 212: Childcare for Working Families

**The Bill:** AB 212 would create a Child Development Corps and Resources for Retention programs to subsidize child care providers who meet certain training and employment criteria.

**Status:** Passed the Senate 24-14. Scheduled to be heard in Senate Health & Human Service Committee July 14.

## Senate Bill 656: State Disability Insurance

**The Bill:** SB 656 would require the Employment Development Department to study the impact of SDI benefit eligibility for family medical leave.

**Status:** Passed the Senate 24-14. Will be heard in the Assembly Appropriations Committee.

## Senate Bill 320: Workers Compensation

**The Bill:** Would implement the intent of the 1993 reform of Workers Compensation by increasing maximum permanent and temporary disability benefits, and index those benefits against inflation.

**Status:** Passed the Senate 23-13. Will be heard in the Assembly Insurance Committee.

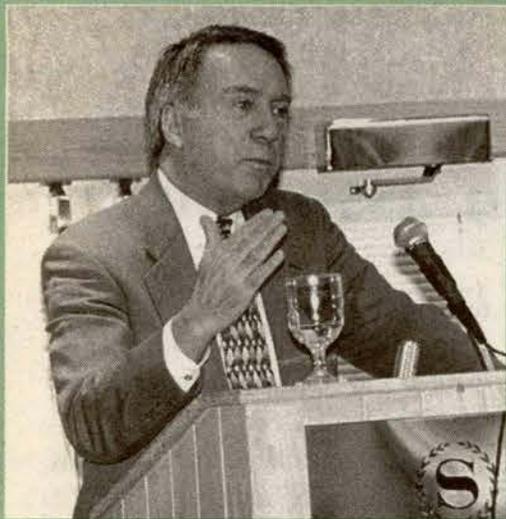


Photo: Landis Marttila

Local 1245 Legislative Advocate Art Carter

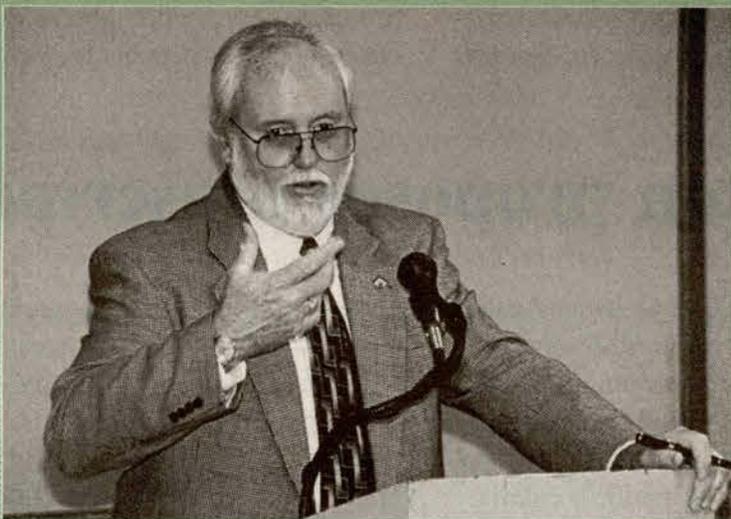


Photo: Eric Wolfe

Local 1245 Business Manager Jack McNally



Photo: Eric Wolfe

Assembly Member Darrell Steinberg

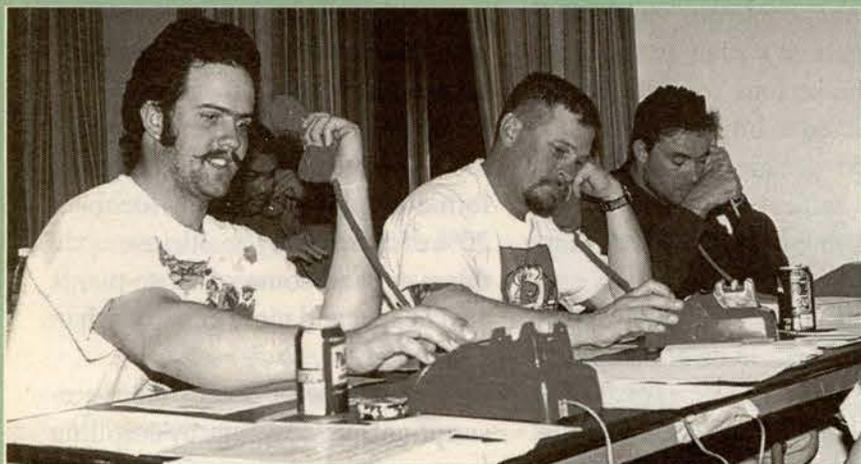


Photo: Landis Marttila

Among many Local 1245 phone bank volunteers during the last election were, from left: Chris Reese, Andrew Thompson, and Lonnie Fletcher.

## Formula for Success

Political success don't come easy. Wage and job protections and other important bills are a product of strategy, planning, member commitment, and union leadership. Key elements in labor's current political successes in Sacramento include the overall political strategy mapped by Business Manager Jack McNally, legislative lobbying by Local 1245 Legislative Advocate Art Carter, pro-worker legislators like Assembly Labor Chair Darrell Steinberg, and the many Local 1245 volunteers who helped elect legislators like Steinberg (and Gov. Gray Davis) last November.



## Sound opinions require good information

### 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.

Acie Turner, 13 years  
Berkeley, CA

Leilani Bates, 16 years  
Calistoga, CA

Allan Jordan, 20 years  
Cobb, CA

Forrest Moon, 38 years  
Santa Rosa, CA

David Oliver, 18 years  
Apple Valley, CA

Ronald Dalman, 29 years  
Sutter Creek, CA

Richard Onofrio, 26 years  
Fremont, CA

Norah Saffold, 23 years  
Seaside, CA

William Pullins, 19 years  
Antioch, CA

James Taylor, 30 years  
So. San Francisco, CA

Robert Weed, 35 years  
Lakeport, CA

By Orv Owen

It's easy to just assume we have enough information to form sound opinions about the important issues facing seniors today.

But digging into the actual facts can sometimes reveal surprising information. For example, did you know that:

■ More than 60% of older Americans depend on Social Security for the majority of their income. And did you know that cost-of-living adjustments don't reflect the actual goods and services that matter to seniors?

Since 1982, prices for goods and services for the general public have risen 66%, but prices for goods and services for seniors have risen 72%. And medical costs for seniors have skyrocketed—rising more than 156%.

■ The largest pharmaceutical companies in the world are charging

seniors in America 82% more for the 10 most common prescription drugs than they charge their customers in Canada and Mexico. Regulations in other countries limit price-gouging, but it's open season on US seniors. Seniors represent only 15% of the US population, but they consume over 35% of all prescription drug medications. (See related story, below.)

■ The latest poverty figures for the elderly, released by the US Department of Health and Human Services, set \$8,240 as the annual income level for a single person and the figure of \$11,060 for a two-person family.

■ Medicare and regular health insurance do not cover long-term care. About 40% of all nursing home expenses in this country are paid for out-of-pocket by patients and/or their

families. Experts estimate that a person turning 65 faces a 43% risk of entering a nursing home. Women are at higher risk because they live longer and are more likely to live alone when they are old.

These facts are very worrisome as families confront the possibility of an aging family member needing long-term care due to a prolonged illness, disability, or injury. Who will help them do the ordinary tasks of everyday living such as bathing, dressing and eating? What assistance will be available to families who don't have sufficient resources?

These are just a few of the facts about issues facing seniors in America today. All of us should do what we can in the political process to protect our hard-earned benefits, and to expand those benefits to cover needs that are still unmet.

Keep the faith!

## Clinton proposes prescription assistance

President Clinton last month called for major reforms in the nation's Medicare program, including a provision that would have Medicare help shoulder the cost of prescription drugs for the nation's elderly.

The White House portrayed the initiative, which is designed to keep Medicare solvent until 2027, as one of the biggest domestic policy initiatives of the last three decades.

The President's proposal would have Medicare pick up half of the cost of prescription drugs, up to an annual limit of \$1,000 on the first \$2,000 of drug expenses. Medicare patients would be charged a premium of \$24 a month—\$288 a year—for the coverage.

The premium would rise to \$44 a month in 2008, and Medicare would pay a maximum of \$2,500 or half of drug expenses up to \$5,000.

Clinton's proposal called for the

elimination of all co-payments, deductibles and other charges that beneficiaries pay for preventive services covered by Medicare, such as screening for osteoporosis and for breast, colon and prostate cancer. The proposal also calls for a study to see if Medicare should cover services to help people quit smoking.

The President's plan attempts to address the serious revenue shortfalls predicted to hit Medicare early in the next decade. Some savings would be achieved from proposed structural changes in the program, including greater competition and prudent purchasing techniques. But the solvency would be attained primarily through a large infusion of federal dollars—a total of \$794 billion from 2000 to 2014.

Clinton's plan, which would still leave many families unable to afford the prescription drugs they need, has

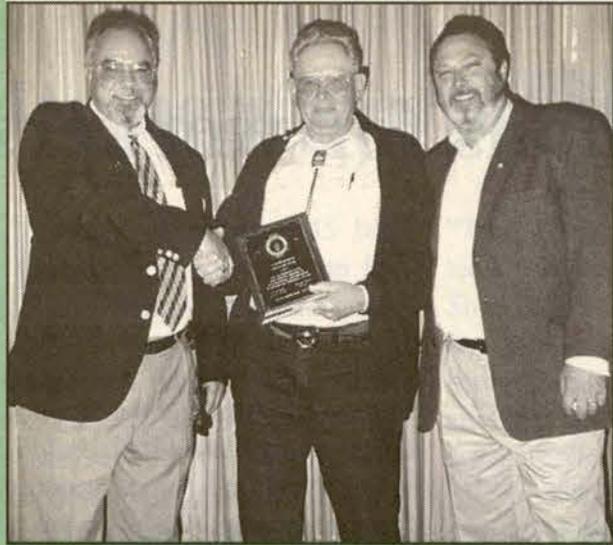
the virtue of making at least some drugs available for all 39 million elderly and disabled Americans insured through Medicare.

An estimated one-third to one-half of Americans 65 and older pay the entire cost of their medicine.

Two categories of retirees might have a better deal now than they would have under the Clinton plan, according to the Los Angeles Times:

• People who obtain their supplemental health insurance through their former employers. Nationwide about 20% of retirees buy health insurance this way, and some of those plans are cheaper and more generous than Clinton's.

• Retirees who obtain their prescription drug coverage by enrolling in a managed care organization that covers prescription drugs. However, not all such plans include drug coverage.



**45 Years** William Pease receives 45-year service award from Business Reps Jim Lynn (left) and Gary Hughes (right).

**45 Years**

William Pease

**35 Years**

Baker, Gene  
Britton, Jerry  
Corbin, Larry  
Duke, Kenny  
Espinoza, Anthony  
Hobbs, Raymond  
Hopkins, Edward  
Madkins Jr, Fontaine  
Miller, Lonnie  
Ortiz Jr, J  
Ritter, Arthur

**30 Years**

Cameron, Ron  
Chetwood, Travis  
Flournoy, Donald  
Haley Jr, Lester  
Johnson, Van  
Johnston, Jim  
Jurado Jr, Jess  
Long, Kenneth  
McCorkle, Roy  
Newman, Paul  
Olivarez, Robert  
Poole, Richard  
Rich, Larry  
Salado, Tony  
Tecumseh, Stanley

**25 Years**

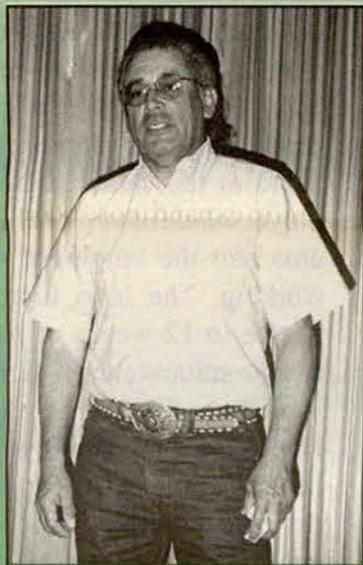
Belmontez, Fred  
Bimat, Peggy  
Breadmont, Ricardo  
Chew, Harry  
Christensen, Douglas  
Clay, Theodore  
Connell, Gary  
Cooksey, Leon  
Flores, Frank  
Foster, Russell  
Freitas, Steve  
Frisby, Larry  
Galan, Tony  
Garza, Felix  
Gilliam, Joyce  
Gray, Charles  
Hansen, Donald  
Hathaway, Paul  
Hegland, Robert  
Hendren, Ronald  
Herrera, Carlos  
Horton, Kenneth  
Hoskins, Robert  
Hultman, Timothy  
Johnson, Betty  
Johnson, Michael  
Koomjan, Daniel  
Leonardo, Joe  
Lima, Henry  
Madden, Henry  
Mattos, Leonard  
Mckinley, Jim  
Morales, Felix  
Nazario, Alicia

Ogami, David  
Ortiz, Angelo  
Prince, David  
Quaid, Ronald  
Red, Ronnie  
Rohmann, Robert  
Schellenger, Bob  
Stafford Jr, Robert  
Torres, Susan  
Wagers, Robert

**20 Years**

Alexander, Bill  
Belknap, Rick  
Bettencourt, Laurence  
Bevington, Robert  
Booth, Debra  
Bower, David  
Brewer, Michael  
Brock, Raylon  
Burgess, Bud  
Castro, Gabriel  
Chapman, Scott  
Charleston, Jeffery  
Chaulet, Rudy  
Cortinas, Larry  
Cotner, Glen  
Detwiler, Rick  
Dixon, Rodney  
Dwyer, Ed  
Etcheverry, Mike  
Ferbrache, Peter  
Fields, Laron  
Fifer Jr, James  
Galan-Wert, Patricia

Gammel, Michael	Nickerson, David
Gann, William	Patchell, Jerry
Garcia, Alex	Paul, David
Garzelli, Robin	Paulsen, Lowell
Gillespie, Jim	Paulson, James
Gross, William	Pizarro, Richard
Hastie, John	Poe, James
Helms, Lynn	Preo, Mark
Hernandez, George	Roberts, Don
Holland, Charles	Rodriguez, John
Johnson, Dale	Rosenwinkel, Larry
Jones, Steve	Sabroe, Diana
Juhrend Jr, William	Schaefer, Ruby Anne
Kane, Rick	Secord, William
Krupens, Donald	Silva, Eddie
Lambert, Terry	Smith, Jack
Landucci, Deborah	Split, Donald
Lettman, Jerry	Stockton, Neil
Lindsey, Stephen	Thackery, Joyce
Logan, Paul	Thornton, Jerry
Madron, Richard	Torres, Manuel
Malfatti, Ronald	Tucker, Stephen
Marten, Steven	Turner, Victor
Mcelhaney, Terry	Turner, Wayne
Mcgowan, Benny	Weathers, Darrell
Moore, Thomas	Weissmann, Hal
Moses, Victor	Wicker, Donald
Mosley, Braxton	Yeverino, Conrad
Nelson, John	



**30 Years** Robert Olivarez



**35 Years** Accepting their 35-year Service Awards in person were Larry Corbin, Raymond Hobbs, Fontaine Madkins, Jr., and Arthur Ritter



**20 Years**



**25 Years**

**Fresno/Merced  
May 15, 1999**



# Family Leave protections for workers

## WOMEN WORKERS' HISTORY

### "Union is Power"

Blaming foreign competition (from England) and the high cost of raw cotton, textile factory owners in 1834 instituted labor cost-cutting measures: wage cuts, speed-up and oppressive work rules. Women mill workers fought back.



More than 700 women workers in Dover, NH, refused to accept the owner's plea that lower wages were required by the "unusual pressure of the times." There was no pay cut for the bosses, the women pointed out. They vowed not to work until their wages were restored.



In Lowell, Mass., 800 female mill workers walked out to protest a 15% pay cut—but not before they had all withdrawn their savings from the company-owned bank. The embarrassed bank had to send to Boston for funds.



"Union is Power," the Lowell strikers proclaimed. Unlike previous strikes, this was no spontaneous rebellion but a premeditated action. Two years later, when the Lowell women struck again, they organized as the "Factory Girls' Association" to give their protest greater staying power.



California and federal laws provide certain employment protections for working parents.

These laws include the California Fair Employment and Housing Act of 1978, the California Family Rights Act of 1992, and the federal Family and Medical Leave Act of 1993.

These laws do not protect all employees in all situations, but they do provide a broad range of protections that apply to many Local 1245 members. These protections may include unpaid leave, continuity of employer-provided health insurance during the leave, and the right to return to your job.

Here is a brief overview of three major laws and the protections they provide.

### Fair Employment Act

The California Fair Employment and Housing Act gives most women the right to take up to four months of unpaid leave from work to recover from the temporary disability caused by their pregnancy, childbirth, or related medical conditions and then to be reinstated to their jobs. This is not a bonding leave or a maternity leave, but rather a temporary disability leave.

All California employers—except religious non-profit corporations—with five or more employees must give women this leave.

### California Family Rights Act

The California Family Rights Act, effective Jan. 1, 1992, entitles California parents who work for an employer with 50 or more employees to take up to 12 weeks of unpaid leave simply to bond with their newborn infant. This leave is separate and distinct from a woman's right under the Fair Employment and Housing Act to take a pregnancy disability leave to recover from her pregnancy.

Although it allows employees to take off time for bonding with a new

child or for taking care of a seriously ill relative, it does not allow an employee to take leave for her or his own serious health condition.

### Family and Medical Leave Act

The federal Family and Medical Leave Act, signed into law in 1993, is similar in many respects to California's Family Rights Act.

To reduce confusion over differences between the two laws, the California legislature passed a measure in 1993 to make the state law conform more closely to the federal law.

### Your Rights in California

The rights of California employees under the state and federal laws can be summarized as follows:

- California employees can take up to 12 weeks unpaid leave in a one-year period to care for a newborn child or a child placed with the employee for adoption or foster care. An employee is also entitled to the leave in the event that a serious health condition renders the employee unable to perform the functions of his or her position.

- This leave may be taken by the employee intermittently or on a reduced leave (part-time) schedule when medically necessary, without obtaining the employer's permission. The employee's 12 available weeks would be reduced by the number of hours of leave actually taken.

- The leave applies only to employers with 50 or more employees working within 75 miles of each other.

- Employees do not have to receive benefits from their employer in order to qualify for the leave.

- An employee must have worked at least 1250 hours in the previous 12 months in order to be eligible for family care leave.

Women workers in California con-

tinue to enjoy the rights contained in the pregnancy disability law of 1978, which allows most employees (even those of smaller employers) to take up to four months of unpaid leave while actually disabled.

Time taken off for disability does not count against the 12 weeks of family leave. Assuming the woman meets the eligibility requirements for family leave, she is entitled to the 12 additional weeks—or about seven months total.

### Health Care Premiums

The family leave laws require the employer to continue to pay the employee's health care premiums during the family care/medical care leave to the same extent the employer would have paid these premiums had the employee continued working. The laws limit the employee to 12 weeks of paid health care premiums even if the employee is on leave for a full seven months. However, if the employer pays for health care benefits for employees disabled for other purposes for the entire period of disability, it must pay the premiums for a woman who is on pregnancy disability leave as well.

### Right to Sue

California employees who are illegally deprived of their right to family leave can sue in state court and receive compensatory and punitive damages. The Fair Employment and Housing Commission has authority to award compensatory damages and an administrative fine to be paid to the state, in an amount of up to \$50,000.

Obviously this article is not a comprehensive description of an employee's rights under these laws. Laws are always subject to interpretation by specific courts in specific cases. If you feel your rights may have been violated by your employer, consult the union or an attorney.



REPUBLICAN ERGONOMICS

## Congress still blocks standard

**M**ore than 600,000 Americans suffer repetitive motion injuries on the job each year.

But since taking control of Congress in 1994, Republican lawmakers have withheld funding for any ergonomics research or standards. This has blocked the Occupational Safety and Health Administration (OSHA) from issuing standards.

Then last winter—preoccupied with the impeachment of President Clinton—lawmakers forgot to renew their ban on ergonomics funding. OSHA quickly announced it would issue ergonomics standards.

Now US Rep. Roy Blunt (R-MO) has introduced legislation requiring further review before OSHA can implement its proposed standards.

Is further review really needed, or is this just an effort by some lawmakers to spare corporations the expense of making their workplaces safe?

A scientific review by the National Academy of Sciences has found “compelling evidence” that ergonomics standards will reduce worker injuries.

Numerous other independent medical studies have reached similar conclusions.

## Repetitive motion catastrophe

A survey conducted by the Communications Workers of America among telecommunications workers from 1992 to 1998 has revealed “catastrophic levels” of repetitive motion disorders.

Data from 1998 identified a significant increase in the occurrence of repetitive motion health problems among the surveyed members.

Significantly high numbers of responding members reported repetitive motion health symptoms. For example, 73% reported experiencing hand and wrist pain, while 57% reported numbness in their fingers, the precursor to repetitive motion disorders.

The report said “an alarming number” of members indicated having

severe repetitive motion illnesses or disorders.

### Oh well, they tried

A company hoping to continue its five-year perfect safety record recently showed its workers a film aimed at encouraging the use of safety goggles on the job.

According to Industrial Machinery News, the film’s depiction of gory industrial accidents was so graphic that 25 workers suffered minor injuries in their rush to leave the screening room. Thirteen others fainted, and one required stitches after he cut his head falling off a chair while watching the film.



By the Local 1245 Safety Committee

## Keep a cool head this summer

**A**s summer arrives and temperatures rise, so will yours. So don’t overdo it. Pace yourself. Drink plenty of fluids. And if you start to overheat, stop and cool down.

Listed here are some signs of sun stroke, and what you can do about it.

Symptoms: red face, high fever, dry hot skin, breathing loud and hard,

dizziness, raging headache.

Treatment: Call a doctor immediately. Place victim in cool, shady spot. Open or remove clothing. Lay victim on back and elevate head and shoulders. Apply cool towels to head and body. Give fluids, but not ice cold fluids. Do not give stimulants. Stay cool!

## Do you bet your life?

**M**ost companies require a fully stocked first aid kit and charged fire extinguisher in company vehicles, and it makes good sense.

But if you think about it, why should your personal vehicle be any different? Couldn’t you, your family or friends benefit from the safety and security from having these items in

your personal rig?

There is also a good chance that you might use them in the aid of some stranger in need. Having these two simple items on hand could prevent, stop or reduce further damage or injury.

If you decide not to carry these items, you may be betting your life that the guy behind you has them.

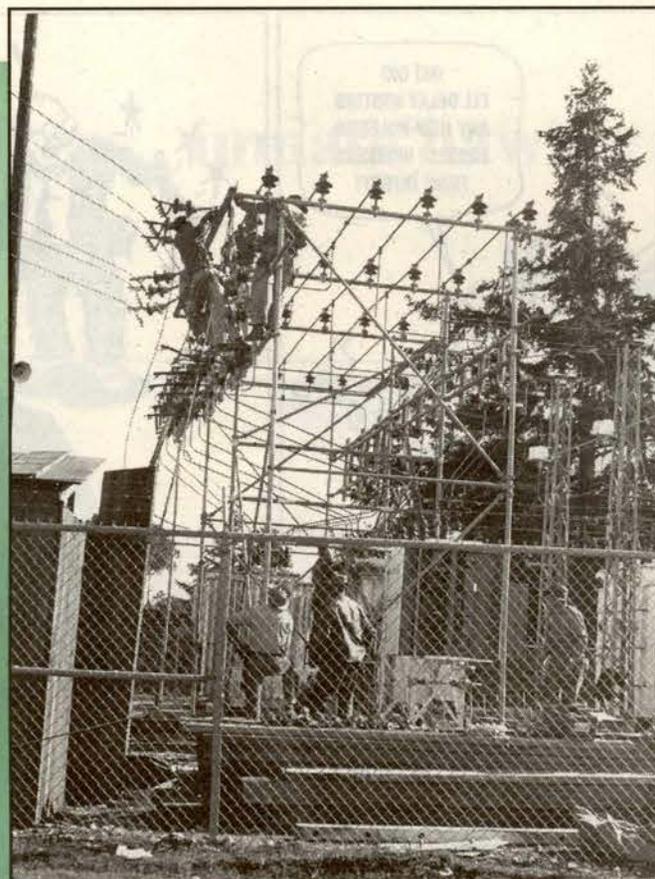


Current members of the Local 1245 Safety Committee are: Matt Goldsmith, Billy Bell, Rod Wright, Grant Ritchie, Mark Rose, Ralph Muraca, and Business Rep. Art Murray.

# On the Road for PG&E in the 1950s

**M**obility defined the lives of many PG&E construction workers in the 1950s, as it still can today. This on-the-road lifestyle prompted Walt Rhinehart, who hired on at PG&E in 1951, to acquire a home on wheels. Rhinehart called the trailer, seen below, as his "home away from home." Thanks to Rhinehart's camera, we can glimpse how life looked in times gone by.

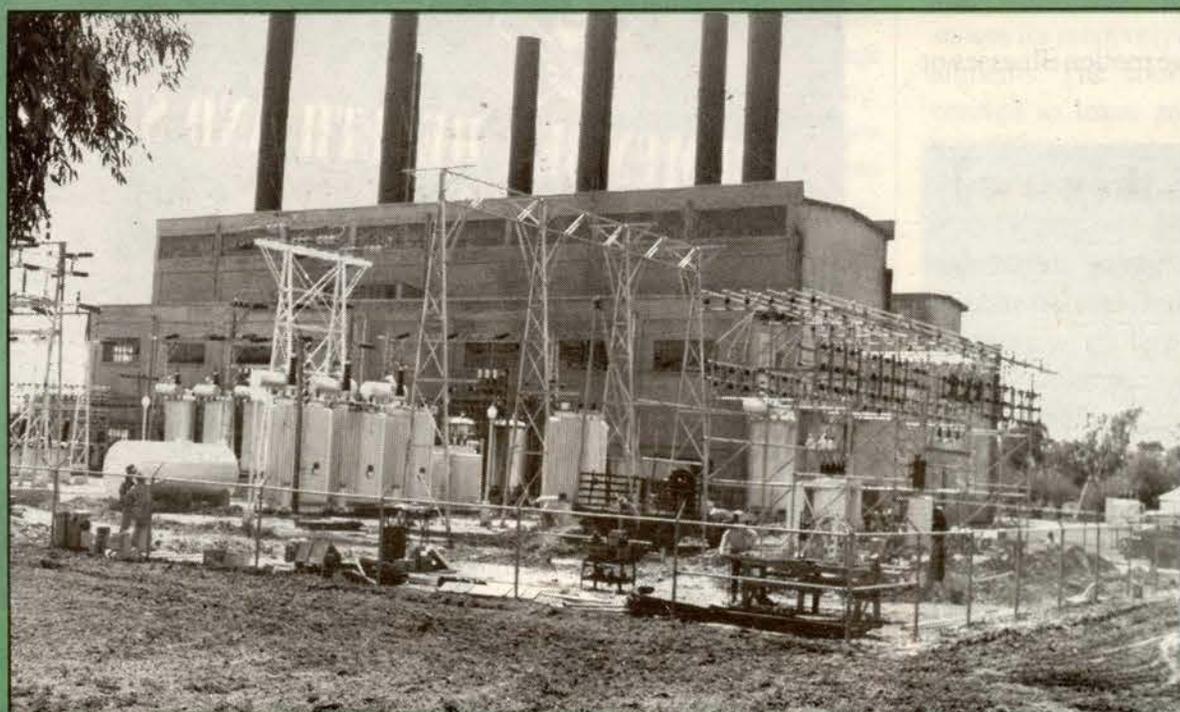
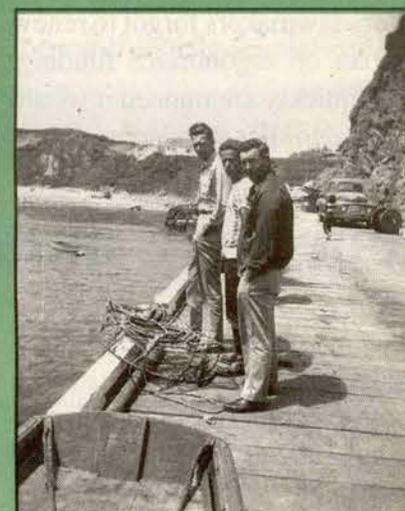
Watch future issues of Utility Reporter for additional photos from The Rhinehart Collection.



At right, Rhinehart's "home away from home." Below, working on the Midway Substation at Buttonwillow, Ca. Rhinehart called it "a camp job with cookhouse and Quanset hut dorms."



Working on Philo Substation in 1952 (above) are electricians Walt Rhinehart and Darrel Oliver, and mechanic Jerry Wells, and Darrel Oliver. Men on ground are unidentified. Taking a day of rest at the water are (front to back) Relas Powell, Jerry Wells, and John Smith.



The  
Rhinehart  
Collection





# Fourteenth Annual IBEW Local 1245 Golf Tournament

Barbecue Chicken  
or New York Steak

Drawing Prizes!  
Long Drive Prizes!

**Saturday, Aug. 28, 1999**

Indian Valley Golf Club  
Novato, California  
First Tee Time: 11:00 a.m.

Guests Are Welcome!  
2-Man Best Ball Scramble  
Limited Tee Spaces  
Entry Deadline: Aug. 2

\$90 Entry Fee  
(Includes Cart, Green Fees, Dinner)

\$80 Entry Fee  
(Cart & Green Fee Only, No Dinner)

**Hole-in-One Prize!**

**Fore!**

**Don't Miss Out--Register Now! Deadline is Aug. 2!**

1. Name \_\_\_\_\_  Chicken  Steak  
 Address \_\_\_\_\_

2. Name \_\_\_\_\_  Chicken  Steak  
 Address \_\_\_\_\_

3. Name \_\_\_\_\_  Chicken  Steak  
 Address \_\_\_\_\_

4. Name \_\_\_\_\_  Chicken  Steak  
 Address \_\_\_\_\_

**Dinner and Awards  
Immediately Following:**

**Indian Valley Golf Club  
3035 Novato Blvd.  
Novato, California 94948  
(415) 897-1118**

Checks  
Payable to  
"Local 1245  
Golf Tournament"  
Mail to:  
PO Box 4790  
Walnut Creek,  
CA 94596

For Further  
Information Call:  
**Frank Saxsenmeier**  
925-933-6060 Ext. 338  
or 707-939-7611

*Foursomes are not necessary*

Easier, more

# affordable

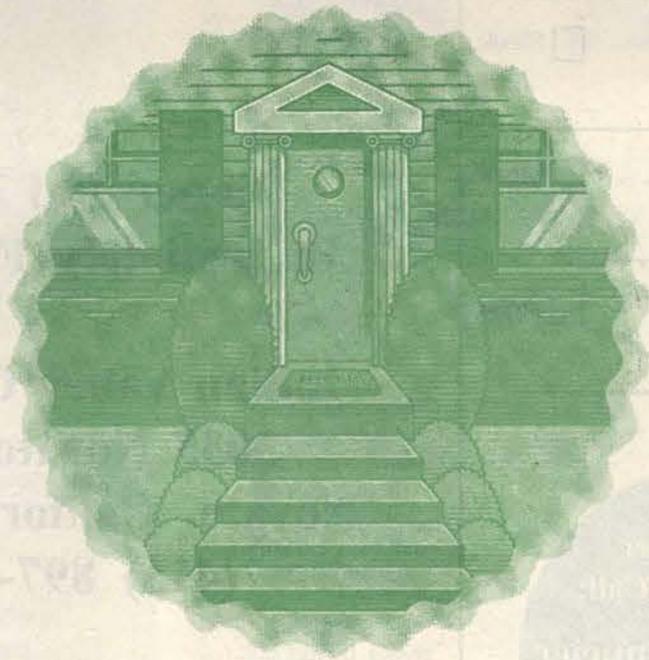
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members.

*Special union benefits smooth the process for you every step of the way!*



Convenience, savings, and personal assistance...no one brings it all home like Union Member Mortgage and Real Estate!

► Our experienced **mortgage counselors** will answer your questions and help you find a mortgage that's right for you, with **competitive rates** and **low 5% down payments**.\* And you'll love the **easy phone-in application process** and flexible hours that let you handle everything at a time that's best for you.

► Plus, if you also use a program real estate agent to buy your home, you'll **save \$350 on closing costs!** We even have **strike protection** and **disability coverage\*\*** that can help you make your payments if you're out of work. So if you're looking for a mortgage, go with the program that's looking out for you!

**1-800-848-6466**

Mon-Fri 8:30am-9pm; Sat 9am-1pm (ET)  
Se habla español



*Your union membership—  
working for you.*

Not all mortgage programs/products available in all areas. \*These down payment options are not available in all areas. \*\*Strike and unemployment/disability fund is not available under bond programs. Financing provided by The Chase Manhattan Bank or Chase Manhattan Mortgage Corporation. Equal Housing Lender. 

**Refinancing  
Available**