



NORTHWEST

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## May 15, 2007 Special Election Recommendations From The NW Oregon Labor Council

### CITY OF PORTLAND BALLOT MEASURES

**Oppose Measure 26-89**—Amends City Charter: Requires City to appoint a Charter Review Commission and periodically review City Charter.

**Oppose Measure 26-90**—Amends Charter: Revises Civil Service provisions.

**Oppose Measure 26-91**—Amends Charter: Changes government from a "commission form" to "strong mayor."

**Support Measure 26-92**—Amends Charter: Increases oversight of Portland Development Commission.

### PORTLAND SCHOOL BOARD

Ruth Adkins, Zone 1  
Michele Schultz, Zone 2

### MULTNOMAH EDUCATION SERVICE DISTRICT

Zak Johnson, At-Large, Position 2

### SALEM-KEIZER SCHOOL BOARD

Chuck Lee

### CLACKAMAS FIRE DISTRICT

Marilyn Wall, Position 1  
James Doane, Position 3  
Dave McTeague, Position 5

### MOLALLA RURAL FIRE DISTRICT

Mike Towner, Position 1  
Brian Wolfe, Position 2

### TUALATIN VALLEY FIRE & RESCUE

Sandi Jabs, Position 4

### WOODBURN FIRE & RESCUE

Aaron Baker, Position 3

### PORT OF ST. HELENS

Earl Fisher, Position 4

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### *Letter Carriers protest outsourcing*

Vernon Brazzle leads a crowd of about 150 letter carriers and their allies in a rendition of "We Shall Not Be Moved" during informational picketing April 16 at Portland's Main Post Office downtown. The National Association of Letter Carriers Branch 82 is protesting U.S. Postal Service efforts to contract out more delivery routes. "Low-wage, non-benefit, non-career mail delivery is not our idea of how to provide customer service and protect the mail," said L.C. Hansen, president of Branch 82. In solidarity with same-day picketing at the U.S. Postal Service headquarters in Washington, D.C., local letter carriers urged Congress to pass House Resolution 282, which calls on the USPS to discontinue contracting out mail delivery services. Pressure to privatize mail delivery is coming from the national Postal Board of Governors, appointed by President Bush. (Photo courtesy of Jamie Partridge)

### *For \$14.5 million*

## Fired Portland school custodians settle

By DON McINTOSH  
Associate Editor

Portland Public Schools (PPS) will pay about \$37,000 each to 280 custodians it fired in summer of 2002, as part of a \$14.5 million settlement to a class-action lawsuit.

The out-of-court settlement was negotiated by lawyers for the two sides and approved by the School Board at a special April 23 meeting.

The firings came about when the district outsourced its custodial jobs to a lower-wage, lower-benefit private janitorial contractor.

The union representing the custodians — Service Employees International Union (SEIU)—challenged the

firings in court, and in October 2005 the Oregon Supreme Court agreed that the outsourcing violated a 1937 law requiring PPS custodians to be hired through civil service procedures.

The ruling in that case, known as *Walter v. Scherzinger*, meant the district would be liable for back pay in the class-action lawsuit, known as *McWilliams v. Public School District*. PPS' liability continued to grow until October 2006 — when the district rehired 124 custodians who accepted an offer of recall.

At that point, custodians' attorneys met with over 200 individuals to tally up damages, which came to \$25.5 million. The figure included four-plus

years of the wages and benefits they would have made at the district, minus whatever they had earned elsewhere during that period, plus whatever health care costs they'd had to pay because they weren't on the district's health plan.

In January, PPS hired Resolution Counsel, a law firm specializing in out-of-court settlements. On the other side, Mark Griffin, the lead attorney for the plaintiffs, brought in Portland class-action specialist Robert Stoll to lead settlement negotiations.

When the two sides sat down to bargain a settlement, the district had its own estimate of the damages —

(Turn to Page 4)

# Let me say this about that

—By Gene Klare



## Lefties and laborites

**MICHAEL MUNK'S** book about Rose City radicals and their right-wing antagonists includes some widely-known people who spent time tilling Portland's grass-roots. The just-published book, a decade in the researching and writing, went on sale this week.

"The Portland Red Guide: Sites & Stories from Our Radical Past" reached the shelves of The Great Northwest Bookstore on May 1 — May Day. The store's corner, 3314 SW First Ave., at Gibbs St., was the scene of a May Day evening program featuring comments by Munk and music by General Strike, a band made up of members and retirees of various unions who perform at strike rallies and other union events.



**MICHAEL MUNK**

Portland State University's Ooligan Press published the book. The illustrated book runs to 256 pages and sells for \$16.95. Author Munk is a retired political science professor who returned to Portland after a career on the faculty at New Jersey's Rutgers University. Upon his graduation from Portland's Lincoln High School in 1952, Munk won a scholarship from the Oregon State Federation of Labor, which later became the Oregon AFL-CIO. He attended Reed College in Southeast Portland, where his father, Dr. Frank

Munk, was a faculty member. Mike served in the U.S. Army before beginning his career in the East.

**OF JOE HILL**, who became known worldwide as a labor troubadour and martyr, Munk's book reported: "In late 1910, the Wobbly organizer and songwriter Joe Hill wrote a letter to The Industrial Worker, the IWW newspaper, identifying himself as a member of the Portland Local, signing the first documented use of his name ... which would later become known throughout the world. He mentioned traveling through Pendleton, and denounced Portland police attacks on Wobblies and other workers in the Portland area. Hill rose in the IWW organization and traveled widely, organizing workers under the IWW banner, writing political songs and satirical poems, and making speeches until he was murdered by the State of Utah in 1915. One of his best-known songs, 'The Preacher and the Slave,' was first introduced in Portland shortly after his letter was published in 1910."

Munk's research in putting Hill in Portland coincides with much earlier research by Chicago labor historian William Adelman, who wrote that Hill joined the Industrial Workers of the World in Portland in 1910. Other accounts of Hill's life claim that he joined the IWW in 1910 in the waterfront town of San Pedro, near Los Angeles. This column has long ago said Hill might have joined in both places, that he could have lost his San Pedro membership card in his boxcar travels and joined again in Portland to get a new card. He probably was in the audience in Portland on Oct. 23, 1910 when Wobbly co-founder Eugene Victor Debs of Indiana made a stirring two-hour speech. Before using the Joe Hill name, the Wobbly organizer was known as Joseph Hillstrom, but he was born in Sweden as Joel Hagglund in 1879. Hillstrom and Hill were names he used to thwart employer blacklists of the militant IWW's members.

**ANOTHER NAME** in Munk's book, U.S. Army Colonel Charles Erskine Scott Wood, better known as C.E.S. Wood, bears mentioning now because he also probably was in the Portland audience to hear Debs speak. A multi-faceted man, Wood was a soldier, lawyer, poet, artist and writer.

**ALTHOUGH A LEADER** in Portland's civic scene, Wood also had a radical side. He lawyered for the Wobblies and other unions and was a lawyer and occasional editorial writer for this newspaper, the Labor Press, back in the days when it was the Portland Labor Press and later the Oregon Labor Press. It became the Northwest Labor Press two decades ago.

Elizabeth Gurley Flynn, to whom Joe Hill dedicated "The Rebel Girl," written

(Turn to Page 11)

# Freightliner cutbacks have ripple effects at several local manufacturing suppliers

With Freightliner shifting truck production to Mexico, the company's workers aren't the only ones affected.

In Saltillo, Mexico, where Freightliner is spending \$300 million to build a new truck plant, the company expects to hire 1,600 workers. Companies that supply Freightliner are also putting \$125 million of new investment into Saltillo, and it's expected 1,100 workers will be employed indirectly when production begins in 2009.

On this side of the border, when Freightliner sent 802 Portland union workers packing March 30, hundreds of workers at other companies also felt the sting.

Consolidated Metco, Inc., which supplies aluminum castings used in truck hubs, laid off 24 members of Machinists Lodge 1432 at its North Portland plant — about two-fifths of its workforce there. Late last year the company also laid off 17 union members at its Clackamas, Oregon, plant, which makes aluminum die cast products.

Auto Truck Transport, which ships

finished trucks, laid off about 50 Machinist Lodge 63 -represented drivers and shop crew simultaneous to the Freightliner layoffs at Swan Island. About 75 workers remain.

Molded Fiber Glass, a 28-employee nonunion Stevenson, Wash., manufacturer, made hoods and roof caps for Freightliner sleeper cabs. Company officials wouldn't comment on the lost business, but the Daily Columbian reported that it depended on Freightliner for a large share of its sales.

Other affected nonunion businesses include Trim Systems, a subsidiary of Commercial Vehicle Group, which makes upholstery and plastic trim at a Vancouver, Washington facility; and WW Metal Fab in Milwaukie, Oregon, which makes bumpers and grilles and zinc phosphate coatings for Freightliner military vehicles. WW bought its machines from Freightliner when the truck maker closed its parts plant.

Several local Freightliner suppliers may weather the lost business. Non-union Paramount Mattress Company in Tualatin, Oregon, made mattresses for the Freightliner sleeper cabs.

Though its business with Freightliner will drop by 60 percent, company president Nels Lewis said they haven't had to lay off any employees because they saw it coming and diversified with other business in the last two years. Service Steel, which makes parts for Freightliner, also said it won't be negatively impacted by the shift in production, because it will ship the parts it makes to Mexico.

The ripple effect also extends to companies outside manufacturing. The 7-11, Subway and McDonalds down the street from the Swan Island plant saw a drop in sales. The vending machine supplier at the company cafeteria, who works on commission, lost business, as did the food carts that set up outside the plant gate. Kaiser Permanente, Cigna and Blue Cross, which provided health coverage, will lose business.

While it may be impossible to quantify, the ripples are real.

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# Contractor fires pro-union Bend bus driver

BEND — A popular bus driver who was instrumental in organizing a union at Bend Area Transit (BAT) was fired from his job April 11.

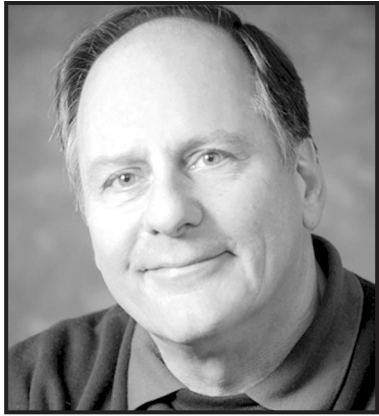
Russ Evans was terminated by Paratransit Services — an out-of-state contractor that runs Bend's transit system — just nine days after he had appeared before the Bend City Council to ask for political help in getting the company to recognize the union.

On Jan. 29, BAT employees voted 19-15 to join Amalgamated Transit Union (ATU) Local 757 in an election supervised by the National Labor Relations Board (NLRB). There are 40 drivers in the bargaining unit.

It was a bruising election campaign, with the company conducting mandatory anti-union meetings and sending letters to workers' homes. Shortly after the union filed for the election in late 2006, the company responded by sending employees a four-page letter outlining its opposition. Pro-union workers were excluded from the mandatory meetings, where workers reportedly were told that they might lose their jobs if they voted the union in.

Paratransit Services then challenged the election outcome. An NLRB hearings officer overruled the challenge and certified the union. But the company still is refusing to recognize Local 757 and will not bargain a contract.

At a Bend City Council meeting April 4, commissioners voted 4-3 to



RUSS EVANS

write a letter to Paratransit Services encouraging the contractor to recognize the union.

"On behalf of the Bend City Council, I am writing to encourage Paratransit Services to drop its efforts to appeal the decision of the NLRB regarding the establishment of a union among the Paratransit workers in Bend," wrote Mayor Bruce Abernethy in a letter dated April 19. "A majority of the City Council encourages Paratransit to accept the ruling of the NLRB and terminate any efforts to appeal ..."

Evans, an elected leader of the BAT unit of Local 757 and a shop steward, was fired after driving an unfamiliar route at the direction of Paratransit Operations Supervisor Ronnie Burnett. Burnett, who has previously singled

out other pro-union drivers for disciplinary action, rode on board the bus with Evans and took notes.

BAT employees who support the union contend that Evans was targeted by Paratransit management in retaliation for his leadership in the union, because he spoke at the City Council meeting, and because he testified at the State Legislature in support of a bill that would ban anti-union tactics by employers (similar to those used by Paratransit) in union campaigns.

"We believe it's retaliation, pure and simple," said Jon Hunt, president of ATU Local 757. The union has filed an unfair labor practice complaint with the NLRB.

Evans acknowledges that he made some errors in judgment while driving on April 11 (he apparently missed a stop and turned around). But he and other drivers say that he did nothing illegal, nor anything that damaged BAT property or compromised the safety of any passengers.

"I made a couple of poor choices under intense pressure," Evans said.

Hunt told the NW Labor Press that other drivers have had accidents where they were at fault, and made considerably worse errors than Evans did — without being fired — or disciplined.

In Evans' case, Paratransit Manager Kathy Ostrom and Burnett took the extra step of filing their charges with the company's corporate office in Bremer-

ton, Wash., rather than simply dealing with it on a local basis. Burnett's report repeatedly claimed that Evans "deliberately" and "willfully" broke the law, as well as company rules.

Evans strongly disputes those claims, noting that he "loves his job," and has had a perfect driving record since being hired five months ago.

He has asked why Burnett chose to remain absolutely silent on the route rather than speaking up, if Burnett thought safety was being compromised. Evans pointed out that Burnett, as a supervisor, could have offered warning, direction or advice in the spirit of the "teamwork" Paratransit Services continually promotes.

Paratransit has spent an estimated \$25,000 appealing the union election. Paratransit Services receives between \$95,000 and \$101,000 a month from the city to run BAT, according to the city Finance Department.

A **SOLIDARITY RALLY** for Evans and the BAT bus drivers will be held from 1 p.m. to 3 p.m. Saturday, May 12 at Juniper Park in Bend. State Sen. Ben Westlund is tentatively scheduled to attend, along with Bend City Councilor Linda Johnson, Oregon AFL-CIO President Tom Chamberlain and ATU Local 757 President Jon Hunt.

Rally participants are encouraged to take BAT to the Hawthorne Street bus terminal and walk the two blocks to Juniper Park.

## PDC staffers vote to join AFSCME

Non-supervisory staffers at the Portland Development Commission voted May 1 to join the American Federation of State, County and Municipal Employees.

The election was conducted by the Oregon Employment Relations Board for the 132 eligible employees. The vote to unionize was xx to xx.

PDC is the quasi-independent development arm of the City of Portland. Its executive director is Bruce Warner, a former Oregon Department of Transportation bureaucrat who was appointed to the post a year-and-a-half ago by Mayor Tom Potter.

said AFSCME Organizing Director Sue Lee-Allen.

PDC's annual budget of more than \$200 million is funded by tax dollars.

## NOLC supports two challengers for School Board

The Northwest Oregon Labor Council has endorsed two challengers running for school board seats at Portland Public Schools.

The council supports neighborhood activist Ruth Adkins in Zone 1 and social worker Michele Schultz in Zone 2. Adkins is running against incumbent Doug Morgan, while Schultz is challenging incumbent David Wynde.

Schultz holds a master's degree in social work from Boston College. She has two children at Winterhaven K-8 school in inner Southeast Portland. She is a past PTA president and an active volunteer.

"We've been through a lot of turmoil," she told the NOLC Executive Board. "I got mad enough to run for office."

Shultz said she was "appalled" when school custodial jobs were contracted out. "What was touted as a money-saver will end up costing the district a lot of money," she said.

Adkins, founder of the Neighborhood Schools Alliance group, also opposes contracting out and is happy to see the regular custodians coming back.

A graduate of Yale University who works as a market research analyst, Adkins lives in the Hillsdale neighborhood of Southwest Portland and has three children in the Portland School District.

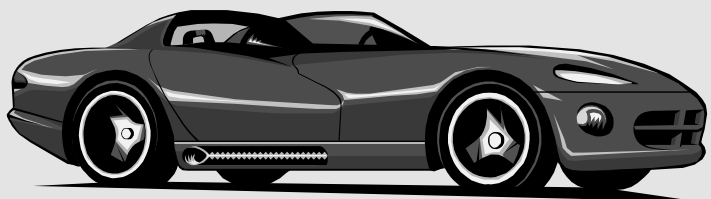
Adkins said citizens in the community, teachers and other school employees are feeling disenfranchised. "They feel they're not being heard in a lot of the decision-making," she said.

Both candidates say they want to involve the community more and improve communications of the board.



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# ...Custodian reactions are mixed

(From Page 1)

\$3 million — based on a model worked up by economists hired by the district's lawyers.

"Their position was that everybody should have gotten a job after about 100 days," Stoll said, "and that the pay would have been \$1.50 an hour less. That's only \$3,000 a year per person."

The final amount, \$14.5 million, was a compromise between the two sides' figures. Out of that sum:

- About \$3.3 million — 25 percent — will pay plaintiffs' attorney fees. [25 percent is standard in class-action lawsuits, where lawyers work for years and only get paid if they win an award for their clients.]

- Up to \$140,000, subject to court approval, will reimburse plaintiffs' attorneys for out-of-pocket legal costs, including \$7,400 to each of the four lead plaintiffs for their services.

- A \$370,000 "Extraordinary Health Care Claim Fund" will reimburse a handful of custodians for any amount over \$15,000 that they paid for health care costs or insurance premiums.

The remainder will be divided up among the 280 custodians, amounting to about \$37,000 each. After payroll taxes, income tax withholding and employee retirement plan contributions are taken out, custodians can expect a check of about \$26,000, to be issued sometime before September 2007. A handful of custodians died

before the suit was resolved, and in their cases, the district will make the payment to their estates.

Under the terms of the settlement, the amount of the district's offer decreases \$50,000 for every custodian who chooses to "opt out," and if more than 20 of the 280 opt out, the district can back out of the settlement altogether.

Among custodians, reactions were mixed at an April 23 meeting to discuss the settlement.

"Some people were really happy and some were really unhappy," said Steve Armony, former custodian union leader and one of the four lead plaintiffs who sat through the settlement negotiations. Still, Armony says, he doesn't expect many custodians will choose to opt out of the settlement — which would mean they'd have to find a new attorney and fight on alone.

"You gotta ask yourself, 'Do I still want to be dealing with this five years from now?'" Armony said. "The district has unlimited funds — our tax dollars — to fight this and drag it out."

Stoll, who is also one of the lead attorneys in the Exxon Valdez class action lawsuit, agreed, and gave custodians some sobering perspective — the Prince William Sound, Alaska, fishermen he represents have yet to get a settlement check 18 years after the oil spill cost them their livelihoods.

While it might seem custodians' right to back pay is cut and dried, Stoll said they could face an unsympathetic judge if they went to trial; thus far, only the Oregon Supreme Court ruled in custodians' favor, and that by a split 3-2 majority. And it could take three years or more to get a decision if the two sides go to trial.

"Given everything," Armony said, "this is probably the best deal we could get."

## Retiree gets 76-year pin from Glass Workers #740

Kenneth Smith received a 76-year pin from Portland Glass Workers Local 740.

Smith, who will turn 102 on June 10, joined the union on Nov. 19, 1930. He worked as a sash glazier for W.P. Fuller until his retirement in 1970.

Smith lives in an assisted living facility in Southeast Portland, where he keeps tabs on new construction work in the area. He also keeps up on current events, reading his union newspapers and magazines.

Smith said window installation — from wood to aluminum to vinyl — has really changed the industry. He said as a sash glazier he ran "lots and lots of putty."

"Kenneth Smith is a remarkable glazier and union member," said William Vonderohe, chair of the Painters and Allied Trades District Council 5 Retiree's Club and recording secretary of Local 740.



KENNETH SMITH

## Steelworkers, two British unions consider merger

OTTAWA, Ont. (PAI) — Saying multi-national unions are needed to combat multi-national corporations, the United Steelworkers (USW) announced April 18 they will work on a merger with Great Britain's two largest unions — Amicus and the Transport & General Workers.

Merger talks, which leaders of both USW and Amicus expect will take a year, aim to create the first trans-Atlantic union and could provide a model for other unions worldwide, said USW President Leo Gerard and Amicus General Secretary Derek Simpson.

In the meantime, the Steelworkers and the British unions will work together on coordinated campaigns and "common approaches to collective bargaining with multi-nationals," they said.

If the merger succeeds, it would join the USW, which has 850,000 active members and 350,000 retirees in the U.S. and Canada, with the two British unions — who themselves merged May 1 into a new union called Unite. Com-

bined, the British unions have 1.78 million active members and over 200,000 retirees.

"Primarily in our existence, we dealt with North American capitalists. But now, with the World Trade Organization and other trade agreements, we're dealing with industry and capital that has become globalized," Gerard explained. "As global corporations have tried to force their will on job security, health care and pensions, we've found we have to get together" to combat them, he added.

The merger is also needed, he pointed out, because the USW, its Canadian arm, and the British unions each represent workers not just in steel and allied enterprises, but at least 12 sectors of the economy.

The USW-British merger plans, announced at USW's Canadian National Policy Congress in Ottawa, Ont., come just after the Independent Steel Union, representing 1,150 workers in Weirton, W. Va., merged with USW on April 13.




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# Maintenance crew at Portland Schools votes to strike

## Members of the 14-union DCU have been working without a new contract since Dec. 31, 2005

A bargaining group of 119 skilled trades workers at Portland Public Schools (PPS) may be on the verge of a strike after years of contract stonewalling by the district.

At an April 26 meeting attended by nearly the entire unit, members of the District Council of Unions (DCU) rejected the district's final contract proposal by a margin of 80 percent, and by a similar margin gave the bargaining committee the power to call a strike. No further bargaining sessions are scheduled.

"We're done," said Jerry Moss, Plumbers and Fitters Local 290 representative and spokesman for the DCU.

With the two sides at impasse, the district may move to impose its contract offer without the consent of union members. Members have been working

under the terms of their previous contract since it expired Jan. 1, 2006. That contract — signed just weeks before its term ended — contained no wage increases. Nor are there any raises in the district's current offer, which also would reduce the number of paid holidays from 11 to nine, increase out-of-pocket health care costs for employees, and do away with employer-paid retiree health coverage by 2013.

Moss said the district's approach to bargaining was to present its offer, and never change its position in a year of meetings.

"If this is the offer you're gonna make from day one and you never budge," Moss said, "how do you call that bargaining?" The DCU plans to file an unfair labor practice charge with the Oregon Employment Relations Board.

The DCU includes Teamsters, Machinists and 12 building trades unions. A skilled force that once numbered 400 to 500 members, it's now a skeleton crew too stretched putting out fires to do preventive maintenance, said

Scott Lucy, a business rep for Machinists District Lodge 24. Meanwhile, two unions that used to belong to the DCU have left to go it alone.

Amalgamated Transit Union Local 757, which represents about 85 school bus drivers, decided earlier this year to bargain separately. School bus operations have a separate state funding source, explained Local 757 President Jon Hunt, and bus drivers aren't year-round employees like most DCU members. But Hunt says so far, bargaining solo hasn't produced any different result. PPS's proposal and bargaining posture are identical, down to the amount they're willing to contribute to health benefits — \$779 a month, \$15 more than its current cap.

The other union to leave the DCU is a section the Portland Federation of Teachers and Classified Employees Local 111 (campus monitors, occupational and physical therapists and community agents). Those employees were transferred into the major PFTCE contract, which expires on June 30. Bargaining with the district began April 19.

Union leaders had hoped the district's decision at the beginning of the year to hire Tom Gunn — a former union-side negotiator — meant it was ready to soften its stance. But Moss and Hunt say they've found Gunn to be a kinder, gentler conduit for the same "take it or leave it" message.

Gunn, for his part, faulted the DCU for rejecting an offer of mediation, and said it's not true that the district's final offer was no different than its initial proposal.

Moss said he's never been this frustrated with a negotiation, and in 10 years of bargaining contracts for Plumbers and Fitters Local 290, never before called for strike authorization.

For DCU members, the sticking points are the wage freeze and elimination of retiree health coverage.

Almost one in five DCU members are eligible for retirement as of this year. Most PPS building trades members retire at 60, Moss said, and the district keeps retirees on the district's plan for five years, so in effect, the district covers them until they become eligible for Medicare.

As for wages, the three-fifths of DCU members who belong to building trades unions make as much as \$5 an hour less than their counterparts in construction, though unlike the construction side, they do enjoy a regular year-round schedule and participation in the PERS retirement system. Team-

ster drivers, meanwhile, make \$19.94 an hour, and Machinist bus mechanics top out at \$23.53.

Two months after district superintendent Vicki Phillips presented a "good news" budget with funding for new programs, how can PPS be asking maintenance workers to go two more years with no raise?

"They're not really asking," said Lucy. "They're telling us. And we're telling them back."

Every time DCU leaders have reached out to the School Board, Moss said they're told to deal directly with the negotiators. Moss doesn't think it's Gunn who's calling the shots.

"I think there's a group of people, at upper administrative levels, that is convinced they can push [the DCU] wherever they want."

After impasse, the law requires a 30-day cooling-off period, after which the bargaining team can call a strike.

## Nurse staffing forum set May 31 at PCC Cascade Campus

A community forum on safe registered nurse staffing will be held Thursday, May 31, at 7 p.m. at the Portland Community College Cascade Campus, 705 N. Killingsworth St., Portland.

The forum is co-sponsored by Jobs with Justice Workers' Rights Board, the Oregon Federation of Nurses and Health Care Professionals Local 5017, an affiliate of the American Federation of Teachers, and the United Nurses of Legacy.

Registered nurses from the Legacy Health System will share their experiences on understaffing at the chain of Legacy hospitals in the Portland metropolitan area.

Some 2,000 nurses have been trying to form a union at Legacy for nearly two years.

The community forum also will include a Workers' Rights Board hearing. This is a public forum where workers can bring complaints against employers for violating their human and legal rights in the workplace. The Board is drawn from a broad spectrum of community leaders and can intervene with employers and the public to help resolve situations that threaten workers' rights.

Everyone is invited to attend.

For more information, call Matthew Rae at 503-358-3016.

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# OFFICIAL NOTICES

## Asbestos Workers 36

Executive Board meets 6 p.m. Wednesday, May 9. Members meet 8 p.m. Friday, May 11. Meetings are at 11145 NE Sandy Blvd., Portland.

## Bakery, Confectionery, Tobacco Workers and Grain Millers 114

Executive Board meets 10 a.m. Tuesday, May 15, in the meeting room at 7931 NE Halsey, Suite 205, Portland. **PLEASE NOTE DATE CHANGE.** There is an opening for an Executive Board position that will be filled at this meeting. If you are interested, please call the union office.

## Boilermakers 500

Members meet 10 a.m. Saturday, May 12, at 2515 NE Columbia Blvd., Portland.

## Bricklayers and Allied Craftworkers 1

Members meet 7 p.m. Tuesday, May 15, at 12812 NE Marx St., Portland.

## Carpenters 1715

Members meet 6:30 p.m. Tuesday, May 15, preceded by a 5 p.m. Executive Board meeting at 612 E. McLoughlin, Vancouver, Wash.

## Cement Masons 555

Members meet 7 p.m. Thursday, May 17, at 12812 NE Marx St., Portland.

## Clark, Skamania & W. Klickitat Counties Labor Council

Delegates meet 6 p.m. Thursday, May 24, preceded by an Executive Board meeting, at the ILWU Local 4 Hall, 1205 Ingalls St., Vancouver, Wash.

## Columbia-Pacific Building Trades

Delegates meet 10 a.m. Tuesdays, May 8 and May 15, at Kirkland Union Manor II, 3535 SE 86th, Portland.

## Electrical Workers 48

Marine Unit meeting has been canceled for May. Residential Unit meets 6 p.m. Wednesday, May 9. General membership meets 6:30 p.m. Wednesday, May 23, preceded by a 5:30 p.m. pre-meeting buffet. Wasco Unit meets 6:30 p.m. Wednesday, May 9, at the Wasco PUD, 2345 River Rd., The Dalles. Coast Unit meets 7 p.m. Wednesday, May 9, at Astoria Labor Temple, 926 Duane St., Astoria. EWMC meets 6 p.m. Wednesday, May 9, in the Executive Boardroom. Sound & Communication Unit meets 6:30 p.m. Wednesday, May 9. Electrical Women of Local 48 meet 6 p.m. Tuesday, May 15, at NIETC, 16021 NE Airport Way. Executive Board meets 6:30 p.m. Wednesdays, May 16 and June 6. Bylaws Committee meets 6:30 p.m. Tuesday, May 22, in the Executive Boardroom. Women In Trades Fair 9 a.m. - 3 p.m. Saturday, May 5, at NIETC, 16021 NE Airport Way. Meetings are at 15937 NE Airport Way, Portland, unless otherwise noted.

DEATH ASSESSMENTS: The following death assessments have been declared for May and are payable at

50 cents: No. 2134, James R. Gilmore; No. 2135, Donald B. Chance; No. 2136, Frank Harris; No. 2137, Norbert J. Bartlett; and No. 2138, Eugene J. Reed.

## Electrical Workers 280

Bend Unit meets 5:30 p.m. Thursday, May 10, at the IBEW/UA Training Center, 2161 SW First St., Redmond.

Eugene Unit meets 5:30 p.m. Wednesday, May 16, at the LU 290 Training Center, 2861 Pierce Parkway, Springfield.

Salem Unit meets 5:30 p.m. Thursday, May 17, at the Salem Heights Community Center, 3505 Liberty Rd. S., Salem.

Executive Board meets 1 p.m. Wednesday, June 6, at 32969 Hwy. 99E, Tangent.

## Elevator Constructors 23

Members meet 6 p.m. Thursday, May 10, preceded by a 5:30 p.m. Executive Board meeting, at 12779 NE Whitaker Way, Portland.

## Exterior & Interior Specialists 2154

Members meet 5 p.m. Wednesday, May 16, at 1125 SE Madison, Suite 207, Portland.

## Fire Fighters 1660

Members meet 8 a.m. Thursday, May 10, at 4411 SW Sunset Dr., Lake Oswego.

## Iron Workers 29

Members meet 7 p.m. Thursday, May 17, at 11620 NE Ainsworth Cir., #200, Portland.

## Iron Workers Shopmen 516

Executive Board meets 6 p.m. Thursday, May 10, 11620 NE Ainsworth Cir., #300, Portland.

## Labor Roundtable of Southwest Washington

Delegates meet 8 a.m. Friday, May 11, at Hometown Buffet, 7809-B Vancouver Plaza Dr., Vancouver, Wash.

## Laborers 483

## Municipal Employees

Members meet 5:30 p.m. Tuesday, May 15, at the Musicians Hall, 325 NE 20th Ave., Portland.

## Laborers/Vancouver 335

Members meet 7 p.m. Monday, May 7, preceded by a 6:15 p.m. Executive Board meeting, at the Vancouver Labor Center, 2212 NE Andresen Rd., Vanc., Wash.

## Linoleum Layers 1236

Executive Board meets 5 p.m. Monday, May 7, at the Union Office 11105 NE Sandy Blvd., Portland.

Portland Area members meet 6 p.m. Thursday, May 24, at the Union Office, 11105 NE Sandy Blvd., Portland.

## Marion-Polk-Yamhill Labor Council

Executive Board meets 6:30 p.m. Tuesday, May 8, followed by a 7 p.m. general meeting at SEIU #503, 1730 Commercial St. SE, Salem.

## Metal Trades Council

Executive Board meets 8 a.m. Monday, May 14, at NOLC board room, 1125 SE Madison, Portland.

Delegates meet 5 p.m. Tuesday, May 22, at IBEW Local 48 Hall, 15937 NE Airport Way, Portland.

## Mid-Columbia Labor Council

Delegates meet 7 p.m. Tuesday, May 8, at 3313 W. 2nd, The Dalles.

## Molders 139

Members meet 6:30 p.m. Thursday, May 17, preceded by a 6 p.m. Executive Board meeting at the Carpenters Hall, 2205 N. Lombard, Portland.

## Multnomah County Employees 88

General Membership meets 7 p.m. Wednesday, May 16, preceded by a 6 p.m. stewards meeting.

Executive Board meets 6:15 p.m. Wednesday, June 6. Meetings are at the Council 75 office, 6025 E Burnside, Portland.

## Northwest Oregon Labor Council

The May meetings have been canceled due to the Memorial Day holiday.

## Painters & Drywall Finishers 10

Members meet 7 p.m. Wednesday, May 16, at 11105 NE Sandy Blvd., 2nd Floor, Portland.

## Pile Drivers, Divers & Shipwrights 2416

Members meet 7 p.m. Friday, May 25, preceded by a 6 p.m. Executive Board meeting, at 2205 N Lombard, Portland.

## Roofers & Waterproofers 49

Members meet 7 p.m. Thursday, May 10. Executive Board meets 7 p.m. Thursday, June 7. Meetings are at 5032 SE 26th Ave, Portland. (Phone: 503 232-4807)

## Sheet Metal Workers 16

Portland members meet 6 p.m. Tuesday, May 8, at the Sheet Metal Training Center, 2379 NE 178th Ave., Portland.

Medford area members meet 5 p.m. Wednesday, May 9, at Abby's Pizza, 7480 Crater Lake Hwy., White City.

Eugene area members meet 6 p.m. Thursday, May 10, at UA #290 Hall, 2861 Pierce Parkway, Springfield, preceded by a VOC meeting.

Coos Bay area members meet 5 p.m. Thursday, May 17, at the Labor Temple, 3427 Ash St., North Bend.

Portland area VOC meets 6 p.m. Wednesday, June 6, at the Sheet Metal Training Center, 2379 NE 178th Ave., Portland.

## Sign Painters & Paint Makers 1094

Members meet 1:30 p.m. and 3:30 p.m. Monday, May 21, in the District Office, at 11105 NE Sandy Blvd., Portland.

## Southern Oregon Central Labor Council

Delegates meet 6 p.m. Tuesday, May 8, at the Labor Temple, 4480 Rogue Valley Hwy. #3, Central Point.

## Southwestern Oregon Central Labor Council

Delegates meet 6 p.m. Monday, May 7, at the Bay Area Labor Center, 3427 Ash, North Bend.

## United Association 290

Portland area members meet 7:30 p.m. Friday, May 18, at 20210 SW Teton Ave., Tualatin.

Astoria area members meet 6 pm Thursday, May 24, at the Astoria Labor Temple, 926 Duane St., Astoria.

Bend area members meet 6:30 p.m. Tuesday, May 22, at the Local 290 Training Center, 2161 SW First, Redmond.

Brookings area members meet 5:30 p.m. Tuesday, May 29, at Curry County Search and Rescue, 417 Railroad St., Brookings.

Coos Bay area members meet 7 p.m. Tuesday, May 22, at the Coos Bay Training Center, 2nd & Kruse, Coos Bay.

Eugene area members meet 6:30 p.m. Monday, May 21, at the Springfield Training Center, 2861 Pierce Parkway, Springfield.

Klamath Falls area members meet 5:30 p.m. Tuesday, May 22, at 4816 S. 6th St., Klamath Falls.

Medford area members meet 6 p.m. Thursday, May 24, at 650A Industrial Cir., White City.

Roseburg area members meet 5 p.m. Thursday, May 24, at the Roseburg Labor Temple, 742 SE Roberts, Roseburg.

Salem area members meet 6 p.m. Monday, May 21, at 1810 Hawthorne Ave. NE, Salem.

The Dalles area members meet 6 p.m. Tuesday, May 22, at the United Steelworkers Local 9170 Union Hall, The Dalles.

Humboldt-Del Norte Co. area members meet 5:30 p.m. Wednesday, May 23, at the Eureka Training Center, 832 E St., Eureka, Calif.

## USW 1097

Members meet 4 p.m. Wednesday, May 16, preceded by a 3 p.m. Executive Board meeting, at the union office, 91237 Old Mill Town Rd., Westport.

## Motorcycle Poker Run to raise funds for kids' hospital

There are still some tickets left to win a new Harley-Davidson motorcycle and raise funds for Doernbecher Children's Hospital in Portland.

The fifth annual Motorcycle Poker Run and Chili Cook-Off will be held Saturday, June 9, in Northeast Portland. The event is sponsored by "Unions for Kids," a non-profit organization comprised of members of various unions in Portland and SW Washington.

Tickets to win the motorcycle — a 2007 sude blue and black Dyna Low-Rider FXDL — are \$10 each. Only 3,500 tickets will be sold.

For more information, go to [www.unionsforkids.org](http://www.unionsforkids.org) or call Lee Duncan at 503-260-5905.

## Lane County CLC makes political endorsements

EUGENE — The Lane County Labor Council has made the following recommendations in the May 15 Special Election:

- Endorsed the Lane County Income Tax referral. This personal income tax would save services and over 200 public employee jobs.

- Endorsed Roger Hall, Stefan Ostrach and Robert Ackerman for Lane Community College Board of Education. Ostrach is a business representative of Teamsters Local 206.

## Apprenticeship Opening Glaziers

The Oregon & SW Washington Glaziers Joint Apprenticeship & Journeyman Training Program will be open to accept applications to create a pool of eligible applicants. Applicants must be at least 18 years old. Must apply in person and furnish a copy of a high school diploma and grade transcript or GED and test scores at time of application.

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## RETIREE MEETING NOTICES

**ALLIANCE FOR RETIRED AMERICANS OREGON CHAPTER**  
Executive Board meets 10 a.m. Thursday, May 10, in the Northwest Oregon Labor Council board room, at 1125 SE Madison, Portland.  
Retirees meet 9:30 a.m. Thursday, May 24, at Westmoreland Union Manor, 6404 SE 23rd Ave., Portland. All retirees are welcome to attend.

**CARPENTERS**  
Retired Carpenters meet for lunch 11 a.m. Monday, May 14, at JJ North's Grand Buffet, 10520 NE Halsey, Portland.

**ELECTRICAL WORKERS 48**  
Retirees, wives and friends meet 11:30 a.m. Tuesday, May 8, at Hometown Buffet, 10542 SE Washington

St., Portland. (Mall 205) Senior lunch is \$7.69. A brief business meeting and drawing will follow. For further information, please call Vera Larson 503 252-2296.

**IRON WORKERS 29**  
Retirees meet 11:30 a.m. Wednesday, May 9, at JJ North's Grand Buffet, 10520 NE Halsey, Portland.

**NORTHWEST OREGON LABOR RETIREES COUNCIL**  
Business meeting from 10 a.m. to 11 a.m. Monday, May 14, at 1125 SE Madison #100G, Portland.

**OREGON AFSCME**  
Retirees meet 10 a.m. Tuesday, May 15, at the AFSCME office, 6025 E

Burnside, Portland. Call Michael Arken for information at 503-239-9858, ext. 124.

**SHEET METAL WORKERS 16**  
Retirees meet 11:30 a.m. Thursday, May 10, at Izzy's Pizza, Gateway, NE 102nd & Halsey, Portland. All retirees are invited to attend.

**UNITED ASSOCIATION 290**  
Retirees meet 10 a.m. Thursday, May 17, at 20210 SW Teton Ave., Portland.  
Salem area retirees meet 12 noon Wednesday, May 9, at Almost Home Restaurant, 3310 Market St. SE, Salem.

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## Painters get bonus checks for safety, skills training

Members of Painters and Drywall Finishers Locals 10 (Portland), 78 (Longview), 360 (Vancouver), 724 (Salem) and 1277 (Eugene) don new Carhartt jackets and baseball caps — along with receiving individual checks for \$575. It's all part of a labor-management rewards program to inspire workers to complete safety training and skill advancement classes. A provision in the union's contract with the Signatory Painting Contractors Organization qualifies journey-level painters who complete six classes and/or certifications, plus an additional 24 hours of skill advancement training over a one-year period for the bonus. The program is funded by employer contributions of 20 cents an hour into a special fund. Classes include first aid, CPR, fall protection, OSHA 10 and others. Classes are held in the evenings and on weekends at the Painters and Allied Trades District Council 5 Training Center in Northeast Portland. Approximately \$40,000 was handed out to the union workers. "We hope more of our members will take advantage of this program," said Business Representative Tim Carrier. "These are skills they can use for a lifetime."



Jason Broten, a 16-year member of Vancouver Painters and Drywall Finishers Local 360, was one of 56 union members to receive bonus checks for completing safety training and skill advancement classes at the union's training center. After getting his check for \$575, Broten immediately turned it over to co-worker Jerry Mataya, a member of Portland Painters Local 10, who has cancer. Mataya also received a bonus check, but he's been out of work for a while for chemotherapy treatment. "I'm not looking for any publicity," said Broten of Amboy, Washington. "It's money I didn't know I was getting. Someday, maybe someone will do the same for me if I need it." Broten and Mataya work for W.E. Given Contracting Inc. Broten said the company is matching all contributions to help Mataya.

## NOLC's annual awards dinner set for June 2

Mark your calendars for Saturday, June 2, when the Northwest Oregon Labor Council hosts the 10th annual Labor Appreciation and Recognition Night at Westmoreland Union Manor.

This year's theme is "Hat Madness," so don your favorite lid for the dinner and awards ceremony, which serves as a fundraiser for Labor's Community Service Agency's Emergency Fund. The fund helps union members who have been laid off, are on strike, or experiencing some type of financial difficulty.

Dinner tickets are \$10 per person. Raffle tickets are sold for \$1 each or seven for \$5.

Through May 18, the labor council will be accepting nominations for persons to be recognized for their contributions to the labor community.

"You can recognize union members, shop stewards, service providers, whomever you feel is worthy," said Judy O'Connor, executive secretary-treasurer of NOLC.

The labor council also is accepting cash and prize donations for the raffle.

For more information or to order tickets, call 503-235-9444.

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## NW Labor History confab set May 11-12 at IBEW #48

"Preserving Union History: Saving The Day" is the theme of the 39th annual Pacific Northwest Labor History Association Conference, slated Friday and Saturday, May 11-12, at the IBEW Local 48-NECA Training Center, 15937 NE Airport Way, Portland.

The conference brings union members from Oregon, Washington and British Columbia together for a weekend of workshops, panel discussions and entertainment.

The annual awards banquet will be held May 11 starting at 6:30 p.m. Ed Barnes, retired business manager of IBEW Local 48, will be honored with the Labor History Person of the Year Award and the Labor Education and Research Center of the University of Oregon will receive a special award.

Speakers that evening will include Oregon Labor Commissioner Dan Gardner and Tim Nesbitt, adviser to Gov. Ted Kulongoski. Nesbitt is a for-



JOSEPH McCARTIN

mer president of the Oregon AFL-CIO.

On May 12, a plenary session starting at 9 a.m. will feature Joseph McCartin, associate professor of history at Georgetown University, who will talk about the the air traffic controllers and how their mass firings in 1981 by President Ronald Reagan changed the face of collective bargaining in the United

States.

Also speaking on Saturday will be Heather Mayer of Simon Fraser University; Trevor Griffey of the University of Washington History Department; and Adam Klugman of the Progressive Media Agency. Mayer will discuss the Wobblies and the 1907 sawmill strike in Portland. Griffey will talk about working-class radicalism and the electrical workers in the Northwest. And Klugman will make a presentation on telling labor's story.

For more information, call Ross Rieder at 253-875-9498.

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# OT pay after 8 hours will have to wait

By DON McINTOSH  
Associate Editor

SALEM — With Democrats in control of the Oregon Legislature for the first time since 1989, Labor Commissioner Dan Gardner thought it might be time to return to the glory days.

Before 1985, Oregon workers had an eight-hour workday. Or at least, employers had to pay overtime — time-and-a-half — when hourly employees worked beyond eight hours in a day. That's the law today in California, too.

But in 1985, the Oregon Legislature (then also led by Democrats) changed the eight-hour day to the 40-hour week for private sector workers, and Gov. Neil Goldschmidt, a Democ-

rat, signed the bill. In 1995, a Republican House and Senate made that change for public sector workers as well, and Gov. John Kitzhaber, a Democrat, signed it.

The campaign for the eight-hour day was a hallmark of the U.S. labor movement in the 19th and 20th centuries. But in truth, the federal Fair Labor Standards Act of 1938, which defined maximum hours, was always complicated, with exceptions for different industries and types of workers. And states had flexibility to go beyond the federal requirements.

"Unfortunately, over time we've headed back toward the older struggles," Gardner says.

Gardner says some employers are abusing the 40-hour week by scheduling long shifts on short notice — without paying overtime, because the hours might not exceed 40 in a week. To end this abuse, and give workers more time with their families, Gardner got Rep. Brad Witt (D-Clatskanie) to introduce House Bill 2673, and 18 other House members signed on as co-sponsors. HB 2673 would return Oregon to the eight-hour day, with exceptions for workplaces that have regularly scheduled alternative workweeks, like four 10-hour shifts.

House Business and Labor Committee chair Mike Schaufler (D-Happy Valley) gave the bill a hearing on April 13.

"I was surprised by how much opposition we got," Gardner said. "I expected opposition from the business lobby, but we had a few business Democrats who didn't like it either."

First to testify was Witt, the bill's sponsor: "This represents a return to protections enjoyed by Oregon's workers prior to 1985," Witt told committee members, "and is in keeping with two centuries of progress."

But Maria Keltner, representing the Association of Oregon Counties, summed up the dominant employer

view, which was shared by Associated Oregon Industries and the National Federation of Independent Business:

"From our perspective," Keltner testified, "it looks like a choice between flexible choices for modern lifestyles or a concept from the past that looks at lifestyles and work arrangements from the past."

In other words, the eight-hour day is so 1930s. Get with the times.

A representative of ADEC, a dental equipment manufacturer, praised his company's schedule: four nine-hour days, followed by a four-hour Friday. Employees love it, he said.

Gardner, for his part, has no doubt they do. And, he says, his bill wouldn't ban such schedules, they'd just have to be regular, not made up week to week. Employers with irregular schedules would just have to do what they do in California when they force workers to stay past eight hours — pay them time-and-a-half.

But Gardner's bill needed the support of the committee chair to get a vote and move on to the next level. Schaufler said he had reservations about it, even though he was a signed-on co-sponsor of the bill.

Schaufler declined to schedule a vote on the bill; under the rules the Legislature set for itself this year. That meant the bill was declared dead at the end of the day April 30.

Gardner, lobbying for the bill prior to the hearing, said he felt a sentiment among lawmakers that they're already going a long way for organized labor this session; no more could be expected.

So Gardner, joined by Portland Democrat Diane Rosenbaum, speaker pro tem of the House, introduced the eight-hour-day bill as an initiative petition. Gardner said they plan to shop it around after the legislative session ends to see if there's support from organized labor to get it on the ballot for voters to decide in 2008.

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## In Oregon Legislature

# Many labor-backed bills advancing

SALEM — The Oregon House of Representatives passed three of the Oregon AFL-CIO's "top priority" bills last month. The bills are designed to protect the rights of working Oregonians to organize and collectively bargain without interference by employers.

The Democratic-controlled House passed House Bill 2893, dubbed the Worker Freedom Act, by 31-27; HB 2891, the Majority Sign-Up for Public Employees bill, on a vote of 34-24; and HB 2892, the State Financial Accountability Act, by a party-line vote of 31-29.

**HB 2893** gives employees the freedom to walk away from anti-union, political and religious indoctrination meetings without fear of being fired. Employers can still hold meetings, express their beliefs and exercise free speech; they simply can't make the meetings mandatory or take retaliatory measures if an employee doesn't want to attend. Faith-based and political organizations are exempted under the bill.

**HB 2891** allows public-sector workers to decide for themselves whether to use the already legal process of majority sign-up, which allows workers to form a union by demonstrating a clear majority of worker support through signa-

tures on cards or petitions. Currently, the decision about whether to use such a process is the choice of the employer.

Three Republicans joined all 31 Democrats in supporting HB 2891. They were Representatives Bill Garrard of Klamath Falls, Fred Girod of Stayton, and Greg Smith of Heppner.

**HB 2892** ensures that taxpayer dollars are used to pay for programs, instead of paying high-dollar consultants to deter union organizing campaigns.

The bills now go to the State Senate. Still coming up in the House is House Joint Memorial 7, a bill to support the national Employee Free Choice Act. The Oregon AFL-CIO has made its four-bill "Restoring the Freedom to Organize" package a top priority for the 2007 legislative session.

Another bill supported by labor would stop fraud and abuse of Oregon's initiative process.

**HB 2082**, which passed the House last month, will require campaigns that hire paid signature gatherers to keep accurate and up-to-date payroll records, and gives the secretary of state audit authority to spot-check campaigns.

The measure also increases the number of signatures required to file a ballot title from 25 to 1,000, which would stop

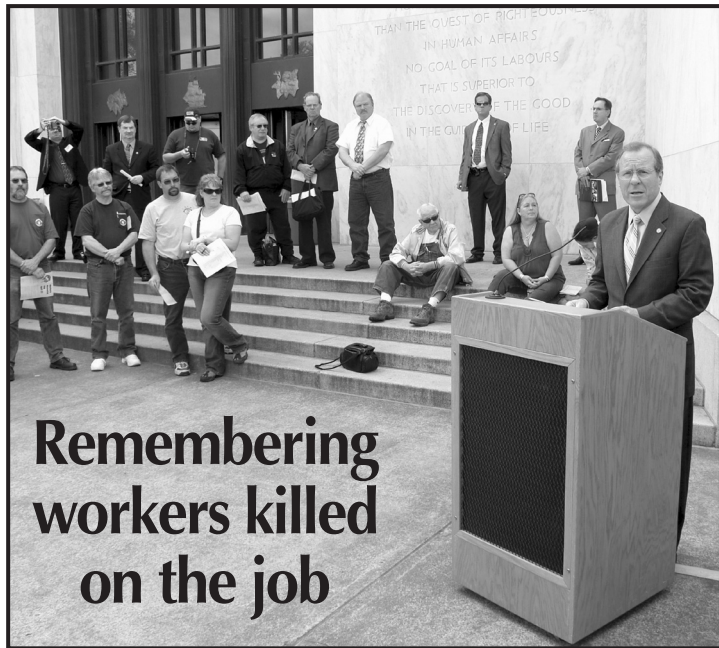
the current practice of campaigns marketing their ideas on the taxpayer's dime. If the campaign goes forward with the measure, the 1,000 signatures would count for the final total.

Another labor-backed bill became law last month when Gov. Ted Kulongoski signed **SB 362** to expand the Oregon Prescription Drug Program to include the private sector, labor unions and all underinsured Oregonians who lack full prescription drug coverage.

The program was created in 2003 to help low-income uninsured Oregonians over the age of 54 afford the high cost of prescription drugs. Through the power of bulk purchasing for prescriptions and by pooling resources together, the state is able to negotiate lower prices for prescriptions than what individuals and businesses normally can.

In November 2006 the program was expanded under Ballot Measure 44 to allow all Oregonians without prescription drug coverage to access the program. Since then, the number of Oregonians enrolled in the program has more than tripled to nearly 16,000 members.

Kulongoski said Oregonians enrolled in the program save on average \$28 per prescription, and savings can be as high as 60 percent over retail prices.



## Remembering workers killed on the job

SALEM — Oregon Gov. Ted Kulongoski (pictured above at podium) urged citizens to contact federal lawmakers and insist that they strengthen — not weaken — workplace safety rules in the United States.

Kulongoski spoke to about 100 people gathered at the front steps of the State Capitol April 27 to observe Workers Memorial Day. The actual Workers Memorial Day — April 28 — was established 18 years ago by the national AFL-CIO to recognize the thousands of workers who die on the job each.

Last year, 69 workers died on the job in Oregon.

Kulongoski expressed outrage at the Bush Administration and the federal Occupational Safety and Health Administration (OSHA) for "lowering its priorities" for protecting workers.

According to a New York Times report, OSHA under the Bush Administration has issued the fewest significant standards in its history — and the only significant health

standard it issued was ordered by a federal court.

President Bush's political appointees come from big business, and since he took office OSHA has eased regulations or weakened enforcement that it considers cumbersome or too costly for businesses and consumers.

"It's absolutely outrageous," Kulongoski said. "You need to tell them (the White House, OSHA and federal lawmakers) you won't tolerate it."

Kulongoski said Congress passed the OSHA Act in 1970 with the intent of protecting workers. He said in Oregon, workplace fatalities have declined 75 percent since enactment of the Oregon Safe Employment Act in 1973.

At the Salem memorial ceremony, Oregon-OSHA Administrator Michael Wood read the names of all 69 workers killed in Oregon last year, as well as the names of the 19 Oregon soldiers killed in the Iraq war. As the names were read, a bell tolled in the background.

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## NLRB-controlled union elections are un-American

(Editor's Note: This is the testimony of Dr. Gordon Lafer, a professor at the Labor Education and Research Center of the University of Oregon, before the U.S. House of Representatives Subcommittee on Health, Employment, Labor and Pensions on the Employee Free Choice Act.)

By DR. GORDON LAFER

Over the past two years, I have conducted extensive research measuring the extent to which National Labor Relations Board elections match up to American standards developed from the Founding Fathers to the present — for defining “free and fair” elections. Unfortunately, I must report that NLRB elections look more like the discredited practices of rogue regimes abroad than like anything we would call American.

### THE ROLE OF SECRET BALLOTS

Before going into the substance of my findings, I want to say a word about secret ballots, since so much of the debate around labor law reform has focused on the role of secret ballots. To some, it may seem that as long as an election ends in a secret ballot, it must be fair. In the workplace, one might imagine that even in the worst case, if a worker is intimidated by his or her employer, one could lie to one's supervisor and pretend to be opposing the union; as long as, at the end of the day, you cast your ballot in the privacy of a vot-

ing booth, you are free to exercise your conscience.

It is critical to note that the American democratic tradition — from the Founders to the present — fundamentally rejects this view. In elections to public office, while the secret ballot is a necessary ingredient, there are a whole set of standards that must be met in the leadup to election day — such as equal access to the media and voters, free speech, etc. — which are equally crucial elements of defining a “free and fair” process. Indeed, our government has often condemned elections abroad when there was no question that they ended in a secret ballot, because they failed to meet these other, equally important standards.

Unfortunately, with the exception of the secret ballot — which NLRB procedures protect in some ways and undermine in others — every other aspect of NLRB elections fails to meet American standards defining “free and fair” elections.

I would like to focus on just three dimensions of democratic elections: access to voters; free speech; and protection of voters from economic coercion.

**Access to Voter Lists** — The first step in any American election campaign is getting a list of eligible voters, and it is law that both parties must have equal access to the voter rolls.

In NLRB elections, however, management has a complete list of em-

ployee contact information, and can use this for campaigning against unionization at any time — while employees have no equal right to such lists. Employers use legal maneuvers to delay union elections for months. Only after all delays have been settled does the union have a right to the list of eligible voters. A federal commission found that on average, unions received the voter list less than 20 days before the election. Even then, the NLRB requires employers to provide workers' names and addresses — but no apartment numbers, zip codes, or telephone numbers.

If we imagine this system being applied to congressional elections — where one candidate had the voter rolls two years before election day, while his or her opponent was restricted to a partial list and only got it a month before the vote — none of us would call this a “free and fair” election.

### Economic coercion of voters

When the founders of our country created the world's first democracy and gave the vote to the common people, they were particularly concerned that employers might use their economic power over workers to influence their political choices. In general, Alexander Hamilton warned, “power over a man's purse is power over his will.” For this reason, there are a wide range of federal and state laws that make sure employees can make political choices free from economic coercion.

In elections to Congress, it is illegal for a private corporation to tell its employees how they should vote, or to suggest that if one party wins business will suffer and workers will be laid off. Supervisor or managers can't say anything to those they oversee that amounts to endorsing one side or the other. It is noteworthy that federal law doesn't require that employers spell out a quid pro quo threat stating, for instance, that anyone caught wearing a button supporting the “wrong” candidate will never get a promotion. It is understood that employees naturally

(Turn to Page 11)

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# ...Lengthy research

(From Page 2)

while he was behind bars in Utah, lived in Portland from 1926 to 1936, Munk said in "The Red Guide." He wrote that "Both before and after those years, she was a leader in national radical politics." He also said: "Her life in Portland was sedentary because of poor health. She lived at the home of a Portland radical, Dr. Marie D. Equi, whose address was 1423 SW Hall St., Munk reported.

**WILLIAM Z. FOSTER**, who later became the head of the U.S. Communist Party, lived in Portland from 1901 to 1907, Munk says, adding, "He worked in lumber camps, laid railroad track along the Columbia River ... and shoveled heavy green railroad ties on the Portland docks, where he joined the Longshoremen's Union.

Munk's book said Foster shipped out as a seaman on a freighter for a time. The author also reported Foster frequented saloons in the city's Skid Road area and sold Socialist newspapers in the streets. Foster and a brother-in law filed a homestead claim to 320 acres in the Mosier area, which Munk quotes Foster as calling:

"A wild country, heavily timbered and full of fish and game, back of the famous Hood River apple district ... south of the great Columbia River ... in the background loomed magnificent Mount Hood." Munk went on: "After three summers, he gave up the land and ended what he called 'the first and last time in my life that I ever attempted to gather together property.'"

**FLYNN AND FOSTER** returned to Portland at separate times to make speeches in their later roles as national radical leaders.

John Reed is described in Red Guide as "Probably the best known of Portland radicals." Munk called him "the writer, poet and revolutionary." Reed covered the Russian Revolution and wrote a famous book about it, "Ten Days That Shook The World." Born in Portland of wealthy parents in 1886, Reed died of typhus in the Soviet Union in 1920 and was buried near the Kremlin. His wife was "the celebrated radical writer Louise Bryant," who left her husband to run off with Reed and later married him in New York City. They both hated Portland. She died in Paris in 1936.

Munk calls union attorney Burl (B.A.) Green "courageous." He said Green "chaired a December 1937 meeting at the Multnomah County Courthouse that exposed the illegal operations of the Police Red Squad. For his efforts, the Red Squad listed him as an 'active Communist sympathizer.'"

**RED GUIDE** contains considerable information about the "Portland Police Bureau's infamous Red Squad" and "its hostile spying on radicals, labor organizers, and civil rights and peace activists from the 1920s to the 1970s." Munk reported that the Red Squad even compiled a dossier on former Oregon House Speaker and former Mayor Vera Katz back in the days before she was an elected official, but was a Democratic Party activist who supported the Farm Workers Union's boycott of California grapes by picketing supermarkets. In the late 1960s and early 1970s, activist Katz also lobbied the Oregon Legislature at Salem on behalf of farm laborers.

"The outstanding Portland event of the 1930s," said Red Guide, "was the maritime strike of 1934. The event climaxed when police shot and wounded four striking longshoremen at St. Johns Terminal Four..." Munk said that Portland business leaders contributed to violence against strikers by demanding that Mayor Joe Carson break the strike. Munk reports further on the strike and killings of strikers in San Francisco and said, "Every year since 1934, on Bloody Thursday, the ILWU commemorates the strike in every port on the Pacific Coast."

**MUNK'S BOOK** also harks back to other strikes and lists among its historic sites the old red brick building at 1714 NW Overton St. that housed the Portland Reporter, the tabloid newspaper started by Oregonian and Journal strikers and their unions, which published from February 1960 until Sept. 30, 1964. The management-provoked strike, which did not keep the scab-hiring papers from publishing, began in November 1959 and the picketing ended in April 1965.

One of those in Red Guide's pantheon of heroes is Benjamin Linder, a 27-year-old Portland man whom Munk said "was assassinated by U.S.-state-sponsored terrorists in 1987 while building water projects in Nicaragua for the benefit of poor rural residents." The Reagan Administration-backed Contras killed Linder. There have been a number of memorials to Linder, an engineering graduate of Oregon State University. The latest was last week, on April 27, the 20th anniversary of his death, held at a Portland church.

(This column touches on a few of the subjects in The Red Guide. The book takes a couple of readings to absorb all of the information that Michael Munk has compiled.)

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**WILLIAM FAST**, a retired Portland port agent for the Marine Engineers Beneficial Association. (MEBA), asks the support of Labor Press readers for U.S. House Resolution 23, which he said would provide a \$1,000 a month pension to those who served in the U.S. Merchant Marine in World War II. If the veteran is deceased, Fast said the pension would go to the survivor. Years of eligibility are from 1941 to 1946.

Fast said HR 23 was introduced early this year with 84 U.S. representatives as co-sponsors. None of the U.S. representatives from Oregon and Washington have signed on as co-sponsors.

Many of those who served in the Merchant Marine were members of the MEBA union. Other maritime unions also represented wartime mariners.

# ...Employee Free Choice Act helps level playing field

(From Page 10)

are extremely sensitive to the need to make a good impression on their boss, and don't need a threat to be spelled out for it to influence their behavior. Thus, federal law protects the ability of workers to make a political choice based on personal conscience rather than economic coercion.

But in NLRB elections, this kind of intimidation is completely legal. Standard employer behavior involves having mass meetings where upper management attacks the idea of unionization, and then having supervisors tell each of their subordinates personally that they should vote against the union. In this way, NLRB elections maximize exactly the kind of behavior that is banned in federal elections.

**Free speech and equal access to media** — Free speech is the cornerstone of American democracy. In election to public office, it is a bedrock principle that there is no such thing as a neighborhood, park or shopping mall that is accessible to one candidate but off-limits to the other. Radio and television stations are required to sell ad time on the same terms to competing candidates. Even private corporations are prohibited from inviting one candidate to address employees without giving equal opportunity to the opposition.

From the founders to the present, it has been understood that democracy requires free speech, equal access to the media, and robust debate.

Yet this most basic standard of freedom is ignored by the NLRB.

Management is allowed to plaster the workplace with anti-union leaflets, posters, and banners — while maintaining a ban on pro-union employees doing likewise.

In addition, anti-union managers are free to campaign against unionization all day long, anyplace in the workplace, while pro-union workers are banned from talking about unionization except on break times. As a result, research shows that in a typical campaign, most employees never even have a single conversation with a union representative.

The most extreme restriction on free speech is employers' forcing workers

to attend mass anti-union meetings. Not only is the union given no equal time, but pro-union employees can be forced to attend with the condition that they don't open their mouths. If they ask a question, they can be fired on the spot.

If, during the 2004 presidential election, the Bush campaign could have forced every voter in America to watch the Swiftboat Veterans for Truth movie, with no opportunity for response from the other side — or if the Democrats could have forced everyone to watch Fahrenheit 9/11 — they might well have seized the opportunity. But none of us would call this democracy.

### HIGHER STANDARDS ABROAD THAN AT HOME

The truth is that we uphold higher standards for voters abroad than for American workers.

In 2002, the State Department condemned elections in Ukraine for failing to "ensure a level playing field," because employees of state-owned enterprises were pressured to support the ruling party; faculty and students were instructed by their university to vote for specific candidates; and the governing party enjoyed one-sided media coverage, while the opposition was largely shut out of state-run television.

Every one of these practices is completely legal under the NLRB.

The sad fact is that right now, our government demands higher standards of democracy for voters in Ukraine than it does for Americans in workplaces across the country.

### ILLEGAL ACTIVITY IN NLRB SYSTEM, COMPARED WITH FEC

The things I've described so far are legal. However, NLRB elections are also characterized by an extraordinary level of illegal activity.

Labor law is the only area of American employment law in which it is statutorily impossible to impose fines, prison, or any other punitive damage.

As a result, it is not just "rogue" employers who break the law. Any rational employer might decide it's worth it to fire a few workers in order to scare

hundreds more into abandoning their support for unionization.

In my research, I have measured the impact of illegal retaliation against union supporters by making the most conservative possible calculations. Nevertheless, the results are extremely troubling. One out of every 17 eligible voters in NLRB elections is fired, suspended, demoted or otherwise economically punished for supporting unionization.

If federal elections were run by NLRB standards, we would have seen 7.5 million Americans economically penalized for backing the "wrong" candidate in the last election cycle.

Imagine what this would mean. Every family in America would know someone who had been fired or suspended in retaliation for their political beliefs. Most citizens would quickly become too scared to participate in any public show of support for opposition candidates. If we continued to hold elections amidst such widespread repression, they would be sham elections. The outcome would not represent the popular will, but would simply reflect the fear that governed the country.


What I'm describing may sound like a bad science fiction movie. But it is the reality that workers face when they try to organize.

If we compare illegal activity per voter under the NLRB with that under the Federal Elections Commission (FEC), the data suggests that NLRB elections are 3,500 times dirtier than federal elections.

This number may sound incredible; but it's true. But suppose my numbers are off by as much as an entire order of magnitude. Then the NLRB system would be only 350 times dirtier than federal elections.

Anyway you count it, the system is profoundly broken, profoundly undemocratic, and, I would say, profoundly un-American.

If we're serious about having a truly democratic process for American workers, we must begin by fixing these problems.




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Former congressman Dick Gephardt speaks to more than 180 shop stewards attending an annual Steward Summit of UFCW Local 555. Seated at right is Local 555 President Gene Pronovost.

## UFCW Local 555 shop stewards hear from Dick Gephardt at annual summit

No, he isn't running for president again, but former Democratic presidential hopeful Dick Gephardt made a stop in Portland April 26 to speak at the annual Steward Summit of United Food and Commercial Workers Local 555.

Gephardt, a former U.S. House Majority Leader out of Missouri, left Congress after an unsuccessful bid for president in 2004, where he received several labor endorsements — including UFCW's.

He now works in the private sector running his own consulting firm. He's a senior counsel for the international law firm of DLA Piper Rudnick Gray Cary LLP, and an adviser for the investment banking firm Goldman Sachs.

But he still has his hands in politics. Gephardt told the Northwest Labor Press that he's been working with the United Auto Workers and the Big Three automakers on a health insurance reform package that would move anyone 55 years of age or older into Medicare.

"I've got the union on board," he said. "And the indus-

try is close. We should have something to announce next month (in May)."

Speaking to about 180 shop stewards, Gephardt said he also is working with lawmakers on a bill that would extend Medicare to all citizens 55 and older. He said there is debate over how to fund it, but he's hopeful that will soon be worked out and the bill will be introduced.

"This issue (health care) is the moral issue of our time," he said. "You've got to treat everyone fairly."

Gephardt said organized labor is a major part of the fabric that makes America what it is. "It is the labor movement that created the middle class in this country," he said. "If unions keep declining, there will be no middle class."

Gephardt supports the Employee Free Choice Act that is now in the Senate. The bill would allow for card-check recognition in union organizing campaigns.

"Right now it's not a level playing field. If it was, unions would win a lot more elections," he said.

## Letter Carriers to collect food on Saturday, May 12

Approximately 3,000 letter carriers in Oregon and Clark County, Wash., will help "Stamp Out Hunger" on Saturday, May 12, part of the annual National Association of Letter Carriers Food Drive.

Prior to May 12, bags will be delivered to every household. All you have to do is fill the bag with nonperishable food and leave it at your mailbox. Please do NOT include glass items, homemade items or previously opened containers.

Letter Carriers will collect the bags and deliver them to drop points, where volunteers will sort the donations and forward them to the Oregon Food Bank.

The NALC Food Drive is the largest one-day food collection of the year for the Portland metropolitan area, said Rick Ukena of the Oregon Food Bank. "The hard work of the letter carriers and the generosity of the postal customers helps us meet the demand for emergency food in Oregon and Southwest Washington," he said.

This year's Food Drive is particularly important due to a drop in the amount of food the Oregon Food Bank receives from the U.S. Department of Agriculture. This year's goal is to collect 1.5-million pounds of food. Last year's Food Drive brought in just over 1.4-million pounds of food throughout Oregon and Southwest Washington.

Many unions help make the food drive possible with donations that go toward purchasing and printing the food collection bags. Some of the unions involved include Machinists Lodges 63 and 1005; United Food and Commercial Workers Local 555, Oregon AFCSME Council 75, Oregon AFL-CIO, Fire Fighters unions, affiliates of the Columbia-Pacific Building Trades Council and the Pacific Northwest Regional Council of Carpenters, to name a few.

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