



NORTHWEST LABOR PRESS

Volume 114
Number 3
February 1, 2013
Portland, Oregon

Filibuster reform effort fails

'For members of our union ... the failure to enact substantial reform of the rules almost guarantees that for two more years, there will not be effective debate, discussion or voting on even the critical issues the Obama Administration has outlined.'

LARRY COHEN, PRESIDENT
COMMUNICATIONS WORKERS OF AMERICA

WASHINGTON, D.C. (PAI) — A determined effort to curb abuses of the Senate filibuster failed on Jan. 25 when the Senate's two party leaders announced a "compromise" resolution that was enacted by lawmakers.

The agreement between Majority Leader Harry Reid (D-Nev.), and Minority Leader Mitch McConnell (R-Ky.) does streamline some filibuster rules by limiting filibusters on what is known as the "motion to proceed." Republicans have used such filibusters not to block a bill from a vote but simply to prevent debate on legislation from beginning. The new rules also limit debate on some judicial and federal nomina-

tions and make some other changes.

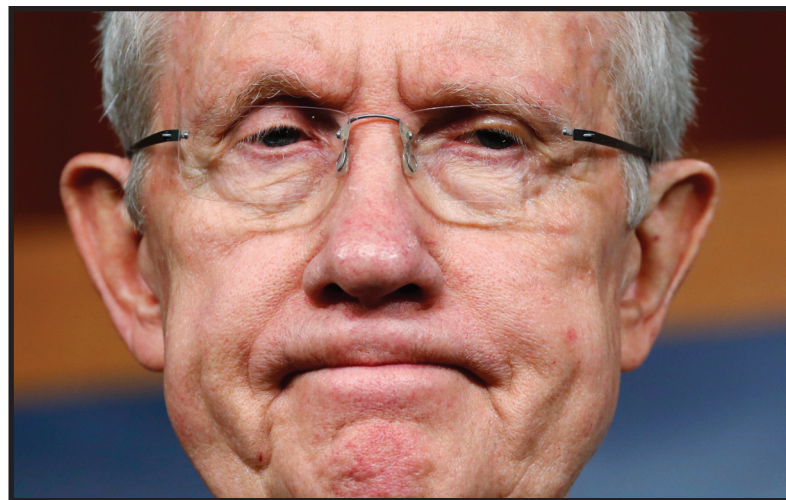
But the compromise resolution does nothing to change the use of the secret, silent filibuster, and it still will take 60 votes to invoke cloture (stop debate).

A record 391 filibusters were called in the 112th Congress as minority Republicans did everything possible to block popular progressive bills — even ones with majority support — from becoming law. Most of the legislation organized labor has fought for to restore collective bargaining rights and to create jobs — from the Employee Free Choice Act, to the Bring Jobs Home Act, the American Jobs Act, and many more — never received a Senate floor

vote due to threat of a filibuster. Had any of those bills reached the floor they would have passed.

"For members of our union, and progressives throughout the nation, the failure to enact substantial reform of the senate rules almost guarantees that for two more years, there will not be effective debate, discussion or voting on even the critical issues that the Obama Administration has outlined," said Larry Cohen, president of Communications Workers of America (CWA), which was part of a 51-group coalition that promoted filibuster reform.

The "Fix the Senate Now" coalition sent 2.5 million e-mails to lawmakers,



U.S. SENATE MAJORITY LEADER HARRY REID

delivered petitions with a million names, and added 100,000 phone calls, jamming the U.S. Capitol switchboard on numerous occasions.

Leading the charge for filibuster reform in the Senate were Democrats Jeff Merkley of Oregon, Tom Udall of New Mexico, and Tom Harkin of Iowa.

Their reform package — which was supported by an overwhelming major-

ity of voters, according to national polling — called for the elimination of the silent filibuster, instead requiring obstructing senators to stay on the floor and talk about why they are blocking legislation or a nominee. It also sought to require 41 senators to vote to continue debate rather than force 60 senators to vote to end debate.

(Turn to Page 6)

Union members down to 11.3 percent of U.S. workforce

Washington is nation's fourth most unionized, and Oregon is #9

U.S. union membership dropped once again in 2012, both as a percent of the workforce and in absolute numbers. According to the latest annual report from the U.S. Department of Labor's Bureau of Labor Statistics (BLS), 11.3 percent of wage and salary workers were members of a union in 2012 — down from 11.8 percent in 2011. Union members were 20.1 percent of the workforce in 1983, the first year for which comparable data are available, and the percentage has declined just about every year since 2000.

The data comes from the U.S. Census Bureau's Current Population Survey. The survey found that there were 14,366,000 union members nationwide in 2012 (down from 14,764,000 the year before). Of the new total, roughly 7.3 million public sector workers were union members, compared with 7.0 million private sector workers.

Public sector workers were five times more likely to be unionized (35.9 percent) than private sector workers (6.6 percent.) And within the public sector, local government workers had the highest unionization rate, 41.7 percent. That includes workers in heavily unionized occupations such as teachers, police officers, and firefighters. Highly

unionized private-sector industries included transportation and utilities (20.6 percent) and construction (13.2 percent).

In a prepared statement, AFL-CIO President Richard Trumka said, "working women and men

urgently need a voice on the job today, but the sad truth is it has become more difficult for them to have one," as the data show.

"Our still-struggling economy, weak laws and political — as well as ideological — assaults have

taken a toll on union membership, and in the process have also imperiled economic security and good, middle-class jobs," he said.

BLS analyst Jim Walker told Press Associates Union News Service the most definite thing that can be drawn from the numbers is the long-term trend of declining union density in the U.S.

Overall, Walker added, the decline in union density reflects the changing nature of the economy. He noted the survey that produces the union data also generates the monthly employment and jobless numbers. It has shown a consistent long-term shift away from construction and manufacturing to service jobs, many in less-union-dense industries, such as finance, insurance and real estate (1.9 percent unionized).

Other findings:

- Black workers (13.4 percent) were more likely to be union members than white (11.1 percent), Asian (9.6 percent), or Hispanic (9.8 percent) workers.

- Union membership was highest among workers ages 55 to 64 (14.9 percent), and lowest among workers aged 16 to 24 (4.2 percent).

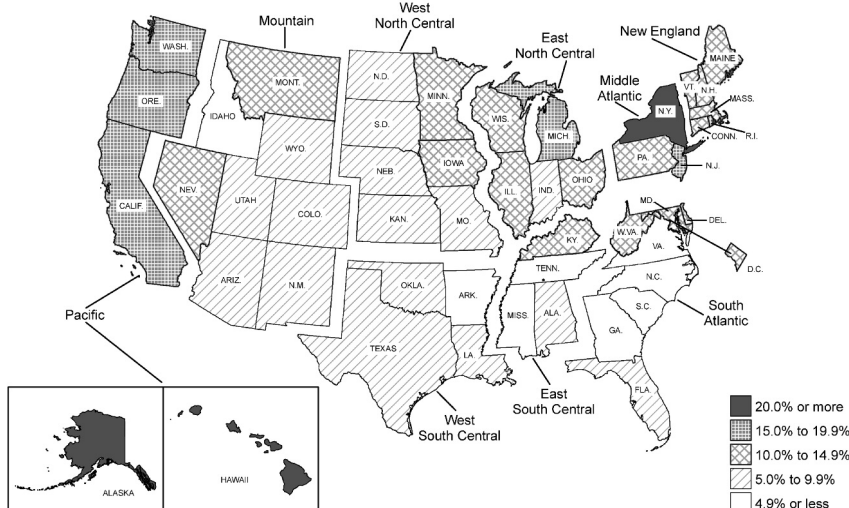
- Full-time workers were twice as likely to be union members as part-time workers, 12.5 percent compared with 6.0 percent.

Among the states, New York continued to be the most heavily unionized, with 23.2 percent of workers in a union, followed by Alaska (22.4 per-

(Turn to Page 5)

Union membership rates by state, 2012 annual averages

(U.S. rate = 11.3 percent)



Sick leave ordinance goes before Portland City Council

Commissioner Amanda Fritz takes the lead on a workers rights advance that would impact two in five Portland workers

By DON McINTOSH
Associate Editor

Portland workers will have a guaranteed right to sick leave starting next year — if City Council approves a draft ordinance released Jan. 17 by Commissioner Amanda Fritz.

In a lively two-hour question-and-answer session on Jan. 23, Fritz defended the proposal, and got a foretaste of the arguments some employers will make against it.

Under the proposed ordinance, employees would earn one hour of sick leave for every 30 hours worked — up to 40 hours per calendar year. The leave would be unpaid at employers with five or fewer employees, and paid at employers with six or more. Employees would have the right to use the sick leave when they or a close family member or domestic partner are sick, injured, or in need of preventive medical care.

The ordinance would go into effect Jan. 1, 2014 — if the Oregon Legislature fails to adopt standards that are equal or better before that time. Portland City Council calls on the Oregon

Legislature to pass a statewide sick leave law, in the 2013 legislative agenda it approved Jan. 16.

A sick leave mandate would have many public benefits, the draft resolution declares. It would prevent the spread of contagious illness in the workplace. It would allow parents to care for sick children, reducing exposure to contagious illness in schools. And it would reduce the perceived competitive disadvantage that some responsible employers face that currently provide paid sick time to their workers.

Up to 40 percent of Portland workers have no paid sick leave currently, according to the proposal's backers.

At a well-attended Jan. 23 info session that she hosted, Fritz faced both critics and advocates. Supporters of the ordinance included representatives of Working America and the Oregon Working Families Party, a contingent from the hotel workers union UNITE HERE, and small business people like union print-shop owner Bill Dickey. But Fritz also heard from critics who argued that giving workers the right to sick leave would send the message that Portland is unfriendly to business. It would be a record-keeping hassle, others said. Business activists who seemed ready to oppose a sick leave mandate in any forum told Fritz that it would be better to address it in the state Legislature, or that the City is moving too fast.

"What's the rush?" asked a business lobbyist. Fritz' reply: "What do you think would be accomplished in six months that couldn't be accomplished in six weeks?" And, she added, it doesn't take effect until 2014, so there'd be plenty of time for City Council to make common-sense amendments before then.

Others argued that Fritz' proposal would end up hurting workers, because businesses would cut health insurance or vacation benefits to pay for the sick leave mandate.

"Many of the businesses this would apply to are multinational corporations that pay minimum wage and have no benefits of any kind," Fritz answered. "What are they going to take away?"

One Clackamas business owner wanted to know if his truck drivers would be subject to the law if they drove through Portland on the way to make deliveries in Hillsboro, and seemed to say he'd rather send his drivers the long way to their destination than give them paid sick leave.

Several speakers in suits declared that the added cost would be a hardship that would put some businesses out of business. Fritz pondered aloud the mathematics of that: If every worker used the maximum five sick days a year — and had to be replaced during their absence — that would add 1.9 percent to the payroll cost of businesses with six

or more employees. But the cost would likely be less, Fritz said: Studies of San Francisco's sick leave ordinance (which has been in effect since 2007) found that about a quarter of workers used no sick leave at all in a given year, and median usage was three days a year, even though San Francisco workers get five to nine days a year.

Employers sometimes complain of absenteeism, but "presenteeism" can be a problem too, Fritz said: "Americans come to work whether we're sick or not, and that doesn't work out so well for the rest."

Workers have a legal right to sick leave in 163 countries. But in the United States, only San Francisco, Washington, D.C., Seattle, and Connecticut have such laws thus far.

In its current draft, Portland's ordinance would be stronger than the Connecticut law but weaker than San Francisco's. In Connecticut, only hourly workers in service-sector businesses of 50 or more employees have the right to paid sick leave. In Seattle, workers accrue up to five, seven or nine days of paid sick leave per year depending on employer size, but businesses with fewer than five employees are exempt. Washington, D.C.'s, law covers all workers, with three, five, or seven days a year of sick leave, depending on the size of the employer.

Everybody Benefits — the union-

backed coalition that brought the paid sick leave proposal to Fritz — looks at San Francisco's ordinance as the model. It provides up to five days a year of paid sick leave at workplaces with under 10 employees, and nine days a year at larger workplaces. And it applies to all employers — just as all employers are subject to minimum wage, workers' compensation, and unemployment insurance laws.

But Fritz, out of concern that paid sick leave could be a burden for very small businesses, left the leave unpaid for employers with fewer than six employees in her proposed ordinance. The draft ordinance can still be amended, however, and Portland Commissioner Steve Novick told the Labor Press he's in favor of a stronger ordinance that would apply to all employers and grant more than five days a year. Novick wouldn't say whether he would attempt to amend the proposed ordinance, but said he would definitely oppose any attempt to make it weaker.

Advocates are calling on supporters to pack City Hall for City Council's first official hearing on the ordinance — 2 p.m. Thursday, Jan. 31. After the hearing, a dozen-member task force led by Fritz and fellow Commissioner Dan Saltzman will take four weeks to consider modifications to the proposed ordinance. City Council would then vote on the ordinance in late February.

Fritz is encouraging citizens not to wait until the council hearing to register opinions about the proposal, but to take a look at the ordinance and send in comments and suggestions now, e-mailing her and the other members of the Council.

- Mayor Charlie Hales: mayorhales@portlandoregon.gov
- Commissioner Amanda Fritz: amanda@portlandoregon.gov
- Commissioner Nick Fish: Nick@portlandoregon.gov
- Commissioner Steve Novick: Steve.Novick@portlandoregon.gov
- Commissioner Dan Saltzman: dan@portlandoregon.gov



(International Standard Serial Number 0894-444X)
Established in 1900 at Portland, Oregon
as a voice of the labor movement.

4275 NE Halsey St., P.O. Box 13150,
Portland, Ore. 97213
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Published on a semi-monthly basis on the first and third Fridays of each month by the Oregon Labor Press Publishing Co. Inc., a non-profit corporation owned by 20 unions and councils including the Oregon AFL-CIO. Serving more than 120 union organizations in Oregon and SW Washington. Subscriptions \$13.75 per year for union members.

Group rates available to trade union organizations.

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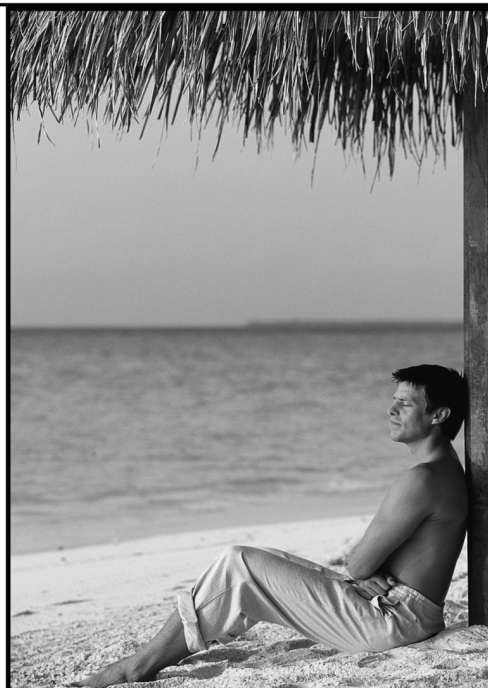
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Details of the proposed Portland sick leave ordinance:

- Workers could carry over unused sick leave to subsequent years.
- Workers could use the sick leave on the first day of an illness. [For unionized grocery workers, that would be a major advance: Under the current union contract between United Food and Commercial Workers Local 555 and Portland-area Fred Meyer Safeway and Albertsons stores, workers have a paid sick leave benefit, but aren't allowed to use it until the third day of an illness.]
- Employers could not require workers to find a replacement worker as a condition of using the sick leave.
- Employers that offer at least 40 hours a year of general purpose paid time off would not have to provide additional specially-designated sick leave, as long as the paid time off could be used in the same way as the mandated sick leave.
- Workers could choose to work an alternate shift in the same or next pay period in lieu of using sick time — if the employer offers or allows such a trade.
- For absences of more than three consecutive days, employers could require proof that the sick leave was used for a legitimate purpose, such as signed documentation by a licensed health care provider. Other than that, employers may require workers to document illnesses with a note from a licensed health care provider — but only if they suspect sick leave abuse, based on a documented pattern (such as frequent sick leave absences before or after weekends, holidays, or vacation). But if employers require such proof, they would have to pay the cost of any verification that isn't covered by insurance.
- The ordinance would not cover workers employed through a union hiring hall, or temporary workers — those employed less than 240 hours (the equivalent of six weeks at full-time) in a calendar year. It also would not cover independent contractors or those who are participating in a work-study program.
- The City would contract with the Oregon State Bureau of Labor and Industries to enforce the regulation.



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Open Letter to Our TriMet Passengers and Community

Over the past several years, TriMet's top management has repeatedly used budget woes as their excuse for raising fares and reducing transit service to this community. Then, they point the finger at the union workforce, blaming the costs of health benefits for workers and retirees. We believe that claim to be false; but, it is difficult to counter an agency spending over \$500,000 each year on PR to spread its version of the truth. **Now, it's time you heard the truth from TriMet's workers.**

We are the people who keep the system running. We watch how this bureaucratic agency works from the inside, we know where its skeletons are buried, and we are saddened by how dysfunctional it has become. Here are the serious consequences of that dysfunction.

TRIMET'S DYSFUNCTION PUTS SAFETY AT RISK. It's not just fatigued drivers, it's also buying new buses with enormous blind spots while forcing train operators to frequently drive without any side vision at all. It's a bus dispatch system programmed to cut off calls after two minutes, even when it's a driver reporting an angry man with a gun. It's buses and rail cars so filthy that they're making operators and passengers sick. And those are just a few of the many serious safety issues we deal with daily.

TRIMET'S DYSFUNCTION PUTS SERVICE QUALITY AT RISK. It's not just the reduced runs, it's also forcing us to issue fare evasion citations when we know fare machines are down. It's making schedules so tight it's impossible to guarantee our passengers will make their connections. It's reducing the number of bus shelters in neighborhoods where we serve the highest number of elderly and disabled passengers.

TRIMET'S DYSFUNCTION PUTS PUBLIC FUNDS AT RISK. It's not just spending millions on new furniture, it's also signing what the *Portland Business Journal* calls "the biggest office lease of the year." It's spending nearly \$2 million dollars giving new buses a "nose job" so they'll look like trains. It's having 161 managers being paid a base wage of over \$75,000 a year, 55 of whom get over \$100,000. This is to supervise a schedule-driven transit system service that can essentially run itself.

TRIMET'S DYSFUNCTION PUTS WORKERS' HEALTH AT RISK. People think our jobs are easy, but the National Institutes of Health and the Department of Labor indicate transit operators become disabled earlier, die younger and get assaulted more than people working in other professions. Studies have called it the most stressful job, resulting in absenteeism, chronic illnesses and high medical costs well into retirement. We have a small pension plan (not PERS), and only a small minority of workers that have retired early with full health coverage.

We are public servants. We are not perfect. Some of us are far from perfect. But we are two thousand people whose work lives are dedicated to providing you with the best service we can. Meanwhile, TriMet's PR department is using your tax money to mislead us all, issue after issue. What we ask is that you consider our viewpoint in the months ahead and evaluate the facts for yourselves.

Sincerely,

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Official Notices

BOILERMAKERS 500

Members meet 10 a.m. Saturday, Feb. 9, at 2515 NE Columbia Blvd., Portland.

BRICKLAYERS AND ALLIED CRAFTWORKERS 1

Members meet 7 p.m. Tuesday, Feb. 19, at 12812 NE Marx St., Portland.

CEMENT MASONS 555

Members meet 7 p.m. Thursday, Feb. 21, at 12812 NE Marx St., Portland.

CENTRAL OREGON LABOR COUNCIL

Delegates meet 5:30 p.m. Monday, Feb. 25, at the Social Justice Center, 155 NE Irving Ave., Bend.

COLUMBIA-PACIFIC BUILDING TRADES

Delegates meet 10 a.m. Tuesdays, Feb. 5 and Feb. 12, at Kirkland Union Manor II, 3535 SE 86th, Portland.

ELECTRICAL WORKERS 48

Executive Board meets 6:30 p.m. Wednesdays, Feb. 6 and 20, in the Executive Boardroom.

Coast Unit meets 7 p.m. Thursday, Feb. 7, at Astoria Labor Temple, 926 Duane St., Astoria.

Electrical Workers Minority Caucus meets 5 p.m. Tuesday, Feb. 12, in the Executive Boardroom.

Residential Unit meets 6 p.m. Tuesday, Feb. 12, in the Dispatch Lobby.

Wasco Unit meets 6 p.m. Wednesday, Feb. 13, at Northern Wasco County PUD, 2345 River Road, The Dalles.

Sound and Communication Unit meets 6 p.m. Wednesday, Feb. 13, in the Meeting Hall.

Washington Unit meets 5:30 p.m. Thursday, Feb. 14, at Round Table Pizza, 5016 NE Thurston, Vancouver.

Women of 48 meets 5 p.m. Friday, Feb. 15, at Radio Room, 1101 NE Alberta, Portland.

Bylaws Committee meets 5:30 p.m. Monday, Feb. 18, in the Executive Boardroom.

Meetings are at 15937 NE Airport Way, Portland, unless otherwise noted.

DEATH ASSESSMENTS: The following death assessments have been declared for Feb. No. 2338, Jack H. White; No. 2339, John A. Zesiger; No. 2340, Leo Lager, Jr.; No. 2341, Robert W. Haglund; No. 2342, William T. Bryson; and No. 2343, Norman W. Cole. The February assessment is \$1.50.

ELEVATOR CONSTRUCTORS 23

Members meet 6 p.m. Thursday, Feb. 14, preceded by a 5:30 p.m. Executive Board meeting, at 12779 NE Whitaker Way, Portland.

FIRE FIGHTERS 452

Members meet 7 p.m. Wednesday, Feb. 6, at 2807 NW Fruit Valley Rd., Vancouver, Wash.

FIRE FIGHTERS 1660

Members meet 8 a.m. Thursday, Feb. 14, at 4411 SW Sunset Dr., Lake Oswego.

GLASS WORKERS 740

Executive Board members meet 5 p.m. Thursday, Feb. 7, at 11105 NE Sandy Blvd., Portland.

Portland area members meet 6 p.m. Thursday, Feb. 7, at 11145 NE Sandy Blvd., Portland.

Eugene area members meet 5 p.m. Monday, Feb. 11, at Best Western Manor Inn, 971 Kruse Way, Springfield.

Salem area members meet 5 p.m. Tuesday, Feb. 12, at

Candalaria Terrace, Suite 204, 2659 Commercial St. SE, Salem.

INSULATORS 36

Executive Board meets 6 p.m. Wednesday, Feb. 6. Members meet 7 p.m. Friday, Feb. 8. Meetings are at 11145 NE Sandy Blvd., Portland.

IRON WORKERS 29

Members meet 7 p.m. Thursday, Feb. 7, preceded by a 5:30 p.m. Executive Board meeting, at 11620 NE Ainsworth Cir., #200, Portland.

IRON WORKERS SHOPMEN 516

Executive Board meets 6 p.m. Thursday, Feb. 14. Members meet 6 p.m. Thursday, Feb. 28. Meetings are at 11620 NE Ainsworth Cir., #300, Portland.

LABORERS 320

Members meet 7 p.m. Thursday, Feb. 14, at Joe Edgar Hall, Teamsters' Complex, 1850 NE 162nd Ave., Portland.

LABORERS 483

Members meet 5:30 p.m. Tuesday, Feb. 19, at the Musicians Hall, 325 NE 20th Ave., Portland.

LABORERS/VANCOUVER 335

Members meet 7 p.m. Monday, Feb. 4, preceded by a 6:15 p.m. Executive Board meeting, at the Vancouver Labor Center, 2212 NE Andresen Rd., Vanc., Wash.

LANE COUNTY LABOR COUNCIL

Delegates meet 7:30 p.m. Wednesday, Feb. 27, at 1116 South A St., Springfield.

LANE, COOS, CURRY & DOUGLAS BUILDING TRADES

Delegates meet at noon Wednesday, Feb. 27, at the Springfield Training Center, 2861 Pierce Parkway, Springfield.

LINN-BENTON-LINCOLN LABOR COUNCIL

Delegates meet 7 p.m. Wednesday, Feb. 6, preceded by a 6:30 p.m. Executive Board meeting, at 1400 Salem Ave., Albany.

LINOLEUM LAYERS 1236

Executive Board meets 5 p.m. Monday, Feb. 4. Portland area members meet 6 p.m. Thursday, Feb. 28.

MARION-POLK-YAMHILL LABOR COUNCIL

Executive Board meets 6:30 p.m. Tuesday, Feb. 12, followed by a 7 p.m. general meeting at 2110 State St., Salem.

METAL TRADES COUNCIL

Executive Board meets 10 a.m. Thursday, Feb. 14. Delegates meet 5 p.m. Tuesday, Feb. 26. Meetings are held at IBEW Local 48 Hall, 15937 NE Airport Way, Portland.

MID-COLUMBIA LABOR COUNCIL

Delegates meet 7 p.m. Tuesday, Feb. 12, at 3313 W. 2nd, The Dalles.

MOLDERS 139B

Members meet 6:30 p.m. Thursday, Feb. 21, preceded by a 6 p.m. Executive Board meeting at the Carpenters Hall, 2205 N. Lombard, Portland. PLEASE

MULTNOMAH COUNTY EMPLOYEES 88

Executive Board meets 6:15 p.m. Wednesday, Feb. 6, at the AFSCME union office.

General membership meets 7 p.m. Wednesday, Feb. 20, preceded by 6 p.m. stewards meeting. Meetings are held at 6025 E. Burnside St.

NORTHWEST OREGON LABOR COUNCIL

Delegates meet 7 p.m. Monday, Feb. 25, at IBEW #48 Hall, 15937 NE Airport Way, Portland.

OPERATING ENGINEERS 701

PLEASE NOTE: Election Committee will be elected at the following meetings.

District 1 & 5 members meet 8 p.m. Friday, Feb. 1, at 555 E. First St., Gladstone.

District 4 members meet 7:30 p.m. Monday, Feb. 4, at Cousin's Restaurant, 2114 W. 6th St., The Dalles.

District 4 members meet 7:30 p.m., Tuesday, Feb. 5, at the Hermiston DTC Office, 148 Main St., Hermiston.

District 3 members meet 7:30 p.m. Wednesday, Feb. 6, at North Bend/Coos Bay Labor Center, 3427 Ash St., North Bend.

District 3 members meet 7:30 p.m. Thursday, Feb. 7, at Holiday Inn Express, 285 Peninger Rd., Central Point.

District 2 members meet 7:30 p.m. Friday, Feb. 8, at the Comfort Suites, 969 Kruse Way, Springfield.

PAINTERS & DRYWALL FINISHERS 10

Members meet 6 p.m. Wednesday, Feb. 20, at the Astor Hall, 11145 NE Sandy Blvd. 2nd Floor, Portland. Website: www.iupatlocal10.org.

PLASTERERS 82

Members meet 5 p.m. Wednesday, Feb. 6, at 12812 NE Marx St., Portland.

ROOFERS & WATERPROOFERS 49

Executive Board meets 7 p.m. Thursday, Feb. 7. Members meet 7 p.m. Thursday, Feb. 14. Meetings are at 5032 SE 26th Ave, Portland. (Phone: 503 232-4807)

SALEM BCTC

Delegates meet 10 a.m. Thursday, Feb. 7, at the IBEW 280 Training Center, 33309 Hwy 99E, Tangent.

SHEET METAL WORKERS 16

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

Portland members meet 6 p.m. Tuesday, Feb. 12, at the Sheet Metal Training Center, 2379 NE 178th Ave.

Medford area members meet 4 p.m. Wednesday, Feb. 13, at Wild River Pizza, 2684 N. Pacific Hwy., Medford.

Eugene area members meet 6 p.m. Thursday, Feb. 14, at Sheet Metal Local 16 Hall, 1887 Laura St., Springfield.

Coos Bay area members meet 4 p.m. Thursday, Feb. 21, at Abby's Pizza, 997 First St., Coos Bay.

Women of Sheet Metal Workers Local 16 (WOSM) meet 4:30 p.m. Friday, Feb. 15, at Beaulahland, 118 NE 28th Ave., Portland. Children are welcome.

SIGN PAINTERS & PAINT MAKERS 1094

Members meet 3:30 p.m. Monday, Feb. 18, in the District Office, at 11105 NE Sandy Blvd., Portland.

SOUTHERN OREGON

CENTRAL LABOR COUNCIL

Delegates meet 6 p.m. Tuesday, Feb. 12, at the Labor Temple, 4480 Rogue Valley Hwy. #3, Central Point.

SOUTHWESTERN OREGON

CENTRAL LABOR COUNCIL

Delegates meet 6 p.m. Monday, Feb. 4, at the Bay Area Labor Center, 3427 Ash, North Bend.

SOUTHWEST WASHINGTON

LABOR COUNCIL

Delegates meet 6 p.m. Thursday, Feb. 28, preceded by an Executive Board meeting, at the ILWU Local 4 Hall, 1205 Ingalls St., Vancouver, Wash.

UNITED ASSOCIATION 290

Portland area members meet 7:30 p.m. Friday, Feb. 15, at 20210 SW Teton Ave., Tualatin.

Astoria area members meet 6 p.m. Thursday, Feb. 21, at the Astoria Labor Temple, 926 Duane St., Astoria.

Bend area members meet 6:30 p.m. Tuesday, Feb. 19, at the Local 290 Training Center, 2161 SW First, Redmond.

Brookings area members meet 5:30 p.m. Tuesday, Feb. 19, at Curry County Search and Rescue, 517 Railroad St., Brookings.

Coos Bay area members meet 6 p.m. Tuesday, Feb. 19, at the Coos Bay Training Center, 2nd & Kruse.

Eugene area members meet 6:30 p.m. Monday, Feb. 18, at the Springfield Training Center, 2861 Pierce Parkway, Springfield.

Klamath Falls area members meet 5 p.m. Tuesday, Feb. 19, at 4816 S. 6th St., Klamath Falls.

Medford area members meet 6 p.m. Thursday, Feb. 21, at 950 Industrial Circle, White City.

Salem area members meet 6 p.m. Monday, Feb. 18, at 1810 Hawthorne Ave. NE, Salem.

The Dalles area members meet 6 p.m. Tuesday, Feb. 19, at the United Steelworkers Local 9170 Union Hall.

Humboldt-Del Norte Co. area members meet 6 p.m.

Tuesday, Feb. 19, at the Eureka Training Center, 634 California St., Eureka, CA.

USW 1097

Members meet 6:45 p.m. Wednesday, Feb. 6, preceded by a 5:45 p.m. Executive Board meeting, in the union office building, Westport.

Salem rally for affordable health care Feb. 4

A rally for universal health care will be held on the Capitol steps in Salem Monday, Feb. 4, starting at 11:30 a.m. Feb. 4 is the first day of the Oregon Legislature, and State Rep. Michael Dembrow (D-Portland) has re-introduced the Affordable Health Care for All Oregon Act. The rally, sponsored by the Health Care for All-Oregon coalition, will start gathering at 10 a.m. and will include speakers and music.

For a complete schedule and transportation options, go online to <http://hcao.org/feb-rally-for-health-care/>.

CORRECTION:

An article in the Jan. 18 issue of the NW Labor Press about the ongoing dispute between TriMet and ATU Local 757 needs clarification and correction.

The article said that wages for bus and train operators and mechanics top out at about \$22 an hour. That figure was out of date and did not include longevity bonuses that long-time employees receive after decades on the job. The current figure, including those bonuses, has them topping out at roughly \$29 an hour.

The article also failed to mention the out-of-pocket maximum in describing TriMet health insurance plans. The article correctly reported that employees pay 10 percent of the cost of health care services in the "90/10" plan that was imposed by an arbitrator, and would pay 20 percent in the 80/20 plan that TriMet is now proposing — but only up to an out-of-pocket maximum of \$1,500 a year.

Retiree Meeting Notices

ALLIANCE FOR RETIRED AMERICANS OREGON CHAPTER

Executive Board meets 10 a.m. Thursday, Feb. 14, followed by an 11 a.m. General Membership meeting, in the Labor Community Service board room, at 1125 SE Madison, #103B, Portland. All retirees are welcome to attend.

ELECTRICAL WORKERS 48

Retirees, wives and friends meet 11:30 a.m. Tuesday, Feb. 12, at Heidi's Restaurant, 1230 NE Cleveland (and Burnside), Gresham. For more information, please call Glenn Hodgkinson at 503-656-0028.

ELEVATOR CONSTRUCTORS 23

Retirees meet 11:30 a.m. Wednesday, Feb. 6, at Denny's Restaurant, 12101 SE 82nd, Happy Valley.

GLASS WORKERS 740

Retirees meet 11:30 a.m. Thursday, Feb. 21, at Izzy's Pizza, 1307 NE 102nd Ave., Portland.

FLOOR COVERING 1236

Retirees meet 11:30 a.m. Thursday, Feb. 8, at Izzy's Pizza, 1307 NE 102nd Ave., Portland.

INSULATORS 36

Retirees meet 9 a.m. Thursday, Feb. 7, at the Dockside Restaurant, 2047 NW Front Ave., Portland.

NORTHWEST OREGON LABOR RETIREES COUNCIL

Business meeting from 10 a.m. to 12 noon. Monday, Feb. 11, in the Labors' Community Service conference room, 1125 SE Madison #103B, Portland.

OREGON AFSCME

Retirees meet 10 a.m. Tuesday, Feb. 19, at the AFSCME office, at the AFSCME office, 6025 E Burnside, Portland. Call Michael Arken for information at 1-800-521-5954 ext. 226.

SHEET METAL 16

Retirees meet 11:30 a.m. Thursday, Feb. 14, at Izzy's Pizza, 1307 NE 102nd Ave., Portland.

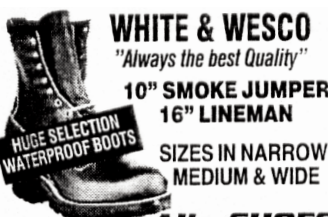
TRANSIT 757

Retirees meet 9:30 a.m. Wednesday, Feb. 6, at Westmoreland Union Manor, 6404 SE 23rd, Portland.

UA 290

Portland area retirees meet 10 a.m. Thursday, Feb. 21, at 20210 SW Teton Ave., Tualatin.

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...Union membership

(From Page 1)

cent), Hawaii (21.6 percent), and Washington (18.5 percent). Oregon was the ninth most unionized at 15.7 percent, trailing Rhode Island (17.8), California (17.2), Michigan (16.6), and New Jersey (16.1). Least unionized was North Carolina, at 2.9 percent, followed by Arkansas (3.2 percent) and South Carolina (3.3 percent).

In three states, union membership dropped by more than 2 percentage points between 2011 and 2012: Indiana, Wisconsin, and Connecticut. Indiana, which passed a right-to-work law, dropped from 11.3 to 9.1 percent unionized. Wisconsin, which passed a law gutting public sector unionization, dropped from 13.3 to 11.2 percent. Connecticut actually added bargaining

rights for home care workers in 2012, so its biggest-in-the-nation drop of 2.8 percentage points may be a fluke.

The BLS union membership report can be considered a pretty accurate depiction of trends at the national level, but state-level data can sometimes be misinterpreted because minor year-to-year fluctuations — particularly in less populous states — may not be statistically significant.

Oregon's union density, for example, was said to have fallen steeply, from 17.1 percent unionized in 2011 to 15.7 percent in 2012, with 30,000 union members lost in 2012 — after a gain of 25,000 union members in 2011. But the data for a state like Oregon, with 1.2 percent of the nation's population, come from about 500 Oregon households. Because one person in the survey can represent about 2,000 individuals, just 15 survey responses would account for the 30,000 union members Oregon is said to have lost. That's not to say Oregon didn't lose that many union members; it's just that BLS doesn't publish "confidence intervals" for state-level unionization figures. State-level shifts could be considered more reliable if they hold up over time. Oregon's percentage in the survey has fluctuated in the last 10 years, with a low of 13.8 percent in 2006 and a high of 17.1 percent in 2011.

AFL-CIO legislative conference postponed

The Oregon AFL-CIO Legislative Conference has been postponed. The conference, scheduled for Saturday, Feb. 2, is being revamped.

The state labor federation will provide more information soon on a new format bringing union members to Salem to talk directly with legislative leaders.

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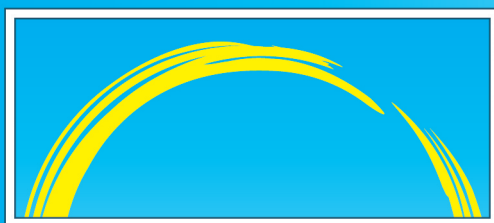


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NLRB will continue to enforce labor law despite court ruling

WASHINGTON, D.C. (PAI) — The National Labor Relations Board (NLRB) will continue to issue rulings enforcing the nation's labor law, despite a Jan. 25 federal appeals court ruling saying President Barack Obama illegally appointed three of its members and that a case they ruled on should be thrown out.

The judges, all Republican ap-

pointees, also ruled the NLRB doesn't have a quorum. Their decision, if it stands, tosses the agency into a legal limbo where it can't decide labor-management disputes because it lacks a quorum to do so.

NLRB Chairman Mark Pearce responded that the judges' ruling applies to just one case. The NLRB will consult with the Justice Department about

whether and where to appeal the court ruling, but that decision "may be up to the Justice Department," added NLRB Communications Director Nancy Clelland.

"The Board respectfully disagrees with the decision and believes the president's position in the matter will ultimately be upheld," Pearce said. "This order applies to only one specific case, Noel Canning, and similar questions have been raised in more than a dozen cases pending in other courts of appeals.

"In the meantime, the Board has important work to do," he added. Unions, workers and companies "who come to us seek and expect careful consideration and resolution of their cases, and for that reason, we will continue to perform our statutory duties and issue decisions."

Union leaders backed the Board's stand that the recess appointments are legal, and that the Board is acting legally. AFL-CIO President Richard Trumka said the court's ruling is "radical and unprecedented." Change To Win Chairman Joe Hansen called it "misguided."

"The real issue here is the Senate's inability to confirm qualified nominees," Hansen added. "Senate Republicans, aided by a broken rules system, are carrying the water of big business and denying workers and unions a fair shake" by filibustering NLRB nominees, forcing Obama into recess appointments.

Both the Senate and House Republicans filed friend of the court briefs on

the side of the company and challenging the NLRB.

The case itself pitted Noel Canning, a Yakima, Wash., Coca Cola distributor, against the Board. The NLRB said the firm broke labor law in declaring an impasse in 2010 bargaining with Teamsters Local 760, and wanted to enforce its bargaining order. But the basic case got lost in the constitutional issue of Obama's recess appointments to the NLRB.

The firm argued the appointments were illegal and the Board didn't have a quorum and thus could not decide the case. The three-judge panel of the U.S.

Circuit Court of Appeals for D.C. — the court that handles almost all federal agency cases — agreed.

The judges said Obama named three NLRB members, using his power to fill agency positions when the Senate is in recess, when it wasn't in recess. The Senate had been meeting in 1-minute-or-less sessions, every three days. That means it was technically not in recess, appellate Judge David Sentelle, a GOP appointee, wrote.

Thus, Obama's appointments were not constitutional, the NLRB didn't have a quorum and it could not decide the case, Sentelle added.

...Filibuster reform fails

(From Page 1)

With Democrats in control of the Senate in the 113th Congress, Merkley, Udall and Harkin introduced Senate Resolution 4 on opening day. [Under the U.S. Constitution, the Senate can change its operating rules on the first day of the legislative session with the support of a simple majority.] The resolution had 18 co-sponsors (no others from Oregon or Washington) and, according to Udall, enough votes to pass.

It was at that point Reid went to work on his "compromise" plan, going so far as to delay opening day by several weeks (using a parliamentary procedure calling for a recess at the end of the first day instead of adjournment) to allow time to work out the details with McConnell.

"It isn't filibuster reform," Shane Larson, a legislative aide to the CWA, told the Daily Beast blog. "And to call it filibuster reform is mislabeling it. It doesn't change the filibuster at all. It is a procedural reform that speeds up the Senate, and that is all."

While campaigning for reform, Merkley agreed that "without a talking filibuster, obstructionist senators will still be able to silently stall any piece of legislation they want without any accountability."

A day after the Jan. 25 Senate vote, McConnell's campaign launched a new fundraising pitch to conservatives touting the senator's work in stopping the reform, The Hill newspaper reported.

"We beat the liberals," the pitch read. "A group of the Senate's most liberal senators, fueled by left-wing groups like MoveOn, have been pushing a dangerous scheme to change the rules of the United States Senate and fundamentally alter the checks and balances of our system," read the email, written by campaign manager Jesse Benton.

He goes on to declare that McConnell, "stopped that scheme dead in its tracks."

CWA's Cohen said filibusters could sidetrack much of what labor wants from the new Congress.

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Pacific Northwest senators hold powerful committee seats

U.S. senators from Oregon and Washington hold powerful committee seats in the 113th Congress.

With Democratic control of the Senate, Oregon's senior senator Ron Wyden will chair the Committee on Energy and Natural Resources and serve on the Finance Committee, the Select Committee on Intelligence, the Budget Committee, and the Special Committee on Aging.

Patty Murray, the senior-most senator from the Pacific Northwest, will chair the Budget Committee. She also will serve on the Appropriations Committee, Rules Committee, Veterans Affairs Committee, and the Health, Education, Labor and Pension (HELP) Committee.

Joining her on the Budget Committee are Wyden and first-term Sen. Jeff

Merkley of Oregon. The Budget Committee sets annual priorities and targets for federal spending.

Merkley also will serve with Murray on the powerful Appropriations Committee, which crafts the annual funding bills for all federal discretionary programs.

Additionally, Merkley has been assigned to the influential Banking, Housing and Urban Affairs Committee, which has jurisdiction over Wall Street regulation and oversight, and to the Environment and Public Works (EPW) Committee.

Maria Cantwell of Washington will chair the Indian Affairs Committee, and hold seats on the Commerce Committee, Energy Committee, Small Business Committee, and the coveted Finance Committee, which deals with

Social Security, Medicare, Medicaid, tax policy, and trade agreements.

Each of the senators is considered "labor friendly." Merkley, who was elected to his first term in 2008, has a 100 percent COPE (Committee on Political Education) voting record as

tracked by the national AFL-CIO. Wyden, Cantwell, and Murray come in at 90, 90, and 91 percent, respectively. Wyden, Cantwell, and Murray have a history of voting in favor of free trade agreements, which unions adamantly oppose.

Murray is serving her fourth term in the Senate, having first been elected in 1992; Wyden has served since 1996; and Cantwell was re-elected to a third term last November. She was first elected in 2000.

...PIRG fundraisers strike

(From Page 8)

worker for any reason or no reason at all.

"Their position is that 'at-will' is a firm position," Elder said. "We said it's a non-starter for us."

The Fund says it's against just cause because it wants to retain "flexibility," Elder said. But the Fund hasn't demonstrated any of that flexibility, workers say: In June, the Fund fired nine-year employee Cortina Robinson, one of its most successful fundraisers, for being \$47 under her fundraising quota. Robinson was on the union bargaining team.

The Fund has also said no to a clause known as "union security." That's a stance that puts the progressive non-profit group in the same league as advocates of so-called "right-to-work" laws. A "union security" agreement, standard in union contracts, requires

that all represented workers pay dues or their equivalent. But in 24 states, "right-to-work" laws prohibit union security clauses in union contracts. Without union security, dues are voluntary. Some workers pay. Others freeload: They benefit from any improvements the union negotiates, and the union is required by law to represent them in disciplinary hearings, but they pay nothing. The point of right-to-work is to deprive unions of resources; its advocates claim to be concerned about the right of workers to work without paying union dues, but tellingly show no concern for any other workplace right.

In sum, the Fund wants to remain an at-will and "right-to-work" employer, and is eliminating core union supporters one by one.

The next bargaining session is scheduled to take place Feb. 12 to 14.

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Senate coalition wastes no time pursuing partisan, anti-worker agenda in Washington Legislature

By DAVID GROVES

OLYMPIA, Wash. — Much has been written about state senators Rodney Tom and Tim Sheldon, the erstwhile Democrats who decided the public (and their personal résumés) would be better served by having Republicans control the Senate. [In December, the two announced they would vote with Republicans to elect state Senate leadership, winning top posts for themselves and handing control of the Senate to minority Republicans.]

The new GOP+2 majority began the 2013 session wrapping itself in rhetoric about bipartisanship and cooperation, but most agree they will be judged by their actions, not their words.

“Whether it’s ‘bipartisan’ or not depends on how we go forward from

here,” said Sen. Jim Hargrove (D-Hoquiam) as the 25-of-49-votes takeover was formalized on the Senate’s opening day. “The proof will be in the pudding.”

Well, one week in, the pudding has been served. And it looks pretty rancid.

On Jan. 23, the following bills were heard in the Senate Commerce and Labor Committee chaired by Sen. Janéa Holmquist Newbry (R-Moses Lake):

- SB 5112 gives employers in the Retrospective Rating program more authority over workers’ compensation claims, such as choosing injured workers’ doctors and scheduling their medical exams and vocational rehabilitation.

- SB 5124 changes the way injured workers’ benefits are calculated by, among other things, removing the

value of health benefits, and capping them at the state’s average wage. Bottom line: it cuts workers’ compensation benefits.

- SB 5126 circumvents a Supreme Court ruling and allows the state to take legal damages, both economic (lost wages) and non-economic (pain and suffering), that are awarded to an injured worker when a third party is responsible for the injury. Current law only allows economic damages to be “recovered,” which makes sense because workers’ compensation claims and benefits don’t consider non-economic factors.

- SB 5127 removes the age restriction on “compromise-and-release” lump-sum buyouts of injured workers’ claims. These buyouts, currently only allowed for injured workers 55 and older, would be expanded to cover all workers.

- SB 5128 would make it easier for employers to have these lump-sum buyouts approved by the state, and also allows employers to buy out medical claims.

What these bills all have in common

is that they save businesses money by cutting the benefits workers receive when they are injured on the job. That, and they are all sponsored and co-sponsored exclusively by members of the GOP+2 coalition holding a 25-24 majority in the Senate.

Major changes to the workers’ compensation system — many of which were supported by both business and labor — were just approved in 2011. They are not yet fully implemented but are already beating expectations on cost savings, with the state now projecting to save \$1.5 billion over four years, \$300 million more than originally estimated. Injured workers are returning to work faster and as a result, employers’ premiums have not gone up for two straight years. Plus, the state will be able to put an estimated \$82 million into reserves to start rebuilding the State Fund.

Yet rather than allow these 2011 changes to be fully implemented, the very week that the GOP+2 coalition takes control, it rolls out a wish-list of controversial new benefit cuts long sought by business lobbying groups.

These proposals are opposed by labor because they do nothing to improve workplace safety, they just weaken this critical safety net for injured workers.

And that’s just the workers’ compensation bills. On Jan. 25 the same committee held hearings on, among other things, repealing the Family and Medical Leave Insurance Act.

Indeed, when it comes to “bipartisanship and cooperation,” actions speak louder than words.

(Editor’s Note: This article appeared in the Washington State Labor Council’s weekly Legislative Update newsletter.)

DCTU bargaining kick-off rally Feb. 5 in Portland

The District Council of Trade Unions (DCTU), a coalition of unions representing some 1,600 workers at the City of Portland, will kick off its 2013 contract campaign with a noontime rally Tuesday, Feb. 5, at the Portland Building, 1120 SW 5th Ave.

PIRG fundraisers strike

The Fund for the Public Interest wants to remain a ‘right-to-work’ and at-will employer, and walks out of bargaining when a reporter shows up

By DON McINTOSH
Associate Editor

Portland call center workers who raise money for state PIRGs and affiliated environmental groups went on strike again Jan. 16, this time to protest late paychecks. The shift-long strike was the fourth time the call center’s workers have walked out to protest conditions at the non-profit Fund for the Public Interest since workers voted to join Communications Workers of America (CWA) Local 7901 in October 2011. Boston-headquartered Fund for the Public Interest is the fundraising wing of the U.S. Public Interest Research Group, statewide affiliates like OSPiRG, CALPIRG, and spinoff environmental groups like Environment Oregon and Environment Colorado.

Draconian pay and discipline practices were the reason workers unionized. When workers fail to meet fundraising targets, their pay can drop up to several dollars an hour in one pay period. And workers are fired if they fail to meet a separate benchmark two weeks in a row, regardless of how many years they’ve worked there.

Those practices have continued. The Fund has fired at least nine pro-union workers since the union campaign began 15 months ago, including all six workers who volunteered on the union bargaining team when contract negotiations started. That’s in a workplace with about 25 workers.

Two pro-union workers have been fired since the Labor Press last reported on the situation. Union supporter

Rachel Starr was terminated Dec. 6 after working nine years at the call center. And union steward Alixandre Long was fired Jan. 3 after one year on the job. Starr and Long, like three of the other union activists, were terminated for failing to reach a fundraising quota two weeks in a row. But they have no say in setting the quota or choosing the lists they call from, and they and other workers believe that managers are deliberately giving pro-union workers heavily-called-over and underperforming lists.

Meanwhile, bargaining sessions have produced no first-time agreement in 14 months.

On Jan. 17, national Fund for the Public Interest managers Pat Wood and Christine Walsh walked out and cancelled the day’s negotiations after a reporter from the Labor Press showed up to observe the bargaining session. [The Labor Press wanted to see a bargaining session to get a sense of why it’s taking the two sides so long to get a contract.] CWA Local 7901 President Madelyn Elder says when bargaining began 14 months ago, CWA proposed that the negotiations be open to other workers and to members of the public, and the Fund agreed. In September, now-Oregon House Speaker Tina Kotek sat in on a bargaining session.

Elder says the Fund has agreed to some changes to the pay and discipline policies which drove workers to unionize, but the changes won’t be implemented until a complete agreement is reached.

Meanwhile, the Fund has refused several basic features of union contracts, including “just cause” discipline. “Just cause” means an employer has to show a reason before disciplining and terminating an employee. Under the alternative, known as “at-will” employment, an employer may terminate a

(Turn to Page 7)



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