

NORTHWEST LABOR PRESS

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VOLUME 117, NUMBER 4

PORTLAND, OREGON

FEBRUARY 19, 2016

Nabisco recruits strikebreakers — before union bargaining even begins

By Don McIntosh
Associate Editor

There may be signs of labor strife ahead for about 2,200 workers at Nabisco's six remaining U.S. plants (including about 200 workers at Nabisco's Portland Bakery) and two distribution centers.

National bargaining began Feb. 16 between Bakery, Confectionery, Tobacco Workers and Grain Millers International Union (BCTGM) and Nabisco parent company Mondelēz International. But already in late January, online ads began appearing, offering temporary jobs at \$28 an hour to workers with experience operating dough machines, continuous bake ovens, salters and spray oil machines, "for a possible labor dispute that may occur on or about February 29, 2016." Feb. 29 is the date BCTGM's existing union contracts expire at the eight Nabisco facilities.

The ads were posted by Michigan-headquartered Huff-



ADD PICKETERS HERE? Seven of these strange tombstone-like engraved stones appeared last fall outside the Portland Nabisco bakery. Is it a preparation for picketers? Company spokesperson Laurie Guzzinati wouldn't say precisely, saying only that the signs were installed to delineate property boundaries after a periodic safety and security review.

master Crisis Response. The company, which calls itself "the leading provider of strike management solutions," provides replacement employees and strike security. The ads don't mention Nabisco or Mondelēz by name, but they're for jobs in

the same cities as the Nabisco plants. Those are: Charlotte, North Carolina; Fairlawn, New Jersey; Richmond, Virginia; Chicago, Illinois; Denver, Colorado; Atlanta, Georgia; and

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Oregon minimum wage raise speeding to passage

SALEM — A bill to raise Oregon's minimum wage is moving quickly through the short 2016 session of the Legislature. Unlike two pending union-backed ballot measures that would create a statewide minimum of \$15 or \$13.50, Senate Bill 1532 would divide the state into three regions.

By July 2022, the minimum wage would rise to \$14.75 in the Portland metro area (inside the Urban Growth Boundary), \$13.50 in 16 Northwestern Oregon counties plus Josephine and Jackson counties, and \$12.50 in the rural "frontier" areas of the rest of the state. The raises would

take place each year on July 1, starting this year, and would rise with inflation after 2022.

The bill passed the Senate Feb. 11 by 16-12. No Republican voted for it, and Betsy Johnson (D-Scappoose) was the only Democrat to vote against it.

It passed the House Business and Labor Committee by a 6-5 party line vote Feb. 15.

As of press time, it was awaiting a vote on the House floor, where it was expected to pass. Gov. Kate Brown announced she will sign it if it passes, though it differs from an earlier version she proposed.

Union campaign crushed at Portland Specialty Baking

In three weeks, union support went from 61 percent to 23 percent. Here's what happened.

At a large industrial bakery in Gresham, an intensive anti-union blitz by company management turned a pro-union majority into an overwhelming "no" vote in just 24 days.

When Bakers Local 114 filed Jan. 11 for a union election, 102 of the 167 workers at Portland Specialty Baking had signed cards saying they wanted a union. By the time the National Labor Relations Board (NLRB) conducted an election on Feb. 4, just 38 voted for the union, and 123 voted against.

Local 114 officials and AFL-CIO union organizers were very surprised by the result, and struggled to figure out what happened.

"We blindsided the company when we filed, then we got blindsided three weeks later," said Local 114 Secretary-Treasurer Terry Lansing.

In the week before the election, 75 workers had signed a "vote yes" petition. But Portland Specialty Baking used every advantage at its disposal, starting

with access to workers.

The company brought in a professional union-buster from Illinois, who led presentations at the beginning of nearly every shift, for two weeks. Workers were then called in one by one for individual meetings with two or three managers at a time, and most workers were called in multiple times. Lansing says Local 114 plans to file charges with the NLRB accusing the company of breaking federal labor law in those meetings — interrogating workers about their views on the union, promising (and making) improvements to wages and schedules in order to buy support, and threatening that those improvements would vanish if the union won.

If company managers neglected workers before, after the surprise arrival of the union, they turned on the charm. For the first time, company communications were translated into workers' own languages. A manager no one liked disappeared from the plant without explanation. An unpopular supervisor was transferred to a different production line. An open

Turn to Page 5

PART ONE OF A SERIES

Jail time for wage thieves?

Will Oregon legislators get tough on wage theft? Not this year. Not really.

By Don McIntosh
Associate Editor

To an out-of-work union tile-setter from Las Vegas, the promise of four months of work at a Tigard, Oregon, Embassy Suites sounded enticing. Las Vegas construction work had all but dried up for Bricklayers and Allied Crafts Local 13. So Johnny Hilditch drove to Oregon on his own dime last August to work nonunion for Residential Commercial Interiors (RCI), at \$18 an hour plus free lodging in the hotel. But in October, the paychecks stopped coming. Some RCI crew members stopped working. Hilditch and several others stayed, hoping for



Johnny Hilditch

a lump-sum check when the room-by-room remodel of the Washington Square Embassy Suites was complete. The work ended in December, but the pay never came. Company owner Joe Rogers — seldom seen on the work site — stopped returning phone calls. Hilditch estimates he's owed \$6,500. And there was worse to come. Hilditch says when he went to apply for unemployment, he was told there was no record of his employment in Oregon. That may be because RCI hadn't paid unemployment insurance.

Hilditch wasn't the only one. Eugene resident Lex Sanderson is a journeyman floor installer and former member of Seattle-based Painters and Allied Trades Local 1238. He says RCI promised him \$25 an hour to lay carpet in the Embassy Suites remodel, but only ever paid him \$20 an hour. Problems began with his very first paycheck, which was late. The company paid straight time for overtime, not time-and-a-half as required by law. When

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...Nabisco recruits strikebreakers

From Page 1

Portland, Oregon.

And at the Mondelēz International Nabisco Portland Bakery in Portland, union officers say strike replacement workers are being brought in to shadow union workers. On Feb. 8, half a dozen individuals wearing contractor badges were brought onto the plant floor by managers, and stood watching while union members performed their jobs.

“We’ve never had that in our plant before,” said Judy Schultz, a 31-year employee in Portland.

Laurie M. Guzzinati, Mondelēz Director of Corporate & Government Affairs North America, wouldn’t confirm that the company is contracting with Huffmaster, but said in an emailed statement: “We work with a variety of resources to protect our business and serve our customers in the event of any business disruption.” Guzzinati also said the company intends to negotiate in good faith, “with the goal of securing contracts with the BCTGM that will continue to provide our employees with good wages and benefits, while at the same time allowing the company to continue its journey to drive strong, sustainable growth and snacking



WHERE DELICIOUS MOMENTS OF JOY ARE CREATED: Mondelēz International, parent company of Nabisco, says its mission is to create “delicious moments of joy.” In the Portland, Oregon, plant above, union workers turn traincars full of ingredients into Oreos, Wheat Thins, and other Nabisco products.

leadership in the marketplace.”

“We don’t know how much of it is psychological, or how much it’s real,” said Ron Baker, BCTGM International Strategic Campaign Coordinator about the replacement worker recruitment effort.

But Baker said labor relations have soured since Mondelēz — pronounced “mohn-dah-LEEZ” — was formed in 2012 as an independent spinoff of Kraft’s global snack division.

Mondelēz has about 3,640 union employees in the United States, according to its most recent annual report. Those include BCTGM members as well

as Machinists and Operating Engineers. Most of Nabisco’s union workers earn about \$26 an hour, enjoy employer-provided health insurance for themselves and their families, and have a traditional “defined benefit” pension plan.

Meanwhile, Mondelēz CEO Irene Rosenfeld received \$21 million in total compensation in 2014.

Mondelēz has also begun communicating directly with workers about the upcoming contract negotiations via a web site, negotiations2016.com. On the site, Mondelēz appears to take shots at the union-spon-

sored multi-employer pension, with posts about the unrelated Teamsters Central States Pension, which is headed for insolvency. As the Mondelēz site points out, BCTGM’s multi-employer pension fund is also in “critical and declining status” and at the current rate, is projected to become insolvent within 17 years.

Guzzinati declined to explain the company’s purpose in emphasizing that information, but said the site was created to provide news and information related to the negotiations process.

Baker, the national union campaign coordinator, wouldn’t discuss specifics of what the union will ask for in negotiations, other than to say that it will seek greater job security protections, in response to Mondelēz’ recent decision to shift some production to Mexico. Last July, the company announced it will spend \$130 million to install four new production lines in Salinas, Mexico, and shut nine of its 16 production lines in Chicago, laying off 600 of its 1,200 Chicago workers. The union is fighting that decision in court and in the public, and is calling on supporters to learn more and sign a support petition at fightforamericanjobs.org.

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...Wage theft

From Page 1

the paychecks stopped coming, Sanderson kept working, and lived off savings. By the time he left, he estimates he was owed over \$12,000 — not counting the overtime pay.

Armando Robledo, a carpet installer from California, started in May and tells a similar story. He, at least, got \$25 an hour, until the checks stopped coming.

All three said RCI deducted money for income tax withholding, but as of mid-February, none had received an IRS form W-2, which by law must be mailed out to employees no later than Jan. 31.

RCI — based in Spanaway, Washington — doesn't have a contractor's license in Oregon. Calls by the Labor Press to the company went unreturned.

The general contractor on the project is FDR Construction, a California company specializing in hotel remodels. FDR has done work for some of the biggest names in the industry. Reached by phone, FDR president Forrest Reardon said the unpaid wages aren't his company's responsibility — Reardon said RCI was paid everything it was owed. In fact, Reardon said RCI owes FDR tens of thousands of dollars for not finishing the job: A ballroom and ADA-compliant rooms were left undone.

But Hilditch, Sanderson, and Robledo say FDR is also to blame: Its project manager promised they'd be paid if they stayed to finish the job, and that didn't happen.

What happened to the RCI workers is theft — wage theft. Wage theft is a catch-all term for the myriad ways workers are cheated of the wages they are owed. And it's becoming more and more common around the country. At a hearing last month of the Oregon Senate Workforce Committee, attorney Laura Huizar of the National Employment Law Project said wage theft has become widespread across the country and across industries, costing workers billions of dollars each year. In Oregon, the 1,100 workers a year who figure out how to file wage and hour complaints with the state Bureau of Labor and Industries (BOLI) are likely the tip of the iceberg, Huizar told

lawmakers, because many workers face language barriers, fear retaliation from their employers, and can't afford legal representation.

In a way, it's almost a surprise that so many employers remain law-abiding — given how poorly staffed BOLI's wage and hour enforcement operation is: Seven compliance specialists enforce wage and hour laws for all Oregon workers. According to a recent analysis by the Oregon Center for Public Policy, there are more than 58,000 workers for every full-time staff member in BOLI's Wage and Hour Division. Those staff levels have gotten much worse over the years: 20 years ago, the figure was 28,500 workers for every staff member.

Imagine if word got out that local law enforcement didn't have resources to investigate and prosecute car thefts. Grand theft auto would soar. That's what's happening in wage theft, worker advocates say.

And when corruption takes hold in industries, bad competitors drive out the good. Wage theft is most common in three industries: restaurants, farms, and construction.

At Bricklayers and Allied Craftworkers Local 1, President Matt Eleazer and field rep Mike Titus say wage theft is becoming worse in their trade. Local 1 represents bricklayers, stone masons, tilesetters, and other workers in Oregon, Washington, Idaho, Montana, and Alaska. And the dirty little secret of the construction industry is that union representatives like Titus and Eleazer are spending more and more of their time policing their industries.

"If we're not doing it [policing the industry], those guys are bidding against our contractors, and it's not fair," Eleazer says.

"And we don't catch a fraction of what's going on," Titus adds.

Increasingly, worker advocates have been raising the alarm about wage theft — and calling for government to crack down. To push for stronger laws, the Oregon AFL-CIO and six other

Oregon labor organizations have joined the Oregon Coalition to Stop Wage Theft, along with 30 other civic, religious and small business organizations.

In 2015, the coalition helped draft a bill to crack down on wage theft, but it never got a vote on the Senate floor, and died in the Senate Rules Committee. Labor allies thought it was a scandal that the Demo-

cratic-dominated Legislature would punt on a wage theft crackdown. The labor-backed Fair Shot coalition — which succeeded in passing sick leave legislation in 2015 — declared wage

theft would be one of its priorities in 2016.

Now it's half way through the short 2016 legislative session. Senate Democrats have an 18-12 majority, but Senate President Peter Courtney (D-Salem) has said (with a few exceptions) he won't allow votes on any bill without bipartisan support. Wage theft isn't one of the exceptions. To win the votes of Republican legislators like state Sen. Kim Thatcher, it takes business support.

To get it, Workforce Committee Chair Michael Dembrow

"We have to make it possible for workers to enforce their own claim to wages."

— Michael Dale, executive director of the Northwest Worker Justice Project

(D-Portland) stripped out any part of the 2015 bill that business groups had objected to. What remained: Funding for three more BOLI positions (bringing it up to 10), making it a felony to cheat workers on public construction projects that are supposed to pay prevailing wage, and requiring employers to make payroll records available on request to employees.

But that still wasn't enough to satisfy business groups. At a Jan. 16 hearing on the bill, Associated Oregon Industries vice president Betsy Earls said the bill "imposes new regulatory burdens and liabilities" and caused "consternation in the business lobby." Specifically, giving workers the right to sue employers for not turning over records, "creates a significant private burden without clear public benefit," Earls told committee members.

Dembrow kept the requirement to keep and make available records, but stripped out the language to make it enforceable.

The bill was so watered down that the Oregon Coalition to Stop Wage Theft — the group that had called on the Legislature to crack down on wage theft — declared a "neutral" stance on the bill, neither supporting nor opposing. Coalition point person Michael Dale says there's nothing wrong with making prevailing wage viola-

tions a felony.

"The problem is that it's going to be very difficult to get a district attorney to prosecute these guys and put them away for five years," Dale said. "In our experience, stealing from workers isn't treated as important as other kinds of criminal activity."

That's certainly been Hilditch's experience. If he had stolen a \$43,000 forklift from the job site, that would be a Class B felony, and he'd face a prison sentence for first degree aggravated theft.

After the Embassy Suites job ended in December, Hilditch, Sanderson, Robledo and two other RCI workers filed wage complaints with BOLI. An agency spokesperson confirmed BOLI is investigating the claims, which total \$46,395.75.

Dale said giving BOLI more resources is good, but isn't going to solve the problem. "You have to give workers the tools so either they themselves, or with a union or community organization supporting them, or with their lawyers, can enforce their right to recover wages on their own, without having to rely on a government agency.... We have to make it possible for workers to enforce their own claim to wages."

Dale says the coalition will push a stronger bill in the 2017 legislative session.



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UNION MEETING NOTICES

AFSCME 88

Executive Board meets 6 p.m. Wednesday, March 2. Any member in good standing may attend as a non-voting visitor.

General membership and stewards meet 6 p.m. Wednesday, March 16. Meeting agendas may be viewed on the AFSCME Local 88 webpage on the Monday prior to the Wednesday meeting. Meetings are at 6025 E. Burnside, Portland.

AFSCME 189

General membership meets 6:15 p.m. Tuesday, Feb. 23.

Executive Board meets 6:15 p.m. Tuesday, March 8. Meetings are at 6025 E. Burnside, Portland.

Bakery, Confectionery, Tobacco Workers and Grain Millers 114

Executive Board meets 8 a.m. Tuesday, Feb. 23, followed by an 8:30 General Membership meeting at the Comfort Inn on 82nd Avenue. PLEASE NOTE: One vacant Executive Board position will be filled at this meeting. Please contact the Local if interested.

Cement Masons 555

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

Electrical Workers 48

RENEW meets 5:30 p.m. on the first Tuesday of every month in the Executive Boardroom.

Executive Board meets 6:30 p.m. on the first and third Wednesday of the month in the Executive Boardroom.

Coast Unit meets 6 p.m. on the first Thursday of every month at Astoria Labor Temple, 926 Duane St., Astoria.

Electrical Workers Minority Caucus meets 5:30 p.m. on the second Tuesday of every month in the Meeting Hall.

Residential Unit meets 6 p.m. on the second Tuesday of every month in the Dispatch Lobby.

Sound and Communication Unit meets 6 p.m. on the second Wednesday of every month in the Meeting Hall.

Wasco Unit meets 6 p.m. on the second Thursday of every month at Northern Wasco County PUD, 2345 River Road, The Dalles.

Washington Unit meet 6 p.m. on the second Thursday of every month at the Longview Meeting Hall, 1145 Commerce Ave., Longview, WA.

Marine Unit meets 5 p.m. on the fourth Tuesday of every month in the Meeting Hall.

General Membership Meeting meets 6:30 p.m. on the fourth Wednesday of the month in the Meeting Hall. Doors open at 5:30 p.m.

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

DEATH ASSESSMENTS: The following death assessments have been declared for February: No. 2463; Raymond L. Knudsen; No. 2464; Henry R. Phillips; No. 2465; John T. Kiphart; No. 2466; Edward D. Rasmussen; No. 2467; Charles J. Thompson II; No. 2468; Ronald J. Harmsen; and No. 2469; Albert R. Cole. The Feb. assessment is \$1.50.

Elevator Constructors 23

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

Fire Fighters 452

Members meet 6 p.m. Wednesday, March 2, at 2807 NW Fruit Valley Rd., Vancouver.

Fire Fighters 1660

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

Glass Workers 740

Executive Board members meet 5 p.m. Thursday, March 3, at 11105 NE Sandy Blvd., Portland.

Portland area members meet 6 p.m. Thursday, March 3, at 11105 NE Sandy Blvd., Portland.

Eugene area members meet 5 p.m. Monday, March 7, at Best Western Grand Manor Inn, 971 Kruse Way, Springfield.

Salem area members meet 5 p.m. Tuesday, March 8, at Best Western Plus, Mill Creek Inn, 3125 Ryan Drive SE, Salem.

Insulators 36

Executive Board meets 6 p.m. Wednesday, March 9. Members meet 7 p.m. Friday, March 11.

Meetings are at 11145 NE Sandy Blvd., Portland.

Iron Workers 29

Members meet 7 p.m., Thursday, March 3, preceded by a 5:30 p.m. Executive Board meeting, at 11620 NE Ainsworth Cir., #200, Portland.

Iron Workers Shopmen 516

Members meet 6 p.m. Thursday, Feb. 25.

Executive Board meets 6 p.m. Thursday, March 10.

Meetings are at 11620 NE Ainsworth Circle, Portland, OR.

Laborers 483 Municipal Employees

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

Laborers/Vancouver 335

Members meet 7 p.m. Monday, March 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

Portland area members meet 6 p.m. Thursday, Feb. 25 - SPECIAL CALL TO VOTE FOR ONE (1) E-BOARD POSITION & WAGE NOMINATION AND ALLOCATION.

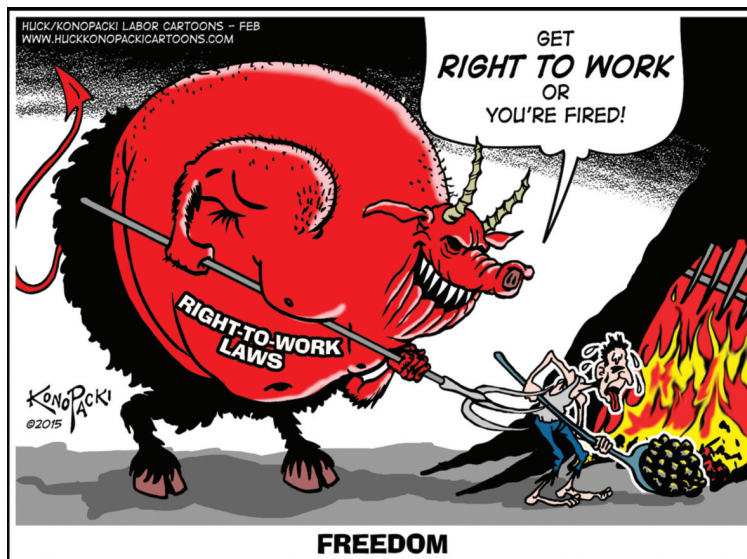
Executive Board meets 5 p.m. Monday, March 7.

Portland area members meet 6 p.m. Thursday, March 24 - SPECIAL CALL TO VOTE ON WAGE ALLOCATION.

Meetings are at 11105 NE Sandy Blvd., Portland.

Molders 139B

Members meet 6:30 p.m. Thursday, March 17, preceded by a 6 p.m. Executive Board meeting at the



Carpenters Hall, 2205 N. Lombard, Portland.

Office & Professional Employees Local 11

Members meet 7 p.m. Tuesday, March 8, at 3815 Columbia St., Vancouver. PLEASE NOTE: Nominations for Office & Professional Employees International Union, Local 11 will be held at this meeting.

Painters & Drywall Finishers 10

Members meet 6 p.m. Wednesday, March 16, at 11105 NE Sandy Blvd., Portland. Website: www.iu-patlocal10.org

Sign Painters & Paint Makers 1094

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

Plasterers 82

Members meet 5 p.m. Wednesday, March 2, at 12812 NE Marx St., Portland.

Plumbers and Fitters 290

Portland area members meet 7:30 p.m. Friday, March 18, at 20210 SW Teton Ave., Tualatin. The following locations will be able to participate remotely in the Regular Business Meeting at 7:30 on the 3rd Friday of every month: Bend, Eugene/Springfield, Eureka, Medford, and Salem.

Astoria area members meet 6 p.m. Thursday, March 24, at the Astoria Labor Temple, 926 Duane, Astoria.

Brookings area members meet 5:30 p.m. Tuesday, March 22. Please contact Craig Spjut at 707-496-1767 for location information.

Coos Bay area members meet 6 p.m. Tuesday, March 22, at the Coos Bay Training Center, 2nd & Kruse, Coos Bay.

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

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

Roofers & Waterproofers 49

Executive Board meets 7 p.m. Thursday, March 3. Members meet 7 p.m. Thursday, March 10.

Meetings are at 5032 SE 26th Ave., Portland. (503 232-4807)

Sheet Metal Workers 16

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

Medford area members meet 4 p.m. Wednesday, March 9, at Wild River Pizza, 2684 N. Pacific Hwy., Medford.

QUOTABLE

"Anyone who shrugs and claims that change is just too hard has crawled into bed with the billionaires."

U.S. Senator Elizabeth Warren, Senate floor remarks, January 21, 2016

From the Institute for Policy Studies

Eugene area members meet 6 p.m. Tuesday, March 8, at Sheet Metal Local 16 Hall, 1887 Laura St., Springfield. PLEASE NOTE: Meeting to be broadcast with the Portland meeting.

Coos Bay area members meet 4 p.m. Thursday, March 17, at Abby's Pizza, 997 First St., Coos Bay.

Women of Sheet Metal Workers Local 16 (WOSM) meets 4:30 p.m. Friday, March 18, at Beaulahland, 118 NE 29th Ave., Portland. Children are welcome.

CENTRAL LABOR CHAPTERS

Central Oregon

Delegates meet 5:30 p.m. Monday, Feb. 29, at the Social Justice Center, 155 NE Irving Ave., Bend.

Lane County

Delegates meet 7:30 p.m. Wednesday, Feb. 24, at 1116 South A St., Springfield.

Linn-Benton-Lincoln

Delegates meet 7 p.m. Wednesday, Feb. 24, preceded by a 6:30 p.m. Executive Board meeting, at 1400 Salem Ave., Albany.

Marion-Polk-Yamhill

Delegates meet 7 p.m. Tuesday, March 8, preceded by a 6:30 Executive Board meeting, at 4735 Liberty Rd, S., Salem.

Southern Oregon

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

Southwestern Oregon

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

CENTRAL LABOR COUNCILS

Northwest Oregon

Delegates meet 7 p.m. Monday, Feb. 22, at IBEW Local 48 Hall, 15937 NE Airport Way, Portland.

Southwest Washington

Delegates meet 6 p.m. Wednesday, March 2, at the Laborers Hall, 2212 NE Andresen Rd., Vancouver, WA.

BUILDING AND CONSTRUCTION TRADES COUNCILS

Columbia-Pacific

Delegates meet 10 a.m. Tuesday, Feb. 23, at the Vancouver Labor Center, 2212 NE Andresen Rd., Vanc., Wash.

Delegates meet 10 a.m. Tuesday, March 1, in Kirkland Union Manor II, 3535 SE 86th, Portland.

Lane, Coos, Curry & Douglas

Delegates meet at noon Wednesday, Feb. 24, at the Springfield Training Center, 2861 Pierce Parkway, Springfield.

Salem

Salem Delegates meet 10 a.m. Thursday, March 3, at the IBEW 280 Training Center, 33309 Hwy 99E, Tangent.

METAL TRADES COUNCIL

Portland and Vicinity

Delegates meet 5 p.m. Tuesday, Feb. 23.

Executive Board meets 10 a.m. Thursday, March 10. Meetings are at the IBEW Local 48 Hall, 15937 NE Airport Way, Portland.

HAPPENINGS

Group wants to revive Unions for Kids motorcycle poker run for Doernbecher

A group of union members wants to try to revive the Unions for Kids (U4K) motorcycle poker run, a fundraiser for Doernbecher Children's Hospital.

Unions for Kids was established in 2003 by several members of IBEW Local 48. It's a nonprofit, all-volunteer organization with 100 percent of proceeds going to help sick children at Doernbecher. Most of the money is raised through a raffle for a new Harley-Davidson motorcycle. During its 12-year run, which ended in June 2014, the event raised \$465,000 for Doernbecher.

It folded not for lack of participation, but because it was a lot of work for the few folks who organized it. Lee Duncan, a co-founder and president of U4K, retired in 2014. He and his wife Kathy, also a member of Local 48, coordinated the event. Duncan tried to find a successor, but was not successful.

A couple weeks ago, Scott Oldham, an organizer for Painters and Allied Workers District Council 5, put out feelers to see if there was any interest in bringing the poker run back. Several people responded to the email, including Duncan and U4K treasurer Rob Williamson of IBEW & United Workers Federal Credit Union, who said they would help with the transition as advisers.

A meeting is set for Monday, Feb. 22 at 5 p.m. at the Painters Hall, 11105 NE Sandy Blvd., Portland.

For more information, or to provide feedback on your interest, contact Oldham at: Scotto@iupatdc5.org.

RETIREE MEETING NOTICES

AFSCME

Retirees meet 10 a.m. Tuesday, March 15, at the AFSCME office, 6025 E. Burnside, Portland. Call Michael Arken for information at 1-800-521-5954, ext. 226.

Alliance for Retired Americans Oregon Chapter

Executive Board meets 10 a.m. Thursday, March 10, followed by an 11 a.m. General membership meeting at 3645 SE 32nd, Portland.

Bakers 114

Retirees meet 11:30 Thursday, Feb. 25, at Izzy's Pizza, Gateway Shopping Center, 1307 NE 102nd Ave., Portland.

Elevator Constructors 23

Retirees meet 11:30 a.m. Wednesday, March 9, at Home Town Buffet, 10542 SE Washington St., Portland.

Insulators 36

Retirees meet 9 a.m. Thursday, March 3, at the Dockside Restaurant, 2047 NW Front Ave., Portland.

United Association 290

Retirees meet 10 a.m. Thursday, March 17, at 20210 SW Teton Ave., Tualatin for class entitled "Meeting the Challenges of Family Caregiving." Learn about resources in your community, how to cope with the stress and meeting the challenges of caregiving. The class is facilitated by Deborah Letourneau, program coordinator for Washington County Disability, Aging and Veteran Services and Kay Kirkbride, Master Trainer for the Powerful Tools for Caregivers Program.

LOCAL MOTION ➔ NOV-DEC 2015

The following are Oregon and Southwest Washington workplaces where workers have voted on whether to be represented by a union. The thumbs-up symbol means workers will be union-represented. Thumbs-down means they'll be on their own. The information comes from the National Labor Relations Board and the Oregon Employment Relations Board.

Election Results

Employer (Location) Union	Yes-No
Coast Cutlery warehouse workers (Portland) Teamsters Local 206	3-5 👍
American Paper Converting machine operators (Woodland) AWPWW	5-17 👍

...Union campaign crushed at Portland Specialty Baking

From Page 1

door policy was announced, in which workers could tell company president Josh Richardson about their concerns. Some workers got raises.

Meanwhile, the company aggressively curtailed union access to the workers. Not only were union organizers not allowed into the plant to talk to workers, but they were ordered off the property. The plant is located in a corporate industrial park between Sandy Boulevard and I-84. For about a week after the union campaign went public, union organizers would show up to leaflet and talk to workers. But Richardson, the company president, repeatedly confronted them and called the police. On Jan. 22, Gresham police arrested lead organizer Trent Leon-Lierman and booked him on charges of second degree criminal trespass. On arraignment, the Multnomah County District Attorney's office declined to press charges, but Leon-Lierman's arrest was the last time organizers showed up on site — two weeks before the election.

And union efforts to get workers to meet outside the workplace were frustrated by a sudden ramp-up in hours. Workers were ordered to work 60



"I asked [the company president], 'Have you been inside the homes of your workers and seen their children huddled in their coats because they can't afford heat? We have.'"

— Bakers Local 114 president Terry Lansing

hour weeks. On the day a union meeting was scheduled, some were called in to work an extra shift.

There were other factors contributing to the union loss.

Portland Specialty Baking's workforce is overwhelmingly comprised of immigrants and refugees, divided into pockets of different nationalities and language groups. NLRB election notices, for example, were translated into Arabic, Burmese, Chukese, Khmer, Laotian, Nepalese, Russian, Spanish, and Vietnamese. Within each language group, line foremen tended to be the most senior leaders, and they formed the core of the company's anti-union effort. Leon-Lierman thinks those supervisors may have proved decisive in appealing to workers to give the company a chance to improve.

Lastly, very few of the Portland Specialty Baking workers had any prior experience with

unions before. Wages at other unionized bakeries in the Portland area are approximately double the wages at Portland Specialty Baking, which hover around \$10 an hour.

Franz Bakery's role

Lansing said it's unclear what role, if any, unionized Franz Bakery played in the campaign. Portland Specialty Baking makes pretzels, cakes, donuts, bagels, and muffins, but not under its own label; it's a contract baker making products for Franz, Starbucks, Safeway, Costco and Winco. Portland Specialty Baking uses machines purchased from Franz. And the industrial park where it's located is owned by a holding company that lists current and former Franz executives as principal officers.

Lansing appealed to Franz president Marc Albers to urge Portland Specialty Baking to remain neutral and meet face to face. Albers did get Richardson

to meet with the union. The half-hour-long informal meeting took place Jan. 28 at the union office — between Richardson and his attorney Jackie Damm of Bullard Law, and Lansing and John Price, the Bakers Union's international director of organization.

"It was an honest attempt by us to go forward positively rather than have an adversarial fight," Lansing says of the meeting. "We asked for the company to be neutral and respect workers' desire to be union."

Lansing asked if Richardson would allow a union representative on site so that employees could hear both sides. Richardson said no.

"I asked him, 'Have you been inside the homes of your workers and seen their children huddled in their coats because they can't afford heat? We have.'"

Richardson's response, Lansing says, was to tell the story of an employee who was grateful to get a job at Portland Specialty Baking after being out of work for years.

Why unions prefer card check

The union reversal at Portland Specialty Baking illustrates the difference between a "card check" process — which unions favor — and a secret ballot union election. Under federal la-

bor law, employers must recognize and bargain with a union if the majority of workers want to be union-represented. Unions can demonstrate that majority support by presenting signed authorization cards from workers, in a process known as card check, but it's up to the employer whether to accept that method or not. Employers who want to fight a union invariably insist on a secret ballot election overseen by the NLRB, because it gives them time to campaign against the union. In short: Portland Specialty Baking could legally have recognized the union based on the cards signed by its workers — and gotten busy negotiating a first contract. Instead it fought an extraordinarily one-sided battle against the union — in that management had nonstop access to workers, while union organizers weren't even allowed on the property.

Despite the loss, Lansing and Leon-Lierman say the union will continue to engage with workers at the plant, and could try again in the future if worker opinion shifts.

"We're certainly not walking away. That wouldn't send a good message, nor would it be the right thing to do," said lead organizer Trent Leon-Lierman.

Richardson declined to return calls from the Labor Press.

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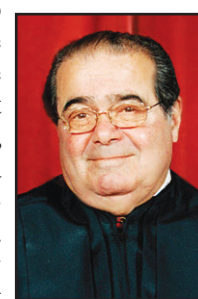
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Justice Scalia's death may mean reprieve for public sector unions

The Friedrichs case looked like it was going to be a 5-4 vote

It would be considered bad form for union leaders to publicly celebrate the death of conservative U.S. Supreme Court Justice Antonin Scalia, but privately, there's a pervasive sense of having dodged a bullet. That bullet, aimed by union foes at the heart of organized labor, was a pending case called *Friedrichs vs. California Teachers Association*. Plaintiffs are asking the Supreme Court to impose so-called "right-to-work" status on all public employees in the United States, arguing that requiring public sector union members to pay dues — even though they benefit from union contracts — would violate the First Amendment.

Based on questions justices asked when the Court heard oral argument in the case Jan. 11, it looked like there was a 5-4 majority in favor of overturning a previous court decision that declared it constitutional for public sector unions to require dues or some equivalent. Currently, under the 1977 *Abood* decision, the question is left up to the states.



Antonin Scalia
1936-2016

Scalia's Feb. 13 death means the Court is now more likely split 4-4 between conservative and liberal judges. But that's not certain. The Court is supposed to issue a decision by June, but if it's split, then the lower court decision upholding the status quo stands. It's also possible the Court could order the case to be re-argued next year, after a new justice is appointed.

WASHINGTON

Lawmakers reject bill linking tax breaks to Boeing jobs

OLYMPIA — A majority of the Washington State House Finance Committee bowed to The Boeing Company Feb. 5 by rejecting a union-backed bill that would have tied \$8.7 billion in aerospace tax incentives to jobs.

The Legislature granted Boeing the tax incentives — the largest tax break in U.S. history — during a special session in November 2013 to “maintain and grow” the state’s aerospace workforce of 83,295. It was supported by the Machinists Union and the Society of Professional

Engineering Employees in Aerospace (SPEEA), IFPTE Local 2001, as they expected aerospace jobs to grow in the state because of it. Since then, however, Boeing has shed 4,057 jobs in Washington, including 3,000 high-paying engineering and technical jobs.

Three statewide polls showed 73 to 84 percent of respondents support tying the aerospace tax breaks to specific job requirements in Washington. HB 2638 would have cut the tax benefit in half if Boeing employment fell

by 4,000, and would have eliminated it entirely if employment fell by more than 5,000.

“[This] vote ... demonstrates the power of corporate influence to overcome what is clearly the will of the people and the intent of the legislation,” said Machinists District 751 President Jon Holden.

HB 2638 was supported by seven Democrats on the committee. It was opposed by seven Republicans and one Democrat — Rep. Larry Springer of Kirkland. The 7-8 vote means the

bill will not advance to a floor vote in the House, and leaves the aerospace giant free to continue taking tax breaks from Washington, even if it keeps moving jobs out of the state.

“They’re double-dipping by collecting our tax incentives and securing additional tax incentives from other states at the same time they’re creating capability that will be used to compete against our Washington State workforce in the future,” Machinists Lodge 751 spokeswoman Connie Kelliher told

Workers Independent News.

Kelliher said lawmakers in South Carolina, Missouri, Alabama, and Oklahoma have all passed legislation giving tax incentives to Boeing. “And all of them had specific job numbers tied to their incentives, which were much less than the incentives that our state offered,” Kelliher said.

The \$8.7 billion Washington State gave the aerospace industry in 2013 was on top of \$3.2 billion the state approved in 2003.

UNION DEMOCRACY

New business manager at Insulators Local 36

In ballots counted Feb. 12, Walt Caudle defeated Alan Davis to become the new business manager of Heat and Frost Insulators Local 36. Caudle, 57, has been the union apprenticeship coordinator since April 2009. He succeeds Stan Danielson, who retired after 30 years at the helm.

Prior to his job as apprenticeship coordinator, Caudle was the elected business agent at Local 36 from 1996 until December 2008, when he stepped down and briefly returned to work with the tools.

A native Oregonian, Caudle worked in concrete after graduating from Sherwood High School. In 1981, his father convinced him to apply for the insulators apprenticeship program.



Walt Caudle

Caudle has a family history with Local 36 dating back to its inception in 1913. His father Lindy Caudle and five great-uncles all were members of the local.

Caudle is a delegate to the Columbia Pacific Building Trades Council, and serves on the board of directors of the IBEW and United Workers Federal Credit Union.

As business manager, he said he wants to bring more participation to union meetings, possibly through incentive programs. Work is “pretty good right now,” he says, but he plans to continue lobbying for large construction projects, such as the Jordan Cove LNG plant in Coos Bay.

“Stan and I worked together for a long time. I learned a lot from him,” Caudle said. “There

will be some changes, but mostly internal office stuff.”

Member Dave Gamble was hired to succeed Caudle as apprenticeship coordinator.

In other election results, vice president Ron Mathis outpolled Executive Board member Matt Grider by two votes to become business agent. Business manager and business agent are the local’s two elected staff positions. Davis, the incumbent business agent, did not seek reelection; instead he ran for business manager, and lost to Caudle.

Also elected were: Dreng Espelien, president; Jeff Marchi, vice president; Nick Garrison, treasurer; Angela d’Esposito, recording secretary; Jesse Markowski, trustee; and five Executive Board members: Level Sneed, Lincoln Caldwell, Gary Downum, Rob Bates, and Mike Thomas.

PEOPLE

Laborers Local 483 business manager Erica Askin is leaving office to take a position as in-house counsel for Service Employees Local 49. Askin has a law degree from Rutgers University, and has been with Local 483 since 2010. She was elected the local’s first female business manager in 2014, succeeding Richard Beetle.

Local 483’s Executive Board



Erica Askin

appointed Local 483 president Wesley Buchholz to replace her. The 1,000-member local represents workers in several City of Portland bureaus at the Oregon Zoo, and several smaller public employers.

Askin begins her new position March 21.

Chris Ferlazzo has left his position as longtime organizer for Portland Jobs with Justice after 14 years. Ferlazzo, 48, came to the labor solidarity organization after years as an activist with the Portland Central America Solidarity Committee and the Cross Border Labor Organ-

izing Committee. Over the years, he helped organize innumerable marches and protests in support of embattled workers. Ferlazzo says he’ll spend time traveling before considering future plans.



Chris Ferlazzo

Portland Jobs With Justice doesn’t plan to immediately fill the vacancy, and will decide later in the year whether to continue the position.

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MISCELLANEOUS

7 PIECE MILK GLASS, 4 sherbet, 2 candlestick, 1 glass; Harvest Grape design, no chips, \$15. 360-687-4830

CORRECTIONS AND CLARIFICATIONS:

In the Feb. 5 issue, an article about the Oregon Bureau of Labor and Industries’ \$2.5 million construction wage settlement with Southern Oregon University reported that Plumbers and Fitters Local 290 union rep Drew Waits had advised signatory contractors not to bid on the dorm portion of the project because it was set at lower residential prevailing wage rates, and that possibly not enough workers would be available to staff the job. Waits was a journeyman plumber at the time the project was bid, and he did not discourage signatory contractors from bidding the work. Waits said his employer, Patterson Plumbing, did not bid the project because of concerns about paying the lower wage rate.

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COLLECTOR SEEKING old beer stuff, signs, cans, bottles; brand doesn't matter; the older the better. 503-357-7862

PAY CASH for firearms, especially Colt revolvers, call Kenny with what you may want to sale. 503-449-0584

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1916 INDIAN PARTS for cannonball run; Harley parts for restorations. 503-351-5054

CLASSIFIED AD GUIDELINES

Subscribers may place one free classified ad per issue. Ads should be 15 to 20 words, all in lower case (NO CAPITAL LETTERS). Ads *must* include a phone number, including area code, or they will not be published. No commercial or business ads.

HOW TO SUBMIT A CLASSIFIED AD

Indicate which union you are a member of, and send your ad to michael492@comcast.net or by mail to PO Box 13150, Portland OR 97213. We publish the first and third Fridays of each month, and the deadline is one week prior to that.

In 2015, there were 12 major strikes and lockouts involving 1,000 or more workers, higher than in 2014 with 11 major work stoppages. The 12 major work stoppages beginning in 2015 idled 47,000 workers.

<http://www.bls.gov/news.release/wkstp.nr0.htm>

Labor 100 Years Ago - Feb. 19, 1916

A look back at the front page stories of the Oregon Labor Press, Feb. 19, 1916. A digital version of the front page can be seen on our web site at www.nwlaborpess.org

* Preparedness For Women

There is one question to which every woman should be able to answer yes. It is this: "Can you earn a living if you should need to do so?" If there is one lesson more than another that has been emphasized in recent years, it is that the untrained suffer most when a pinch comes. Another lesson that is not sufficiently understood is that there is

practically no security in fortune.

Preparedness should be the watchword for women. Train your daughters, your mothers, to something that will pay a return sufficient at least for a livelihood. It can do no harm, and it may mean just the dif-

ference between happiness and misery in later life.

There is nothing more pathetic than the sight of some unfortunate woman, brought up utterly unprepared to support herself, who has been suddenly reduced to poverty. We all know some such woman.

Pottering along at things that are of no real use, at work given by pitying friends or strangers, more or less dazed by contract with a world that is foreign to her, sinking little by little to meaner surroundings and more desperate makeshifts, she at last disappears, sucked under in the maelstrom she has neither the strength nor the training to resist.

Surely you don't want to run even the faintest chance of becoming such a derelict: you don't want your daughter to run any such risk. So be prepared. Be fit for something, trained to something, ready to take hold if you must.

Know at least one thing so well that people will be glad to pay you for doing it. Be able to say yes if the world should ask you if you can return fair value for a living. It is the surest of human safeguards.

The knowledge that, in any eventuality, one need not suffer, will add confidence, pleasure and assuredness to every undertaking in life.

From Page 2:
"Women's Department"
by Lena Pittman Stahl

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PSU won't fight against a union campaign by its grad students

Portland State University (PSU) administrators won't fight against a union effort among 800 graduate student teaching and research assistants.

On Feb. 1, a union delegation called on PSU President Wim Wiewel to remain neutral and not spend university funds to delay or frustrate the union effort. PSU Director of Communications Scott Gallagher said via email Wiewel met them in the lobby, listened to them speak, and tried to respond that he and administration would be neutral as required by law.

"However, the students and supporters left and wouldn't let him respond," Gallagher wrote.

On Feb. 5, university provost Sona K. Andrews sent a memo to faculty and staff who oversee graduate student employees, offering guidance on the union question.

"We acknowledge and respect their right to consider this important question without interference," Andrews wrote. Oregon law changed in 2013, the memo says. "Now, PSU cannot take a position or proactively provide information to either encourage or discourage a union." That means, so long as it's not disruptive to University operations, graduate assistants can campaign at work on their

own time during breaks and before and after shifts, in lobbies, coffee rooms, locker rooms, and public areas, may wear union insignia, and may use university email and bulletin boards.

Grad student teaching and research assistants are already unionized at University of Oregon and Oregon State University. Now they seek to unionize at PSU as well in a joint campaign backed by American Federation of Teachers and American Association of University Professors. The workers are graduate students who teach courses, conduct research, provide administrative support, mentor students and grade exams.

Graduate Employees Union of Portland State University is still in the preliminary phase of the campaign, but expects to seek formal union recognition later this year.

HOW TO HELP

The Graduate Employees Union of Portland State University is calling on faculty, staff, students, and community members to sign an online petition supporting the union at pdxgeu.org/allies. And be sure to "like" the campaign on Facebook at facebook.com/pdxgeu.

Unable to get a first union contract, Machinists withdraw from Bodycote

Machinists District Lodge W24 on Feb. 11 formally withdrew as the representative of about 40 workers at a Bodycote plant in Camas, Washington. Workers there voted 22-16 to unionize on June 14, 2014, but the union was never able to reach agreement with the company on a first union contract. Negotiations were limited to a once-a-month fly-in by a company attorney based in Oklahoma, and even with the final meetings assisted by federal mediator Darrell Clark, the two sides never agreed on any substantive economic issues.

"The company stalled us out forever and a day," District Lodge W24 union rep Will Lukens told the Labor Press.

UK-headquartered Bodycote is a multinational corporation specializing in heat treatment of aircraft and automotive compo-

nents, with over 190 locations worldwide. Its Camas plant heat treats titanium aerospace parts for Precision Castparts.

Lukens said union support dwindled as contract negotiations dragged on for 17 months, and union supporters quit or were terminated. The union picketed several times, but never struck. On Jan. 22, Tom Barwise, a former union supporter, filed a petition to decertify the union, and an election was scheduled for Feb. 12-13. Knowing it no longer had majority support, District Lodge W24 withdrew to avoid the need for an election.

"It's very frustrating, it's disappointing, but [working people] have to understand it's a fight," Lukens said. "If they don't beat you in organizing campaign, they try to beat you at the table, stalling it out."



LABOR EDUCATION

Capacity crowd at 20th Labor Law confab

Another capacity crowd attended the 20th annual Labor Law Conference Jan. 29 in Northeast Portland. The event was founded in 1996 by Norm Malbin, now retired as general counsel for IBEW Local 48. It is co-sponsored by the Oregon AFL-CIO, Center for Worker Rights, Northwest Oregon Labor Council, the Labor Education and Research Center at the University of Oregon, and the Columbia Pacific and Oregon State building and construction trades councils. Each year it sells out, attracting nearly 300 union officers, staffers, stewards and others who participate in workshops, listen to experts, and learn new ways to better represent their members. Among the plenary speakers were Ronald Hooks (pictured right), regional director of the National Labor Relations Board; management attorney Rick Liebman; labor attorney John Bishop; Oregon AFL-CIO President Tom Chamberlain; and Oregon Labor Commissioner Brad Avakian.



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