It's our 50th!

Beginning with this issue, Engineers News will publish a series of historical articles on the history of the Operating Engineers Local Union No. 3, in commemoration of the union's 50th Anniversary. See page 3 for the first installment.

Stapleton heralds 50 years of progress, pledges Local 3 will keep up the fight

By Eric Wolfe
Assistant Editor

Vice President Bob Skidgel (right) presents proclamation to Business Manager Tom Stapleton from San Francisco Mayor Art Agnos. The proclamation congratulated Local 3 on 50 years of progress and proclaimed Jan. 7, 1989 as Operating Engineers Local Union No. 3 Day in San Francisco.

Union favors drug testing based on reasonable cause

By James Earp
Managing Editor

Local 3 is prepared to support employee drug-testing under certain limited circumstances, Business Manager Tom Stapleton announced.

Speaking to members at the semi-annual membership meeting Jan. 7, Stapleton said the union would agree to drug tests if there is cause to suspect particular individuals of drug use or impairment on the jobsite. However, the union opposes random drug testing of employees and pre-hire testing.

A questionnaire to get Local 3 members' opinions on the issue of drug testing was sent out to the membership through the Engineers News last year. Those who responded to the survey were overwhelmingly in favor of the union.

(Continued on page 11)

Union renews advertising campaign

By James Earp
Managing Editor

Capitalizing on the success of a radio advertising program undertaken by Local 3 in 1986, the union will embark on a full scale radio campaign which will be underway in some areas by the time Engineers News goes to press.

“We've got a vital message to tell,” Business Manager Tom Stapleton stressed at a business agent training meeting this month. “We've got to quit being second class citizens in the eyes of the public and show them that union workers are an asset to their communities.

“Our people are more skilled and because of that they make money for their employers and they make better wages and benefits for themselves and their families,” Stapleton added.

“There's a real story to tell about how much money gets circulated back into our communities because of the union wages and benefits that our members earn.”

The radio campaign produced by the Local 3 Public Relations Department three years ago produced a very positive response, even though it was only done on a modest budget. Broadcasting primarily out of KRAK AM in Sacramento, the spots focused on the benefits of belonging to the union. One award-winning spot focused on how Local 3 members assisted their communities during the devastating floods of 1986.

The spots generated phone calls from people working in the industry interested in learning more about the union. One such
Looking at Labor
By Tom Stapleton
Business Manager

Recently while I was reflecting on the significance of this year being the 50th anniversary of Local 3, I took some time to browse through some old volumes of the Engineers News dating back to the earliest days of our local union.

As I wrote to the AGC as we fought to establish a health and welfare trust fund that would provide the first comprehensive medical benefits in the history of our union. It was without doubt one of the toughest fights we've ever had. At one point, many of our people were thrown out of work when the AGC shut down its member employers over a dispute with the Laborers, who were also trying to institute a fringe benefit plan.

But when it was finally over, we had our health and welfare plan, and for the first time in the history of our industry Local 3 and other crafts were able to provide much needed medical benefits to our members and their families.

From that early struggle, our fringe benefit program grew steadily, adding vacation pay, pension and finally retiree medical benefits to the package. The health plan also became more valuable as major medical, prescription drug, dental, vision care and other features were added to the plan.

Today we have the best health and welfare plan in the country, bar none. In the last nine years alone, our Trust Fund has paid out over $1.1 billion in pension and medical benefits.

Unfortunately, there is another side to this picture that is rather sobering. And that is the tremendous cost of providing these benefits. Last month in this column, I gave a report on how the cost of providing health and welfare benefits has literally doubled in the past year. Despite the numerous cost containment programs we have initiated to keep medical costs down, the expenses keep rising at an alarming rate. Since my last report, we've been able to obtain some figures which reveal at least part of the picture.

In the fiscal year ending April 30, 1986, our health and welfare plan for Northern California received $37.2 million in employer contributions and earned an additional $5.8 million in interest for a total of $43 million. That year our expenses were $41.6 million. This average out to $272 per month per eligible household. As you can see, we came out in the black by a small margin, but only because of favorable interest rates. If we would have had to rely on employer contributions alone, we would have had to dip into our reserves to break even.

In fiscal 1987, we took in $43 million total, but our expenses were $45 million. The average cost per household was $288 per month. Last year ending May 31, our expenses were $47 million, the average cost per household was $296 a month. Although the figures for the rest of 1988... (Continued on page 9)

Labor lobbyists take on new Congress

Despite the failed effort to put a Democrat in the White House, organized labor looked to the opening of the 101st Congress with cautious optimism. Strengthened Democratic majorities in both houses of Congress could put fresh momentum behind pro-worker legislation like the proposed ban on double-breasting, and could also help "family issues" like child-care and parental leave, which were major issues in the 1988 campaign.

But with Republicans retaining control of the White House, and sizeable influence in Congress, progress by labor will be incremental, at best, and may leave workers across the country wishing they had tried a little harder during the fall elections.

"We don't have enough people in the Senate to break a filibuster and we don't have enough people in the House to override a veto," noted Deb Owens, who tracks legislation for the AFL-CIO in Washington, D.C.

"Part of it depends on the climate Bush sets," Owens said. If he remains true to his campaign vision of a "kinder, gentler America," it will significantly increase the chances of passing new social legislation, Owens said.

In the House of Representatives, where Democrats expanded their majority by three seats to 260-175, it takes 290 votes to override a presidential veto when all members are present and voting. In the Senate, where Democrats picked up one seat for a 55-45 advantage, 60 votes are required to halt a filibuster.

The ability to halt a filibuster can be crucial. In the last Congress, Republican-led filibusters killed labor-backed bills to raise the minimum wage, to provide child care and parental leave, and to require that workers be notified when they've been exposed to toxic substances in the workplace. Republican opposition also killed a bill that would have banned double-breasting in the construction industry. Likewise, labor-backed highway construction and clean water bills became law in the last Congress only because there were enough votes in the House to override President Reagan's vetoes. The House failed to muster enough votes to override Reagan's veto of a bill to limit textile imports.

Other victories in the last Congress should serve as an inspiration to organized labor as the next Congress convenes. Despite opposition from the Reagan-Bush administration, labor helped win passage of several important bills, including the high-ly-publicized fight for plant closing notification, a ban on most workplace polygraph testing, and changes in federal bankruptcy law needed to protect the health and life insurance benefits of retired workers. Labor also beat back various efforts to gut Davis-Bacon prevailing wage protections. Union lobbyists returning to Capitol Hill.

'Ignore law,' Chamber official recommends

If you don't like a law, ignore it.

That's the advice employers are getting from Mark A. de Bernardo of the U.S. Chamber of Commerce.

De Bernardo says employers have "the option of not complying" with the new law requiring 60-days' advance notice of plant closings. The penalty of paying workers a severance package and notifying the layoff notice may be preferable to dealing with the consequences of giving advance notice, he suggested.

Among those possible consequences, he believes, are "litigation and vitriolic exchanges" with workers and an "explosive reaction" from the media and politicians. That, he warns, could do harm to a company's reputation.

De Bernardo is apparently happy to ignore one of the underlying reasons that Congress decided to require notice of major plant closings and layoffs: the 60-day notice period gives workers and their communities time to explore alternatives to plant closure and job loss. In some cases, for example, it might be feasible for the workers and their allies in the community to buy out the business themselves.

A final word of advice from de Bernardo to businesses contemplating plant closure: "Avoid making separation packages so attractive that they dissuade dislocated workers from aggressively seeking re-employment. Apparently "golden parachutes" are for management only.

(Continued on page 9)
How it all began:
A 50th anniversary look at how Local 3 was established

"The Teamsters had one chair in the office that was designated as Local 3's. No desk, no phone, just a chair. That's where heavy equipment operators came if they wanted to get into the union."

Did you get your 50th Anniversary Calendar? A special commemorative Local 3 50th Anniversary Calendar has been produced and printed by the union's Public Relations Dept. and a copy mailed to every Local 3 member in good standing. If you did not receive yours, please call the main office at (415) 431-1568 and one will be mailed to you. Because of limited quantities, we ask that you do not request extra copies of the calendar.
How it all began: History of Local 3

(Continued from page 3)

the representatives from California reported that the establishment of two local unions in California and Nevada was vigorously discussed: "would not only be a progressive move, but it would also be the institution of a policy that has been looked forward to for many years by the Portable and Hoisting Unions whereby there could be a more free opportunity to follow the construction work." Establishment of two local unions, it was agreed, would also "bring the unorganized worker into the fold." It was further recommended that once amalgamation was accomplished, both unions would remain under international supervision for at least two years until the locals could put themselves on firmer financial footing. The next day, on Feb. 1, 1939, the General Executive Board passed a resolution calling for the General President to "immediately place under International supervision until further order of the General President." It was further resolved that the local unions henceforth chartered in the affected area relinquish their charters and amalgamate into Local 3 or Local 12, depend- ing upon their location, by March 1, 1939. On Feb. 6, General President Possihl issued a directive to all operating engineers in California informing them of the Executive Board's action and asking their cooperation in accomplishing the task at hand.

But the mere creation of a local union on paper by no means insured its future success. That was left up to the members and those working for the union to take care of, and it was no easy task. And no wonder neither was happy about being told that as of March 1, he was a member of Local 3.

The shoveling runners were particularly unhappy that they would be doing the same work as the cat skinner and hoist operators from that day on. And in fact, there was at least one unsuccessful attempt to secede from the International and join the Seamen's Union in protest.

The existing local unions in Northern California were directed to transfer any funds in their respective treasuries on Feb. 28, 1939 to Local 3. But, as it turned out, none of the local unions had much money to give to Local 3 upon its amalgamation. In fact, the total amount that was borrowed by the International just to get started was $3,000.

Rube Corrie, originally a member of Local 59, was appointed as a District Representative to be paid directly by the International, as were J. H. LaFarce and John Fitzgerald. Other business agents, such as Victor Swanson, Pat Clancy, Red Hester and Tim Bynon, who had worked as business agents for the smaller local unions before the amalgamation, were hired on as part-time business agents for Local 3.

There was a great deal of work to be done and only a shoestring to do it on. H. L. "Curly" Spence, a retired member living in Arcata was one of the first business agents hired by Local 3, and he recalls those early days working for the union:

"All they did was give me a bunch of receipt books and applications — a big stack of applications — applications were the main thing, so you could take in more members," Spence recalls.

"I came right off a tractor and didn't have much experience to be an agent — only helping out the agents at meetings or riding around with them once in a while. The union didn't have much money and if you didn't have a car you couldn't go to work as a business agent."

Just a chair

Spence was sent up to work in Sacramento. Local 3 had no office in the area at the time, he recalls, so they worked out of the Teamsters office. The Teamsters and the Northern California Local 1, 1939 to Local 3. But, as it turned out, none of the local unions had much money to give to Local 3 upon its amalgamation. In fact, the total amount that was borrowed by the International just to get started was $3,000.

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Sacramento-area craft unions cut 15% right off the top

Building Trades lend hand to public TV station

Sacramento-based public television station KVIE Channel 6 will soon have a new home thanks in part to the efforts of area building trades workers and union contractors.

The assistance comes just in the nick of time, according to KVIE Capitol Fund Development Manager Bill Jansen. In exchange for funds, the station has been dubbed the "Channel 6 Contractors." By the station.

According to Jansen, each person involved in the actual construction is being presented with a baseball cap carrying the insignia: "I'm Building 6." The cap is not being made available to the general membership of the 75,000-member station, Jansen noted.

The project is slated to be completed in January 1990. The various contractors and trades will be honored with a "tapping out" party once the roof is on, followed by a grand opening party for everyone when the 65,000-square foot building is finished.

Jansen said there was a "slim" possibility the station could have managed to build its new headquarters without special assistance from the "Channel 6 Contractors.

But it wouldn't have been easy. For one thing, Jansen noted, a television headquarters is more complicated to build than a simple office building because it contains a technical studio with numerous special design requirements.

"Without the generous contributions by the trades and all it would have been a long way off," she said.

Labor Studies programs offer chance to learn

The first step on the road to empowerment is knowledge. Area colleges offer a variety of classes that can help you expand your knowledge and increase your skills as a trade unionist. Check out the offerings listed below for courses of interest to you.

San Jose City College

LS12B—Collective bargaining 6:30-9:20 p.m., Tues., Rm. GE 211
LS14—Grievance Handling & Arbitration 6:30-9:20 p.m., Mon., Santa Cruz
LS10—American Labor History 6:30-9:20 p.m., Wed., San Jose, ILWU
LS12A—Basic Labor Law 6:30-9:20, Mon., Rm. G21
LS15—Effective Communication for Action 6:30-9:20 p.m., Thur, G21
LS199—Psychology in the Workplace 9 a.m. - 3:30 p.m., 4 Saturdays, dates, place to be announced
LS199—Labor and the Media 6:30-9:20 p.m., Mon., Rm. to be announced
LS199—Public Speaking Dates, times to be announced
Contact: Jim Potterton, 408/288-3734

Merritt College

LS011—Legal Foundations Labor Law and Minority Rights 7-10 p.m., Mon., Laney College, Rm. E254
LS012B—The Collective Bargaining Process 7-10 p.m., Thurs., Laney College, Rm. B261
LS014—Grievance Handling and Arbitration 7-10 p.m., Tues., Laney College, Rm. G207
LS028—Steward’s Training 9 a.m. - 4 p.m., Sat. 2/25, 3/4, 3/11,
Laney College, Rm. G207
Contact: Al Browning, 436-2512 or Delores Benton, 436-2424

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Members approve market-area agreement in Santa Rosa

Local 3 members in Santa Rosa have approved a market-area agreement that will freeze wages until June 16, 1989, in order to encourage union contractors to bid on more jobs.

Local 3 Business Rep. Greg Gunheim said the vote, taken during an emergency meeting on Nov. 6, "delivered into the hands of union leadership another tool with which to fight the non-union contractor." The action, Gunheim said, "revealed once again the extraordinary power latent in united labor." The temporary wage freeze "will eliminate the uncertainties as to wage rates which often deter union contractors from spending money on bids they fear to lose," he said.

Some contractors "are still working between rains," Gunheim reported. Ghilotti Bros. is doing a lot of slide repair for the state on the Highway 101 job in Cloverdale. Ghilotti will start work on the northbound lane as soon as weather permits.

Pete Barretta and crew were able to finish the subgrade on 2.5 miles of Rockpile Rd. before winter rains set in, according to Business Rep. Stew Orchard. That section was paved by Herman’s student’s name. That leaves about 18,000 tons of asphalt concrete to be put down next year, Orchard said.

Bob Hersmeyer’s paving crew, under the direction of foreman Paul Buttte, kept busy in 1988 with overlays in Napa County, Novato, Rohnert Park, Santa Rosa and various roads in Sonoma County. In addition to city and county overlays, Orchard noted, they pave their own jobs. About one million tons were put down by the paving crew in 1988.

Argon construction has finished the paving on the Wilfred Ave. job, and also finished the first phase of a subdivision at Starr Rd. and Windsor River Rd.

Twenty-eight people completed the 40-hour HAZMAT training conducted in Santa Rosa on Dec. 5-9. Weeks Drilling, Parnum Paving and Don Dowd were contractors represented. Local 3 members participating in the training were: John J. Ahlf, Reynolds, Richard Vaughn, Paul Wayman, Don Williams, and Charles Wright.

Scholarship Contest Rules Announced for 1989

General Rules & Instructions for Local 3 College Scholarship Awards 1988-1989 School Year

Two college scholarships of $1,000 each will be awarded, for study at any accredited college or university, one award to a daughter and one to a son of Members of Operating Engineers Local 3.

Two college scholarships of $500 each will be awarded to the 1st runners-up for study at any accredited college or university, one award to a daughter and one to a son of Members of Operating Engineers Local 3.

The Local 3 Scholarships will impose no restrictions of any kind on the course of study, recipients may accept any other grants or awards which do not in themselves rule out restrictions of any kind on the course of study. Recipients may accept any other grants or awards, which do not in themselves rule out restrictions of any kind on the course of study.

Who May Apply:

Sons and Daughters of Members of Local No. 3 may apply for the scholarships. The parent of the applicant must be a member of Local 3 for at least one (1) year immediately preceding the date of the application.

Sons and Daughters of deceased Members of Local No. 3 are eligible to apply for the scholarships. The parent of the applicant must have been a Member of Local 3 for a least one (1) year immediately preceding the date of death.

The applicants must be senior high school students who have, or will be, graduated at the end of either; (1) the Fall Semester (beginning in 1988, or (2) the Spring Semester (beginning in 1989, in public, private or parochial schools.

Frank Cortez, William Coyle, Daniel Elwell, James Guerin, Tanya Howell, Gary Lombard, John Lombard, Ronald Lyons, Michael Martinez, James Miller, Chester Parker, Jr., Jeff Pearson, Robert Reynolds, Richard Vaughn, Paul Wayman, Don Williams, and Charles Wright.

Concord picked up a job at the Santa Rosa sewer treatment plant for $5.8 million. Valley Engineers of Fresno picked up the Windsor Rd. irrigation project job for $347,000. Ghilotti Bros. will do Phase I of the Monte Rio School for $1.3 million, Orchard said.

Gunheim noted that members who want unemployed dues rate "must have been registered on the first day of the month, be paid in good standing, and not work over 24 hours during the month." Then, in following months, members should call in or call in between the first and the tenth, he said.

Dist Rep. Chuck Smith reported that CalTrans’ funds will not be available to Sonoma County to add lanes to Highway 101. As a result, the traffic gridlock problems that currently frustrate area motorists can be expected to continue, Smith noted.

Volunteer Organizers

Plan celebration

V.O.C. opens its second year's activities on Saturday, March 4, with a celebration for union and non-union workers and their families at the Veterans building in Santa Rosa beginning at 1:30 p.m.

The V.O.C.'s main goal is to increase workers' awareness of the advantages of working under union protection. Morris Casey, retired treasurer of Local 3, will be guest speaker.

V.O.C.'s chairman Kenneth Foley invites you and your family to join the celebration.

In Instructions:

All of the following items must be received by MARCH 1, 1989.

1. The Application—to be filled out and returned by the applicant.

2. Report on Applicant and Transcript—to be filled out by the high school principal or person he designates and returned directly to Local No. 3 by the officer completing it.

3. Letters of Recommendation—every Applicant should submit one to three letters of recommendation giving information about his/her character and ability. These may be from teachers, community leaders, family friends or others who know the Applicant. These may be submitted with the applications, or sent directly by the writers to Local No. 3.

4. Photograph—A recent photograph, preferably 2 inches by 3 inches with the Applicant’s name written on the back (Photo should be clear enough to reproduce in the Engineers News.)

It is the responsibility of the Applicant to see to it that all the above items are received on time and that they are sent to:

William M. Markus
Recording-Corresponding Secretary
Operating Engineers Local Union No. 3
174 Valencia Street
San Francisco, CA 94103

or to: College Scholarship at the address shown above.
Bay Cities Paving playing tag with rain

Bay Cities Paving and Grading of Richmond has been playing tag with the rain in Alameda County, Business Representative Brian Bishop reports from Oakland.

Work is currently proceeding on the City of Oakland’s annual street resurfacing contract. This project, which bid for about $3.5 million, was divided into three phases. Phase I: dig-outs and resurfacing; Phase II: heater-remix and rejuvenation; Phase III: resurfacing and petromat.

The project will include 20,000 tons of dig-outs and approximately 70,000 tons of asphalt. The grooving and grinding work is being sub-contracted by ANRAK Corporation. While the rain in Alameda County is creating a lot of havoc on most construction jobs “it is good to see some of our members getting in their licks,” Bishop said.

Pictured above is apprentice Tammy Castillo operating a wheel roller for Bay Cities. Roger MacDermont, foreman for Anrak is pictured to the right with grinder machine operator Craig Blum. Sam Leaks (below) runs break-down roller for Bay Cities. Adrian Wagner (far left) mans a finish roller for Bay Cities. Pictured to the immediate left is Martin Kaslin, Athey Loader operator for Anrak Corp. Pictured above are Bay Cities employees (left to right): Ronald Raulston, screen man; Donald Grace, paver operator and Leland Brown, finish roller operator.
The California Transportation Commission has approved $19.3 million for the State Department of Transportation to complete the widening of the 13 mile section of Hwy. 99 just north of Sacramento. That’s good news for Operating Engineers, said Local 3 Business Rep. Dave Young in Sacramento. The project will widen the highway to four lanes from I-5 near Sacramento metropolitan airport to highways 99/70. It is expected to take two years to complete.

Young reported that a community task force for Sacramento County is recommending a housing trust fund to underwrite 1,000 new low-rent units each year.

“The state as a whole is experiencing an annual net growth of 600,000 people,” Young said. “Sacramento is growing as a lower-priced option for people and companies already in the state.”

One national title company forecasts Sacramento will have an 11 percent rise in housing starts this year. California is ahead in the nation, and Sacramento is ahead of all other areas of California. The 11 percent rise is equal to 21,000 housing starts, which nationally ranks the area 14th in residential construction, according to Young.

The task force and Sacramento’s City Council are hoping for a business tax of $10 per employee and a new fee on commercial development to raise funds for the low-cost housing.

School bond
A growing population, Young noted, means a growing demand on schools. In March, voters in the Sacramento City Unified School District may have a $102 million general obligation bond measure put to them for school construction projects.

Windcrest Homes has paid $7.5 million to purchase 150 acres for development at Rancho Murieta from John Anderson. Windcrest Homes has used union excavating and paving companies for their projects, Young said.

Roseville expects to receive $253,000 in transportation funds in March to build a new Amtrak train station. These monies are to come from a petroleum violation escrow account, consisting of some $29 million the federal government owes the state as its share collected from companies that violated environmental standards in the production of petroleum products.

As of Jan. 9, area building permits added up to 1,987 and a grand total of over $52 million, Young noted.

Marysville plans HAZMAT training

The Marysville District is now trying to schedule a HAZMAT Training Seminar, reported Marysville District Business Rep. Dan Mostas. The 40-hour seminar provides the training needed to qualify operators to work in the area of hazardous waste materials disposal, Mostas said. Mostas noted the district “would like to have as many members as possible attend the class sessions and receive certification.”

Members who are interested in receiving the training should contact the Marysville office.

Work has slowed down some in the Marysville District due mostly to badly-needed rain and snow, Mostas said. A major jobs expected to go to bid early this year is the Highway 99-70 widening, which is estimated at $19.3 million. Highway 70 south of Olivehurst is coming into Marysville will generate some work, as will Highway 20 just east of Marysville, Mostas noted.

“Along with the jobs that the county has, it should work into a fair work season this year,” Mostas said.

Medicare enrollment

If you are approaching age 65, whether you are working or retired, be sure to sign up for Medicare Part B. Failure to do so may result in your paying higher premiums later and may lead to your being responsible for a much greater part of Retiree Medical claims once you are retired. So be sure to get all the facts from your local Social Security office regarding the proper time to sign up for Medicare. Give them a call. You’ll be glad you did.

For Active Members and Spouses ONLY—

Health Examinetics Mobile Health Testing Program

The Mobile Health testing program for eligible active members, retired, and their spouses at the meeting result in your paying higher premiums later and may lead to your being responsible for a much greater part of Retiree Medical claims once you are retired. So be sure to get all the facts from your local Social Security office regarding the proper time to sign up for Medicare. Give them a call. You’ll be glad you did.

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The Mobile Health testing program for eligible active members, retired, and their spouses at the meeting result in your paying higher premiums later and may lead to your being responsible for a much greater part of Retiree Medical claims once you are retired. So be sure to get all the facts from your local Social Security office regarding the proper time to sign up for Medicare. Give them a call. You’ll be glad you did.

Local 3 scores organizing gains in Nevada mines

With the new heap leach method in Gold Mining and the high price of gold is bringing on the world market, Local 3 is representing more and more miners in Northern Nevada, according to Business Rep. Delmar Nickeson.

In a recent 90 day membership drive at Newmont Gold Co., whose employees are represented by Local 3, members and job stewards signed up 185 new union members at the Newmont's Carlin, Nevada property, Nickeson reported. Newmont now employs about 1,100 hourly employees, 700 of whom are union members.

"We are trying to reach a goal of 1,000 union members at Newmont within the next six months," said Nickeson.

There has been a marked jump in interest in union meetings and what's going on in the work place in the last 90 days.

"We have found that with the boom at Newmont, we are having new and more complex problems. We have started training classes for our on-site job stewards and chief stewards to better represent the miners," Nickeson said.

Local 3 also represents the miners at Battle Mountain Gold. It is a smaller operation than Newmont, and has fewer problems. Local 3 members at Battle Mountain Gold have just recently signed a new contract, with good gains in most areas.

Battle Mountain Gold is growing, but at a slower rate than other mines. They have recently come on line with a new placer project that will bring a few more employees on line in the near future.

"I always enjoy my trips to Battle Mountain, partly because we don't have a lot of problems at the mine," Nickeson said. "When you work with someone as honest and up front as George Ancho, head of personal relations, it is always a refreshing change."

In June, Local 3 has negotiations coming up with C. E. Basic in Gabbs. Local 3 started talks at the employee level last month on what they would like to see in the new contract.

"We hope to make some gains since the company is doing better now than it was during the last contract," Nickeson said. But he noted that the company will be taken over by new owners "some time early this year" and said that Local 3 didn't know "how receptive they will be" their first time at the table. "We don't anticipate any big problems," Nickeson added.

At the agent/dispatcher meeting held in San Francisco on Jan. 6, instructions were given on dispatching and registering procedures for members with hazardous material training. Anyone with certification should inform their dispatcher when registering.

Wet weather slows work in Reno

The arrival of wet and cold weather has slowed work down in the Reno District, reported Local 3 Dispatcher Chuck Billings.

From Dec. 8 to Jan. 10, the out of work list increased from 234 to 334. Of these, 100 many be recalled, weather permitting. In December, 17 members were dispatched; nine were dispatched the first 10 days of January.

A member must keep his registration active to hold and move up in position on the out of work list. A person without an active registration is not eligible for unemployed dues. Members tend to forget to watch the expiration date on their registration slip, Billings noted.

"This is the biggest problem we have this time of year," he said.

At the agent/dispatcher meeting held in San Francisco on Jan. 6, instructions were given on dispatching and registering procedures for members with hazardous material training. Anyone with certification should inform their dispatcher when registering.

Looking at Labor continued

(Continued from page 2)

aren't completely in, it looks like the plan will be paying out an average of at least $320 a month per household.

It doesn't take a math genius to figure out that we can't go on like this.

In 1988, the average participant worked 119 hours per month. If you multiply that by the hourly contribution rate of $2.00, you get $238. When you add income from other sources, such as your operator's interest, the average income is $255 per household. That means for 1988, the plan lost about $41 per member per month! It's obvious we will have to take some very decisive action to protect the security of the plan and still provide the top rate benefits for our members rely on.

We are now looking at every possible option. There is no single remedy that will solve the problem. For example, we can't increase the contribution into the health and welfare fund enough to cover all the shortfall. The cost would be too great and the result would create a fringe package too high for our union employees to remain competitive against the nonunion. We'll have to use every reasonable means at our disposal to bring the costs in line with the contribution level.

January 1989
Utah Legislative Alert

The Utah State Legislature is in session. The legislation being discussed could have important consequences for Local 3 members. The information below is provided by Local 3 District Rep. Donald Strate.

1989 Session Senate Bills

Senate Bill # 14: Fair Housing Act: A good bill in that it prohibits discriminatory practices and defines terms, exemptions & enforcement procedures.

Senate Bill # 29: Governor's Task Force on the Bear River: This task force would investigate and recommend procedures for developing the Bear River for water usage, which I favor.

Senate Bill # 34: Sales Tax—Ski Resort Capital Investment Incentive: This bill would allow ski resorts tax credits for purchasing equipment. I'm against this bill because all businesses purchase equipment and goods to operate. Why should Utah wealthy resorts get tax breaks this industry and not others?

Senate Bill # 35: Employment Security Act Amendments: Watch this one. Utah wants to cut seasonal workers out of unemployment benefits. This is a deceptive maneuver because no one can understand what's happening until it's too late.

Senate Bill # 39: Utah Minimum Wage Act: Keep an eye on this one. It could help us, and could also hurt us in certain areas. Wages in Utah are low enough and I'm against any legislation that will do further harm.

1989 Session House Bills

House Bill # 9: Utah Industrial Rehabilitation Act: This bill would provide rehabilitation for workers' compensation and occupational disease claimants.

House Bill # 12: Sales Tax on Food Exemption: This is a good bill that would help all of Utah.

House Bill # 30: Economic Development Planning: This is a good bill. Sensible strategic planning is needed in Utah.

House Bill # 35: Legislative Committee Meeting Amendment: Will force legislative committees to comply with the open and public meeting law.

House Bill # 44: Limitation on Transportation Fund Monies: Needs to be studied further. If the legislature is talking about the gasoline tax, I think all should be directed toward highway construction and maintenance.

House Bill # 64: Utah Hatch Act Amendments: Keep a watchful eye on this one. It could reduce the right of public employees to become involved in politics.

House Joint Resolution (HJR #2): Unemployment Insurance Resolution: Attempt to lower the weekly unemployment benefit. I'm sure everyone understands why I'm against this one.

Utah presents tough environment for organizing

Members’ help needed in battling the non-union

We haven't had much success organizing the non-union jobs in Utah.

That is the sober assessment of Local 3’s current situation in the state offered by District Rep. Donald R. Strate. Strate and Business Rep. George Stavros have been giving the matter some serious thought lately, and they both come up with a similar conclusion:

Turning the situation around will require renewed commitment on the part of the membership.

“Organized labor is a minority in this state,” observed Strate. “Over the past few years, work hasn't been plentiful and working people are reluctant to make a stand for their employers for fear of losing their jobs.”

Union organizing in the construction industry, said Stavros, must be directed toward controlling “a meaningful majority of operators who make up the construction industry labor pool” from which contractors hire their employees.

“The union which controls this majority of qualified construction manpower in its geographic area or craft jurisdiction will, obviously, have a monopoly of the manpower pool.”

“One thing every member should keep in mind,” noted Strate, “is that wages and fringe paid on federally funded jobs are established because of the union.

“Members should remind their friends—union and non-union—of this. These wages and fringe weren't just given to you because the government thought you were great guys.”

In the private sector, Strate pointed out, non-union jobs don’t pay well. “Just imagine what independent contractors would pay if there was no union contract influence,” he said.

What Local 3 is asking its members to do, Strate said, is “talk to your friends and acquaintances working nonunion construction about perks to our craft. Encourage them to sit down and talk to representatives of Local 3 and let us explain the benefits of unionism for them.”

Getting non-members to understand the advantage of being union “will benefit you as an operating engineer tenfold,” Strate said.

“Local No. 3 cannot afford to have a ‘country club’ attitude and deny admission to qualified trades people,” said Stavros. The attitude of some people, he said, is “Don’t take to in any new members because we don’t have work enough for the members we have!”

“That attitude isn’t universal, but it’s becoming more common,” Stavros said. “Where does that leave us in terms of our loose monopoly of manpower?”

Stavros believes part of the solution to the non-union problem lies in a return to “bottom-up organizing.”

“We must encourage non-union people to join,” said Stavros. Unions should place members on non-union jobs in order to sell the union idea to others, he said.

Once members get non-members interested in the union, Strate said, a representative will come out and “talk to people individually or hold a general meeting, inviting members as well as non-members, to come out and explain the importance and benefits of the union.”

“They become involved and help Local 3 spread the word so all may benefit,” Strate said.

When members find people interested in the union, the members should call any of the numbers listed in the box below and give the dispatcher or agent the information.

Salt Lake WATS: 1-800-662-5630
Salt Lake Dispatch Office: 596-2677
Ogden Dispatch Office: 399-1139
Provo Dispatch Office: 373-8277

Utah work slows

Old Man Winter has hit Utah hard this year, with lots of snow and cold weather. Local 3 Business Rep. Virgil Blair reported.

"Some of our contractors were hoping to work through the winter on portions of their jobs, but the weather slowed everything down," he said.

W. W. Clyde on Highway 40 and 189 is still crushing and doing a little drilling. G. P. Construction north of Tremonton is also crushing and hopes to be back on the grade as soon as some of the snow melts.

J. J. Welcome has a small crew working between storms, and should keep these few hands busy.

Blair said "a few good projects are coming up for bid this year. The second phase of Jordan High School is bid Feb. 6 and awarded around May. The second phase of Little Dell Dam will be bid this spring, but no specific bid date is available yet.

"With the work going on and the jobs being bid, Local 3 could have a good year," Blair said.
Union favors "reasonable cause" drug testing

(Continued from page 1)
told Construction Labor Report that the contractors' goal is to get a universal testing program for all local contractors with a problem that has no easy solution: how to maintain a safe, drug-free work environment without infringing on workers' constitutional rights. The issue is especially pressing in the building trades, a hazardous industry even under the best circumstances.

"When you're dropping off one person a day, the AFL-CIO Building and Construction Trades Department, an affiliate of the AFL-CIO, has recommended random drug testing for construction workers to stop the spread of drugs. Local contractors favoring random drug testing believe that a drug-free work environment is essential to maintaining a good public image.

Local 3, however, is not ready to grant contractors such wide discretion in testing for employee drug use. With that kind of latitude, employees could use drug testing as a way to harass individual employees, or even as a tool for punishing union activists.

"Random testing," Stapleton observed, "can be used to get rid of anybody who might be smoking drugs." AFL-CIO random drug testing has been strongly opposed by the national AFL-CIO. In November, AFL-CIO President Lane Kirkland announced a new federal regulation requiring more than 4 million transportation workers to submit to random drug tests by their employers. The mass program, Kirkland said, fails to protect workers against unreliable test results and makes no provisions for worker re-habilitation.

However, at the same time that the AFL-CIO Building and Construction Trades Dept. appeared to move closer to the position of many contractors when it approved a policy that would allow testing of pre-hires for illegal drug use when required by owners or government. That policy, which is not binding on the 16 affiliated construction unions, drew opposition from at least one general contractor, J. C. Chapman of the Sheet Metal Workers, on the grounds that pre-hire testing is a form of discrimination.

Stapleton questioned the policy of the executive director in northern California, Tom Holman, who said that union employers "should be able to have a clean worksite for workers who have been convicted of drug-related crimes."

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Stapleton heralds 50 years of progress, pledges Local 3 will keep up the fight

(Continued from page one)

and pension plan, among other achievements. "He got the job done," Stapleton declared.

Since Swanson's time, the union has grown from 1800 members to its present membership of 32,000. Noting that "we'd have 10,000 more' if it weren't for the non-union, Stapleton described two recent legislative victories in California that could help the union cause.

First, labor successfully pushed a bill requiring that subcontractors be listed on job bids. As a result, contractors "can no longer shop," Stapleton said, which will help protect wages and fringes in the construction industry.

"Back-dooring' Deukmejian

A second bill passed by the legislature requires that prevailing wages be paid on certain types of private work. "It was slipped through on a Republican's bill that the Duke [Calif. Gov. Deukmejian] wanted, so we got it signed," Stapleton said, his smile betraying a bit of mischief. "We back-doored him."

"As long as we get what we're after to help our brothers, I don't care whether it's back door or front door or what door it is, we're going to do it," he added.

Local 3 also helped reverse a move by the franchise tax board to tax health and welfare benefits. If the tax had gone ahead as planned, the Local would have faced an assessment in excess of $6 million. "Through our friends," Stapleton said, "we were able to turn that around."

Stapleton reported "great improvement" in efforts by the Foundation for Fair & Contracting to make sure that public works jobs go to union contractors. Even though some of those jobs are small, it is important for union contractors to get them, Stapleton said, because "tomorrow those guys in these small categories are big operators."

Members were treated to a preview of new radio spots featuring Local 3 members talking about their union. The spots are designed to increase the public's awareness of the contribution made by Local 3 to its members and to their communities.

Something to be proud of

"We're going to show them that Operating Engineers Local 3 is an asset to each one of these counties and communities," Stapleton promised. "And brothers and sisters, we are."

Stapleton said the union's contribution to local economies could be seen in the dollar value of the pension and health and welfare payments disbursed by the union during the past 11 years. Including payments in Local 3's public employee sector, the union has paid out benefits in excess of $1.3 billion.

"That's something you can be proud of, because without you we wouldn't have that," Stapleton told the members. "It's a tremendous thing for our members and this local."

Grievance Committee Elections

Recording—Corresponding Secretary William Markus, has announced that in accordance with Local 3 By-Laws, Article X, Section 10, the election of Grievance Committee members will take place at the first regular quarterly district or sub-district meeting of 1989. The schedule of such meetings at which the Grievance Committee members will be elected, is as follows:

February
7th District 3: Stockton
Engineers Bldg.
1916 North Broadway

14th District 5: Fresno
Laborer's Hall
5431 East Hedges

23rd District 2: Sunol
Sunol Valley Country Club
Hwy 680 & Andrade Rd.
Sunol, Ca.

March
8th District 12: Salt Lake City
Engineers Bldg.
1916 W. Temple

9th District: 11 Reno
Musicians Hall
124 West Taylor

23rd District: 10 Santa Rosa
Veterans Bldg.
1351 Maple St.

28th District 9: San Jose
Labor Temple
2102 Almaden Rd.

Gradechecking classes

Local 3's San Jose office will conduct gradechecking classes (basic and advanced levels) at the office beginning the first Thursday in February and every Thursday evening thereafter. To sign up and obtain more information, please contact the San Jose office staff at (408) 295-8788.

Local 3's Oakland office will conduct gradechecking classes beginning in March at 8105 Capwell Dr. Classes last one month, one night a week. Classes are free but there will be a fee for the instruction book. Please contact the dispatchers (415) 639-7273 for further information. There will only be 30 openings for this class.

Election of Geographical Market Area Addendum Committee

Business Manager T. J. Stapleton has announced the election of Geographical Market Area Addendum committee members from each of the Northern California and Reno, regular scheduled district meetings and/or at specially called meeting to be scheduled during the first quarter of 1989, with eligibility rules as follows:

(a) Unless he is living in the Committee's Geographical Market area.
(b) Unless he is employed in the industry in the area.
(c) He must be an "A" Journeyman
(d) He must be a member in good standing
(e) Must not be an owner-operator.

No members shall be nominated unless he or she is present at the meeting and will accept the nomination and the position, if elected.

No member is allowed to serve more than two (2) consecutive terms on the Geographical Market Area Committee.

February 1989
7th District 3: Stockton
8:00 p.m.
Engineers Bldg.
1916 North Broadway

14th District 5: Fresno
8:00 p.m.
Laborer's Hall
5431 East Hedges

16th District 8: Auburn
7:00 p.m. (Special called)
123 Roceland Dr.
Auburn, Ca.

21st District: 8: Sacramento
8:00 p.m.
Laborer's Hall
6545 Stockton Blvd.

23rd District 2: Sunol
8:00 p.m.
Sunol Valley Country Club
Hwy 680 & Andrade Rd.
Sunol, Ca.

28th District 9: San Jose
8:00 p.m.
Labor Temple
2102 Almaden Rd.

March 1989
9th District 11: Reno
8:00 p.m.
Musicians Hall,
124 West Taylor

23rd District 2: Sunol
8:00 p.m.
Veterans Bldg.,
1351 Maple St.

28th District 9: San Jose
8:00 p.m.
Labor Temple
2102 Almaden Rd.

Subscription price is $6 per year.