



AFL-CIO Convention marked by reaffiliation of Teamsters Union (see page 3).

See pages 8-9 for important information regarding the IUOE Convention Delegate Election.



Pete Barretta is moving right along on his Lake Sonoma road project (page 6).

# Engineers News



Vol. 34 No. 11

Operating Engineers Local Union #3 AFL-CIO San Francisco, CA

November 1987



Major ramp on I-580 interchange nears completion.

## On time and within budget

There's nothing like doing a job with Local 3 operators if you want it on time and within budget. The I-580/237 interchange in Hayward is a perfect case in point.

Three years ago Rail Roadway/Hatch, a nonunion contractor out of Oregon was awarded the job based on their bid of \$43.7 million. Local 3 and the East Bay Building Trades protested the award and provided evidence that the joint venture was not a responsible bidder. Unfortunately, we were not successful in removing them from the project.

Engineers News provided full coverage of the battle that followed. Over the next two years, Local 3 monitored the project, filed charges against the firm for numerous violations of apprenticeship manning and prevailing wage laws, which resulted in the debarment of both firms from bidding on future publicly funded

projects in California for a period of one year.

Over 21 subcontractors on this and other R.A. Hatch jobs in California were assisted by the Foundation for Fair Contracting in their efforts to obtain over \$800,000 in money owed to them.

Additional investigation revealed that several of the firms working for Rail Roadway/Hatch were phony fronts designed to take advantage of federal regulations governing minority subcontractors.

In short, after two years of guerrilla warfare, Rail Roadway/Hatch threw in the towel. Both firms filed for bankruptcy. The I-580 and other project were riddled with quality control problems and behind schedule.

In March of this year, Caltrans turned the project over to Oliver de Silva, a union contractor out of Hayward.

(Continued on page 5)

## Chickens come home to roost on transit mall job

By James Ecrp, Managing Editor

It appears that the chickens in San Jose's light rail barn are coming home to roost. Predictions by Local 3 that Weisscal, the nonunion firm from Pennsylvania would not complete the \$30 million downtown

transit mall project on time or within budget became glaringly apparent this month when the City Council purged \$1.4 million in additional money to Weisscal in order to keep the project going.

The action was taken in response to contractor Davis Weiss' claims that the costs of the project -- which he bid at \$29.3 million -- have now soared to \$42 million and that there is no way he will be able to meet the scheduled completion date of Nov. 20. Project engineers estimate Weisscal is at least 80 days behind schedule.

Three years ago when Weisscal was low bidder on the downtown transit mall project, Local 3 provided the City Council with ample evidence questioning the company's ability to successfully complete the project.

Despite the union's efforts to see the project go to a responsible bidder, the City Council awarded the contract to Weisscal by a vote of 6-4. Now, to the embarrassment of those city council members who supported Weisscal, nearly everything Local 3 warned them about the nonunion firm is coming true.

• Local 3 warned that Weisscal had a bad history of failure to pay employees and creditors.

In February 1985 Weisscal (then called Weiss Bros.) bid \$29.3 million on the transit mall project. This was \$3 million below the engineer's estimate. In public hearings the following month, Local 3 presented information to the City Council revealing Weiss Bros. was a "cash poor company" that was "on the edge of ruin." A history of tax liens, unpaid creditors and failure to pay prevailing wage rates was presented. Nevertheless, the company was awarded the contract for the job.

By August 1986, Weisscal had already fallen 60 days behind schedule and was asking for an additional \$3.6

**Construction delays, corruption, soaring costs prove Local 3's predictions were right on target.**

million. By August of this year, progress had dropped even further behind and irate merchants whose businesses have been disrupted by the project were not impressed when city manager Gerald Newfarmer assured them that "in the eyes of the consumer, on Nov. 20, that mall will be complete."

In October, it was clear that significant portions of the project would still be incomplete on the Nov. 20 deadline.

(Continued on page 2)

## Cal-OSHA will go to the people

By John McMahon

California's Governor George Deukmejian's plan to eliminate Cal-OSHA received a double barrel blast last month as the 3rd District Court of Appeal in Sacramento ruled that he had no authority to end the successful state program. At the same time, State Controller Gray Davis issued a scathing report on the proposal, saying the Governor was placing California's safety and health in grave jeopardy.

Meanwhile, the California State Federation of Labor, AFL-CIO announced plans to begin circulating an initiative for a ballot proposition to restore the program.

The 3rd District Court of Appeal unanimously decided that California's workers should have their own state safety and health program to protect them in the workplace. The three judge panel said the Governor exceeded his constitutional authority by misusing his line item veto power to excise \$7 million from only the Cal-OSHA program and not the overall Department of Industrial Relations budget appropriation.

The court charged that the Governor may not, by using the budget procedure and his veto power over individual items, repeal an existing program, in

(Continued on back page)



## Looking at Labor

By Tom Stapleton  
Business Manager

"How will my pension be affected by the recent drop in the stock market?"

That was a question asked by many of our retired and active members last month after the stock market experienced the largest drop in its history. I sympathize with the concern of our members, but want to assure all of our participants that Local 3's pension fund is in excellent shape and that the problems on Wall Street have not carried over to our pension plan.

**"the bottom line for us to remember is that our pension trustees don't gamble with our future..."**

Although it would be unrealistic to brush off the stock market's problems with a wave of the hand, there is a need to put the facts in perspective -- something the media hasn't done a very good job of on this issue.

From August 1982 until August 1987 the Dow Jones Industrial Average rose from 777 to in excess of 2700, a gain of approximately 230 percent. Just this year the market appreciated approximately 40 percent. Most analysts, including our own, agree that the crack in the market was overdue. It's just that no one expected it to be so swift or severe.

Still, although you would be hard pressed to find it in the media, the market today is approximately five percent higher than it was at the start of the year. Some would compare the most recent crash with the one in 1929. This is simply not true. The Gross national Product is increasing at a modest but sustainable rate. Stock market speculation, although it certainly exists, does not come close to that which prevailed in the Twenties when you could buy stocks on a 10 percent margin. Today you must cover at least 50 percent of your purchase.

But what about our own pension? Earlier this year the trust fund managers took steps to reduce the risk of the stock market to our plan. Stocks were sold -- before the big drop -- which netted \$32.4 million in profits. This sell-off brought stocks down to less than 30 percent of our pension's portfolio. Our pension fund managers also inform us that even after the aforementioned profits and after the market's correction, our pension fund portfolio still has unrealized gains of an additional \$32 million.

In other words, losses in the stock market last month have been more than offset by market gains over the past 18 months. It's also important to note that the market's volatility has had no appreciable negative affect on the pension funds extensive mortgage and real estate holdings.

I think the bottom line for us to remember is that our pension trustees don't gamble with our future by placing our hard earned pension money in high risk investments. They know that the pension contribution money isn't theirs to play around with. It's put in high quality investments and diversified in many different areas just so that unexpected developments like the stock market crash will not adversely affect out pensions. And that's just the way it ought to be.

## Weisscal comes back for more money

(continued from page 1)

The city council advanced Weisscal \$1 million in hopes it would ease the firm's cash flow problems. However, only a week after the money was advanced, David Weiss warned that it would not be enough.

Tensions mounted as it became apparent that Weiss had many creditors pounding on his door and he didn't have the money to pay them. Several subcontractors working for Weisscal have pulled their workers off the job until the firm pays the money owed to them.

After 20 hours of negotiations between the city council and Weiss' bonding company, the city finally agreed to come up with an additional \$1.4 million on Nov. 10 if the bonding company would pony up at least another \$1 million to pay off suppliers who are owed money by Weiss.

"The bulk of the contractor's claims against the city are now settled," city manager Newfarmer said on Nov. 10. But he added, "The contractor is not precluded from inventing new ones. I would not be surprised to see more problems develop before this project is finished."

Local 3 Business Manager Tom Stapleton commented at the latest Weisscal developments: "It's really unfortunate to look back and see that all this mess could have been avoided if we would have had the support of only one more city council member.

"It's too late to correct much of what has already been done, but I hope those city officials who scoffed at our warnings have learned a valuable lesson -- even if it has been costly."

### Feds issue strong warning

## Weisscal violates ERISA law

Government documents obtained by Local 3 through the Freedom of Information Act reveal that Weisscal was the subject of a federal investigation to find out whether the firm diverted pension and retirement funds to pay off debts.

The investigation has come in the wake of an earlier embarrassment when two city building inspectors were fired and others demoted or disciplined after investigation revealed that Weiss had given them expensive gifts and a houseboat trip.

In a Sep. 30 letter to Weisscal attorneys, U.S. Labor Dept. official Leonard Garofolo stated that trustees to Weisscal's pension and health and welfare plans "had violated several provisions" of ERISA, the federal law designed to regulate such plans. Earlier correspondence specified Weisscal's violations:

- Trustees on various occasions "allowed improper transfers of plan assets" to accounts held in Weiss Bros. name. Comingling of trust fund money with business accounts is against the law.

- Weisscal has repeatedly been delinquent in making payments to the pension and health plans.

- Contractor David Weiss and Judy Weiss and other employs illegally received coverage under the health plan without contributions being made on their behalf.

- Trust fund records and bookkeeping were handled in a negligent manner.

David Weiss avoided legal action against him for these violations by reimbursing the various trust fund accounts with the money that was owed.

However, the Labor Dept. "strongly cautioned" Weisscal "to refrain from such conduct in the future," and warned the firm that the



### First place award for radio spot

A Local 3 radio spot describing how the union came to the assistance of victims of the February 1985 floods won a first place award at the International Labor Communication Association's biennial Film and Broadcast Awards banquet, held last month at the ILCA Convention in Miami. Engineers News managing Editor James Earp, who wrote and produced the spot received the award from actress Patty Duke, President of the Screen Actors Guild. Contest Judges praised the spot for its message and production quality, noting that the category in which the spot was entered was the most competitive of the contest.

The winning spot was one in a number of spots produced by Local 3 as part of its ongoing radio campaign to promote the important role that the union and the labor movement in general plays in our economy.

At the convention, Earp was also reelected to a third term as a vice president of the ILCA, where he serves as Chairman of the Membership Committee.

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# AFL-CIO Convention

# Special Report

## Charting a course to renew our progress

Miami Beach—A spirit of renewal infused the AFL-CIO's 17th convention as it adopted programs to strengthen the labor movements and help move America beyond the Reagan era to "a new national course."

Federation President Lane Kirkland set the themes for the four-day convention in his opening address.

"Our challenge is clear," he said. "We must continue the task of fortifying this labor movement at every level and by every means available to us, and we must strengthen the voice of working people in the democratic process."

Kirkland referred to a series of victories since the previous AFL-CIO convention which he said symbolize "the endurance of the trade union spirit." Among them he cited the return of trade unionism to the Kingsport Press in Tennessee, the emergence of a new union of air traffic controllers from the ashes of the one destroyed by President Reagan, and the successful conclusion of the Coors beer boycott.

He also noted the key part played by organized labor last year in ending control of the U.S. Senate by right-wing Republicans. And he predicted that by next November American voters will decide "they have had enough of yo-yo economics, roller coaster markets, run-away exchange rates, stone-age sociology and moonbeam trysts with terrorist."

The 764 delegates to the landmark convention roared their approval when Kirkland reported the reaffiliation of the Teamsters, which he called "another major step toward... the reunification of the entire labor movement" under the AFL-CIO banner.

"We are today on the road again to a

resurgent labor movement, with growing numbers, stronger organizations, deeper solidarity, and a voice that will be heard," Kirkland declared.

The delegates responded by approving programs and policies ranging across the broad spectrum of organized labor's concerns. These were embodied in 96 resolutions and five amendments to the AFL-CIO Constitution, many of which continued to carry out recommendations of the pioneering 1985 report of the Executive Council on the

unions play in the community and in the nation. To finance the program in its first two years, the convention approved a two-stage increase in the per capita payment that will raise the total to 35 cents a month effective in January 1989.

Another major initiative seeks to strengthen the grass roots of the AFL-CIO by encouraging full affiliation with state central bodies. A constitutional amendment permits what amounts to a 25-percent discount in total fees for full affiliation of a union's locals with their appropriate state central bodies.

Among other major actions, the convention endorsed the voluntary political guidelines drawn up by the Executive Council, called for new emphasis on organizing through the use of volunteers, urged federal and state labor law reforms for both the private and public sectors, backed a rise in the federal minimum wage as long overdue, and endorsed a host of measures to strengthen family life, civil rights and women's rights.

The resolution on Labor and the World focused on the trouble spots around the globe and on the denial of workers' rights by dictatorships of both the right and left. The convention stressed that free trade unions are vital to a democratic society.

Throughout the convention, the Labor Institute of Public Affairs—the federation's television production arm—televised floor discussions and the activities at the podium on a giant screen that dominated the front of the convention hall. The proceedings also were shown on closed-circuit television in convention workrooms.



Lane Kirkland and Tom Donahue salute delegates upon their reelection.

changing situation of workers and their unions.

One outgrowth of that report is "Union, Yes," a long-range television and radio campaign to increase public awareness and understanding, especially among young workers, of the role

## Teamsters Union 'welcomed home' after 30 years

The AFL-CIO welcomed the 1.7 million-member Teamsters Union back into the federation after an absence of three decades.

Delegates loudly applauded Federation President Lane Kirkland's announcement on the convention's opening day that the Executive Council had unanimously accepted the IBT's reaffiliation, as of Nov. 1.

And on the convention's last day, Teamsters President Jackie Presser received a standing ovation when he recalled a telephone conversation a week earlier in which he told Kirkland, "Lane, we want to come home."

The IBT president was prepared for the occasion. He appeared at the microphone wearing a visored cap bearing a logo specially designed for the occasion.

It reads: "AFL-CIO-Teamsters." The union's formal petition to rejoin the family of labor was approved 30 years to the date after the council suspended the Teamsters for failing to abide by the federation Constitution. Subsequently, delegates to the second constitutional convention in Atlantic City, N.J., in December 1957 voted to expel the IBT.

Reaffiliation of the Teamsters, who pledged to "abide by the terms and conditions of the AFL-CIO Constitution," is a "major step" toward the goal of the reunification of the labor movement,



Teamsters President Jackie Presser flashes thumbs up sign as AFL-CIO President Kirkland welcomes IBT back.

Kirkland said.

He expressed the "strong hope" that it would produce further progress in this direction before the next convention.

In introducing Presser to the convention on the closing day, Kirkland called the readmission of the IBT "a renewal of the historic solidarity" of trade union movement, emphasizing the voice of all American labor.

During the three decades that the Teamsters were outside the labor fold, Kirkland said, the "common enemies" of the federation and the IBT "continued to attack us with equal fervor and fine impartiality." Presser pledged that the IBT would join wholeheartedly in the federation's efforts on all political, social and economic fronts.

In the keynote address in which he announced the Teamsters reaffiliation, Kirkland reiterated the position taken by that council in August, opposing Administration attempts to put the union under trusteeship.

## 'Union, Yes' media campaign tuned up for '88

A coordinated, long-term campaign to communicate labor's message more effectively to the American people—particularly through the technology of television and radio—won strong support from the convention.

Known as "Union, Yes," the federation's two-year, \$13 million campaign will be financed by a 2-cent increase in the monthly per capita payment effective January 1988 and an additional 2-cent boost for a total of 35 cents in January 1989—increases contained in a constitutional amendment adopted by the delegates.

"For over 100 years," the federation pointed out, "the American labor movement has provided a voice for working people and millions of others who have sought the American dream."

But, the delegates conceded, Labor's message hasn't been reaching most Americans, and a "negative image of labor" has developed in the country to which labor must mount an effective response.

During floor discussion prior to adoption of the resolution AFL-CIO Vice President Gerald W. McEntee of AFSCME underscored the same point. Polls have repeatedly shown the need for better communication with members and non-members alike.

Delegates put their stamp of approval on the radio and television plan, augmented by other materials that will integrate labor's public message into all aspects of union activity, including its organizing efforts.

The twin goals of the two-year undertaking include:

- Raising the level of public understanding of unions.
- Increasing the awareness of a new generation of American workers—those between 20 and 40—of the way unionism responds to their needs and concerns.

The campaign will drive home the positive nature of unions and their effectiveness both on the job and in the broader community.

"We must show America that unions are problem-solvers, that unions make things happen," the resolution emphasized. "We must emphasize the voice that every individual within a union enjoys while benefiting from the strength of collective action."

To assure maximum effectiveness, delegates said, the federation's "Union, Yes" program will depend on its being augmented by all affiliates.

"It is time for the labor movement to speak proudly and strongly to the American people, to speak with one voice and to regain our rightful place in their daily life," the resolution stressed.

"It is time for younger workers to again understand that a union provides the indispensable tool for gaining a better life."

## Your Credit Union



### Safety and your credit union

During recent weeks your Credit Union has received numerous calls concerning the safety of deposits.



Bill Markus

With all the problems confronting the stock market, such concern about the safety of your savings is certainly understandable. With the rapid downturn of the stock market a number of investors have turned to safer havens, such as financial institutions and Government Securities. Rest assured that your Credit Union deposits are completely safe.

First, deposits to \$100,000 are insured by the National Credit Union Administration (NCUA), which is backed by the "Full Faith and Credit" of the United State government. Funds over \$100,000 are insured by the National Deposit Guaranty Insurance Corporation (NDGIC), which is a private insurance fund subscribed to by your Credit Union. This additional insurance is not required by law. However, your Credit Union has always placed a great amount of emphasis on safety, and therefore believes the additional cost is justified. In addition to insurance, our strong reserves of almost 15 million dollars provides additional protection to depositors.

Throughout the history of the Credit Union we have increased reserves every year because we do not make risky investments. We do not invest in the stock market; in fact, we only invest surplus funds in short-term government securities and short-term Certificates of Deposits with Government Insured Institutions.

Further, you should know that each account is insured up to \$100,000 by the NCUA, except IRA accounts which are insured regardless of the amount on deposit. For example, if John and Mary Jones, have \$100,000 in a joint account and another \$100,000 in a joint account for Mary and John Jones plus \$50,000 in individual retirement accounts the entire amounts, \$250,000 would be insured by the NCUA.

If John and Mary each have \$100,000 in their respective accounts and \$50,000 in their IRA accounts, \$250,000 would be insured by the NCUA. The remaining \$20,000 would be insured by the NDGIC.

In conclusion, you can rest assured that your funds on deposit with the Credit Union are safe. In fact, funds on deposit with Credit Unions are safer than with other financial institutions because of restrictions by the NCUA which only permit investments in entities insured by the federal government. Investments of other financial institutions, such as banks and Savings and Loan Associations, are not as restrictive, which may account for the recent failures of some of these institutions.

# Utah labor protests actions of NLRB

Organized Labor in Utah held a rally at the Federal Building in Salt Lake City on November 6 protesting the dictatorial decisions being made by the National Labor Relations Board Regional Office in Denver, Colorado, which covers the state of Utah, District Representative Don Strate reports. The rally was headed by the I.B.E.W. Local No. 354 and their Business Manager Les Miller.

Basically, the N.L.R.B. has denied employees of Weyer-Livsey Construction Company the right to bargain collectively and have union representation with the company. The N.L.R.B. was convinced by the company their construction job at Kenecott is of short duration, and they will not be bidding any work in Utah in the future. This is untrue and just another tactic against working people in Utah to keep them suppressed and their wages low.

"It's deplorable to see this thinking carried on by a federal office whose representatives are charged with the duty of protecting workers, and companies alike, from violation of the law," Strate said.

He continued that "the Reagan Administration has obviously stacked the Department of Labor with people who make sure the working class lose whatever clout may have existed against big company bosses."

"I still can't understand why American politicians fail to see that if working people make decent wages and benefits, the whole country prospers. As I've said many times before, I'm convinced our government wants only two classes of people to survive in this country; rich and poor. Believe me, brothers and sisters, we're almost to that situation now," Strate said.

All members better become active in local and national politics, and be sure that family and friends vote as well. Voting is the only true say people have in what happens in this country, and they had better learn to start exercising that right.

In other news from Utah, Strate reports that the Department of Transportation has published a list of highway projects to be bid for construction in Fiscal Year 1988. The projected amount is around 293 million dollars, which is more than Utah has seen in many years.

A few of the larger projects follow:

**Wasatch County** • Highway 40 Relocation for Jordanelle Reservoir 40 million. • Park City Junction Easterly to Kamas 20 million. • County Highway South and East of Reservoir 10 million.

**Sevier County** • Concrete Surfacing South Richfield to Sigurd 25 million. • Millard County Line to Salina Widen and Overlay 2.3 million.

**Emery County** • Castle Valley to Muddy Creek Grade, Drain and Surfacing 17 million. • Eagle Canyon Bridge 3 million. • I-70 Ghost Rock to Rattlesnake Bench 22 million. • Forest Boundary to Huntington Widen and Surfacing 5.2 million. • Muddy Creek to Devil's Canyon Grade, Drain and Surfacing 23 million. • Devil's Canyon to Ghost Rock Grade, Drain and Surfacing 13 million.

**Millard County** • State Road Connection Delta Airport 2.3 million. • North Fillmore to North Holden Resurfacing 3 million. • State Road Junction State Road 100 to Holden 4.2 million.

**Cache County** • U.S. 91 Wellsville to Green's Corner 5 million. • Nibley to



Joining in the protest against the NLRB are (above left to right) Business Agent Nile Reese, E-Board member Don Barney and Local 3 members Shirley Seeley and Richard Savage. Below are Business Agents Virgil Blair and Lynn Barlow.

Lagoon 2.8 million.

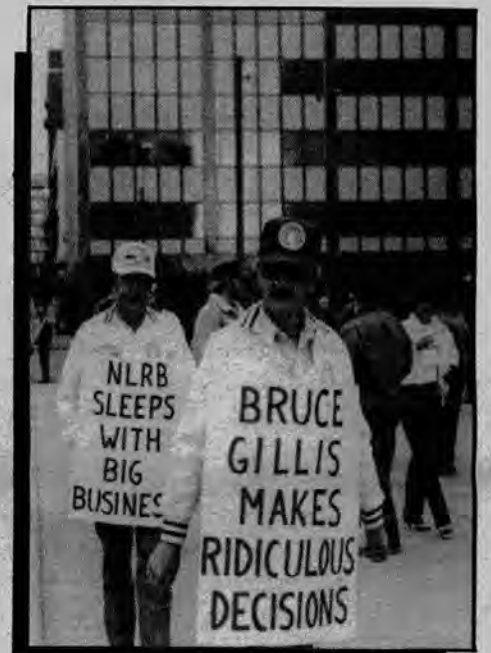
**Box Elder County** • West Tremonton to Plymouth 22 million. • West Tremonton to Plymouth Structures 7 million. • Riverside Connection to I-15 1.4 million.

**Salt Lake County** • Redwood Road and North Temple to 1000 North 4.2 million. • 1300 South Pioneer Road to Redwood Road 2 to 5 million. • I-215 4500 South to 2000 East 28 million. • I-215 Knudsen Corner to Wasatch Boulevard 6.6 million

**Utah County** • South Santaquin to State Road 164, 4 million. • Provo Canyon Readvertise Deleted Project 12 million.

**Summit County** • State Road 248 in Park City to Silver Springs 8 million.

**Washington County** • North St.



## New agreement ratified in Utah

By Norris Casey  
Treasurer

During the week of October 19, 1987, we ratified the Construction Agreement for the state of Utah. This was both the Heavy Highway and Custom Agreement.

The agreement was negotiated with the basic crafts; Operating Engineers, Laborers, Teamsters, Carpenters and Cement Masons. All crafts are signatory to the same language in the basic agreement and there are addendums covering wages and fringe benefits for each craft. This is the first time I have been involved in such an agreement, but I feel it will become quite common in the future.

What brought this about?

On April 1, 1987, we received letters from an attorney from Denver stating that he represented three of the major contractors in Utah, W. W. Clyde, Gibbons & Reed and Lowdermilk, and that as their representative would negotiate in their behalf. We met with him and representatives from those companies and it soon became evident

that they did not want to negotiate with some of the other crafts. Perhaps the Engineers could have gotten an agreement, but the other crafts would have had us out on strike if they didn't consummate their own agreement. In a meeting with the other crafts it was decided to band together and try to get a common agreement. We negotiated as the Heavy Highway Committee, with District Representative Don Strate serving as the chairman. Business Manager T. J. Stapleton and I made six trips to Utah to participate in the negotiations which were successful for all crafts. Although no major increases were received, we do have a two year agreement secured for the basic crafts which will eliminate any chance for strikes. The turnout for the ratification meetings was small but the agreement was ratified by a majority of 69 percent.

A.G.C. in Utah no longer represents any Union contractors so we now have to build from the foundation of these three major contractors.

## Attend Your Union Mtgs.



Taking a moment to look at engineer's drawings are bladesman George Blackwell and grade checker Marvin McQuone (below).



Apprentice Marlena Willis (left) assists operator Nick Moreno (above) in stripping forms.

## Union firm gets I-580 on track

(Continued from page 1)

Business Agent Brian Bishop reports that work on the project is going smoothly once it was put in the hands of skilled union operators.

Despite a four-month delay created by Rail Roadway/Hatch's bankruptcy, project manager Bruce Cole for Oliver de Silva reports his company "is close to

Hatch's original schedule."

"Completion is set for early 1990," he says. "It will be tight, but we'll probably make it." C.C. Meyers, which is subbing some of the work "has been doing a good job and has worked well with us," he adds.

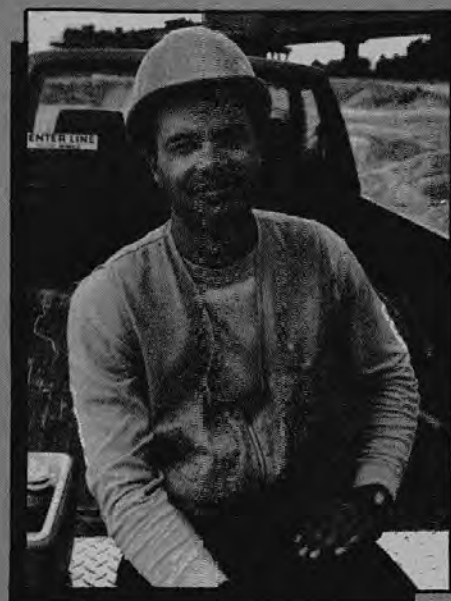
"The biggest problem we've had is tying up the loose ends of the previous contractor," says Norm Kirby, project superintendent and 22-year member of

Local 3." He employs "as few as four operating engineers to as many as 25" during peak portions of the job.

Mark Beadelston, project superintendent for C.C. Meyers says "most everything is going well" on their portion of the work. "Our major problems have been tie-ins with previous work," he said. "Another problem is traffic access due to the congestion in the area."



Pictured above is Don Lankford on paddlewheel and 'Monk' Briggs (below) uses forklift to strip away forms.



Pictured at left are apprentice Paul Lavella and mechanic Mike Geerts for C.C. Meyers.



## P. Barretta moving on road job

Pete Barretta Construction has landed several good road jobs this year, including a seven-mile improvement on Warm Springs Dam Road, pictured on this page. The \$6.8 million project got underway last July and is scheduled for completion in April 1989. By the time it is finished, over 600,000 yards of material will have been moved.

Pictured top center are dozer operator Bob Inis giving scraper hand Gordon Pool a push as they make a cut. Mike Donaghy checks grade (upper right) while Pat O'Halleran runs a compactor (bottom photo). Pictured immediately below and to the left respectively are scraper operators Charles Green and Randy Vogt. In the lower left corner is gradechecker Doug Reed.



## Mediocre year for Santa Rosa

With the 1987 season winding down, everyone in the Santa Rosa office is hoping that 1988 will be a much better year. District Representative Chuck Smith reports that much will depend on whether Santa Rosa gets their problems with the sewer system resolved or not. "Otherwise, there may not be much private work in the near future. We don't like to see so many of our brothers and sisters travel so far from home to obtain work."

Business agent Rob Wise says that work has been slow in the Geysers Area this season. P.K.S. has done a couple of good dirt jobs and these have been the high point for the year. Valley Engineers have recently picked up some pile-line work but they also have had a slow year.

Wise says that it looks like oil prices will have to increase before there will be

much new development in the Geysers.

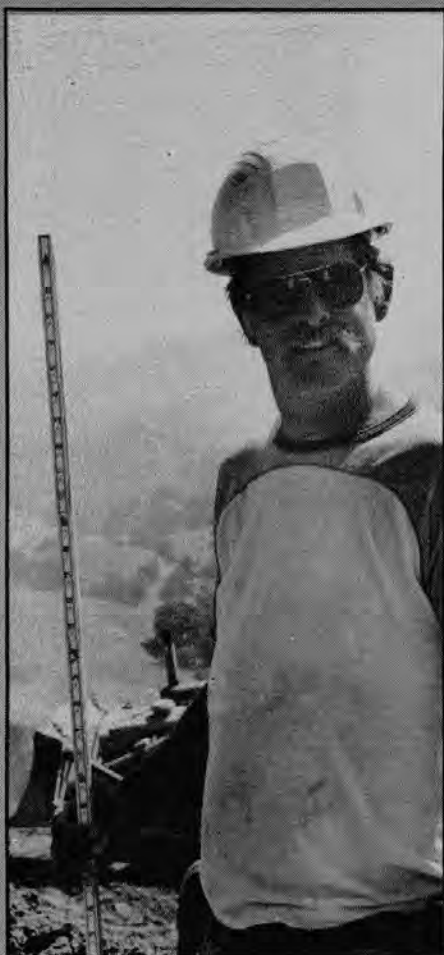
Wise reports that the amount of subdivision work is also down from last year. Some of the local contractors have been unable to keep their operators working as much as they would like. However, a bright spot in our hiring hall was created by the highway work being done on Hwy 101 at Cloverdale. The orders by Atkinson and Ghilotti have helped quite a bit.

Business Agent Stew Orchard reports that with most of the dirt moved at Yorty Creek, Maggiora and Ghilotti have cut back their crew to seven operators. The new boat ramp has been built and the beach and picnic area are ready to ride out the winter. The one mile of new road and finish work should be completed next year. Mendocino Paving is placing the rip-rap and operators Larry Joliff and Ken Melville have been doing an outstanding job.

Pete Barretta's job on Rockpile Road is starting to take shape with about two miles roughed in. They have started to put the culverts in and are getting ready for winter.

Orchard said that there were a few problems at the start of the job, "but with the skills of the fourteen operators working on the job, it looks like it is turning into a good job for our brothers."

And as it always happens this time of the year, members working in the Rock, Sand and Gravel plants are putting in some extra hours to get ready for the demand on base rock and asphalt so the contractors can get jobs in the area covered before winter.



# Fringe Benefit Forum

By Don Jones,  
Director of  
Fringe Benefits



The Thanksgiving season is here once again. We wish you all the best of this holiday and hope you enjoy it with family and friends.

We feel it's a good time of year to briefly summarize the benefits of your medical plan.

We have discovered in our travels to the district offices that Engineers do not realize how extensive their coverage really is. Many, fortunately, have never had to use the medical plan and so have not had to take a close look at their coverage. The following summary applies to Engineers covered under the Operating Engineers Health and Welfare Trust Fund (CA. PLAN).

## Summary of Benefits (California Active Plan)

Life Insurance	\$4,000
Accidental Death & Dismemberment	\$2,000
Burial Expense	\$2,000
Dependents Life Insurance	Up to \$1,000

## Comprehensive Health Plan Benefits

Maximum Plan Payment	\$500,000
Maximum Hospital Days Per Disability	365

## General Hospital Benefit Convalescent Hospital Benefit Hospital Psychiatry Maternity Care Covered Out-Patient Services

Under Hospital Contracting the Plan pays 100 percent for covered services in a contracting hospital, or 85 percent (Schedule A) or 80 percent (Schedule B) for covered services in a non-contracting hospital.

Outside of the Hospital Contracting area, the Plan pays 90 percent

(Schedule A) or 80 percent (Schedule B) of first \$3,000 and 100 percent of additional charges up to 365 days per disability.

## Medical Surgical Benefits

Surgeon, Assistant Surgeon, Physician, Supplies, Obstetrics, Home, Office, Hospital Medical Visits, Diagnostic X-Ray & Lab Services, Ambulance, Nurses, Physiotherapy, Radium, Blood, Plasma, Oxygen, Rental of Equip., Artificial Durable Devices, Hospital Prescriptions, Hearing Aids.

**Schedule A:** 90 percent of usual, reasonable and customary charges.

**Schedule B:** 80 percent of usual, reasonable and customary charges. Hearing Aids limited to maximum payment of \$400 per device every four years.

## Supplemental Mental Health Benefit (For Employee only)

Plan Maximum-\$10,000 per year Benefit-50 percent of covered charges up to \$60 of charges per visit maximum visits-50 per year.

## Physical Examination Benefit (For Employee and Spouse Covered for Schedule A Benefits)

\$150 each calendar year.

## Chemical Dependency Treatment Benefit (For Employee and Spouse)

Referral by Addiction Recovery

## (For Employee and Spouse) Program (ARP) to approved facilities.

## Residential Treatment (maximum of 4)

1st Admission: 100 percent; 2nd Admission: 90 percent; 3rd Admission: 80 percent; 4th Admission: 70 percent.

## Outpatient Treatment

80 percent of usual, reasonable, and customary charges. Max. \$2,000 per yr. per individual.

## Dental Benefit

### Diagnostic and Preventive

Schedule A: 100 percent of covered charges; Schedule B: 80 percent of covered charges.

### Basic Benefits

Schedule A: 85 percent of covered charges; Schedule B: 80 percent of covered charges.

### Prosthetic Benefits

60 percent of covered charges

### Out-Of-Hospital Prescription Drug Benefit

## Home Pharmacy

100 percent reimbursement for generic drugs. 80 percent reimbursement for brand-name drugs after \$1.50 deductible. 100 percent reimbursement for brand-name drugs if doctor advises no substitute may be made, after \$1.50 deductible.

**Mail Order Plan** Full Payment, no deductible.

## Vision Care Benefit (For Employee and Dependent Covered for Schedule A Benefits)

**Panel Service**  
Full coverage after \$7.50 deductible per usage for vision exams, material, lenses, frames, contact lenses.

### Non-Panel Service

Schedule of Benefits is provided; the covered person pays the balance.

### Part B—Medicare Reimbursement Benefit

100 percent of Social Security premium charge for Medicare Part B benefits

There are, of course, certain limitations and exclusions which apply to benefits provided by the Plan.

These limitations and exclusions can be found in the benefit booklet, a copy of which was recently mailed to you. The booklet covers the entire Plan in more detail. Please read it over carefully at your convenience.

If you have any questions about any of the benefits, be sure to get in touch with the Trust Fund Office or the Fringe Benefit Center, where the staff will be happy to assist you. Keep in mind that Engineers in Hawaii, Nevada and Utah, as well as Public Employees and Retirees, are covered

by similar, but not identical, Plans.

If you are covered by a Plan different from the CA. Plan, be sure to refer to the applicable Plan booklet for details about your coverage.

A word of caution: Engineers Health Plans will pay benefits for Comprehensive Convalescent Hospital Care meeting the following criteria. Neither the Active Plans nor the Retiree Medical Plan will pay for Custodial Care.

The criteria: "The Plan will pay (its applicable percentage of) benefits for covered room and board and miscellaneous charges of a licensed convalescent hospital following at least three days of confinement in a general hospital.

### Benefits are payable when:

- The convalescent hospital confinement is recommended by a physician who certifies that the confinement was necessary for the continued treatment of the sickness or injury;
- Convalescent hospital confinement begins within 14 days after termination of the hospital confinement; and
- The convalescent hospital care must be for the same or related cause which made the general hospitalization necessary.

### A convalescent hospital is an institution which:

- Is regularly engaged in providing skilled nursing care for sick and injured persons under 24 hour a day supervision by a physician or a graduate registered nurse;
- Has available at all times the services of a physician who is a staff member of a general hospital;
- Has on 24 hours a day duty a graduate registered nurse, licensed vocational or skilled practical nurse, and a graduate registered nurse on duty at least eight hours per day;
- Maintains a daily medical record for each patient; and
- Complies with licensing and other legal requirements.

"Charges for private nurses or rest homes will not be considered for reimbursement."

Please consult your Plan booklet for full details, including limitations and exclusions. And be sure to call the Trust Fund Office or the Fringe Benefit Center if you have any questions.

## Pankow gets \$3 million to build concert hall canopy

Signed in late October, Charles Pankow Builders, LTD, has contracted for more than \$3 million worth of major construction work in Honolulu. Financial Secretary Wallace K. Lean reports that the \$3.5 million project is a major effort to refurbish the landmark structure in Kapiolani Park.

Lean says that under the terms of the contract, Pankow will install a canopy above the 32 year old shell to forestall rainouts of concerts and other shows. The canopy will also improve the sound and act as a baffle. They will also be erecting sound barriers and an 8,000 sq. ft. building.

Sixteen acres of land adjacent to Honolulu International Airport now are available for lease following the \$6.9 million realignment of Lagoon Drive, along the shoreline of Keehi Lagoon. The project contractor, Highway Const. Co., Ltd., carved out the new route

along the south ramp area of the airport. They opened up for redevelopment of the 16 acres of land where 27 subdivided lots will be fenced and parceled out under leases to airport users, probably for hangars or maintenance facilities for fixed-wing aircraft or helicopters.

The contractor is now working to complete extension of four taxi way and four access roads at the site. Parking areas also will be built. It began in January 1986 and the total project is expected to be completed late this year.

The Outrigger Canoe Club, one of the oldest private social clubs in the State, recently began construction on a parking structure that would increase parking spaces there from 175 to 234, at a cost of \$2.5 million. A split-level parking structure being built by Tevel Corp., and a stairway extension to the existing parking lot will be erected. Planned

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Working on the West Beach Highway construction project are (top row) 'Angel' Fernandez, Lawrence 'Spider' Ahnee, Francis Kaniaupio, Leroy Donner, Donald Deponte, Takeshi Kotomori and Albert Chiapetta. In the bottom row are Charlie Akana, Herman Waa, Tom Enfield, Walter Jardine and Manuel Vidinha.

# Official Notice: IUOE Convention Delegate Election

Recording-Corresponding Secretary William Markus, in compliance with the Local Union By-Laws, Article XII, Section 2(b), publishes the following notice of the Election of Delegates and Alternate Delegates to the 33rd Convention of the International Union of Operating Engineers. Included are the requirements set forth in the Local Union By-Laws that apply to this election, Executive Board rules for Delegate Election, and a schedule of Regular and Specially Called District Meetings to be held for the nomination of Delegates and Alternate Delegates.

## Requirements for Delegate Election

### 1. Eligibility.

(a) No Member shall be eligible for election, be elected nor hold the position of Delegate or Alternate Delegate unless he shall have been a member continuously in good standing in the Local Union for one (1) year preceding the month of nominations; and provided that no member shall be eligible for election, be elected, nor hold office unless he shall also have been a member of the Local Union for two years immediately prior to election (subject to [b] below), and nominated by at least 1/10th of 1% of the Members of the Local Union and its Subdivisions (except the Registered Apprentice Subdivision), who are not suspended for nonpayment of dues as of the first nominating meeting, in the manner and form set out in No.2, Nominations. The 1/10th of 1% shall be 1/10th of 1% of the Members shown on the records of the Union as of the last day of August preceding the election.

### Number of Nominators required.

The minimum number of eligible nominators required for a candidate for Delegate and Alternate Delegate based on the Local Union membership (excluding Registered Apprentices) on August 31, 1987, of 31,070 members, is (32).

(b) If sufficient Members do not fulfill the foregoing conditions of eligibility, any Member currently in good standing in the Local Union, and otherwise eligible, shall, upon the filing of an Affidavit that he meets the requirements of Section 504 of the Labor Management Reporting and Disclosure Act of 1959 and Article XII Section 1(a) of the By-Laws be eligible to be nominated and elected.

(c) Members of the Registered Apprentice Subdivision and Members who are retired or who do not meet the age requirements of the International Constitution shall not be eligible for nomination or election.

(d) No Member retired from work at the trade shall be eligible for election, be elected nor hold office in this Local Union. This restriction, however, shall not be applicable to any member so retired who, commencing in 1985, at least one (1) year, immediately prior to the month of nominations, has ceased to accept retirement benefits and returned, or actively and continuously sought to return, to full-time work at the trade.  
(Constitutional Amendment, 1984 Convention)

(e) Commencing in 1985, no member shall be eligible for election, be elected nor hold office who has not during the year, immediately prior to the month of nominations, been continuously employed at the trade, or who has not actively sought continuous employment at the trade. This restriction, however, shall not apply to any member serving or acting in any capacity for the Local Union or the International Union, or who has been assigned by the Local Union or the International Union to perform work in furtherance of the interests of organized labor.  
(Constitutional Amendment, 1984 Convention)

(f) No Member shall be eligible for election, or be elected, who has been convicted of any crime involving moral turpitude, offensive to trade union morality, or who has been found after trial by the Union or by Civil Court to have been false

## MEETING SCHEDULE

### Nomination of Delegates and Alternates to 33rd I.U.O.E. Convention

District No./Location	Meeting Place	Date & Time
40—Eureka (Special Called)	Engineers Bldg. 2806 Broadway	Dec. 1, 8 p.m.
01—San Francisco (Special Called)	Seafarers Int. Aud. 350 Fremont St.	Dec. 1, 8 p.m.
17—Honolulu (Special Called)	Kalihi Waena School, 1240 Gulick Ave.	Dec. 1, 7 p.m.
12—Ogden, Utah (Quarterly Mtg.)	Ogden Hilton (Juni. Rm) 247 24th Street	Dec. 2, 8 p.m.
70—Redding (Special Called)	Engineers Bldg. 100 Lake Blvd.	Dec. 2, 8 p.m.
17—Hilo (Special Called)	Kapiolani School 966 Kilauea Ave.	Dec. 2, 7 p.m.
11—Reno (Quarterly Mtg.)	Musicians Hall 124 West Taylor	Dec. 3, 8 p.m.
17—Maui (Special Called)	Kahului Elem. School 410 S. Hina Ave.	Dec. 3, 7 p.m.
60—Marysville (Special Called)	Engineers Bldg. 1010 "I" St.	Dec. 3, 8 p.m.
10—Santa Rosa (Special Called)	Veterans Bldg. 1351 Maple St.	Dec. 4, 8 p.m.
20—Oakland (Special Called)	Point Marina Inn (Rich.) 915 W Cutting Blvd.	Dec. 4, 8 p.m.
80—Sacramento (Special Called)	Laborers Hall 6545 Stockton Blvd.	Dec. 4, 8 p.m.
50—Fresno (Special Called)	Building Trades 4831 E. Shields	Dec. 7, 8 p.m.
30—Stockton (Special Called)	Engineers Bldg. 1916 No. Broadway	Dec. 7, 8 p.m.
90—San Jose (Quarterly Mtg.)	Labor Temple 2102 Almaden Rd.	Dec. 7, 8 p.m.

to his trust or misappropriated Union Funds or property or who is commonly known to be a crook or racketeer preying on the labor movement and its good name for corrupt purposes, whether or not previously convicted for such nefarious activities.

(g) No member shall be in good standing unless he has paid all current dues to the Local Union within thirty (30) days after they shall have become due and payable, as evidenced by his dues book stamps. No Member whose dues have been withheld by his employer for payment to the Local Union pursuant to his voluntary authorization provided for in a collective bargaining agreement shall be declared ineligible to nominate, to vote or be a candidate solely by reason of alleged delay or default in the payment of dues.

(h) No candidate (including a prospective candidate) for Local Union office, and no supporter of a candidate for Local Union office, may solicit or accept any direct or indirect financial support from any non-member of the International Union of Operating Engineers or from any foundation, corporation or other entity whose funds are derived in whole or in part from any person not a member of this International Union.  
(Constitutional Amendment, 1984 Convention)

### 2. Nominations

(a) **Nominations:** Nominations shall be made in the month of December at the regularly scheduled District Meetings as directed by the Local Union Executive Board as a special order of business, or at specially called meetings in that month in Districts in which there is no regularly scheduled meeting.

(b) **Nomination Committee:** There shall be a Nomination Committee in each District, composed of the District Election Committeeman and not less than two (2) Members from the District appointed by the Presiding Officer just prior to nominations. In the event the District Election Committeeman is absent, the Presiding Officer shall appoint one (1) additional Member from the District to the Committee.

(c) It shall be the duty of the Nomination Committee to receive the written nomination when delivered by a nominator, count the nominations of each Member nominated and deliver the nominations prior to the close of each meeting to the Presiding Officer who shall announce the number of nominators nominating each nominee. The Presiding Officer shall have the responsibility of delivering the nominations to the Recording-Corresponding Secretary who shall cause them to be delivered to the Secretary of the Election Committee.

(d) **Form in which nominations will be made.**

Nominations shall be in writing and signed by one or more nominators giving each nominator's Social Security Number and Register Number in the form following:

If by a single nominator:

### NOMINATION

I hereby nominate \_\_\_\_\_  
Register No. \_\_\_\_\_ For \_\_\_\_\_  
Signature \_\_\_\_\_  
Social Security No. \_\_\_\_\_  
Register No. \_\_\_\_\_

If by more than one nominator:

### NOMINATION

We hereby nominate \_\_\_\_\_  
Register No. \_\_\_\_\_ For \_\_\_\_\_  
Signature \_\_\_\_\_ Social Security No. \_\_\_\_\_ Register No. \_\_\_\_\_

(e) When nominations are called for by the Presiding Officer, if a single nominator, he shall address the Presiding Officer reciting his name and Register Number and the name of the Member, and deliver his written nomination to the Nomination Committee. If there is more than one nominator, one of the nominators shall address the Presiding Officer reciting his name and Register Number and the names and Register Numbers of the other nominators and the name of the Member, and deliver the written nomination to the Nomination Committee.

(f) All Members nominated, otherwise eligible, in order to continue to be eligible shall have filed with the Recording-Corresponding Secretary of the Local Union within ten (10) days after having been notified in writing by the Recording-Corresponding Secretary of his nomination as Delegates or Alternate Delegates, Section 504 of the Labor-Management Reporting and Dis-

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## Official Election Notice

(Continued from page 8)

closure Act of 1959 Affidavit, and a written acceptance of his nomination, and in addition, shall have been in regular attendance at all regularly scheduled Local Union Membership Meetings and home District Membership Meetings held after nominations and before election, subject, however, to a reasonable excuse based upon good cause such as physical incapacity, or death in family. Within five (5) days after the nominations have been concluded, the Recording-Corresponding Secretary shall mail to each Member nominated, at his last known home address, notice of his nomination.

(g) No Member may accept nomination for both Delegate and Alternate Delegate.

### DECLINATION OF NOMINEE

The Undersigned states that he declines all nominations:

(Name) \_\_\_\_\_ (Signature) \_\_\_\_\_

(Register No.) \_\_\_\_\_ (Social Security No.) \_\_\_\_\_

(Date) \_\_\_\_\_

### ACCEPTANCE OF NOMINEE

The Undersigned states that he will accept nominations for \_\_\_\_\_ (Delegate or Alternate Delegate)

I desire my name and office, position or contract classification to appear on the ballot as follows:

(Name) \_\_\_\_\_

(Signature) \_\_\_\_\_

(Office, Position or Contract Classification) \_\_\_\_\_

(Register No.) \_\_\_\_\_ (Social Security No.) \_\_\_\_\_

(Date) \_\_\_\_\_ (Print Name) \_\_\_\_\_

In the event no statement is received by the Recording-Corresponding Secretary on or before twenty (20) days from the date of mailing of the notice provided for in Article XII, Section 2(g) of the By-Laws, the nominee shall be deemed for all purposes to have declined all nominations.

(h) All Members nominated who are more than one hundred (100) miles from San Francisco on the day prior to and the day of the Semi-Annual Meeting in San Francisco are excused from attending for good cause, as are all who are more than one hundred (100) miles from their regular District Meetings the day before and the day of the Meeting. However, a Member nominated who claims to be excused for this reason shall notify the Recording-Corresponding Secretary in writing, by letter or telegram, not later than 5:00 p.m., Local San Francisco Time, within five (5) days after such Meeting.

#### Notice of Right to Nominate

##### (1) Eligibility of Members to Nominate.

**Every Member of the Parent Local Union and its Sub-divisions (except the Registered Apprentice Sub-Division), who is not suspended for nonpayment of dues preceding the first nominating meeting shall have the right to nominate.**

##### 3. Elections.

(a) The election shall be held during the month of February by mail referendum vote of the Membership of this Local Union under the supervision of the Election Committee and a nationally known firm of certified public accountants, selected by the Executive Board, with such other technical and legal assistance as may be provided.

(b) The Election Committee shall determine whether or not each candidate nominated is eligible. Any candidate found not to be eligible shall be declared ineligible by the Election Committee. The Committee's decision shall be promptly communicated to each such ineligible candidate in writing. Unless the Election Committee's decision is reversed on appeal, it shall

govern, and the ballots shall be prepared accordingly.

(c) The Election Committee shall be responsible for the conduct of the election, and specifically: for the preparation of the list of eligible voters, showing the Member's name and last known address as it appears on the records of this Local Union; the preparation and printing of the ballots, listing the nominees in alphabetical order by their last name (the candidate's name and his office, his position or his collective bargaining agreement classification, if any, given by him being printed as it appears on Acceptance of Nominee Form) and envelopes; and the giving of a Notice of Election, by mailing a printed Notice thereof to each Member of the Local Union at his last known address as it appears on the records of this Local Union not less than fifteen (15) days prior to the mailing of the ballots to eligible voters.

The Election Committee shall cause a sample ballot to be published in the January edition of the *Engineers News* preceding the election, and to be promptly posted in the District Job Placement Centers.

The Election Committee shall deliver the list of names and last known addresses of eligible voters, and cause the printer to deliver the ballots and envelopes to the nationally known firm of certified public accountants chosen by the Local Union Executive Board, which firm shall rent a post office box to which the ballots shall be returned.

(d) The certified public accountants shall mail the ballots and return envelopes to the eligible voters between February 10th and 16th preceding the election, and shall open the post office box for the first and last time on February 26, at 10 o'clock a.m. of that day.

The certified public accountants shall remove the returned ballots, count the same and certify the results in writing to the Election Committee.

The Election Committee, or a sub-committee thereof, shall be present at the mailing of the ballots, the opening of the post office box, and the counting of the ballots.

The Election Committee shall make certain that adequate safeguards are maintained so as to protect the secrecy of the ballots.

(e) The Election Committee shall declare the candidates receiving a plurality of the votes elected. The certificate of the certified public accountant shall be published in the March edition of the *Engineers News* following the election.

(f) Every Member who is not suspended for nonpayment of dues as of February 11th, 1988, the date for the first mailing of ballots, shall have the right to vote. No Member whose dues shall have been withheld by his Employer for payment to the Local Union pursuant to his voluntary authorization provided for in a collective bargaining agreement shall be declared ineligible to vote by reason of any alleged delay or default in the payment of dues by his employer to the Local Union.

##### 4. Observers.

Each candidate shall have the right to have an observer at the polls and at the counting of the ballots; that is, each candidate shall have the right to have an observer to check the eligibility list of voters, check the ballots, see that the ballots are mailed, be present at the opening of the post office box and the counting of the ballots. The observer may challenge the eligibility of any voter, and the ballots of all voters who may have been challenged shall be set aside, pending determination as to their validity. If the challenged ballots are sufficient in number to affect the results of the election, all challenges shall be investigated by the Election Committee to determine their validity as promptly as possible.

##### 5. Right of Expression.

(a) Every Member shall have the right to express his views and opinions with respect to the candidates; provided, however, that no Member shall libel or slander the Local Union, its Members, its Officers, District Members, or any candidate, and all Members shall avoid all personalities and indecorous language in any expression of view and opinions with respect to candidates.

(b) Any Member found guilty of violating Paragraph (a) shall be subject to discipline in accordance with the applicable procedures of the Constitution and By-Laws, and if such Member should be a candidate he shall, if found guilty, in addition to any fine, suspension or expulsion, suffer the loss of the Position for which he is a candidate, if elected thereto.

##### 6. Campaign Literature

The Recording-Corresponding Secretary, upon request of any bona fide candidate, shall distribute such candidate's campaign literature, by mail or otherwise; provided the candidate making such request does so in writing, advising the Recording-Corresponding Secretary of the type mailing, or other form of distribution desired, pays all costs involved, and delivers the literature, if it is to be mailed, to the Recording-Corresponding Secretary in a sealed and stamped envelope, with two(2) copies of the literature, the contents of the sealed and stamped envelope and two (2) of the envelopes in which the literature was enclosed. Two (2) copies of the literature are to be delivered to the Recording-Corresponding Secretary if it is to be distributed other than by mail.

No such request shall be honored if made on or after 5:00 p.m., Local Time, the 5th day of February, 1988.

##### 7. Unopposed Candidates

Where there are no more candidates nominated for Delegates and Alternate Delegates than are authorized by the Local Union Executive Board, the secret ballot election shall be dispensed with and the Recording-Corresponding Secretary shall cast one (1) ballot for all the unopposed candidates for Delegates and Alternate Delegates, who shall then be declared duly elected.

## Rules Adopted By The Local No. 3 Executive Board

In addition to the Business Manager, President, Vice President, Recording-Corresponding Secretary, Financial Secretary and Treasurer who are Delegates by virtue of Article XIII, Section 1 of the By-Laws, there shall be 33 Delegates and 2 Alternate Delegates elected.

The names of the Candidates shall be arranged in descending order based on the total number of votes received by each of them. The Candidate receiving the highest number of votes shall be at the top of the list, the Candidate receiving the least number of votes at the bottom of the list, and they shall be numbered in descending order, one (1) through the total number nominated and eligible for Delegate or Alternate Delegate.

In the event that two (2) or more Candidates receive the same number of votes, their names shall be arranged in descending order based on the length of membership in Operating Engineers Local Union No. 3. The tied Candidate who has been a member of Operating Engineers Local Union No. 3 for the longest period of time shall be listed above the tied Candidate who has been a member for a shorter period of time, and they shall then be numbered as in this Section provided, and the Candidate with the next highest number of votes shall receive the number next following the number assigned the tied Candidate who has been a member of Operating Engineers Local Union No. 3 for the shortest period of time.

The Candidates for Delegates, numbered one (1) through thirty-three (33), shall be declared elected as Delegates. The Candidates for Alternate Delegates, numbered one (1) through two (2), shall be declared elected as Alternate Delegates.

Each Alternate shall serve as necessary. The Alternate with the highest number first, and the Alternate with the lowest number last.

In the event the average number of members on which the Local Union has paid per capita tax for the year ending September 30, 1987, has increased sufficiently to entitle the Local Union to an additional Delegate, the Alternate with the highest number of votes shall be designated as Delegate, and likewise if the average membership has decreased to the point the Union is entitled to a lesser number of Delegates, the Delegate with the lowest number of votes would become first (1st) Alternate.

## Marysville thanks members

With the year 1987 winding down, Marysville District Representative George Morgan extends his gratitude to all the members of Local 3 in the District that have assisted the Local and the agents on various projects during the year.

"A great big thank you to all our members who helped us throughout the year. Thanks also to all our Job Stewards and Safety Committeemen, and to all our members who helped out on the picket lines, the annual picnic and especially to all who donated blood to the Blood Bank," Morgan said.

Morgan singled out those members who attended the last district meeting held on October 15: Otto R. Samuel, Ernest Brookins, Dave Anderson, Don Louderback, Bob Barber, Gene Garewal, Bob Christy, Miguel N. Torres, Jim Webster, Fritz Grutter, David Hansen, Bill Hodges, Marty Baston, Jim D. Herrera, Wesley Phillips, Maurice Herlax, Dennis Hively, Vern Hughes, Glen Moore, Paul Schellpeffer, Ron Pace, Jack Curtis, Earnest Dorsey, Richard Zerkovich, A.A. Cellini, Charles Asby, Wayne Rogers, Richard Weigel, David Hamilton, Harry Holland, Jerry Der, Timothy Hill, Ben Shephard, Jack Buscaglian, Suki Bains, Charlie Williams, Bill Parks, Warren Jackson, Jack McCutcheon, David Howard, Michael Cadenhead, Robert L. Lucero, Tommy Weatherford and all the others who attended but did not get a chance to sign in.

Business agent Dan Mostats reports that even though it is November already, work on the East Side is still moving along quite well. Granite Construction has moved onto the big Highway 99

project and is beginning to work 6-10's. At the time the paddlewheels were down due to the recent rainy weather, but should have begun again as soon as the dirt dried out.

Baldwin Contracting has just begun work on two projects in the Marysville area, with Dunn Construction from Oroville doing the underground on one of the projects.

R. Nemetz Construction from Redding is back in District 60 doing some work for the Plumas National Forest Service in the Caribou area. Kiewit-Pacific is moving well at the crushing plant on Highway 70 and should be finished by press time.

M. Bumgarner from the San Ramon area is busy in the Downieville area installing the metal beam guard railing at various locations on Highway 49. Teichert Construction has had a very good year doing a lot of the seal coat work in the various counties in District 60.

Mostats says that Peterson Tractor in Chico and Tenco Tractor in Pleasant Grove are both staying busy for this time of year.

On the West Side of the district, business agent Vern Hughes reports that Baldwin Contracting is back to work on Highway 99 in Chico. This job has some hard rock on it and requires the use of a D-10 from David Price to rip it.

Baldwin has also picked up some small jobs that are keeping several members working. Baldwin's plant at Stoney Creek is still going full bore also.

West Valley Construction is working five members in Chico on a job for the phone company.

## Holidays mark challenge to users

Uh-oh. They're starting to deck the halls already. Stores across the nation are loading their shelves with the tinsel and glitter of the upcoming season. Folks are starting to plan holiday get-togethers. There's something in the air.

And for the alcoholic and drug user who's still drinking and using, it really is the season to be jolly.

From just before Thanksgiving, all the way through Christmas, right up to the Super Bowl, society throws all its rules about acceptable drinking behavior and drug use to the wind. And for the chemically dependent family, this season usually means one disaster after another.

We invent more and more occasions to drink and use drugs setting virtually no limits. For the substance abuser this means more experiences of out-of-control usage and more incidents of inappropriate or unacceptable behavior.

And for the spouse it means threats, anger and countless frustrating attempts to control the disease of alcoholism and/or chemical dependency.

There is a general lack of understanding about the disease, most people believe alcoholics and drug users can use willpower to control their addiction. Of course, willpower doesn't work on the disease of alcoholism or chemical dependency any more than it does another disease. There might be a few vain attempts, but in the end the person needing help simply can't control his or her substance abuse.

The spouse gets even more angry. There are threats. Often bitter arguments ensue. Sometimes violence. Of course, none of this makes for a happy

holiday season.

What can be done?

Threats, pleas, and anger can't control alcoholism or chemical dependency any more than they can control cancer. And attempting to limit the occasions where alcohol and drugs are present isn't going to work either.


The best action for anyone who's concerned is to get information about the disease.

If there's concern that a chemical dependency problem might exist, then a problem does exist. It won't go away by itself and it will continue to get worse. That's the nature of this disease.

During the holiday season when there are bound to be more problems associated with drinking and drugs, we urge people to get all the information they can. It could save them heartache, pain and suffering. And it might even save a life.

Information and Help for alcoholism and drug abuse is available through the Addiction Recovery Program (ARP). Please call us at the toll free numbers listed below. WE CARE!

**Addiction Recovery Program**



For information, confidential inquiries or referral please call:  
A non-profit labor cooperative

California	(800) 562-3277
Outside California	(800) 562-2773



## With Safety In Mind

By JACK SHORT  
Director of Safety

## Hazards of '2-Nitropropane'

The Hazard Evaluation System and Information Service (HESIS), in the California Department of Health Services is seeking help in notifying workers of a potential health hazard.



Jack Short

work practices for reducing exposure.

In 1985 two workers were poisoned by 2-nitropropane while applying an epoxy resin coating to a water main in an unventilated underground vault. One of the workers died nine days later as a result. Several other poisonings and fatalities have occurred when workers applied 2-nitropropane containing products in confined spaces without proper ventilation or respiratory protection.

If you work with paints, coatings, sealants, or adhesives which contain 2-nitropropane you should read the following Chemical Advisory. It provides the information on the safe use and handling of 2-nitropropane containing products. Following the recommended work practices could prevent irreversible liver damage and possibly save your life.

To find out if you are working with 2-nitropropane-containing products ask your employer to show you the Material Safety Data Sheets (MSDSs) for the products you are using. The MSDS will list the chemical contents of the product. Under state and federal law, your employer is required to have an MSDS for any workplace product that contains a hazardous substance, and to make the MSDS available to you on request.

### Notice of potential risks

Workers who use products containing 2-nitropropane, (CAS No. 79-46-9, also called dimethylnitromethane, isonitropropane, and nitroisopropane.) such as paints, coatings, sealants and adhesives, or who use 2-nitropropane as a solvent to thin such products at a job site, should limit their exposure to this chemical. Several deaths have been attributed to short-term exposures to high levels of 2-nitropropane vapors when products were used in confined or enclosed spaces. In addition, 2-nitropropane has been shown in laboratory tests to cause cancer in rats and is considered by EPA to be a potential cancer-causing substance in humans. This advisory suggests ways to reduce exposures to 2-nitropropane and reduce the chance for harmful effects.

Incidents in which people were exposed to 2-nitropropane vapors in poorly ventilated areas have shown that brief exposures to high air levels of 2-nitropropane are probably dangerous and even deadly. Several work-related

deaths from irreversible liver damage due to high levels of 2-nitropropane vapors occurred when workers applied 2-nitropropane-containing products (such as paints, coatings, sealants and adhesives) in confined or enclosed spaces without using respiratory protection or adequate ventilation.

The most recent death from 2-nitropropane occurred in 1985 after the worker was exposed while applying a 2-nitropropane-containing epoxy resin to a water main in an unventilated, underground concrete vault. In each case, after approximately 6 to 16 hours of intermittent exposure to 2-nitropropane vapors, the workers experienced nausea, vomiting, diarrhea, headaches, and chest and abdominal pains. These workers died between 6 to 10 days after being exposed. In each case, the workers had used the coatings without adequate ventilation and without respiratory protection.

*(Respiratory protection-Your employer should provide you a properly fitted respirator such as 1) a self-contained breathing apparatus (SCBA) with full-facepiece operated in pressure-demand mode or 2) a Type C supplied air respirator (SAR) with full-facepiece operated in pressure-demand mode with an auxiliary self-contained breathing apparatus operated in the pressure-demand mode.*

Especially in confined spaces, an auxiliary escape respirator is needed in case of accidentally cut air lines. Wear this respirator during and after application of 2-nitropropane-containing products while in enclosed or confined spaces. Your employer should provide you with training in the proper use of the respirator.

Never use canister or cartridge type masks when working with 2-nitropropane.

### Work practices

The following work practices are also recommended to prevent irreversible, possibly fatal, liver damage and to reduce the potential for cancer:

Skin contact can be reduced by using protective equipment, including overalls, aprons, and gloves. Since 2-nitropropane can dissolve or pass through many glove materials, use only gloves made of Butyl or PVA rubber. No glove should be used for more than one hour once in contact with 2-nitropropane.

Do not use 2-nitropropane as a solvent to remove residues of paints or coatings from skin.

Immediately leave the area at the first sign of such symptoms as severe headache, nausea, vomiting, or diarrhea. Get medical attention at once. Report these symptoms to a physician and provide him or her a copy of this advisory.

In case of skin contact, wash skin thoroughly with soap and water.

Keep containers closed when not in use to reduce the level of 2-nitropropane vapors released.

# Swap Shop: Free Want Ads for Engineers

**FOR SALE: Camping Coast to Coast Membership** \$4,500 incl-transfer fee, must sell, (death of spouse). Mrs. P. Godfrey 3710 Yucca Dr. Lake Havasu City, Az. 86403 SS #602-453-3770 10/87

**FOR SALE: Beautiful Mountain Bar & Restaurant** seats 100 plus, Mobilehome, 1.5 acres, large meadow, Trout stream, Pine trees. Room for additional business 30 mi. N. of Grass Valley, many lakes/streams nearby. Good family business or semi-retirement. Asking \$225,000 Will trade for home or land plus part cash. John M. Herceg P.O. Box 99, Challenge, CA. 95925 (916) 675-2832 SS #568-28-3404 10/87

**FOR SALE: Aircro Welding Machine** w/generator, also trailer incl. Completely overhauled, \$1,200 or B.O. Robert Sheppard 1443 Serra Dr. Pacifica, CA. 94044 (415) 359-4174 Reg #1006715 10/87

**FOR SALE: G.M.C. Coach V 6** Detroit Diesel less than 5,000 all fixtures new Holer light Pl. 2 air cond. large A.E.S. Ref. 20 M.B.T.V. Fur 4 bur stove W. Oven water heater sure flow pump toilet bathtub Q-size bed Double Pro. tank needs finishing. Lewis McAfee 4392 Emerald Ridge Ln. Suisun, CA. 94585 (707) 864-2111 SS #555-10-8918 Reg #0388528 10/87

**FOR SALE: 1979 Coachman** 23 ft. fully self-contained Travel Trailer. Exc. Cond. \$4,995 Joseph W. Phillips 2425 Diablo Place, Union City, CA. 94587 Call (415) 471-1382 SS #546-58-0130 10/87

**FOR SALE: 1968 Jeep Wagon** asking \$1,800 new paint job Exc. Cond. Manuel Romero 1885 E. Bayshore Rd. #5 Palo Alto, CA 94303 (415) 326-4218 Reg #310699 10/87

**FOR SALE: 31 ft. House Boat** sleeps six, ice box, gas stove/hot water heater C.B. Radio \$6,500 Tony Hegel P.O. Box 1124 Alameda, CA. 94501 (209) 523-8627 Reg# 0531523 10/87

**FOR SALE: Water Truck Crane Carrier**, Jimmy V53-6 Cylinder eng. 4 & 5 truck, trans., pr steering, heavy-duty suspension, 12" I-beam frame, New Paul's 3,800 gal. water tank, with Lister air-cooled diesel pump eng. & Berkeley 4" pump, 2 front & 2 rear sprays w/hose connection for hydrant fill. \$23,000 E. L. Warren (415) 341-6048 SS #566-50-2940 10/87

**FOR SALE: S.A. 200 Lincoln Welder** low hrs, w/leads \$1,500 Harold W. Home 15220 Kivett Ln. Reno, Nev. 89511 (702) 852-1607 Reg #1058429 10/87

**FOR SALE: House for sale** nearly 7,000 sq. ft. to incl. 2 car gar, open living/dining rm. lg. kitchen, sun deck, & entrance deck, 4 1/2 ba. enclosed entry, 9 bdrm. home w/6 above ground & 3 basement rms. Lg. family rm. & meat cutting rm. Nestled in the heart of Montana's beautiful Gallatin Valley 5 mi. from Bozeman Airport.

Close to ex. hunting, fishing & skiing at Big Sky or Bridger Bowl. A beautiful home or could be an excellent Sportsman's lodge on 3 acres nicely landscaped has many large trees Private well and own sewer system. NO COVENANTS. \$220,000 Must have own financing. Write D. E. Barnes 16755 Frontage Road Belgrade, Mt. 59714 or call (406) 388-4495 10/87

**FOR SALE: 2 plus acres** with all improvements no Covenants \$15,000 no owner financing. Write D. E. Barnes 16755 Frontage Road Belgrade, Mt. 59714 or call (406) 388-4495 10/87

**FOR SALE: 80 acres** surveyed into 20 acre parcels \$1,800 per acre, NO COVENANTS good for hay, pasture, farming or subdivision. Own financing. Write D. E. Barnes 16755 Frontage Road Belgrade, Mt. 59714 or call (406) 388-4495 10/87

**FOR SALE: 31 ft Boles Aero Trailer** in park, with Cabana, Furnished fenced yard, snow roof, 3 larger sheds location-Pollock Pines, CA (209) 957-2533 (916) 644-1204 SS #571-42-0770 10/87

**FOR SALE: Oroville Foothills** 7 1/2 acres with 12 X 64 Mobil home. Storage trailer, well septic & power & case tractor & Disc. \$55,000 will take as down late model pick-up A/T/D/T. Alex Cellini 1521 Valley View Dr. Yuba City, CA. 95991 (916) 674-3927 Reg #1013084 11/87

**FOR SALE: 1983 GMC** 2 ton truck (former Ryder Truck) 18' Box 5 speed trans. Perfect cond. \$10,000 Ray Morgan 21 Littleway Lane Watsonville, CA. 95076 (408) 722-6738 11/87

**FOR SALE: New Onan Generator** Model 4.0 CCK-3CR/8389V 120/240 PHI Wire 4 Cycle 60 RPM. 1800 Bat. 12V KW 4 KVA 4 AMPS. 33.3 AMPS. 16.7 Gas and Propane \$1,800.00 SS #728-14-1187 H. Sahr 1029 Holly Street Alameda, CA 94501 (415) 865-4643 11/87

**FOR SALE: Custom 3 Bdrm.** 3 Ba. very good cond. energy efficient home on approx. 48 acres, cozy rock hearth & spacious kitchen. Satellite, TV dish, dble gar. & landscape 2 wells, 2 springs. Some meadow, more woods, short walk to Lake Selmac. \$138,000. Jacinth Brun 635 McMullen Crk. Rd. Selma, Oregon 97538 (503) 597-2445 SS #575-07-3953 11/87

**FOR SALE: HD5 tractor** with blade \$5,000 very good cond. Jacinth Brun 635 McMullen Crk. Rd. Selma, Oregon 97538 (503) 597-2445 SS #575-07-3953 11/87

**FOR SALE: Calahan III bed trailer** 1952 22X8 deck, 8-18 ply \$6,000. Ford F600 4X4 1975. Pitman Crane, auger, 4 outriggers \$12,000. Wench (heavy duty) with headcack rack \$1,200. Graco air powered commercial airless paint sprayer \$1,000. Oilers, air compressors, welder, mortar

mixer, 525 gal. fuel and 4000 gal. fuel/water tank, 5 duplex wheels & tires, 4 new Bridgestone SLM 11-24.5 tires, PUC Highway contract carrier permit, more. Call (408) 438-4488 Charlie or Ray 605 Amesti Road Watsonville, CA 95076 SS #545-36-3252 11/87

**FOR SALE: Classic 1969 Mach 1 Mustang** Exc. body & paint. New dash, front & rear spoilers. Very nice original muscle car. \$5,000 or best offer. Richard or Christine Godin P.O. Box 1013 Battle Mtn, Nev. 89820 (702) 635-2701 #SS540-76-4633 Reg #1908023 11/87

**FOR SALE: 34 Acres w/ a newer 3 bdrm.** 2 ba. Custom manufactured home, (plus a 2 bdrm, 1 ba. older home.) Olive orchard, fenced for livestock, plenty water, out buildings, gold found on property. 15 min. from Lake Oroville. Good income plus tax shelter. Owner will carry. Leslie Owens 2779 Hwy 70 Oroville, CA 95965 (916) 532-9327. SS# 572-60-3636

**FOR SALE: 21 Acres** Olive orchard fenced, plenty water, deep loamy soil 15 min. from Lake Oroville, good income plus shelter. Owner will carry, Leslie Owens 2779 Hwy 70 Oroville, CA 95965 (916) 532-9327. SS# 572-60-3636

**FOR SALE: D4-7U Caterpillar Tractor** with hydraulic dozer. Good Cond. Mervin Wiley 1442 Paloma, Stockton, CA. 95209 (209) 477-5734 Reg. 1143062 11/87

**FOR SALE: 31 ft. Boles Aero Trailer** and Cabana, complete snow roof. In trailer park. Pollock Pines, CA. Richard L. Coster (209) 957-2533 #571-42-0770 11/87

**FOR SALE: Retired Mechanic, complete box** of tools, plus many misc. Henry Morales 15575 Quito Road Monte Semo, CA. 95030 SS (408) 354-3007 #571-28-4523 11/87

**FOR SALE: Ring Neck Pheasants** Castro Valley Game Birds 8371 Norris Canyon Rd. Castro Valley, CA. 94552 David Kennedy (415) 537-2594 Reg. # 1768889 11/87

**FOR SALE: 1954 5 window Chev.** 1/2 ton P.V. 6 cye. runs good. \$1,000 2-Reg. Quarter Horse Mares 1-9 yrs. 3-bars, good calf horse bred to paint stud \$1,200 1-6 yrs. Leo bred \$800.00 T-D 24 angle dozer, ROPS Double Cable unit \$1,000. A.C. D-14 row-crop Tractor 3-pNT, Live HYD. S \$1,500 Pat McFarlane 6500 Workman Road, Fallon, NEV. 89406 Reg #1609838 11/87

**FOR SALE: 1987 Fireball 5th wheel,** w/ 6ft. electric pop-out, like new, less than 200 miles. Fully self-contained, air cond. many extras. \$30,000 or \$10,000 and take over pmts. Kevin Benson 32880 Palomares Rd. Castro Valley, CA. 94552 (415) 582-8229 11/87

**FOR SALE: El Dorado County, 5 plus acres.** Separate pastures, sprinkler system, plenty of water. Fruit trees 3 bdrm. home 2 1/2 Ba. 2 story barn all 8 yrs. old. school buses at gate, ajoints fishing. Ideal living for appt; 888-6222 J.E. Bushman Reg #0413422 11/87

**WANTED: Tracto hoe** attachment for H.D. 6-G. or H.D. -G. (209) 296-4364 Jim Browning P.O. Box 24 Pine Grove, CA. 95665 11/87

**FOR SALE: Luxurious Fishing Boat** 1987 Boston Whaler Outrage 20'. 175 Johnson Outboard W/VRO, has 200 hrs., Center Console, OMC Controls, I-COM VHF M-55 with Antenna and Base, Furuno Sounder FMV-601, Ritchie Compass, Leaning Post with Rocket Launchers, Stern and Side Rail Kit, Fiberglass Gunwales, Console Rod Holders w. th Seat Cushions, 20 gallon bait tank, "EZ Loader" THD 21 4000 Galvanized Trailer, Transferable 10 year warranty Plus many extras. Asking \$23,500 or B.O. David Osorio (415) 986-1355 or Julie Gaminq (415) 431-1568 11/87

**FOR SALE: by owner** Quality built, like new 3 bdrm. 2 1/2 ba Ranch-style home. 6 yrs. old, full basement completely finished, with 1 bdrm. and 1/2 ba. sump pump and storage, living rm. carpeted, kitchen & dining area, on sewer, gar door opener, large lot landscaped, utility bldg. in small town of Adrian MO. Ideal for young family or retired, in quiet community. \$52,000 cash. Tony Levy Call (816) 297-2544 or write to P.O. Box 60 Rt. 2 Adrian, MO. 64720 Reg # 0600835 11/87

**FOR SALE: 1974 Ford LN-750 16'** Box with Liftgate new 391-V-8 new clutch 5 Speed/w 2 speed power steering also Pallet Jack. In great cond. Bill Fullmer (801) 489-4423 or (801) 489-9036 11/87

**FOR SALE: 1974 Chev P-30** Step Van 350, V-8 P.S. P.B. dual wheels-16' ft. body in great cond. Bill Fullmer (801) 489-4423 or (801) 489-9036 11/87

**FOR SALE: Reduced for quick sale** 3 Bdrm, 2 Ba. mobile home on 6/10th acre in Lake County. Lots of room for RV, Boat and Garden. Close to fishing and boating. Must sell. \$59,500 Darell Steele (916) 272-2225 Reg #1467145 11/87

**FOR SALE: K & E 1" Theodolite** \$1,000, Zeiss Level \$300, Ted Madson Elementary Survey Law Tapes \$50, plus more. Tom Milton 15720 Rancho Dr. Morgan Hill, CA. 95037 (408) 779-6422 Reg #1143077 11/87

**FOR SALE: Acre lots for sale** on Arizona Strip. 5 miles from Mesquite Nev. Power, water & phones avail Lewis Peterson 290 N. 100 E. Lehi, Ut 84043 (801) 768-9536 Reg # 0828760 11/87

## Honorary Members

At the Executive Board meeting on August 30, 1987, it was reported that the following retirees have 35 or more years of membership in the Local Union as of August 1987 and have been determined eligible for Honorary Membership, effective October 1, 1987:

- Mario Banchemo .....#0636945
- Leo Burkart .....#0738707
- Albert Cameron .....#0641574
- Charles Campbell .....#0552995
- John Cox .....#0711789
- Glen Daly .....#0736599
- Gerald Drenon .....#0738818
- Paul Emerson .....#0321464
- Richard Fox .....#0732160
- Llewellyn Giffen .....#0540642
- Robert Gilman .....#0738826
- Alexander Graham .....#0738738
- Frederick Gregory .....#0689140
- John Hartman .....#0732073
- Joseph Howard .....#0698492
- Ray Husted .....#0603424
- Michael Kraynick .....#0595211
- Owen Laws .....#0503232
- Percy Laws .....#0439968
- William Leckliter .....#0501136
- Sam Leslie .....#0635757
- Jack Misener .....#0707240
- Guarino Perin .....#0640887
- Duane Peterson .....#0630721
- W. E. Pittard .....#0279656
- Clyde Pitts .....#0711831
- James Ritchie .....#0595230
- Neil Rosko .....#0738781
- Martin Rosso .....#0738864
- Jack Ryan .....#0416297
- Charles Smith .....#0643102

## Oahu development to add 8,000 homes

(Continued from page 7)

since 1977 the parking structure, once completed, will have increased the parking area to 18,942 sq. ft.

The State Department of Accounting and General Services has awarded a contract to Thoht Const., Inc. of Honolulu to build a wastewater plant operator training center at Sand Island. Funding for the center is coming from a \$500,000 grant to the State from the U.S. Environmental Protection Agency, plus a state contribution of \$151,000. The City and County of Honolulu is setting aside a portion of its wastewater treatment plant on Sand Island. Funding plans call for construction of a one-story building of 1,900 sq. ft. to house classrooms, a library and a computer to be used in training, plus a parking area. Tentatively scheduled for completion in December.

Pan-Pacific is finishing the parking lot at the Honolulu International Airport. John Popovich, Duane Harrell and Herman Hopfe are doing that work.

Work on the Hotel St. project by Royal Contracting has moved into high gear. Two shifts are going on now so the job will be finished before the Christmas holidays.

Highway Const. also is finishing a job on Lagoon Drive at the airport. Paving of the roads are almost done. Grace Pacific is the paving contractor.

On Kauai, Hawaiian Bitumuls finished a road and parking lot at the Bull Shed in Kapaa. They also are doing a parking lot at the Western Kauai.

Allied Construction has finished the Fern Playground Recreation Building in Kalihi near the Union Hall on Middle St. They also have started ten classrooms with wooden roofs for Waianae

### New development for Oahu

High School located near the ocean.

Ground was broken recently for a major residential development on Campbell Estate land in Ewa that will supply up to 8,000 new housing units for Oahu's residents. Campbell Estate has signed a building agreement with developer Tom Gentry in an effort to advance the estate's goal of transforming Ewa into Oahu's second urban center. The project encompasses 713 acres of land in the Fort Weaver and Geiger Road area that was acquired recently from Harano Brothers, Ltd. and the estate of James Campbell. The initial phase of the project will consist of about 450 single-family detached homes to be built on approximately 50 acres of the first 75-acre increment. The remaining 25 acres will hold about 250 townhouses to be developed when the single family area is half completed.

City Council Planning Committee Chairman hailed the project as a move in the right direction toward creating Oahu's long awaited "second city."

### Pearl City Med Center-continues

Construction continues on Pali Momi Medical Center, the two-tower full service medical center being built on the site of the former Fronk Clinic and Pearlridge Hospital in Pearl City, Oahu. The \$50 million project being built by owner/developer Hawaii Health Service, Inc. comprises two six-story towers; one tower will be a medical office building and the second will be a bedtower (the hospital) Hawaii Health Service, Inc., a subsidiary of Healthcare International. General Contractor for the project is Hawaiian Dredging &

Const. Co., along with American Electric Co., Ltd., which will do the electrical work. Au's Plumbing and Metal Work, Inc. will complete the mechanical and sheetmetal work. The estimated date of completion is late 1988. The structure will have a parking facility of three floors, two of which are to be underground. The building will be automated for air conditioning, have a security system, an inter-room communication system with a computer, and will have a satellite dish system to receive mainland programming from the satellites. The center will have 108 private beds and eight acute beds. Several types of foundations were used; poured-in-place, large mat pads and piles. Roof and walls will be concrete and floors are double-tees and tri-tees with prestressed members. Sixteen elevators will be built. Five are hydraulic; two of which will be glass. The remainder will be traction. The structure will also have escalators. The medical center will have a roof-top walking area for patients.

Delta Const. is doing a Warehouse Distribution Center in Salt Lake across from Radford High School. Two back-hoes on the project are doing the digging. Also a D-9, roller, sheep foot and water truck are working on the project. Steeltech, Inc. is the general contractor. The development is a Triton Continental properties joint venture; a joint venture of Cal & Hawaiian Fund, Inc. (Managing Partner) and Triton Const. Properties Corp. Operators on the job are David "Dede" Andrews, Gene Fujihara, Magno Oasay, Francis Zoda, Robert Simerson and John Kuamoo.

# State Fed will take Cal-OSHA to people

(Continued from page 1)

this case, Cal-OSHA, over which the legislature has power and authority. The opinion, written by Justice Coleman Blease and concurred in by Justices Robert K. Puglia and Keith F. Sparks, goes on to describe the Governor's budget cutting actions as a "novel method of lawmaking" and asserts that it is fair to expect the budget to provide the money to meet expenses required by existing law. "We do not perceive this novel method of law-making to have been intended by the adoption of the budget system. A presupposition of the budget system is that expenses required by existing law will be met," the opinion said.

In somewhat stronger language, referring to the Governor's attempt to shift responsibility for worker safety and health protection to federal jurisdiction, the court states, "...repeal of existing statutes by fiscal strangulation, in the budget bill is an extraordinary and constitutionally suspect mode of procedure."

Deukmejian has said that he will appeal the ruling to the State Supreme Court.

At the same time as the Court of Appeal made its ruling, the State Controller issued the results of the first detailed audit of Cal-OSHA since the shutdown came earlier this year. The report out of Gray Davis's office came as:

- The campaign to restore Cal-OSHA through a ballot proposition got the green light from the Executive Council of the California Labor Federation.

- U.S. Senator Alan Cranston attached an amendment to the Labor Department appropriation bill to guarantee that the state-federal agreement establishing Cal-OSHA will remain in place at least until two lawsuits challenging the governor's action have been tried and all appeals exhausted.

- Davis announced the findings by his auditors during a press conference at Sacramento at almost the same hour the Executive Council was authorizing full speed ahead on the ballot proposition campaign.

- The audit report concludes that the decision to shut down Cal-OSHA and let the federal program oversee safety and health in private industry "was not based upon a thorough analysis and understanding of the differences between Cal-OSHA and federal OSHA, the attendant cost, or assessment of future effects."

- Davis told the media that his staff found a major slackening of health and safety enforcement between last January, when Deukmejian announced his plan, and June 30 when money was cut off.

There was a 21 percent decrease in work place safety inspections during those six months, the controller said. Twenty-nine percent fewer citations were issued for safety violations, and penalties assess for safety violations fell off by 45 percent, he added.

"Under mismanagement of the department, the state virtually stopped enforcing the laws protecting California workers even though it had the money

to do enforcement," Davis charged.

The controller cited additional audit findings:

- The transition from Cal-OSHA to federal OSHA leaves hundreds of penalty cases—325 as of June 30—on appeal without legal resources for handling them.

- There were no attorneys in the office responsible for investigating and bringing charges in cases of criminal violations as of the start of September, a circumstance that Davis said violated the Labor Code.

- As of June 30, Cal-OSHA had a backlog of violation cases in which no action had been taken, depriving the state of revenue and endangering works because of uncorrected hazards. Davis said the true numbers of such cases could not be determined because Cal-OSHA would not tell his auditors where the files were kept, what cases were in them or what steps were planned for closing them out.

The state lost \$3.7 million in penalties not collected from employers and federal fundings and reimbursements not claimed during the switch to federal OSHA, Davis said, including \$400,000 spent on training that was never utilized.

The savings, first projected at \$8 million and then pegged at \$7 million can't exceed \$660,000 in the 1987-88 fiscal year, although about \$3.4 million a year could be saved in subsequent years, he said.

"The transfer (to federal OSHA) is a bad deal for everyone," Davis said.

"The state has lost millions of dollars to buy weaker enforcement. And weaker enforcement means more accidents in the workplace and greater costs to the state and taxpayers to provide for injured workers and their families."

Davis cited auditors' findings that the death rate per dollar of construction work was much higher in states depending upon federal OSHA than it was in California under Cal-OSHA from 1979 through 1986.

If the construction death rate in New York City under federal OSHA during those years had applied in Los Angeles, which was under Cal-OSHA workers' compensation death benefits for the extra workers killed would have been \$2 million a year higher in Los Angeles, Davis said.

This, he noted, would have meant enormous increases in workers' compensation insurance cost.

Concerning the attempt by the State Labor Federation to qualify a ballot proposition, John F. Henning announced that signature gathering to qualify the initiative for the 1988 general election would be conducted through California's Central Labor Councils.

Details of the crucial opening phase of the campaign to restore the state's worker safety and health watchdog agency were revealed in Los Angeles during the first of two regional training sessions for trade unionists.

Henning told participants that securing valid voter signatures on the referendum petitions is the foundation upon which the entire Cal-OSHA drive must stand. "State law strictly regulates the initiative signature gathering process," Henning pointed out. "The federation will hold workshops to train local union and council leadership in these regulations and to map out our strategy for the campaign."

Henning said that all preliminary arrangements are scheduled to be completed and the ballot initiative language approved by the end of November.

## District Mtg. Schedule

District Meetings convene at 8:00 p.m. with the exception of District 17 (Hawaii) meetings, which convene at 7:00 p.m.

### December

- 2nd District 12: Ogden  
Ogden Hilton  
247 24th Street
- 3rd District 11: Reno  
Musicians Hall  
124 West Taylor
- 7th District 9: San Jose  
Labor Temple  
2102 Almaden Road  
San Jose, CA.

### January

- 12th District 4: Eureka  
Engineers Bldg.  
2806 Broadway
- 12th District 17: Kona  
Konawaena School  
Kealahou
- 13th District 7: Redding  
Engineers Bldg.  
100 Lake Blvd.
- 14th District 6: Marysville  
Engineers Bldg.  
1010 "I" Street
- 19th District 17: Kauai  
Wilcox Elem. School  
4319 Hardy Street
- 20th District 1: San Francisco  
Seafarers Int. Aud.  
350 Fremont St.
- 27th District 17: Honolulu  
Kalihi Waena School  
1240 Gulick Ave.
- 28th District 17: Maui  
Kahului Elem. School  
410 S. Hina Ave.  
Kahului, Maui
- 29th District 17: Hilo  
Kapiolani School  
966 Kilauea Ave.

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