



# ENGINEERS NEWS

VOL. 36, NO. 3

SAN FRANCISCO, CA

MARCH 1985

## Important Notice

Please turn to page 15 for an official notice regarding the Election of the Local 3 Election Committee.



Local 3 heavy duty mechanic West Davis works on Cat 980C loader at Tenco, Inc. near Sacramento. See page 8-9 for photo feature.

## Local 3 takes aim at non-union contractors

### Union monitoring program puts heat on open shop jobs

By James Earp

Local 3 escalated its campaign against non-union contractors this month with the formation of the Foundation for Fair Contracting, a joint Labor-Management board which will begin formal operation April 1.

Establishment of the foundation will allow Local 3 to "expand our monitoring of non-union contractors on public works projects," Local 3 Business Manager Tom Stapleton announced.

Due to cutbacks in the number of state and federal compliance officers, an increasing number of prevailing wage and job safety violations have gone unreported throughout the state.

"Refusal of the Reagan and Deukmejian administrations to enforce the law in the area of job standards has created an open season for non-union and out-of-state contractors," Stapleton declared.

"Projects that we have fought years for are being handed over to non-union firms — most of them out-of-state, who bring absolutely no economic benefit to our members or to the state.

"These are the contractors we find are most often guilty of breaking the law on job safety standards and in the payment of prevailing wages," Stapleton said. "If the state and federal agencies won't go after them, then we will. We will not stand idly by while the non-union element reaps the benefit of our hard labor."

In response to this trend, Local 3, in cooperation with a number of fair union contractors and other unions, spearheaded a job monitoring program last fall. Monitors were posted on designated public works projects which had been awarded to non-union contractors.

Monitors are assigned to document how many workers worked on each project and under which classifications they were working. Safety practices are observed. Certified payrolls are obtained, when necessary to verify whether or not employers are cheating workers out of wages and benefits.

The results of the program have already brought significant results, according to program director, Chuck Center. On nearly every job that has been monitored, major discrepancies have been found in payroll records.

• R.G. Smith, a heavy equipment rental company, has paid \$27,000 in back wages and penalties, due to

(Continued on page 2)



Building Tradesmen protest award of I-580 project to non-union firm.

### Furor over I-580 project

## Building Trades take Caltrans to court

The battle to halt the biggest non-union construction project in the Bay Area is moving to the courts after a heated skirmish before a legislative committee.

Legal action has been filed against Caltrans and the contractors by the Alameda County Building Trades Council, charging that the agency violated its own requirements affecting licensed contractors and minority business enterprises. The case is now before the Superior Court of Alameda County.

The \$46.6 million Caltrans contract to rebuild an interchange on Interstate 580 at Hayward was awarded to the non-union joint venture of R.A. Hatch Construction Co. and Rail-Roadway Constructors, both of Oregon.

While construction workers protested outside the state office building in Oakland on Feb. 22, city and county leaders joined union officials in denouncing the contract before a joint committee charged by the Legislature with investigating the way Caltrans officials awarded the contract.

Union representatives charged that:

- Affirmative action requirements were flouted because one of the required minority owned contractors is owned by a Hatch employee who invested only \$500, while another is owned by Hatch's wife.

- Licensing laws were abused when the non-union firm got the contract, even though it was found that the company did not have a valid contractors license for California, as required by state law.

- Caltrans failed to adequately investigate the allegations against the firm, after being provided detailed infor-

mation by the Alameda County Building Trades Council.

- The economic benefits of the project are lost when an out-of-state contractor obtains the contract and uses non-local workers.

At the legislative hearing, State Senator Nicholas Petris (D-Oakland) stated that the contract might be the "opening gun" in a new Republican-directed attack on unions.

Jack Henning, executive secretary-treasurer of the California Labor Federation, testified that "it is absurd" that a state agency would ignore California private enterprise and "bring in an out-of-state contractor under conditions that are best described as dubious."

John George, chairman of the Alameda County Board of Supervisors called the contract "scandalous." He added: "We are asking Caltrans to stop



I-580 job near Hayward is one of many projects under scrutiny by Local 3 job monitors.

## Out-of-state firms getting free ride here

By James Earp  
and Larry Edginton

A Local 3 investigation of a non-union company from New Mexico, which is currently building a \$12 million segment of the San Felipe Project, indicates that state and federal agencies are frequently incompetent in the awarding of construction contracts to out-of-state firms.

According to documents obtained by Local 3 representatives, Cal/OSHA and the Bureau of Reclamation carried out what can only be described as an extremely superficial examination of KNC, Inc. out of New Mexico, before the firm was awarded with a \$12 million contract to build the Pacheco Conduit, which is part of the San Felipe project southeast of San Jose.

The contract for the project was awarded in June 1984, even though construction did not begin until last November.

When completed, the San Felipe Project will divert water from the San Luis Reservoir through a 10-mile tunnel under Pacheco Pass east of Gilroy to furnish water from the Central Valley Project to the South Bay area communities.

Cal/OSHA, which is charged with the responsibility of enforcing job safety regulations, issued the company a permit for excavation work without even checking with the New Mexico Occupational Health and Safety review Commission to determine KNC's safety record. According to Cal/OSHA Regional Director Andy Anderson.

Information obtained by Engineers News reveals that:

- KNC has a history of serious safety violations in the state of New Mexico.

- From January 1981 to October 1984, KNC employees suffered 305 lost time accidents — two of them fatalities.

- The New Mexico safety commission has given KNC, Inc. repeated citations and fines for safety violations on trenching jobs.

- Last October, a KNC employee identified as an illegal alien from Mexico was killed in a pipeline trench that collapsed on a waterline job in Sante Fe.

- KNC went to court to prevent state OSHA officers from interviewing their employees about company safety violations without the presence of a management representative.

- The company has lobbied the New Mexico legislature in opposition to job safety legislation and in support of reducing the operating budget of the state's OSHA program.

- The New Mexico Attorney General is seeking an indictment for man-

(Continued on back page)



By T.J. (Tom) Stapleton, Business Manager

# LOOKING AT LABOR

## Taking action against open shop movement

### ENGINEERS NEWS

WIPA



PUBLISHED TO PROMOTE THE GENERAL WELFARE OF ALL ENGINEERS AND THEIR FAMILIES

T.J. "TOM" STAPLETON

Business Manager and Editor

HAROLD HUSTON  
President

BOB SKIDGEL  
Vice President

JAMES "RED" IVY  
Rec.-Corres. Secretary

NORRIS CASEY  
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JAMES EARP  
Managing Editor

ENGINEERS NEWS is published monthly by Local 3 of the International Union of Operating Engineers, 474 Valencia St., San Francisco, CA 94103. Second class postage paid at San Francisco, CA. USPS Publication Number 176-560. Subscription price \$6.

OPEIU-3-AFL-CIO (3)

Any trade union member who takes a look at construction industry statistics should immediately see something disturbing about them. For example:

- In 1984 (a good year for most Local 3 members), the number of construction workers nationwide increased by nearly a half million over 1983. Yet, the number of union construction workers decreased from 27.5 percent of the workforce to only 23.5 percent.

- Average wages were almost 34 percent higher for union than for non-union workers in 1984.

What these figures show is that, even though there was plenty of work in the industry last year, union members got less of it. Furthermore, there are increasing numbers of construction workers who appear to be willing to work for wages that are significantly less than what their union counterparts earn.

These figures show in a graphic way what we have known all along: we have a big job to do in combating the open shop movement.

As you will notice from a number of articles that appear in this issue, Local 3 is doing considerably more than merely talking about our problems. We are actively doing something about them.

- With the help of several fair union contractors, we have established a very effective job monitoring program to watchdog non-union contractors working on public funded projects. Next month this program will be expanded formally into the Foundation for Fair Contracting (see page 1).

What have we accomplished with this program so far? Plenty. By placing job monitors on key non-union public projects, we are documenting a host of wage and labor standards violations.

In a few short months, we have succeeded in providing documentation

***"Just as contractors are more willing today to employ management consultants to help them deal with unions, so should we take advantage of the best training available for our people."***

to government agencies that has led to citations and tens of thousands of dollars in fines against non-union contractors who are breaking the law.

We have succeeded in getting several non-union firms thrown off project bid lists because of information we have collected on past violations they have committed — thereby opening up the projects to union contractors.

We have only broken the tip of the iceberg. In future months, we are confident that many more violations will be documented and charges filed.

Why are we going to all this effort? To protect the rights of our members. By putting the heat on unscrupulous contractors, we are making it more difficult for them to use low wages as a means of underbidding fair union contractors.

- We are escalating our organizing efforts. For the first time in many years, Local 3 has a fully functioning organizing department, whose sole function is to identify key organizing prospects and conduct organizing campaigns.

There is no question in my mind that the key to the survival of the building trades is to learn to organize more effectively. The "old ways" are just that — old and outdated.

The building trades have often been accused of relying on "top down" organizing during the past couple of decades. If there is a measure of truth in

that statement, we cannot afford for it to be true any longer.

I cannot believe that non-union construction workers *choose* to work for 34 percent less wages than union workers. It is our job to communicate more effectively what labor has to offer.

- We are training our business agents to be more effective at representing the member. Even more important than organizing the unorganized, is our obligation to effectively represent our rank-and-file members.

If we fail to do that, we have no union. Again we must stress that the old ways are no longer sufficient. Employers are more sophisticated in the tools they use to fight unions.

Just as contractors are more willing today to employ management consultants to help them deal with unions, so should we take advantage of the best training that is available for our people. That is exactly what we are doing.

Our business agents are receiving training from qualified professionals on the art of negotiation, developing better communication skills, building self confidence, learning the fundamentals of wage and labor standards.

This training is providing better skills for our business agents and therefore, better representation.

- We are initiating a new job stewards training program. Traditionally, job stewards have been utilized more fully in the public and industrial sectors than they have been in the construction industry. We must change that trend.

We cannot underestimate the value of a knowledgeable, well trained job steward. A job steward should be the business agent's first line of information and an employee's first line of defense when a problem arises.

Our aim is to improve the lines of communication from business agent to job steward and from job steward to employee, and vice versa. With 30,000 members, that itself is a monumental task for Local 3.

I need to emphasize that none of these programs has reached perfection. We are still developing them and learning how to implement them as we go. This is not a "flash in the pan" effort — here today gone tomorrow. Each program represents a commitment to a long term effort to combat the problem of the open shop movement head on.

It is the belief of your officers that the time to talk about the problems facing building trades unions today is over. Although they are a factor, we cannot blame all of our problems on such things as union-busting consultants and right-wing politicians.

We need to look at ourselves honestly and ask: "What does the union have to sell? Why should an employee want to remain or become a member of our union? Are we doing our best to promote unionism?"

Thousands of Local 3 members are more than willing to testify that, not only does Local 3 have a great deal to offer, *we cannot afford to live and work without benefits and security the union provides.* We just have to do a better job of selling that vital message.

## Job Monitoring program reaps reward on open shop violations

(Continued from page 1)

documentation filed by Local 3 monitors.

- A non-union contractor who submitted the low bid on a structural project for the San Luis Canal was refused award of the contract by the Bureau of Reclamation, after protests were filed by Local 3, based on information union monitors had collected on the company.

- Roy D. Garren — an unlicensed contractor out of Oregon, has been cited for \$40,000 in back wages and fines, due to nonpayment of prevailing wages on a levy project in the Delta.

- A formal complaint has been issued against KNC, Inc. for nonpayment of prevailing wages on a contract for wood clearing on the \$12 million Pacheco Conduit (see page 1).

These actions are only the "tip of the iceberg," says Business Manager Tom Stapleton. "We are confident that as

monitors are placed on more non-union projects, we will uncover an increasing number of violations."

According to program director Chuck Center, monitors have been assigned to several jobs in the San Joaquin Valley, as well as the Interstate 580 project in the East Bay and the KNC project in the South Bay (see articles on page 1).

"The establishment of the Foundation for Fair Contracting will enlarge our working budget and allow us to monitor a greater number of jobsites," Stapleton added.

"The whole purpose of this project is to keep the law from being undermined and to give non-union contractors fair notice that they are not going to come in and take our jobs without a fight," Stapleton charged.

"If they plan to sneak in with low bids based on cutting corners and cheating workers out of wages, they are going to pay the piper."

## I-580 lawsuit

(Continued from page 1)

this contract in its tracks. We do not want non-union contractors." The county board has formally protested the Caltrans action.

Local 3 Business Manager Tom Stapleton stated after the hearing that the actions taken by the Building Trades against the I-580 project will "serve notice to Caltrans and other state agencies that we do not intend to let them undermine our own economy by encouraging out-of-state, non-union employers."

"We may not succeed in cancelling this particular contract," Stapleton added, "but we have won a key battle anyway. Hatch Construction is going to have to shell out a lot more money to employ legitimate subcontractors."

"Furthermore, Caltrans now realizes that we mean business," he charged. "We'll be watching them on every major contract to see that they are awarded according to the law. We aren't about to fight for these projects in public hearings and in the legislature, only to have them turned over to non-union outfits."

## AFL-CIO Executive Council maps out proposal for rebuilding union strength

The broad scope of new strategies proposed for the AFL-CIO became apparent to union members this past month as discussions of the Executive Council's action at its annual winter meeting in Bal Harbour, Florida, reached into local unions.

The council, after reviewing a self-assessment based upon a 2½ year study of the problems union workers face in an altered economy, approved sweeping recommendations including such innovations as more use of the electronic media and experiments with new forms of collective bargaining.

National leaders made it clear that they considered many of the recommendations to be far-reaching departures from union tradition. Putting most of the program into effect would require approval of individual unions, giving added importance to debate beginning on the local level.

"The report offers guidelines to help the labor movement fulfill its historic mission in this new, complex and changing era," said AFL-CIO President Lane Kirkland.

The recommendations include:

- Experimenting with new forms of collective bargaining. Citing surveys that indicate workers often do not want traditional adversarial bargaining and formal contracts, the report suggests that unions could provide "advocacy for individuals" and could "negotiate minimum guarantees that will serve as a floor for individual bargaining."

- Promoting the use of "corporate campaigns." It was pointed out that recalcitrant employers have been brought to the bargaining table and

contracts have been achieved through such tactics as withdrawing union pension fund investments and vigorous publication of corporate wrongdoing.

- Putting more effort into organizing small companies. More than a third of the work force is employed by companies employing fewer than 25 workers, and in such workplaces conditions often are inferior and need for union representation greater, the report noted.

- Establishing new categories of union membership at workplaces where no contract has been achieved. Kirkland said that too often pro-union workers fail to become members if the union fails to win a representation election. Even without contracts, he said, unions could offer job training, supplemental insurance and other benefits that would encourage workers to join.

- New guidelines to encourage mergers as a means of improving workers' clout.

- New procedures for heading off wasteful competition between unions seeking to organize the same groups of workers.

- More use of radio and television to overcome near invisibility of the labor movement and its goals on those media.

- Establishment of better orientation programs for new members who number up to a million a year.

## Criminal charges filed against contractors

The United States Attorney's Office in San Diego has filed criminal charges against nine government contractors for cheating construction workers out of more than \$700,000 in wages.

The charges resulted from a U.S. Department of Labor investigation under the Davis-Bacon Act which found the companies failed to pay prevailing wages.

The Davis-Bacon law requires that construction workers be paid prevailing area wages in federally financed or assisted construction projects. The Labor Department's Wage and Hour Division sets the prevailing wage rates and monitors compliance by contracting agencies.

Assistant U.S. Attorney Eve Birmingham said the firms held construction contracts exceeding \$3.6 million with federal civilian and military agencies. The Wage and Hour Division determined 256 workers were underpaid \$712,401.

Birmingham said that in all cases except one the contractors will be able to pay back the wages owed. She explained the federal agencies that contracted the work withheld final payment on the contracts until the investigation was completed.

Birmingham said the legal action underscores the government's intent to enforce the Davis-Bacon law to protect workers and to protect the contractor who is precluded from winning government contracts because of low bidding by those who do not intend to pay prevailing wages.

The federal grand jury, Birmingham said, also indicted a welding firm on five counts of filing false payroll reports and 10 counts of taking kickbacks from public works employees.



Idaho union members march on statehouse to protest right-to-work law passed over the governor's veto, and to serve notice to right wing politicians that the battle is far from over.

## Idaho is not a good place to work

Contractors are looking forward to paying lower wages and providing fewer benefits in the aftermath of the Idaho legislature's repeal of the state's prevailing wage law.

The repeal became law without the governor's signature when it became apparent that the Republican dominated legislature would override a veto just as it did a week earlier on a "right to work" bill outlawing union shops.

An official of the state contractors association said that in developing new and lower wage scales for state-funded construction, "we'll have to find the magic number that the guys will go to work for."

Idaho Public Works Director Brian Chase said he anticipated a 20 percent cut in payrolls on state construction

projects, but he expressed concern that the quality will suffer if projects go to the low bidder as the law requires.

"I'm concerned about a guy who pays carpenters \$4 an hour," Chase said in an interview with the Bureau of National Affairs.

The new legislation repeals the eight hour day limitation on straight time work that had been a part of the prevailing wage law. But it leaves intact a provision in the state constitution that sets an eight hour work day standard for the private sector. It also retains the provision of the prevailing wage law that limits the employment of out of town workers to not more than 10 percent of the workforce on state construction projects employing up to 50 workers and 5 percent on larger projects.

## Davis-Bacon under attack in Colorado

Denver — A bill that would repeal Colorado's prevailing wage law for construction workers on state projects was passed by the Colorado state senate last month.

Senate Bill 112 was approved by a vote of 24-11. The bill repealing Colorado's version of the Davis-Bacon Act will apply to state projects costing \$150,000 or more.

Joe Donlon, a spokesman for the Building and Construction Trades Council of Colorado disputes claims by employers that the law will be good for the industry.

"The argument that contractors are fair to their people is ludicrous," Donlon asserted. Repeal of the prevailing wage law "means a loss of protection to working men and women, protection afforded them since 1933," he said. A federal wage check of Colorado jobsites by the Department of labor "hit 22 jobs out of 318," Donlon said. Of 22 jobs investigated by the Wage and Hour Division "at least \$400,000" in wages had not been collected by workers, but "put in the contractors' pocket," he said. Furthermore, SB 112 "means a loss of

protection to Colorado contractors," Donlon said.

"It's not unreasonable to expect to see out of state contractors coming into the area and bringing in low paid help, and taking the job away from a local contractor," Donlon said. This results in a drain of tax revenue "when out of state contractors and construction workers take that money back to their home state."

Donlon said the prevailing wage law has a "stabilizing effect in maintaining a good quality labor force." He also questioned the notion that budgetary considerations prompted passage of the bill in the senate. "We asked the legislators if the question is really to lower construction costs in state buildings, why were they thinking only wages, why didn't they put a cap on (contractor) profits?"

A companion measure has been introduced in the Colorado House and hearings are scheduled to begin soon. Supporters of the bill say they are confident the measure will pass in the House as well.



## Turning a good deed

Details for the refurbishing of the National Boy Scout Memorial by union volunteers are worked out by Hubert Stockhausen, business representative of the Stone and Marble Masons Local 2, and Ted Reed, Research Director of the Operating Engineers. The restoration effort is a project of the BSA National Advisory Committee in marking the 75th anniversary of scouting.



By HAROLD HUSTON, President

## A Personal Note From The President's Pen

We just concluded our round of Retirees Association and District meetings which were well attended, and want to express our appreciation to those that attended. I would also like to extend a personal invitation to all the brothers and sisters who did not attend; it's your responsibility to attend these important meetings. Your constructive criticisms and suggestions are always welcome.

I had the opportunity to attend the California Labor Federation, AFL-CIO Worker's Compensation Conference in Sacramento on March 5 to receive an update on this important benefit.

Worker's Compensation is the major labor issue before the 1985 session of the State Legislature. The conference focused on how the current system works and what legislative reforms are urgent to the needs of California's workers.

The state system remains inadequate and inequitable 15 years after the National Commission on State Workers Compensation Laws reached the same conclusion. Occupational disease is simply not compensated by the state system. Exposed workers do not know they are at risk of occupational disease. As bad as it is the court system is the only real alternative for occupational disease compensation.

The proposed Federal Reforms are:

1. Minimum federal workers compensation standards.
2. Federal occupational disease compensation program.
3. High risk occupational disease notification and prevention act.
4. National product liability law.

State programs are inadequate and inequitable in 19 essential recommendations. The national average level of reform is 12 out of 19. The highest level of reform is Wisconsin who has 15 out of 19. The lowest level of reform is Mississippi who has 7 out of 19. California's level of reform is 12 out of 19.

The highest weekly wage benefit is Alaska with \$1,080. The lowest weekly wage benefit is Mississippi with \$112. The California weekly benefit is \$224.

In occupational disease less than 10 percent of all cases are compensated although some 90 percent are litigated. The basic issue is compensability "arising out of and in the course of employment." Artificial barriers in state law to occupational disease compensation are ordinary disease of life, time limitations and peculiar to the workplace.

I feel the workers have the right to know the hazards and the right to know the risks. To be told several months or years later is not a fair practice. There are approximately 100,000 persons a year dying from occupational diseases.

In workers cases only approximately 11 percent of the cases go to court of which 50 percent of the awards are mostly injury.

Asbestos legal gridlocks in some 25,000 to 30,000 cases where Manville has spent \$49.5 million of which only 30 percent went to claimants. Most occupational disease cases are settled for small amounts. It's very difficult to bring occupational disease third party suits because of uncertainty and cost.

High risk occupational disease notification and prevention act (HR1309) identifies workers populations at high or increased risk.

• High risk — 100 percent increased disease test.

• Increased risk — 30 percent increased disease test.

Workers are notified at high or increased risk and provided information. Occupation and environmental health centers for medical monitoring, strong worker discrimination protections and disease treatment with subrogation rights.

State court laws vary from California and New Jersey to Mississippi and Alabama. The Kasten Bill weakens the strongest standards, its a strict liability. Labor is presently drafting a strong alternative to Kasten.

On any new bills under consideration you have many interested groups lobbying. The insurance industry, government, labor, defense attorneys representing employers and applicants' attorneys representing the injured employee. Applicants' attorneys are on the side of labor 97 percent of the time.

The California Workers' Compensation law was designed in 1914. It costs \$5 billion state wide per year. We need more money going into the workers' pockets, not the lawyers pockets. The only way this can be accomplished is to upgrade the law and reduce litigation. Employers oppose claims where they think part is from aging and part has happened outside the workplace. Serious and willful misconduct by employers are seldom tried and hard to prove.

The injured person has a choice of the doctor he or she wants to see. However the injured worker has to notify the employer who his or her doctor is. The state will audit a Self Insured Plan if there is a problem.

### Return of good weather

## Two jobs start up in Redding area

Tom Hester, Business Representative from Redding, reports that with the good weather in the north state since the first of the year, two jobs have started back up. Hardrock Construction has a few members working on their Canby Avenue job. They are getting ready to put sub-base material down. Also, West Valley Construction started up on their water line job at the Redding Airport.

Bids were to be opened on the Deschutes Road over-crossing on last month. There are quite a few plans out on this one. It is hoped a good union contractor will nail this \$4.6 million job. It consists of 40% on the structures and 60% on the dirt.

There is a \$2.5 million overlay job that was advertised in February, plus a \$2.5 million truck climbing lane on south-bound I-5 just past the scales in Cottonwood.

Wright-Schubart-Harbor Company has started work on their \$6 million Diatomaceous Earth at Burney the middle of February. Although there will not be many operators on this job, the important thing is that this is private work and organized labor was successful in getting a union agreement for all the crafts.

By this time it is common knowledge that W. Jaxon Baker sold his plant to J. F. Shea which consisted of Shasta Red-Mix and Agg. Products. At present, Local 3 is in the process of organizing this plant.

There is a Pre-Job Conference with C. W. Roen Company for their sewer project in Cottonwood the first week in February. They should start this \$2.6 million job shortly after that.

McGuire & Hester has started their Cottonwood sewer project. There will be about ten operators on this job. There is 100,000 feet of sewer line on their \$3½ million project.

The \$80 million project north of Redding is in the 1986 budget. Part of the job should be advertised near the end of the year.

As a whole, 1984 was a far better year than 1983. The Redding office dispatched over 100 men more in 1984 than 1983.

If any hands want to sharpen up their gradesetting skills, there will be informal classes on Wednesday nights at the Redding hall.



## A Bargain At Twice the Price!

Local 3 members now have the opportunity to purchase light-weight jackets imprinted with the Operating Engineers logo. The jackets are union made in America. They are green with white trim, feature a brushed polyester lining and 100% nylon collar, cuffs and waistband.

The jackets sell for \$25 and may be ordered through your district office or the Local 3 Public Relations Dept. at 474 Valencia Street, San Francisco, CA 94103; (415) 431-1568.

They come in adult sizes of small, medium, large, extra large, and double-extra large. Proceeds from the sale of the jackets go to the union political action program.

Members wishing to order the jackets should write a check or money order payable to SELEC.

### Grievance Committee Election

Recording-Corresponding Secretary James "Red" Ivy has announced that due to a lack of quorum at the District 17, Hilo quarterly membership meeting on January 30, 1985, a Grievance Committee Election will be held at the next regularly scheduled quarterly membership meeting to be held on April 25, 1985.

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projects, but he expressed concern that the quality will suffer if projects go to the low bidder as the law requires.

"I'm concerned about a guy who pays carpenters \$4 an hour," Chase said in an interview with the Bureau of National Affairs.

The new legislation repeals the eight hour day limitation on straight time work that had been a part of the prevailing wage law. But it leaves intact a provision in the state constitution that sets an eight hour work day standard for the private sector. It also retains the provision of the prevailing wage law that limits the employment of out of town workers to not more than 10 percent of the workforce on state construction projects employing up to 50 workers and 5 percent on larger projects.

## Davis-Bacon under attack in Colorado

Denver — A bill that would repeal Colorado's prevailing wage law for construction workers on state projects was passed by the Colorado state senate last month.

Senate Bill 112 was approved by a vote of 24-11. The bill repealing Colorado's version of the Davis-Bacon Act will apply to state projects costing \$150,000 or more.

Joe Donlon, a spokesman for the Building and Construction Trades Council of Colorado disputes claims by employers that the law will be good for the industry.

"The argument that contractors are fair to their people is ludicrous," Donlon asserted. Repeal of the prevailing wage law "means a loss of protection to working men and women, protection afforded them since 1933," he said. A federal wage check of Colorado jobsites by the Department of labor "hit 22 jobs out of 318," Donlon said. Of 22 jobs investigated by the Wage and Hour Division "at least \$400,000" in wages had not been collected by workers, but "put in the contractors' pocket," he said.

Furthermore, SB 112 "means a loss of

protection to Colorado contractors," Donlon said.

"It's not unreasonable to expect to see out of state contractors coming into the area and bringing in low paid help, and taking the job away from a local contractor," Donlon said. This results in a drain of tax revenue "when out of state contractors and construction workers take that money back to their home state."

Donlon said the prevailing wage law has a "stabilizing effect in maintaining a good quality labor force." He also questioned the notion that budgetary considerations prompted passage of the bill in the senate. "We asked the legislators if the question is really to lower construction costs in state buildings, why were they thinking only wages, why didn't they put a cap on (contractor) profits?"

A companion measure has been introduced in the Colorado House and hearings are scheduled to begin soon. Supporters of the bill say they are confident the measure will pass in the House as well.



## Turning a good deed

Details for the refurbishing of the National Boy Scout Memorial by union volunteers are worked out by Hubert Stockhausen, business representative of the Stone and Marble Masons Local 2, and Ted Reed, Research Director of the Operating Engineers. The restoration effort is a project of the BSA National Advisory Committee in marking the 75th anniversary of scouting.



By HAROLD HUSTON, President

## A Personal Note From The President's Pen

We just concluded our round of Retirees Association and District meetings which were well attended, and want to express our appreciation to those that attended. I would also like to extend a personal invitation to all the brothers and sisters who did not attend; it's your responsibility to attend these important meetings. Your constructive criticisms and suggestions are always welcome.

I had the opportunity to attend the California Labor Federation, AFL-CIO Worker's Compensation Conference in Sacramento on March 5 to receive an update on this important benefit.

Worker's Compensation is the major labor issue before the 1985 session of the State Legislature. The conference focused on how the current system works and what legislative reforms are urgent to the needs of California's workers.

The state system remains inadequate and inequitable 15 years after the National Commission on State Workers Compensation Laws reached the same conclusion. Occupational disease is simply not compensated by the state system. Exposed workers do not know they are at risk of occupational disease. As bad as it is the court system is the only real alternative for occupational disease compensation.

The proposed Federal Reforms are:

1. Minimum federal workers compensation standards.
2. Federal occupational disease compensation program.
3. High risk occupational disease notification and prevention act.
4. National product liability law.

State programs are inadequate and inequitable in 19 essential recommendations. The national average level of reform is 12 out of 19. The highest level of reform is Wisconsin who has 15 out of 19. The lowest level of reform is Mississippi who has 7 out of 19. California's level of reform is 12 out of 19.

The highest weekly wage benefit is Alaska with \$1,080. The lowest weekly wage benefit is Mississippi with \$112. The California weekly benefit is \$224.

In occupational disease less than 10 percent of all cases are compensated although some 90 percent are litigated. The basic issue is compensability "arising out of and in the course of employment." Artificial barriers in state law to occupational disease compensation are ordinary disease of life, time limitations and peculiar to the workplace.

I feel the workers have the right to know the hazards and the right to know the risks. To be told several months or years later is not a fair practice. There are approximately 100,000 persons a year dying from occupational diseases.

In workers cases only approximately 11 percent of the cases go to court of which 50 percent of the awards are mostly injury.

Asbestos legal gridlocks in some 25,000 to 30,000 cases where Manville has spent \$49.5 million of which only 30 percent went to claimants. Most occupational disease cases are settled for small amounts. It's very difficult to bring occupational disease third party suits because of uncertainty and cost.

High risk occupational disease notification and prevention act (HR1309) identifies workers populations at high or increased risk.

• High risk — 100 percent increased disease test.

• Increased risk — 30 percent increased disease test.

Workers are notified at high or increased risk and provided information. Occupation and environmental health centers for medical monitoring, strong worker discrimination protections and disease treatment with subrogation rights.

State court laws vary from California and New Jersey to Mississippi and Alabama. The Kasten Bill weakens the strongest standards, its a strict liability. Labor is presently drafting a strong alternative to Kasten.

On any new bills under consideration you have many interested groups lobbying. The insurance industry, government, labor, defense attorneys representing employers and applicants' attorneys representing the injured employee. Applicants' attorneys are on the side of labor 97 percent of the time.

The California Workers' Compensation law was designed in 1914. It costs \$5 billion state wide per year. We need more money going into the workers' pockets, not the lawyers pockets. The only way this can be accomplished is to upgrade the law and reduce litigation. Employers oppose claims where they think part is from aging and part has happened outside the workplace. Serious and willful misconduct by employers are seldom tried and hard to prove.

The injured person has a choice of the doctor he or she wants to see. However the injured worker has to notify the employer who his or her doctor is. The state will audit a Self Insured Plan if there is a problem.

### Return of good weather

## Two jobs start up in Redding area

Tom Hester, Business Representative from Redding, reports that with the good weather in the north state since the first of the year, two jobs have started back up. Hardrock Construction has a few members working on their Canby Avenue job. They are getting ready to put sub-base material down. Also, West Valley Construction started up on their water line job at the Redding Airport.

Bids were to be opened on the Deschutes Road over-crossing on last month. There are quite a few plans out on this one. It is hoped a good union contractor will nail this \$4.6 million job. It consists of 40% on the structures and 60% on the dirt.

There is a \$2.5 million overlay job that was advertised in February, plus a \$2.5 million truck climbing lane on south-bound I-5 just past the scales in Cottonwood.

Wright-Schubart-Harbor Company has started work on their \$6 million Diatomaceous Earth at Burney the middle of February. Although there will not be many operators on this job, the important thing is that this is private work and organized labor was successful in getting a union agreement for all the crafts.

By this time it is common knowledge that W. Jaxon Baker sold his plant to J. F. Shea which consisted of Shasta Red-Mix and Agg. Products. At present, Local 3 is in the process of organizing this plant.

There is a Pre-Job Conference with C. W. Roen Company for their sewer project in Cottonwood the first week in February. They should start this \$2.6 million job shortly after that.

McGuire & Hester has started their Cottonwood sewer project. There will be about ten operators on this job. There is 100,000 feet of sewer line on their \$3½ million project.

The \$80 million project north of Redding is in the 1986 budget. Part of the job should be advertised near the end of the year.

As a whole, 1984 was a far better year than 1983. The Redding office dispatched over 100 men more in 1984 than 1983.

If any hands want to sharpen up their gradesetting skills, there will be informal classes on Wednesday nights at the Redding hall.



## A Bargain At Twice the Price!

Local 3 members now have the opportunity to purchase light-weight jackets imprinted with the Operating Engineers logo. The jackets are union made in America. They are green with white trim, feature a brushed polyester lining and 100% nylon collar, cuffs and waistband.

The jackets sell for \$25 and may be ordered through your district office or the Local 3 Public Relations Dept. at 474 Valencia Street, San Francisco, CA 94103; (415) 431-1568.

They come in adult sizes of small, medium, large, extra large, and double-extra large. Proceeds from the sale of the jackets go to the union political action program.

Members wishing to order the jackets should write a check or money order payable to SELEC.

### Grievance Committee Election

Recording-Corresponding Secretary James "Red" Ivy has announced that due to a lack of quorum at the District 17, Hilo quarterly membership meeting on January 30, 1985, a Grievance Committee Election will be held at the next regularly scheduled quarterly membership meeting to be held on April 25, 1985.

## San Bruno park job goes into 2nd phase

The construction for the second part of the San Bruno Mountain State and County Park development project was awarded last month.

The San Mateo Board of Supervisors awarded Piombo Construction Co. a contract for building an underpass and access roads at the park entrance on Guadalupe Canyon Parkway on its low bid of \$476,788.

A contract was awarded in August, 1984 for part one of the project, \$896,700 for a new entrance road and station, parking, picnic area, restrooms, utilities and day camp site preparation. That work is approximately 30 percent complete, according to the County General Services Director.

Piombo, one of nine bidders, is to build an underpass for auto, bicycle and pedestrian traffic below the four-lane parkway to connect the two sections of the park. The work also includes improving the parking lot at the trail head, new turning lanes from the parkway to the entrance and other work on the right-of-way.

## San Mateo diddles on Devil's Slide

After yet another lengthy public hearing that lasted until midnight, the San Mateo County Board of Supervisors still have not decided what to do about the Highway 1 replacement project at Devil's Slide.

On the drawing boards for well over 15 years, the issue is again in the spotlight for Bay Area highway projects. The last public hearing, held in Half Moon Bay, was to consider the recommendations of Caltrans for the bypass. Caltrans had last month decided that it favors the "adopted alignment" route that turns northbound traffic inland near the Half Moon Bay Airport and channels through the communities of Montara and Moss Beach. The roadway would then extend over the hills east of Devil's Slide to the existing Highway 1 route in Pacifica, a total of seven miles.

Although the main purpose of the hearing was to discuss the final environmental impact statement and amendments to the local coastal plan, little, if any testimony addressed the issues. Opponents of the project packed the hearing, which started at 7:00 p.m. and lasted until nearly midnight.

## \$75 million project for Lake Tahoe

A controversial \$75 million "destination resort" proposed for Squaw Valley was given a tentative go-ahead early this month by the Placer County Planning Commission.

Construction could begin as soon as this summer on the hotel - condominium centerpiece of a sprawling 640 acre development, which would be the largest single project in the Tahoe area in the last 25 years.

The project, proposed by the Perini Land and Development Co. of San Francisco, still needs the approval of the county Board of Supervisors and the regional water quality control board before work can begin.

Included in the residential project are a combination of 626 high quality density condominiums along with 63 low density individual units. The condominium units are to be constructed in two buildings of seven or eight stories.

## Senate approves \$7 billion federal highway program

The Senate has unanimously approved legislation to release more than \$7 billion in federal funds to states for interstate highway construction.

The Senate action was a major step toward ending a congressional stalemate that has blocked release of the federal money since last October, when House and Senate conferees failed to agree on a bill. The House must still pass its own version of the bill.

But the two chambers appeared to remain at odds over several major issues, including whether to fund a bridge and tunnel project in Boston worth over \$2 billion that has the

support of House Speaker Thomas O'Neill (D-Mass).

Rep. James Howard (D-NJ), chairman of the House Public Works and Transportation Committee, has introduced an interstate funding bill that committee aides said will go to markup Feb. 27. It is scheduled to be sent to the floor the next day, Feb. 28.

According to a congressional aide, the Howard bill would treat the Boston project favored by O'Neill as part of the interstate system making it eligible for funding, whereas the Senate bill would not. The Boston project has been a stumbling block since last year, when

the Administration opposed funding, and the House insisted on it.

### Other problems

Another key difference is likely to be over a provision in the Senate bill aimed at making sure that states get at least 85 cents out of every \$1 that they contribute for highway improvements. The Senate bill would include federal money spent on bridges, emergency repairs, and other discretionary projects in the minimum allocation formula, whereas the Howard bill would not.

There did appear to be a narrowing of differences in one important area. Both the Senate and Howard bills would both drop funding for special demonstration projects. Last year, this was an area that congressional conferees were unable to resolve, with the Senate insisting on projects totaling \$178 million, and the House insisting on projects worth \$640 million.

State and federal highway officials have been seeking to get a measure approved in Congress for months so that states could be assured of a full construction season this year. More than 40 states, according to the Federal Highway Administration, have virtually no federal funds left for interstate construction, and many have been advancing money from other sources with the expectation that Congress would provide the funds in the near future.

### Allocation formula

The Senate bill is identical to the measure reported out of the Environment and Public Works Committee in late January. It would set a formula for allocating federal highway money collected in taxes from highway users and set aside in the Highway Trust Fund. Normally, the bill is a technical and non-controversial one, but this time that is not the case.

The measure would release federal money for the last half of fiscal 1985 and all of 1986 and set a formula for allocating money in the following two years. To avoid political bickering that holds up funds, the bill would permit the Administration, after 1988, to release funding on its own if Congress fails to review and set the allocation formula by Oct. 1.

In response to concerns about federal budget deficits, the bill would set a total obligation limit of \$12.75 billion in fiscal 1986, which is \$500 million below the 1985 limit. Thus, states would have lower amounts that they could seek in total funding, although the government would still continue to collect taxes for the Highway Trust Fund. The Congressional Budget Office has estimated that savings from 1986 to 1990 would total about \$1.2 billion.

## ENGINEERS NEWS

# PROJECT UPDATE

## \$200 million for East Bay highways

More than \$200 million will be spent over the next five years in a major reconstruction of Interstate 80 through the Alameda and Contra Costa County areas. In an attempt to relieve traffic congestion, the California Department of Transportation is planning on re-

building and adding to the 22 miles of freeway between the Bay Bridge and the Carquinez Straits.

Preliminary work will start this year and is expected to be completed in 1990. The biggest improvement will be an elevated \$34 million carpool and bus lane connecting the Bay Bridge Toll plaza with the I-580 and I-80, Hwy. 17 interchange.

Construction is expected to begin as soon as the Metropolitan Transportation Commission approves the design later this year. The design work is already completed and undergoing review by the MTC.

The reconstruction project will add about 30 miles of new freeway lanes to Interstate 80. The route will be broadened between Albany and Emeryville. More lanes are also planned between Barrett Avenue and Appian Way in Pinole.

Thousands of feet of new auxiliary lanes also are planned. These will link entrances with exits and are intended to give motorists entering and leaving freeways a greater distance in which to weave in and out of the main freeway lanes.

Sixteen interchanges will be rebuilt or replaced because existing ramps and overpasses are too small. A new interchange is also planned for Atlas Road in Pinole.

## Morgan Hill to get \$3 million bridge

A new bridge to replace the earthquake damaged one across Lake Anderson east of Morgan Hill may be completed within the next 18 months, according to Santa Clara County transit officials.

The \$3 million, single span structure will end a 12 year effort to replace Cochrane Bridge, built in 1950. The bridge is five miles from Morgan Hill on Dunne Avenue, which provides the only public access to Henry Coe State Park and back country ranches.

The federal government is willing to pay 80 percent of the cost of the new bridge, which would cross the eastern tip of Lake Anderson. Cochrane Bridge had been in place less than a decade when landslides in the geologically unstable area and stress from the Calaveras fault, which runs beneath the bridge, began to twist girders and weaken underpinnings.

The last straw came last April when a strong earthquake put the bridge out of commission. The state park closed and residents from the ranches either moved or took a circuitous dirt road for seven months until Cochrane Bridge was reopened.

The new 350 foot long bridge will be arched on the north end but the south end will float on a concrete abutment that will allow it to move five feet horizontally and one foot vertically without danger.

Construction time will depend on the water level in Lake Anderson. If the water drops normally during the coming dry season, workers can shore up the southern approach of the crossing this summer.

Work on the abutments could start this summer while construction of the bridge would begin next spring.

## Vallejo OKs Cullinan Ranch project

After more than two years of discussions and several lengthy public hearings, the Vallejo City Council finally gave its approval to the environmental impact report to the controversial Cullinan Ranch development project early last month.

The final vote, which came after a marathon seven hour public hearing, gave approval to the report by a narrow four to three vote.

The development project, by Walden Williams Inc. of Huntington Beach, would allow construction of 4,500 homes and a series of peninsulas on 1500 acres north of state Route 37 west of the Napa River Bridge. The initial

plans call for the diking of Dutchman's Slough to let water into the project after a series of lagoon basins are constructed.

Marinas, schools, shopping centers and parks would also be built in the elaborate development planned on what is now primarily by mud. The construction is planned to be phased in over the next 20 years.

The environmental report had already been unanimously approved by the City Planning Commission. Before construction can begin, though, the Council must study and approve the specific plans for the development.

# Winter slowdown for Fairfield

Business agent Cliff Wilkins reports that Fairfield is experiencing its typical winter slowdown. But with the weather being dry some contractors are finishing up work that they had not intended to do until spring. M.J.M. at Glen Cove and Dillons Point are keeping a few of the hands going as is Cynitic's new housing project in Fairfield.

The new prison job at Vacaville (second phase) has been awarded (\$30 million) but at this writing the contractor is not known. F.P. Lathrop of Berkeley has the first building going up in the new industrial park in Napa. Cal

Smith has a few of his people in this project. Heide & Williams, Inc. is still keeping most of its hands busy at Mare Island and a new church site in Napa.

Exxon Refinery has just started shutting a portion of the plant down for overhaul. Fluor Corp. has a portion of this job which should last about two months and will hire a few of the brothers on a two shift operation. Husky Crane is furnishing the cranes for the Exxon shutdown. Brother John Norris is the crane superintendent for Husky and says they will hire about 10 operators to run two shifts.

## Directory of Officers and Business Agents

T. J. Stapleton	707/584-8655
Harold Huston	415/820-5463
Robert Skidgel	415/348-1493
James R. Ivy	415/933-0814
Norris Casey	415/687-8545
Wally Lean	808/293-1491
<b>District 01 San Francisco</b>	
Hank Munroe	415/689-8136
Charles Snyder	415/479-2113
Ted Wright	415/589-4668
Jerry Martin	415/443-5285
Pete Gomez	408/293-2075
<b>District 02 Ignacio</b>	
Pat O'Connell	707/585-2665
John Smith	707/538-3940
<b>District 03 San Mateo</b>	
John Jaquysh	415/341-9383
Steve Stromgren	415/634-1603
<b>District 04 Fairfield</b>	
Cliff Wilkins	707/644-6234
Archie Headley	415/686-1600
<b>District 10 Santa Rosa</b>	
Charles Smith	707/544-6241
Bill Burns	707/523-0599
Robert Wise	707/538-7014
<b>District 20 Oakland</b>	
Wm. Dorresteyn	707/745-4846
Gil Anderson	415/797-4457
Brian Bishop	415/886-6838
Tom Butterfield	415/687-4879
Tom Westoby	415/523-8777
<b>District 30 Stockton</b>	
Ray Helmick	209/772-2705
Robert Blagg	209/334-4288
Norby Flanagan	209/275-6648
<b>District 31 Ceres</b>	
Gerald Steele	209/847-9015
<b>District 40 Eureka</b>	
Gene Lake	707/443-5843
<b>District 50 Fresno</b>	
Ron Wilson	209/299-4051
Jerry Bennett	209/275-3774
Bob Merriott	209/733-4892
Harold Smith	209/222-8333
<b>District 60 Marysville</b>	
George Morgan	209/467-8365
Dan Mostats	916/673-1644
Ken Bettis	916/533-8261
<b>District 70 Redding</b>	
Don Doser	916/549-3866
Tom Hester	916/241-7409
<b>District 80 Sacramento</b>	
Ken Bowersmith	916/685-5482
John Bonilla	916/371-8332
Wilbur Marshall	916/687-6494
Hugh Rogan	916/687-6998
Dave Young	702/747-7923

### District 90 San Jose

Don Luba	415/595-1710
Lewis Bratton	408/377-0422
Robert Delaney	408/779-7606
Max Spurgeon	408/258-7030
Joe Wendt	415/366-6915
Robert Beall	408/972-1019

### District 11 Reno

Les Lassiter	702/356-7799
Ed Jones	702/358-7100
Derlin Proctor	702/246-3643

### District 12 Salt Lake City

William Markus	801/295-2142
Lynn Barlow	801/571-7235
Kay Leishman	801/278-1531
Nyle Reese	801/485-2602
Don Strate	801/943-6210
Rickie Bryan	801/532-6091

### District 13 Provo

Jasper Delray	801/561-0987
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### District 17 Honolulu

Hilarion Gascon	808/456-5133
Herman Meek	808/261-2281
Joe Trehern	808/235-8939
Wilfred Brown	808/486-3842
Jerry Nago	808/959-9072
Shoichi Tamashiro	808/845-0934
Salvatore Villa	808/487-3990

### Hilo

Albert Terry	808/969-1005
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### Maui

James Hezekia	808/242-6928
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### Fringe Benefits Service Center

Don Jones	707/823-4798
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### Apprenticeship

Paul Headings	209/245-4154
Larry Uhde	916/456-4124
Mike Bailey	702/849-1792
John Thornton	801/756-4915
Francis Borges	808/396-6565

### N.Cal.-Nev. Surveyors JAC

Gene Machado	408/637-0120
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### Technical Engineers Division

Frank Morales	415/689-3152
Wallace Schissler	415/783-8179
Dan Senechal	415/837-5664

### Dredging

Steve Fensler	916/687-7287
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### Prevailing Wages

Chuck Center	916/453-1920
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### Public Employees Division

Jack Baugh	415/562-0347
Mike Baldwin	415/339-2448
Steven Conway	707/576-7552
Barbara Cullinane	408/427-0491
Dan Valesano	415/568-2267
George Bist	408/247-3694
Bob Criddle	916/743-6929
George Matzek	209/728-3235
Bill Reeves	209/892-3221

### Organizers

Ken Allen	916/363-5344
Dave Coburn	209/538-2665
Ray Morgan	916/364-5034
Darrell Steele	707/994-3162
Robert Sheffield	209/299-3778

### Safety Department

Jack Short	707/252-0210
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OPERATING ENGINEERS LOCAL UNION NO. 3

# STEWARDS NEWS

VOL. 1, ISSUE 1  
WINTER 1985

T. J. "Tom" Stapleton

## Message to Stewards



Congratulations on becoming a union leader. Your job as a steward will be valuable to you and our great union in many ways. As a steward you will receive a liberal education in leadership, the art of dispensing justice, and developing the skills to get along with people that will serve you well during your entire lifetime. As a steward you have a special relationship to the workers you represent. Research studies have shown that the average worker's image of their local union, their international union and the labor movement in general, evolves out of their attitude toward their own steward. The average member in our large local does not personally know the president or other officers because they may not attend our local union meetings regularly. As a steward you are the one person in the union structure with whom the member has contact. The member probably participated in your selection and sees you on the job daily. If the member considers you to be intelligent, aggressive, fair-minded and well informed, they will generally feel the same way about our union and unions in general.

Because we live in a rapidly changing world, a steward must constantly participate in a process of continuing education. Last year's answers will not necessarily meet this year's problems. Steward training programs will help you to meet this challenge. Though being a steward is both work and time consuming, it is also rewarding.

is helping others. You will acquire a broader and more thorough understanding of the problems facing our members and the union today, and are a part of helping to preserve the gains in wages, hours and working conditions which you now enjoy. We belong to a union because we know that it takes an organization to truly protect the interest of the individual. This organization requires teamwork to protect and promote the interest of our members. As a steward you are an important member of the team.

As we begin another year let us again renew our commitment to ensuring that this local remains one of the finest found anywhere. Let us remember that by working together we can solve the problems of today and be prepared to meet the challenges of tomorrow.



**STEWARDS SPOTLIGHT**  
Dennis Nichols pictured above is a shop steward on the Balsam Meadows project in Northern California, where he has been working for the last 14 months. He has been an active member of the Operating Engineers for more than five years. Dennis is also an outdoorsman who enjoys hunting and fishing.

### Give and take

## Negotiating successful solutions

Maintaining an effective working relationship with management officials requires stewards to be skilled in the art of "give and take" negotiations. Stewards who are good negotiators can resolve conflicts quickly, fashion lasting agreements, and build a firm working base for future cooperation and success. One way to ensure a successful outcome to negotiations — whether with a supervisor or between workers and a supervisor — is preparing an agenda. Your agenda should include identifying the exact situation and relevant parties' interest and positions; considering how the personality makeup of the parties could affect negotiations; identifying issues to watch for; and selecting a comfortable, neutral setting for the meeting.

\* During negotiations — These include discussing all relevant issues, clarifying positions,

## Newsletter for Job Stewards

The new "Stewards News," a newsletter for all Local 3 job stewards has gone to press. This quarterly newsletter features "how to" articles on all areas of union representation, including arbitration, grievance handling, negotiations and communications skills. There are profiles on Local 3 job stewards and other informational articles that will help you be a better informed, more effective job steward. If you are a job steward and have not received your first issue of the "Stewards News," write or call Larry Edginton, 474 Valencia St., San Francisco, CA 94103; (415)431-1568.

## \$2.3 billion budget proposal

## Congress mulls over water program

The proposed budget sent to Congress this month calls for \$2.3 billion for developing the nation's water programs and authorizes \$157 million for 74 projects in California, including five new ones.

The Army Corps of Engineers spending plans includes \$3.9 million in non-federal money that local agencies must contribute toward construction of seven projects, and \$525,000 in matching funds for surveys and design.

The budget calls for an increase of about \$12 million over the \$145.2 million that California was authorized to spend last year for 69 projects.

New construction authorization includes \$1.3 million in federal and \$200,000 in non-federal funds to deepen the Sacramento River ship channel.

Four new flood-control programs will provide \$4 million for projects on Merced County streams, \$1.2 million for streams in the Fairfield area.

Five projects authorized for more than \$5 million in federal money include navigational work between San Francisco Bay and Stockton, \$21 million; flood control in Los Angeles County drainage area, \$11.8 million; Dry Creek Lake and Channel, \$14.8 million; Sweetwater River, \$7.2 million; and Walnut Creek, \$6 million, plus \$480,000 in non-federal funds.

San Francisco's Fisherman's Wharf will get \$5 million in federal construction money for an existing navigational project that requires an additional \$650,000 non-federal contribution.

Also budgeted for San Francisco Bay is \$132,000 for navigational surveys and engineering and \$520,000 for flood-damage prevention.

A navigational construction project in Santa Cruz harbor is authorized to spend \$2.2 million in federal money and \$1.2 million from non-federal sources.

A constructon project at New Melones Lake is budgeted for \$1.2 million.

Several existing flood-control projects on the Sacramento River are authorized to spend \$7.7 million, which includes a \$3.5 million river-bank protection program requiring a non-federal contribution of \$1 million, and work between Chico Landing and Red Bluff for \$2.5 million.

Other flood-control projects authorized for construction money are Lytle and Warm Creeks, \$2.3 million, Corte Madera Creek, \$600,000 and Wildcat and San Pablo Creeks \$100,000.

Other navigational projects budgeted are Oakland's inner harbor, \$380,000, and outer harbor, \$155,000; Richmond harbor, \$525,000 and the Ventura marina, \$100,000.



# Agreement ratified for Gold Producers, Inc.

By Norris Casey  
Treasurer

A new three year agreement was negotiated between Local #3 and Gold Producers, Inc. (formerly Duval Corp.) in Battle Mountain, Nevada. The negotiations were held in Reno, Nevada beginning on January 7, 1985.

The following settlement was reached:

1. Three year agreement to expire April 30, 1988.
2. Wages: 4% increase effective May 1, 1985. 3% increase effective May 1, 1986. 3% increase effective May 1, 1987.  
Keep the existing C.O.L.A. float of .29¢ plus February and May C.O.L.A. to be rolled in on May 1, 1985.
3. Eliminate the C.O.L.A. language from new contract.
4. Add to both group Life and Accidental Death and Dismemberment:  
May 1, 1985 - \$1,000; May 1, 1986 - \$1,000; May 1, 1987 - \$1,000.
5. Weekly sickness and accident:  
May 1, 1985 - \$5.00 per week; May 1, 1986 - \$5.00 per week; May 1, 1987 - \$5.00 per week.
6. Dental:  
May 1, 1985 - Increase orthodontia from from \$750 maximum to \$1,000 maximum.
7. Pension: Increase \$2.00  
1st 15 years - \$15.00 to \$17.00; 2nd 15 years - \$18.00 to \$20.00; 30 years plus \$22 to \$24.

There was an understanding reached on contract language and problems at the property, including the following:

1. Handling of disciplinary actions.
2. Call outs.
3. Vacation splits.
4. Vacation cancellations.
5. Holidays and work schedules.

This agreement was ratified by the members employed at the Battle Mountain Property. Although it is difficult to give up the C.O.L.A. plans, the companies have taken strikes in other areas to accomplish the removal of C.O.L.A. In Arizona they took a strike and are presently going through a decertification of the unions involved.

I feel we were very fortunate in being able to work out an agreement and have a contract in effect for three more years. Assisting me in these negotiations were District Representative Les Lassiter; Business Representative Derlin Proctor; and the stewards: Chris Ehlert, K. C. Rochester, Art Minchew, Ron Hinton and Mike Hinton. These Brothers did an outstanding job and their help was appreciated.

The property is owned by Pennzoil and is up for sale. Both Gold Producers, Inc. and the union negotiators preferred to have a valid contract in effect before a



Treasurer Norris Casey addresses Kennecott members.

sale was consummated.

## Discussions held on Kennecott

The week of January 14-19, 1985 was spent in Albuquerque, New Mexico in meetings of the National Non-Ferrous Industry Coordinating Committee. This meeting was called to discuss concessions in their current collective bargaining contracts that expire in June 1986, with Asarco and Inspiration Consolidated, Kennecott, Magna and Pinto Valley.

Our interests were in Kennecott, Utah, where the crafts have some 2,400 members involved. We still have 100 or so members of Operating Engineers Local Union No. 3.

Meetings were held with Kennecott and the company presented their case, stating that they had lost \$160 million in 1984 and had not shown a profit since 1981. The staff in Utah has been cut from approximately 4,400 to 2,400. Kennecott representatives explained that copper is now selling for 65 cents a pound and that their cost is 90 cents per pound.

They also stated that their fringe package is \$1.70 per hour more than any other copper producer. Kennecott is now owned by Sohio (Standard Oil of Ohio) and they claim Sohio has spent 2.2 billion since they purchased the company in 1981.

The meetings were not very fruitful. The unions offered a \$2.50 per hour wage decrease on January 5, 1985 to be repaid by:

- \$.75 per hour January 15, 1986,
- \$.75 per hour July 15, 1986,
- \$1.00 per hour January 15, 1987,
- Deductibles in Health and Welfare,
- Suspension of C.O.L.A. for duration of contract,
- Current C.O.L.A. float kept in for duration of contract,
- Contract extended one year to June 30, 1987.

Tentative agreements were reached with Asarco and Inspirations Consolidated, but Kennecott refused the offer.

Our figures showed that this could be a savings of \$150 million per year for the company in all their operations.

Due to the fact that all companies could not agree, the steering committee recommended to the main body that all proposals be rejected. The main body subsequently rejected all proposals.

The majority of the rank and file of all unions present did not want to make any concessions. The general feeling is that the copper companies are not going to shut down, but if they do — so be it, they will go somewhere else to work.

When all of these contracts expire on June 30, 1986, our problems will really be big. If they are still in business they will no doubt take us on heavy. But we did offer them concessions — which they refused.

On Saturday, January 26, 1985 we held meetings at the Salt Lake City office with our members employed at Kennecott Copper to discuss and explain the meetings in Albuquerque, New Mexico.

Two meetings were held, one at 11:00 a.m. and one at 6:00 p.m. The members were notified of the meetings by mail, so everyone had a chance to attend. I explained the Albuquerque meetings in detail to the members present at both 11:00 a.m. and 6:00 p.m. My remarks appeared to be well received and what I told them came as no surprise to those present, that is, that Kennecott had rejected the concessions that had been offered them by the Non-Ferrous Industry Coordinating Committee. I went on to explain that no one knows what management's next move will be — shut down, declaration of bankruptcy, or continue operations.

Also present at these meetings were Don Strate, acting District Representative in Utah; Ralph Hamlin, rank and file Executive Board Member from Utah; Dean Lipsey, Chief Steward; Grant Evans, Steward; Walt Finnas, Steward; Paul Nichols, Steward; Ken Visser, Steward. These stewards did an outstanding job in representing their people in Albuquerque and presented it well to the members at these meetings.



Cliff Hamlin, Exec. Board Member



Dean Tipsey, Chief Steward



Grant Evans, Steward



Paul Nichols, Steward



Walt Finnas, Steward

# Credit Union

Your family members can join your Credit Union and use its borrowing and savings programs. Call or write for a membership kit. If you want a loan application included, please advise us.

**100% financing** is available on new and used cars, pickups, vans, boats and RVs to qualified borrowers. For more details or to apply, just call the Loan Department.

**Buying a home?** You can finance your purchase with a loan from your Credit Union that carries the benefits of a fixed rate and fixed monthly payment. You don't have to worry about rising interest rates or larger monthly payments with a loan from your Credit Union. Call the loan department for more details.

**\$5,000.** If you qualify, you can now borrow up to \$5,000 on your Phone-A-Loan signature line of credit. The old limit was \$3,500.

**\$100 Million.** Your Credit Union ended 1984 at slightly more than \$100 million assets, a 29% increase over 1983's year-end figure of \$77.6 million. Such significant growth in assets means members are using the Credit Union more and more for their saving and borrowing needs.

**73.4¢** of every dollar your Credit Union earned in 1984 was paid directly back to members as dividends on their share savings, IRAs and certificates. A record \$7.9 million in dividends was paid.

**Low expenses** — only 15.6¢ of every dollar of income your Credit Union received went to operating expenses. As mentioned above, 73.4¢ went right back to members as dividends. Of the remaining 11¢ of each dollar, 9¢ went into retained earnings and 2¢ went to insurance programs, both membership benefits.

**\$250 IRA.** You can open an IRA at your Credit Union for as little as \$250. In a 20% federal tax bracket, the \$250 IRA only costs you \$200 because you save \$50 in federal taxes. If you want, you can make additional deposits to your open IRA by payroll deduction if you have it available through your employer. Or you can set up an automatic monthly transfer of some of your Vacation Pay into your IRA.

**Suggestion.** Put \$365 a year into an IRA (just a dollar a day). If you started at age 25, you could have \$73,306 when you reach age 60. You could then draw \$700 a month for 15 years before you used all the money in your IRA. This is based on what is now a conservative 8% per-annum dividend rate with daily compounding and making a \$365 deposit the first day of each year for 35 years.

The 15 years of monthly withdrawals are also figured at the 8% per-annum, compounded daily rate.

Your Credit Union's current rate is actually 11% per-annum, compounded daily. If you earn that rate for 35 years on \$365 annual deposits, you would, of course, have more than \$73,306 in your IRA at age 60. 8% per-annum, however, may be a more realistic rate for you to count on as an estimate of how your IRA could grow.

# Member



# s at Tenco gear up for 1985



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Tenco, Inc. — It stands for "Ten Counties" and is one of the biggest heavy duty repair shops in California. Operating since 1931, Tenco employees have been represented by Local 3 since 1964.

The company has four shops located in Marysville, Williams, Pleasant Grove and on Sacramento's Westside, employing over 100 Local 3 members.

Recently *Engineers News* toured Tenco's shops and photographed many of the members working on the job. Members pictured are:

#1 Forklift Dept. employees in the Westside shop: (front row) Jerry Bland, Bo Bohannon, Eric Kochever, Steve Ramirez, Steve Rittenhouse, Carey Pettit, Hank Page, Ray Alvarez. Local 3 Business Agent John Bonilla & Art Jones. (2nd Row) Joe Sanchez, Kirk Triebess & John Winter. (3rd Row) Jerry Ringlebauer & David Jones. (4th Row) Tom Thomas, Adam Welsh & Mike Galyen.

#2 Tony Sarrico, Job Steward.  
#3 Westside Parts Dept.: Al Larson, Gary Kaita, Jim Welsh, Chuck Willard,

Norbert Booth, Bruce Vanderford, Larry Netz, Polly Schindler, Jim Davidson, Cara Pointer & Larry Burgess (seated).

#4 Gary Williamson, #5 Mike Rizzoli, #6 Mike Jensen, #7 Bruce North.

#8 Main Shop Parts Counter: Ken Fosch, Kyle Bristow & Ruben Willard.

#9 Gene Blossom, #10 Walt Bailey, #11 Walt Covington.

#12 Bill Curnow, #13 John Reno, Stu Cook, Mark Mabry, Doug Warnock, Jim Griffith & Mike Vierra (on rig).

#14 Welding Shop: Craig Grove, Don Morrisett, Dennis Handley, Jim Gray, Floyd Steed, Bob Casey & Mark Cutter.

#15 Bob Meyers, #16 Paul Sandhu, #17 John Pointer, #18 Vic Young, Steve Ramirez, John Sneed, Robert McCoy & Gary Brown.

#19 Mike Rhodus, #20 Quallie Jones & Marysville District Rep. George Morgan.

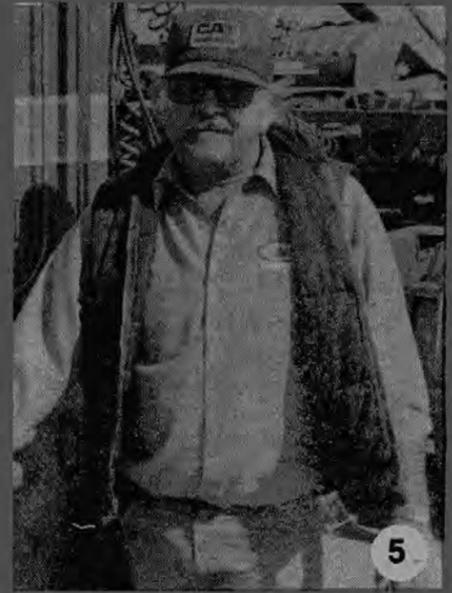
#21 Steve Mendenhall & Terry Wells, #22 Tom Thomas, job steward, #23 Terry Stevens & Local 3 Business Agent Dan Mostats.



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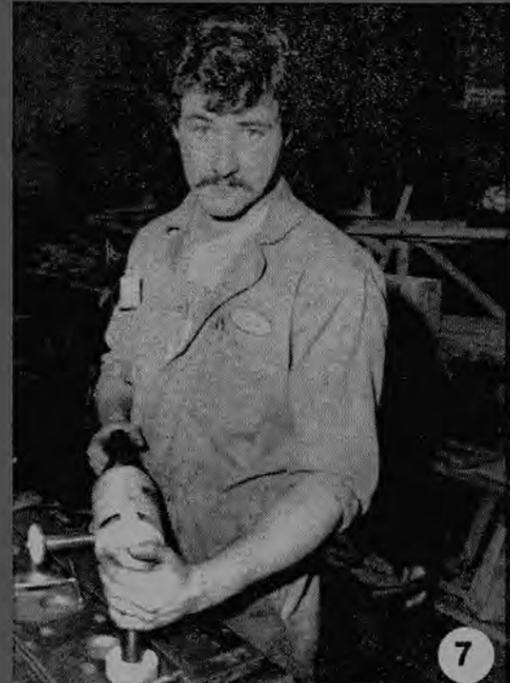
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## Fringe Benefit Forum

By Don Jones,  
Director of  
Fringe Benefits



With just a few Retirees Association meetings left on our winter round, I'd like to thank all of you who've attended. The turnout has been great in practically every district.

As announced in last month's issue, a new benefit, the Surviving Spouse Benefit will become effective April 1, 1985. The Board of Trustees feels this optional benefit available through the Pensioned Health and Welfare Trust Fund is extremely important for the widow's financial protection against today's rapidly escalating cost of medical care.

### Who will be eligible?

The Surviving Spouse Benefit is available to the widow of a retiree who was eligible for benefits from the Pensioned Health and Welfare Trust Fund. The widow eligible for Schedule I benefits while her husband was still alive will be required to continue with Schedule I. The widow eligible under Schedule II while her husband was still alive must continue under Schedule II.

### What are the benefits?

The widow may purchase the same hospital, medical and surgical benefits she had when covered under the Pensioned Health and Welfare Trust Fund. There are no prescription drug, vision care or hearing aid benefits under the Plan. The Plan will pay 80% of covered charges under Schedule I and 75% under Schedule II.

### What notice will a widow receive?

When Retiree Health and Welfare eligibility ceases, the widow will receive a notice from the Trust Fund office describing the benefits available and the cost.

### What is the cost?

When the Surviving Spouse Benefit goes into effect on April 1, 1985, the monthly cost to the widow will be:

	Under Age 65	Age 65 or older
Schedule I	\$120	\$60
Schedule II	\$86	\$43

The Board of Trustees of the Fund will review these rates each year and will determine if any increases are required. Any questions regarding this new benefit should be directed to the Fringe Benefit Service Center.

### Retiree Association Picnic

The Retirees Association Picnic has been scheduled for June 1, 1985 at Rancho Murieta. We hope to make this year's gathering the biggest and best ever!

This year, thanks to the Union's improved financial situation, we do not have to ask you for a contribution to make this very special event possible. I'd like to say, though, that the enthusiasm and support received from the retirees and wives who attended last year's picnic at a cost to them was deeply appreciated and will not be forgotten.

Mark your calendars and watch this page for further information.

### Pre-retirement meetings

The annual Pre-Retirement Counseling meetings have been scheduled beginning in April as indicated on this page. I strongly urge any member anticipating retirement within the next few years to bring his wife and attend the meeting in his area.

These meetings are designed to familiarize you with all aspects of the Pension and Pensioned Health and Welfare Trust Funds. The program includes an in depth presentation on requirements, benefit calculation, options and filing procedures as well as a review of your benefits under the Pensioned Health and Welfare Trust Fund.

Representatives from the Union, Trust Fund and Credit Union will be in attendance at all meetings to answer your questions.

Brothers not yet ready to retire but interested in learning more about their retirement benefits are cordially invited to attend. I'm looking forward to seeing you at the meetings.

## 'Grace Period' provisions are reinstated for Pension Plan

At its meeting of January 9, 1985, the Board of Trustees reinstated the Grace Period Provisions of the Pension Plan which had been in effect prior to January 1, 1977.

A participant is granted a grace period under certain conditions:

(1) A Participant shall be allowed a grace period of up to two consecutive years when he was totally disabled for work as an Employee.

(2) A Participant shall be allowed an indefinite grace period for periods of employment before January 1, 1977 in one of the following classifications:

full time paid employment with the International Union of Operating Engineers;

employment with a public agency on the type or kind of craft work covered by a Collective Bargaining Agreement performed in the geographical jurisdiction of the Union;

employment in a supervisory capacity above the rank of foreman with a Contributing Employer;

employment under contract initially with a Contributing Employer, or with a Joint Venture in which a Contributing Employer participated, on a project located outside of the United States and continued employment under contract thereafter on such project by a Contributing Employer or by a Joint Venture in which a Contributing Employer participated whether or not with such initial Contributing Employer or Joint Venture; and

employment with an employer (i) not obligated to contribute to this Pension Fund, but (ii) who was signatory to a Collective Bargaining Agreement with the Union and (iii) who had a Recognized Company Pension Plan in which the Participant participated; and employment covered by a Collective Bargaining Agreement with the International Union of Operating Engineers, or any of its affiliates on a project located outside of the United States.

Grace Periods, whether for Disability or due to inclusion of a participant in a classification as outlined above, do not add to the pension credit of the participant. A Grace period is simply a period which is to be disregarded in determining whether the participant worked sufficient hours in covered employment

to prevent a permanent break in service.

In order to secure the benefits of a grace period, an application must be submitted to the Trust Fund office for review. A determination is made by the Board of Trustees in accordance with the Plan Provisions.

### Pre-Retirement Meeting Schedule

<b>Eureka</b>	7:30 p.m.
Tuesday, April 2, 1985	
Operating Engineers Building 2806 Broadway, Eureka CA	
<b>Redding</b>	7:30 p.m.
Wednesday, April 3, 1985	
Operating Engineers Building 100 Lake Blvd., Redding CA	
<b>Marysville</b>	7:30 p.m.
Thursday, April 4, 1985	
Operating Engineers Building 1010 "I" St., Marysville CA	
<b>Watsonville</b>	7:30 p.m.
Tuesday, April 9, 1985	
VFW Post #1716 1960 Freedom Blvd., Freedom CA	
<b>San Jose</b>	7:30 p.m.
Wednesday, April 10, 1985	
Holiday Inn Park Center Plaza 282 Almaden Blvd., San Jose CA	
<b>San Mateo</b>	7:30 p.m.
Thursday, April 11, 1985	
Electricians Hall 300 8th Ave., San Mateo CA	
<b>Auburn</b>	7:30 p.m.
Tuesday, April 16, 1985	
Auburn Recreation Center 123 Recreation Dr., Auburn CA	
<b>Sacramento</b>	7:30 p.m.
Wednesday, April 17, 1985	
Laborers Hall 6545 Stockton Blvd., Sacramento CA	
<b>Oakland</b>	7:30 p.m.
Tuesday, April 23, 1985	
Teamsters Local #853 8055 Collins Dr., Oakland CA	
<b>Fairfield</b>	7:30 p.m.
Wednesday, April 24, 1985	
Holiday Inn 1350 Holiday Lane, Fairfield CA	
<b>Santa Rosa</b>	7:30 p.m.
Thursday, April 25, 1985	
Veterans Memorial Bldg., North Rm. 1351 Maple Dr., Santa Rosa CA	
<b>Stockton</b>	7:30 p.m.
Tuesday, April 30, 1985	
Operating Engineers Bldg. 1916 N. Broadway, Stockton CA	
<b>Ignacio</b>	7:30 p.m.
Thursday, May 2, 1985	
Painters Hall 701 Mission Ave., San Rafael CA	
<b>Fresno</b>	7:30 p.m.
Tuesday, May 7, 1985	
Cedar Lanes 3131 N. Cedar, Fresno CA	
<i>Reno, Salt Lake City and Hawaii will be scheduled at a later date.</i>	

## Field trips add new dimension to RMTTC training



Mike Mansfield, general manager and co-owner of Reliable Crane and Rigging, Sacramento is a strong supporter of the RMTTC training program.

Field trips have added a new dimension to the growing paving program at RMTTC. Judging from the enthusiastic response from both the students and participating companies, they will continue to supplement instructor Virgil Lindner's course. Paving crews from Teichert under Superintendent Don Cox and Foremen Fernando Gonzalez and Harold McQuillan as well as Granite's crew under Superintendent Bob Kirby and Foreman John Higginbotham were hosts to several paving classes this year.

According to Lindner, the field trips "allowed us to experience some paving conditions that we don't have at RMTTC like cul-de-sacs and curbs. Teichert (under Foreman Gonzalez) had a tough job going, but still took real good care of us. The foreman let us ride along on the paver and ask questions of any of the crew."

So successful were these field trips that we plan to make them a regular part of the curriculum. They have a definite

value to everyone involved. Paving students this year were vocal in the praise of the experience and appreciative of the Granite and Teichert crews that gave of their time and expertise, and the instructor came away with new ideas for his own course. The quality of the field experience speaks loud and clear for Granite and Teichert's support of apprenticeship and we appreciate their extra efforts.

## Offshore industry jobs may become reality in Eureka

Good news comes from Eureka District Representative Gene Lake. A Seattle-based general contractor is bidding on two projects that could bring a new source of offshore oil industry jobs to the north coast. If Wright Schuchart Harbor Co., which has an office in Eureka, is successful in bringing the projects to Humboldt Bay, close to 200 jobs could open up, company vice president Joe Douglas said.

The company is one of many seeking to build oil and gas modules for the pumping and treating portions of two proposed offshore oil rigs. The modules sit atop the platform jackets which support the rigs.

The firm is in the process of securing a lease option with the City of Eureka for between five and 20 acres of waterfront property near Eureka's small boat basin near Commercial Street. Douglas said another site along the bay is also under consideration.

The Wright Schuchart Harbor projects have no connection with the Exxon proposal to build oil rig jackets on the Samoa peninsula. Exxon is accepting bids on that project through this month, with a contract to be awarded in May.

Douglas declined to give details about where the modules are to be used, or by what oil company, because his firm is facing stiff competition from other bidders. However, a company vice president in Seattle said that Exxon was not involved in the projects.

"Eureka faces tougher odds in being chosen as the site for the module construction work than it does for Exxon's oil jackets. Bidding on the modules tends to be more competitive than bidding on jackets, because the above water units can be built on any number of sites. Jackets, on the other hand, need deep water access and more space," Lake said.

Contracts for the modules are expected to be awarded next month and construction could start as early as April.

The Eureka City Council authorized its staff to negotiate a \$1,000 lease option with Wright Schuchart Harbor for the waterfront site. The length of the option still needs to be worked out between the company and the city. If the company wins the bid, the lease would be for two years.

In related matters, a local contractor has submitted the lowest bid to realign New Navy Base Road if the Exxon project is built on the Samoa peninsula — but the county won't award the road contract until Exxon decides whether the rig project will be located in Eureka.

The Mercer Fraser Co. of Eureka submitted a low bid of \$1,185,445 for the project, followed by Stimpel-Wiebelhaus, Inc. of Redding, which bid \$1,218,025.

The Board of Supervisors is expected to accept the two lowest bids at its next meeting, but won't award the contract until sometime between April 15 and July 15. The New Navy Base Road will be realigned only if the Exxon oil rig jacket manufacturing project is located on the Samoa peninsula.

The contract Mercer-Fraser bid on will include a one-mile road realignment, demolition and reconstruction of several buildings at the Eureka City Airport, reconstruction of the southern portion of the Samoa drag strip and installation of one mile of water pipe.

## WITH SAFETY IN MIND



By JACK SHORT, Director of Safety

Work will be generated for the Operating Engineers by the accelerated efforts of the Federal Government and the



passing of the Hazardous Substance Cleanup Bond Act of 1984 which appeared on the November 6th General Election Ballot as Proposition 27 (California) and was overwhelmingly approved by the voters. This measure will provide an additional \$100 million to the Department of Health Services, allowing the Toxic Substances Control Division (TSCD) to address far more sites and move against those parties who are contaminating the environment and endangering the public health.

Some waste sites at locations in California, Utah and Nevada will be handled by the Federal Superfund Act and guidelines for protection of workers will be controlled and monitored by the Environmental Protection Agency (EPA).

### Proposed design of a health and Safety Cleanup Course

Response operations during the initial phase of a hazardous waste cleanup requires familiarity with selection, uses and limitations of respiratory protection apparatus, protective clothing, site entry, control, decontamination procedures, field instruments and equipment, and organization and management. Site responses necessitate the need to adequately define, address and mitigate the problem. The industrial hygiene investigation pattern of recognition, evaluation and control can provide the needed information to the site response team for the cleanup. This three fold approach is generic in style and will work for all site activities.

**Recognition** consists of determining the hazard and degree of risk. This requires evaluating the physical and chemical parameters and their subsequent relative characteristics. Portable instrumentation can provide much information about the unknown material.

**Evaluation** provides data which is

compared to the recognition phase information and gives the cleanup team an understanding of the hazards. This step will determine the magnitude of the problems.

**Control** addresses all potentially feasible controls. It is in this last step that training of personnel takes place and the establishment of a site safety program. The selection of the correct category for an unknown chemical (or chemicals) is through process of elimination. One can conveniently use the DOT classification system, unless other information is available. The DOT classification is: Radioactive, Poison A, Poison B, Corrosive (solid or liquid), Flammable Gas, Irritating, Non-flammable Gas, Combustible liquid, Flammable liquid, Oxidizer, Flammable solid, ORM-A, ORM-B, ORM-E (other regulated material).

Once the category has been determined, safety precautions, cleanup procedures, and containment, decontamination procedures and equipment requirements can be defined. Within a category, the same safety practices can be used, regardless of the actual material at the site. Providing the right protective clothing and equipment can make all the difference in protecting workers adequately from chemical hazards. Based on the degree of risk, the hazards, and the chemical category, the selection of the most effective personal protective equipment can be made.

The Safety Department is now in the process of designing an awareness program related to employment at cleaning up of hazardous waste sites. The program will consist of laws and regulations in detail. These are some of the topics, along with other items, that will be discussed at the meetings: Dump cleanup scenario, EPA, OSHA, Federal, State and Local laws, Financing, E6, Superfund, Projected projects in States, Overview of toxicology, Special problems of waste sites, Overview of control methods, Details of control methods, Identifying materials, Finding out toxicity, OSHA and EPA requirements, Employer responsibility, Employee responsibility, Respiratory protection problems.

At a recent seminar I attended, it was stated that in California there are 43

## Cleanup Bond Act will create jobs for members

sites targeted for cleanup between January 1985 and January 1986. Of those 43 sites, 30 are in the jurisdiction of Local #3.

1	Flex Multilayer, Inc.	Tulare
2	Fass Metals	Contra Costa
3	Chico Scrap Metal Yard	Butte
4	Bay Area Drum Co.	San Francisco
5	Kaweah Crop Dusters	Tulare
6	A-1 Plating Company	Sacramento
7	Hang 'Em High	Kings
11	Yuba County Airport	Yuba
13	Glenn Co. (Willows) Airport	Glenn
14	Madera Mun. Airport	Madera
15	Richmond Plating Co.	Contra Costa
16	McMinn Avenue (#48)	Sonoma
17	Verdegaal Brothers	Kings
19	Coast Wood Preserving, Inc.	Mendocino
20	Louisiana Pacific Corp.	Butte
24	Merced Mun. Airport	Merced
25	Van Waters & Rogers, Division of Univar	Santa Clara
26	Selma Pressure Treating	Fresno
27	Alviso Area	Santa Clara
30	Old Hanford Co. Dump	Kings
33	Lorentz Barrel & Drum Company	Santa Clara
34	Zoecon Chemical Corp./ Chipman Chemical Co.	San Mateo
35	Port of Oakland, Embarcadero Cove	Alameda
36	Lodi (Linds) Airport	San Joaquin
37	Westinghouse Electrical Corp., Marine Div.,	Santa Clara
38	Pacific States Steel	Alameda
40	Pixley Dusters	Tulare
41	Liquid Gold	Contra Costa
42	Spain Air, Inc.	Fresno
43	MGM Brakes	Sonoma

It is expected that the State Fund will spend \$500,000,000 to \$1.4 billion in the next two to five years in the cleanup of hazardous waste sites. The sites mentioned are the 43 sites that top the priority list of 180 sites that are listed as known waste sites to be cleaned up and, Brothers, the list keeps growing.

The program will be available, hopefully, by Spring, as some of the details and training materials need further development. Further details as to the dates and locations of this program will appear in future issues of the Engineers News.

## Meeting held with S.J. Groves on SOFAR

Sacramento District Representative Ken Bowersmith reports that work in the Sacramento area is still at a slow pace. A meeting was held with S. J. Groves concerning the SOFAR project, and at the present time, EBASCO, their partner in the joint venture, is still trying to raise the money to build the project. They have \$99.7 million for the project to date and have to raise \$470 million before they can start. They don't want to sit down and negotiate a project agreement until all the money is raised. There is also the matter of getting the final building permit before starting. So it looks like it will be about four months away at the earliest.

At the meeting they indicated that they would be asking for some concessions in the contract. "So it looks as though we will have a pretty good chore cut out for us there also," Bowersmith noted.

There will be a Stewards and Safety Committeemans' meeting on April 8, 1985, at 7:30 p.m., at the Laborers' Hall, 6545 Stockton Blvd. It is hoped to have a good turnout for this, so all or you stewards and safety men in the Sacramento area mark that date on your calendar.

In the future there will be quite a bit of toxic waste removal works going on in the area. Jack Short, Director of Safety, reports that before anybody can be eligible to work on these jobs it will be necessary to take a safety class in toxic waste. Jack will be setting up a class on this in the Sacramento area sometime in June. Anyone interested in taking the class, call the Hall and leave your name and phone number and they will be contacted as to the date, time, and place of the meeting when it is set up.

Business Representative John Bonilla reports that construction work in his

area has pretty well slowed down. There are a couple of big building projects  
(Continued on page 15)



## Teaching Techs

During 1984 many extra courses were presented by the NCSJAC intended specifically to help upgrade the journeyman. Those courses included the HP41CV Calculator Course, the Slope-staking/Gradechecking Course and the Heavy Construction Plan Reading. We are happy to report that over 190 journeymen took advantage of these classes. Many more of you have signed up for future classes and those will be presented this year.

A new course has been written and added to the Heavy Construction Plan Reading curricula — Tunnel Surveying Techniques. It is being added to the course now and is very informative on tunnel surveying, especially if you have never surveyed in that environment before. It is also helpful if you have had experience in a tunnel because formulas and tips on techniques are included. The Heavy Construction course will be presented in San Jose, Oakland and Sacramento as needed this year. Beginning in March the HP41CV Calculator course and Slopestaking/Gradechecking course will be offered.

Notices will be sent to all who have signed up and information will also be sent to Technical Engineer employers. If you are interested contact the Administrative Office to sign up. We will make sure every opportunity to attend in one of the three locations is extended to you.

The NCSJAC is moving their office from Lafayette to 401 Roland Way, Suite #202, Oakland, California 94621 on March 14, 1985. Our tentative office phone number will be (415) 635-3255. Beginning March 15, 1985, office staff will be available at this new location, since the 14th will be our moving day! Roland Way is located near Hegenberger Road and Highway 17. Follow Hegenberger West off of Highway 17 one block to Edgewater Drive. Make a right on Edgewater and follow Edgewater for about 1/4 of a mile to Roland Way. Make a left on Roland and follow to the end. 401 Roland is on the right side of the street. We hope this move will put our office at a more convenient location for our members and apprentices. Bart is about two miles away and local buses from Bart to the area run frequently.

A reminder to all first through fourth period apprentices — only third or fourth period apprentices may work as a second person on a two man crew. While working as a second person on a two man crew, you are to be paid journeyman wages and fringes. A first or second period apprentice may not work on a two man crew, but must be the third person on a crew larger than two. In emergency situations, such as a regular member of the crew being sick, on vacation or temporarily on a leave of absence, first or second period apprentices may work on a two man crew temporarily so that the other members of the crew do not lose work. These situations are documented to this office and will be monitored for any abuse.

Working rules and conditions are spelled out in the Master Agreement and you should become familiar with your working agreement. If you have any questions contact your business agent for guidance before acting on your own as this agreement applies not

only to the employer but to you as well.

During the winter many apprentices who are out of work miss class. Missing a class is a serious offense and if more than one class is missed during a quarter (three month period), removal proceedings will be initiated against the offender. A notice of said proceedings will be sent to the apprentice. The apprentice must appeal the action and appear before the main Joint Apprenticeship Committee to explain the absence.

The apprentice can be pulled off the job and/or barred from employment for excessive absence or deficiency (which is generally caused by excessive absence). Excused absences will be granted in some cases, however school topics must be maintained. The Division of Apprenticeship Standards requires 144 hours of instruction per year. Since our apprenticeship classes are set up for 156 hours of instruction per year, not including holidays and vacations, little room is left for absences other than for holidays and vacations.

When classes are missed for any reason the requirement of one topic a week still holds and we expect additional topics to be turned in continually. Plan ahead and get ahead in your curricula course work. If you are going to be absent for any reason notify the Administrative Office prior to the absence, not after the absence. Failure to accept responsibility for these absences will mean your failure in the program!

A moratorium on Apprenticeship Manning was put into effect in January for January and February. The Labor Management Committee will evaluate the need for Apprentice Manning in March. Since the out of work list is much smaller this year during the winter lay off, the need for a moratorium is much less than in previous years. If a late rain period happens this situation could change, however the outlook is for a very good work year ahead for surveyors.

Many firms we have talked to are adding one or two crews this coming summer.

The classes in San Jose have been held at the San Jose Union Hall for many years, however with added work loads, extra classes and cramped space at the hall, the NCSJAC is looking for available space for the apprenticeship classes in the Santa Clara school system. The location of the class has not been decided as of this writing, but should be in effect by the time you receive this paper. Instead of one class in San Jose, we have grown to as many as four (on four separate evenings) and the need for additional space is growing. We are excited about this growth and hope to have for classes going on in Oakland.

We will be closing the San Francisco class due to the small numbers of apprentices in attendance. These apprentices will attend the Oakland class. We hope to have two classes going on in Santa Rosa and Sacramento and hope to start a class in the Modesto area at Thompson-Hysell Engineers with Dan Thompson instructing. The Journeymen Upgrade Program is in high demand by your employer group and is needed to combat the non-union influx.

With enforcement by government agencies diminishing because of "Reaganomics," it is becoming more difficult to protect the fair employer and your jobs. An effort on your part has to be

made now to increase efficiency and production by providing a superior work force and by keeping the "finks" off your jobs!

## Talking to Techs

The tech department would like to congratulate Gene Schaufler on his reelection to the Grievance Committee for his fourth term, at the Oakland district meeting held February 21st. Also it was nice to see all the techs that attended the district meeting.

On February 6, 1985 there was a meeting held for the members working under the Council of Engineers Agreement and the Independent Testing & Inspection Agreements, to discuss the allocation of wages and Fringe Benefits, effective March 1, 1985.

The members made the following allocations on the dates set forth hereunder:



Pictured above standing by the H.P. is Gene Schaufler, and holding the prism is Pete Kolthoff.

## Testing & Inspection Agreement

Effective March 1, 1985 \$ .15 increase to Pension

Classifications	3/1/84	5% Increase - Pension	3/1/85
	Wage		Wage
Trainee	8.48	.62 - .15 = .47	8.95
Technician 1 (T1)	9.99	.69 - .15 = .54	10.53
Technician 2 (T2)	12.03	.80 - .15 = .65	12.68
Eng. Tech. (ET)	13.62	.88 - .15 = .73	14.35
Senior Eng. (SET1)	14.85	.94 - .15 = .79	15.64
Senior Eng. (SET2)	15.96	.99 - .15 = .84	16.80
Health & Welfare - Effective 3/1/85 .....			\$1.85 per hour
Pension - Effective 3/1/85 .....			\$1.90 per hour
Pension Health & Welfare - Effective 3/1/85 .....			\$ .30 per hour

## Is alcohol or drug use causing you or your family embarrassment or guilt?

Alcohol or drugs most commonly used or abused:

Beer, Wine, hard liquor, prescription drugs, street drugs and recreational drugs.

Does the use of any of the above help you to cope with life problems?

Does it really help or does it create greater problems?

There are those of us who found this to be true. We are willing to help you or your family.

If you have a question please call.

All inquiries are handled with strict confidentiality.

Operating Engineers Local Union No. 3  
Nate Davidson, Director  
Alcoholism Recovery Program  
474 Valencia Street  
San Francisco, California 94103  
(415) 431-1568  
A.R.P. 24 hour "Hotline": (415) 621-0796



OPED-5 APR-CIO (2) 8/84 4p

## Helms keeps busy on Sierra Pacific job

Nevada District Representative Les Lassiter reports that Helms Construction is keeping busy these days with a crew on the Sierra Pacific Power Co. office complex with Brothers Mike Inda, Mike Moocho, Juan Acordagoitia, and the Wetzel brothers. Our lone union engineers firm, Summitt Engineering, is doing the stakeout, and Bragg Crane and Walker Boudwin are subcontracting.

Also staying busy with Helms is Pat MacFarland and Marty Summerbell on the Sparks Vista job and subdivision. Aldo Teglia is running the Northgate subdivision job, and the Reno airport parking expansion job is coming along very well with Cat Scolari and his crew. Helms has placed Brother Chuck Couchman in charge of the Cat Shop and Lee Ruff on days at the Truck Shop. It has been a pleasure working with Larry Harrison these past two years. Good luck, Larry. Jerry Casale has kept a few lube engineers going, and Helms has also started up in Utah again with Mel Vasquez at the helm. Mining-stripping has kept from 10 to 30 engineers busy all year with Helms at Virginia City, Lovelock and the 102 Ranch. Brother Mike Gabiola is on the Wabuska job.

Golden West Paving, Sparks Blvd., new alignment job is under way with Barlow & Peek doing the dirt and T.W.

Construction the pipe. Jim Busch is now supervising for Golden West with a bright work picture ahead.

Granite has Randy Sandberg, Larry Irons, Ray Larson, Hans Enge and John DeMartin doing maintenance at the Patrick Pit. They also have a small crew at Mustang with Pete Cox and are nearing completion at Mustang and Wadsworth.

Sletten Construction has work going at the Carson City Sewer Treatment Plant, in addition to a remodeling job at the MGM. Lane Miller has a small crew working at the Carlin Gold Quarry project and says he expects to see the work pick up there in March. We hope so, too.

Seaberry Depaoli, Earl Games and Byars has kept a crew busy this winter and Byars has the dirt work at the Eldorado Hotel expansion on Sierra St.

Frehner Construction was awarded 17.189 miles of overlay on S.R. 318 from 5.3 miles of the Nye/White Pine County line to 0.5 miles north of Lund. Frehner's bid was \$4,133,739.

Acme Concrete Co., out of Spokane, Washington, will be doing the white paving on I-80 from the Pershing-Humboldt County line to near Winnemucca downtown interchange, approximately 12.316 miles. Acme's bid was \$9,987,664.



Chuck Billings, Jr. (top photo), operates a P&H rough terrain crane at the Sierra Pacific Power Co. office complex job in Reno.

Taking a break at the Sparks Park job are (center photo) Manny Peralto (left), grade setter and backhoe operator Jack Isenberg.

Loader Operator John Hoover works on the parking lot expansion job at the Reno-Cannon International Airport.

### Second Annual A.R.P. BARBEQUE

11:00 a.m.

May 19, 1985 (Sunday)

Azure Acres

2264 Greenhill Rd., Sebastopol CA 95472

Menu: Steaks, Salads, etc.

**Donations will be accepted at the door  
NO ALCOHOLIC BEVERAGES TO BE BROUGHT**

All recovering members and families and all interested parties are welcome.  
Come and become aware how sobriety is beautiful.

MOTEL ACCOMODATIONS:

Negri's Occidental Lodge 3700 Bohemian Highway Occidental, CA (707) 874-3623	El Rancho Tropicana 2200 Santa Rosa Ave. Santa Rosa, CA (707) 542-3655 or 800-228-3939
Union Motel Main Street Occidental, CA (707) 874-3635	Regal 8 Inn 6288 Redwood Drive Rohnert Park, CA (707) 584-1005

Best Western Inn  
6500 Redwood Drive  
Rohnert Park, CA  
(707) 584-7435

**RETURN THIS FORM**

Yes, I would like to attend the 2nd Annual A.R.P. BBQ.

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Number attending: \_\_\_\_\_

CLIP OUT & RETURN NO LATER THAN APRIL 23, 1985 to:

**NATE DAVIDSON**  
A.R.P. Director

c/o Operating Engineers Local Union #3  
474 Valencia Street, San Francisco CA 94103

## Public Employee Department

By Jack Baugh, Director  
Public Employee Department

The County Supervisors Association of California is joining Californians for Compensation Reform, an employer funded project to reduce benefits of workers who are injured on the job. Thirty-eight counties have contributed to CSAC's Workers Compensation Reform Project which will identify "abuses" in the system and lobby the legislature for changes. Some changes have already been suggested by CSAC even before data have been gathered:

- Reducing or taxing worker's compensation benefits.
- Reducing worker's compensation awards if any other benefits are received (e.g. disability retirement or insurance).

- Reduce benefits of police officers and firefighters.

- Find ways to force injured workers to accept other employment.
- Make it harder to claim stress related disabilities.
- Reduce litigation costs of worker's compensation cases.

All these changes are targeted even though the information has been compiled to show whether there are problems in any of those areas. CSAC also claims it is seeking a broad coalition of support for the project but they have not elicited input from labor at all.

City of Newman employees have signed petitions requesting representation by the Public Employees Division

(Continued on page 14)

## G.P. Construction gets I-215 project

Business agent Lynn Barlow reports that G. P. Construction Company submitted the low bid on a section of I-15 near Plymouth in Box Elder County in the amount of \$2,102,523. The next closest bid was \$2,103,813 by a non-union company. G. P. is currently subcontracting the dirt work on an 11-mile section of I-84 near Tremonton, with Acme Concrete Company the prime contractor on the project.

Southeast Pipeline Company has completed their work on a 20-inch gas pipeline from Woodruff to Paradise. This job was given to Southeast after a non-union company was unable to complete the job on time. There is still some reclamation work to be finished when the weather permits.

Gibbons & Reed was awarded a \$5.5 million job from North Temple to 2200 North on I-215. This is a 2.8 mile concrete overlay job, and should give employment to several hands when it starts up.

Nyle Reese reports that work at the Intermountain Power Plant near Delta, Utah is about 55% complete on the first and second units, and most of the members working there are adjusting to the Stabilization Agreement. There are some very good contractors on the job, but also some very "wormy" ones.

Work in the Uintah Basin is slow at present, with two pipeline jobs scheduled to start this spring. Pipeline Technology of Houston, Texas has been awarded the lump sum of \$43 million for the engineering, design, and construction of Chevron Oil Company's 128 miles of 16-inch C-02 line from Rock Springs to Rangely, Colorado, and 95 miles of 10-inch slurry line from Chevron's mines near Vernal to the Company's fertilizer plant near Rock Springs, Wyoming.

Gregory & Cook, Inc. of Houston, Texas has been awarded a contract by

P.L.T. as construction contractor for both pipeline jobs.

Work on W. W. Clyde's dam job at Grantsville is about completed, and has been a fair job for 45 members. The remainder of Clyde's work around the Salt Lake Valley is also about all down.

Gibbons & Reed is going to try to work all winter on the Smith Morehouse Dam above Oakley. "Let's wish them good luck. This job is scheduled for two 10-hour shifts in the spring," Reese said.

On December 28, 1984, Kiewit Western was awarded the road job on 21st South from 3850 West to 5600 West. Their bid was \$11,491,141 for grading, drainage and surfacing.

According to Business agent Jasper Delray, S. J. Groves has 18 feet to finish on their job at Hurricane in Utah's Dixie and that job will be done. Most all other construction in Utah has been shut down until spring when the warm weather returns.

The Wheeler Machinery shops across the state have slowed down through the winter months, yet Kaibab Industries at Panguitch is running at the same rate as previously.

Corn Construction Company's jobs at Blanding, Henryville and Green River are all starting to go again after a 30-day shutdown, and their job at Torrey will stay down for the winter months. Joahnson Construction and George W. Johnsen of Mt. Pleasant are also shut down for the winter months.

On the bright side, Neilson Construction at Huntington is working some snow removal contracts, so there is some short work with them.

Dave Whitlock Excavating of Price, Strong Company out of Springville, Kiewit Western at Clear Creek, Western Construction and Northwestern Engineering both working in Scipio, are all shut down for the cold

## It takes two to Tango

Two American sky horses lift girders over existing iron on Shurtleff & Andrews job. Each skyhorse has 320 feet of boom and can lift 300 feet over the existing iron. Approximately 160 Local 3 members were working on the Intermountain Power Project at the time this photo was taken. Brothers Paul Brown and Roy Bean were the operators of the sky horses, with apprentices Kitty Kirkwood and Brent Stevens.



weather.

The Cortez III Missile Base still has four members working until the government makes some decision regarding the missiles housed there, and Rio Algom at LaSal, Utah is working at their normal rate.

W. W. Clyde & Company at Springville is still going at about half their workload, with their jobs at Thistle and Nephi shut down. Valley Asphalt at Spanish Fork is shut down due to weather conditions. Morrison-Knudsen at the Power Plant in Emery is working a skeleton crew. The decision has not yet been made if the third unit is going in on this plant.

Storrs Crane Service out of Provo has just signed a new short form agreement with Operating Engineers. Heckett En-

gineering at U.S. Steel is still maintaining the same workload.

In the spring the trains at the steel plant that haul the molten steel to the waste dump will be replaced with a new slag process. American Bridge at Orem is not doing anything now.

Western Pipe Coaters & Engineering is working on a pipe contract for the lines out in the Uintah Basin. Elbert Lowdermilk has jobs at the Price Interchange and Wattis that are shut down for the winter. Their shop in Helper is overhauling their equipment during the slack time. Kasler Corporation has landed a concrete highway job for work in the future that will come in between 19 and 21 million. This job will be at Nephi.

## Public Employee Department

(Continued from page 13)

of Local 3. An election will be held before mid-March. Newman employees contacted Business Representative Bill Reeves, to help them petition for Union representation. They have been representing themselves at the bargaining table and have decided they need professionals speaking for them.

Confusion exists over the legal use public officers can make of polygraph exams for law enforcement officers, applicants for law enforcement positions and civilian public employees. Law enforcement officers, potentially subject to internal affairs investigations that could result in criminal charges, are in a particularly sensitive employment situation.

The threat of a forced polygraph exam is more of a constant threat to law enforcement officers. For this reason A.B. 301, the Public Safety Officer Procedural Bill of Rights, specially covers the use of polygraph exams in any investigation of a law enforcement officer. Section 3307 of the Bill states that no officer can be compelled to take an exam and his refusal to submit to a polygraph cannot be held against him. No note, in tape or writing, can be made during the hearing process that a polygraph was refused. If an officer is asked if he would take a test, it must be

asked informally with no consequences. If an officer consents to an exam, the results, positive or negative, cannot be admitted into evidence in any administrative hearing or court case. Similarly, a refusal to take a polygraph is inadmissible evidence.

Law enforcement agencies have a right, but not an obligation, to use a polygraph exam for applicants. In this case, the polygraph is used in conjunction with background investigations and psychological exams. Questions asked for applicants should be job-related: Accordingly, questions concerning an individual's personal life are not appropriate unless they reflect practices that would interfere with an individual's performance as a law enforcement official, such as involvement with drugs or excessive use of alcohol.

Public employees who are not covered by A.B. 301 fall into a more gray area. In a situation that could lead to serious discipline, or a dismissal, a public employee can require a polygraph of an employee. Such a case might involve a theft or fight, both actions are generally considered to result in immediate dismissal. In an attempt to reach the truth about an individual's participation in a dismissable or illegal situation, an employee can require a polygraph exam

as a term of continued employment. The results of a test, however, cannot be used in any sort of procedure against an employee: an administrative hearing, civil service hearing, arbitration or court of law. Polygraphs are still considered to be too unreliable to use as evidence and are, at any rate, self-incriminating. Applicants for public employment can

be subject to polygraph exams, although their use is unlikely. Once again, the questions asked should be related to job performance, not to one's personal life insofar as it would fail to reflect an ability to do the job.

Local 3 has recently printed copies of A.B. 301, including an outline of how to seek representation.

## Grievance Committee Election Results

At its meeting on January 29, 1985, the District 17, Honolulu membership re-elected Brothers Richard LaCar and William Kapiko and elected Brother Carl Robertson to serve on its Grievance Committee for the ensuing year.

Due to a lack of quorum, no Grievance Committee election took place in Hilo on January 30, 1985, date of the regularly scheduled quarterly membership meeting. A Grievance Committee election will take place at the next regularly scheduled quarterly membership meeting to be held on April 25, 1985.

At its meeting on January 31, 1985, the District 17, Maui membership re-elected Brother Donald Poe Poe and elected Brothers Sammy Kawhaahaa and Martin Cabradilla to serve on its Grievance Committee for the ensuing year.

At its meeting on February 12,

1985, the District 3 membership re-elected the following to serve on its Grievance Committee for the ensuing year: Brothers James Aja, Patrick Shanklin and Billy Barrett.

At its meeting on February 19, 1985, the District 5 membership re-elected the following to serve on its Grievance Committee for the ensuing year: Brothers Floyd McLemore, Robert Daniels and Francis Rocha.

At its meeting on February 21, 1985, the District 2 membership re-elected the following to serve on its Grievance Committee for the ensuing year: Brothers Tee Zhee Sanders, Eugene Shaufler and Raymond Rcyer.

At its meeting on January 24, 1985, the District 1 membership elected the following to serve on its Grievance Committee for the ensuing year: Brothers Jim Derby, Pete Fogarty and Ray Mangini.



# Swap Shop: Free Want Ads for Engineers

**FOR SALE: OREGON COAST** Gold Beach 3 BR 1 1/2 BA, util. rm., 2 car garage on 75x163 lot w/connecting 82x102 lot. Both \$52,000 owner finance. Arnold Preuss, 15880 McElroy Rd., Meadow Vista CA 95722. Ph. 916/878-2140. Reg. #1160259. 2/85

**FOR SALE: PORT ORFORD, ORE.** one acre bldg. site 73x530, paved rd, power, \$8,000 owner finance. Arnold Preuss, 15880 McElroy Rd, Meadow Vista CA 95722. Ph. 916/878-2140. Reg. #1160259. 2/85

**FOR SALE: ONE TON CHEVY** service/welding trk, two utility beds, fresh motor/7,000 mi. low chassis mileage, 4 spd trans. \$2,700 or b.o. Frank, 415/620-0466. Reg. #1644228. 2/85

**FOR SALE: 79 FORD F250** super cab camper special. Many extras. \$7,000 or b.o. D. Barnard, P.O. 511, Bethel Island CA. Ph. 415/684-3428. Reg. #0557446. 2/85

**FOR SALE: E-Z LOADER BOAT** TLR hvy duty, haul up to 28' boat. Hyd. brakes. Gd Cond. \$3000 or offer. D. Barnard, P.O. 511, Bethel Island CA Ph. 415/684-3428. Reg. #0557446. 2/85

**FOR SALE: 26' SABER CRAFT** cruiser boat. New eng. & I-O, extras. Canvas, radio, fathometer, etc. D. Barnard, P.O. 511, Bethel Island CA. Ph. 415/684-3428. Reg. #0557446. 2/85

**FOR SALE: 68 V.W.** Gd transportation, new clutch, recent tune up, am/fm cassette, extra accessories. Needs paint & some body wk. \$800. Arnold J. Boehm, 7830 Granite Ave, Orangevale CA 95662. Reg. #0584775. 2/85

**FOR SALE: 18.9 WOODED ACRES** beau. view, electricity in, road & pad in, ready for bldg. \$54,000. I will carry note at 12% int. & substantial down. D. E. Warren, P.O. Box 54, Upper Lake CA 95485. Ph. 707/275-2447. Reg. #1312819. 2/85

**FOR SALE: TWO EXTRA LG LOTS** w/single wide 2 BR mobile, overlks Clearlake. City water & sewer in. \$47,500 or b.o. D. E. Warren, P.O. Box 54, Upper Lake CA 95485. Ph. 707/275-2447. Reg. #1312819. 2/85

**FOR SALE: 1 1/2 ACRE LANDSCAPING YARD** on Hwy. 20. All stock incl. 27 bins of rock, sand, bark, etc. Ford dump trk, J. Deere front loader, conc. batch plant w/5 tirs, ex. lg. metal shop & storage bldg w/attach. office. I will carry note at 12% int. w/substantial down. \$254,000. D. E. Warren, P.O. Box 54, Upper Lake CA 95485. Ph. 707/275-2447. Reg. #1312819. 2/85

**FOR SALE: MODIFIED A-FRAME** house 2BR 2BA, floor to ceiling firepl, ceramic tile, Jen-Air kit., separate garage w/studio apt. \$157,000. Adjoins 10 acres, water & power in, walnut trees. \$67,000, or together \$210,000. D. E. Warren, P.O. Box 54, Upper Lake CA 95485. Ph. 707/275-2447. Reg. #1312819. 2/85

**FOR SALE: 77 WILDERNESS TRAILER** 31' extra clean. Only three hours travel time. 6,250 lot for sale also. \$6,900. Art Kruger, 1156 Hollyhock St. Livermore CA 94550. Ph. 415/447-7212. Reg. #188021. 2/85

**FOR SALE: HYDRAULIC PUMPS** hoses, fittings. 4-700x14.5. 8-ply equipment tires w/rims. John Loranz, 3418 Clearfield, Richmond CA 94803. Ph. 415/223-3276. Reg. #1039773. 2/85

**FOR SALE: 69 DODGE** c/o pickup, slant 6, auto. trans. Runs gd. \$600. Utility trailer 6x8' Ford p/u box. \$200/b.o. Dwaine Pierzina, El Sobrante CA Ph. 415/222-2703. Reg. #0782724. 2/85

**FOR SALE: 580 CASE BACKHOE** gd cond, 67 Chevy dump trk w/new eng., equip. trailer. \$20,000 for all. Ewell Paxton, 1169 Sonuca Ave., Campbell CA 95008. Ph. 408/378-0856. Reg. #1043707. 3/85

**FOR SALE: TWO 34A D9'S** w/hyd tilt dozers, rippers, ROPS canopies. \$15,000 & \$18,000. D9 tracks 90% \$5,000. Rollers & misc. parts. Walt Lewis, 16010 Sunnyside Ave., Morgan Hill CA 95037. Ph. 408/779-5094. Reg. #1187401. 3/85

**FOR SALE: VIBRATOR PLATE COMPACTOR**, Ingersol Rand BP 9, used 50 hrs. \$1,000. Rupert Poe, P.O. Box 148, Redwood Valley CA 95470. Ph. 707/485-8265. Reg. #360700. 3/85

**FOR SALE: 1968 KIT, TRAILER** 24' sleeps 4, air cond., oven, stove, self-cont., refrig, clean, gd cond. \$3,495. Tom Stamler, Concord CA. Ph. 415/689-3274. Reg. #1842576. 3/85

**FOR SALE: USED TIRES** 14", half dwn \$5-\$10 ea. Trk tires 8-25x20, 9-00x20, 10-00x20 \$10 & up. Elec. motors \$12.50 & up. Phone Mate ans. svc \$75. Elec. add. machine \$25. Lawnmower \$10. Wash. machine gd cond \$40. Leslie Mulhair, 97 Southridge Wy, Daly City CA 94014. Ph. 415/333-9006. Reg. #154371. 3/85

**FOR SALE: CUMMINGS V555** late model trk block, all parts for short blk exc. crankshaft. Pump for 580 Case Backhoe 1/2-price. Front end bucket/933 Catloader \$150/bo. 1974 Walking beam/Eaton Hendrickson \$75 ea. Intl. 13" Pressure plate & disk new \$25. Leslie Mulhair, 97 Southridge Wy, Daly City CA 94014. Ph. 415/333-9006. Reg. #154371. 3/85

**FOR SALE: 17' CRESTLINER** boat, new paint & uphol. 35 HP Evenrude. \$1,650. 1978 GOLDWING, 1,000. Loaded \$2,400. Marvin Billings, Strathmore CA. Ph. 209/568-1134. Reg. #0991140. 3/85

**FOR SALE: 1983 CHEVIE** rebt motor, 3 spd, overdrive, new paint & tires. \$3,000. Marvin Billings, Strathmore CA. Ph. 209/568-1134. Reg. #0991140. 3/85

**FOR SALE: 1974 PONTIAC** 2-dr sedan, 76000 mi. Runs great, clean, uses no. oil. James Carson, 1059 Essex, Sunnyvale CA 94089. Ph. 408/734-1208. Reg. #0838791. 3/85

**FOR SALE: 2-TON MOTOR HOIST** cable winch 3/4x5" angle iron constr. 9' hi. Iron whls w/5/16" cable. \$400. 48" Pexto pipe wrench almost new. \$50. Adolph C. Wagner, 1202 Rosemary Ln, Yuba City CA Ph. 916/674-5982. Reg. #0904790. 3/85

**FOR SALE: 12 TON HYD. PRESS** 4" hvy channel iron constr. 2' wide 4' hi on small whls w/out jack. \$350. Old horiz. water pump \$200. Adolph Wagner, 1202 Rosemary Ln, Yuba City CA Ph. 916/674-5982. Reg. #0904790. 3/85

**FOR SALE: FAIRBANKS MORSE GAS. ENG.** \$400. Adolph Wagner, 1202 Rosemary Ln, Yuba City CA. Ph. after 6 pm 916/674-5982. Reg. #0904790. 3/85

**FOR SALE: 1954 PLYMOUTH** Plaza 4-dr runs great. 85 lic. slight body wk. M. Watkins, Pacifica CA. Ph. 415/589-1511. Reg. #1369508. 3/85

**FOR SALE: LINCOLN WELDER** 4-cyl wtr cooled overhauled armature exciter, motor. Exc. trailer. \$1,150/bo. C. G. Wells, 124 Hermosa Ave, Oakland CA. Ph. 415/547-0553. Reg. #0557433. 3/85

**FOR SALE: 36 GOLD** claims approx. 25 mi n.e. Elko NV. Jim L. Poole, 2191 Baseline Rd, Roseville CA 95678. Ph. 702/883-9107. Reg. #1208485. 3/85

**FOR SALE: CASE 580** loader/scrapper gd cond. \$6,000. Ewell Paxton, 1169 Sonuca Ave, Campbell CA 95008. Ph. 408/378-0856. Reg. #1043707. 3/85

**FOR SALE: 1980 FORD**, 1-T pickup, lo mi w/30' Invader 5th whl trailer, 24' Traveleze travel tr. 3-dr refrig. freezer, ice maker, 2-oven stove. J. Busham, Pittsburg CA Ph. 415/439-9056 or 209/786-2242. Reg. #0413422. 3/85

**FOR SALE: 22' REINELL** hardtop, Merc cruiser. I.O. All fiberglass. Head, galley \$5,500. Fred Barber, 161 Lakeview Dr, Crescent City CA. Ph. 707/464-6040. Reg. #1152603. 3/85

**FOR SALE: MERCURY COUGAR** 77 2-dr, 70K. \$2,000. P.U. Chevy classic, gd eng. \$1,300. P.U. 69 \$2,500. Ismael Gonzalez, P.O. Box 2183, San Jose CA 95109. Reg. #1709767. 3/85

**FOR SALE: 1979 29' MOTOR HOME** twin roof a/c, dash microwave, tilt str whl gem 440 dodge LP or gas, rear isl. bed, 20' awning. \$26,750. R. Laxton, Madera CA. Ph. 209/693-3652. Reg. #1728079. 3/85

**FOR SALE: WATER TANK** 1800 gal. Trade for squeeze chute plus cash or hay, or? Michael Dudney, 5143 Tesla Rd, Livermore CA 94550. Ph. 415/443-5695. Reg. #1697151. 3/85

**FOR SALE: HOUSE 4BR** 2 BA, basement apt, outside entry. 2 lg garages in Coeur d'Alene Idaho. Gd fshing, hunting \$83,000 or trade for lg late model motor home of equal value. Ed Siroshon, 1709 Satre, Coeur d'Alene ID 83814. Reg. #0904458. 3/85

## RULES FOR SUBMITTING ADS

- Any Operating Engineer may advertise in these columns without charge any PERSONAL PROPERTY he wishes to sell, swap, or purchase. Ads will not be accepted for rentals, personal services or sidelines.
- PRINT OR TYPE the wording you want in your advertising on a separate sheet of paper, limiting yourself to 30 words or less, including your NAME, complete ADDRESS and REGISTER NUMBER.
- Allow for a time lapse of several weeks between the posting of letters and receipts of your ad by our readers.
- Because the purpose should be served within the period, ads henceforth will be dropped from the newspaper after three months.
- Address all ads to Engineers News Swap Shop, 474 Valencia Street, San Francisco, Ca. 94103. Be sure to include your register number. No ad will be published without this information.

## ELECTION COMMITTEE NOTICE

James R. Ivy, Recording-Corresponding Secretary of Operating Engineers Local Union No. 3, announces that in conformity with Article XII, Section 3 Elections (b) of the Local Union By-Laws, elections will be held at the first regular district meeting in each district beginning in March for Members of the Election Committee which will conduct the election of Officers and Executive Board Members in the month of August 1985.

### Article XII, Section 3, Elections:

(a) The election of Officers and District Members of the Local Union Executive Board shall be held during the month of August 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 elections shall be conducted by a committee known as the Election Committee, composed of one (1) Member from each District in which nominations will be made. The Member shall be nominated and elected by secret ballot at the regular quarterly or specially called District Meetings by vote of those Members present whose last known address, as shown on the records of the Local Union ten (10) days prior to the first such District Meeting in March preceding the election, was within the area covered by the District. Each nominee shall be a registered voter in the District in which he is nominated, shall have been a Member of Operating Engineers Local Union No. 3 for one (1) year next preceding his nomination and election, and shall not be a candidate, or nominator of a candidate, for any Office or Position.

The nominee for Committee Member in each District receiving the highest number of votes shall be elected, and, in the event he is unable, or unwilling to serve, shall be replaced by the nominee with the next highest number of votes, and he, under the same circumstances, by the next highest, and so on, until the list of nominees is exhausted.

### Meetings to Elect Election Committee:

#### APRIL

9th District 4: Eureka  
Engineers Building,  
2806 Broadway

10th District 7: Redding  
Engineers Building,  
100 Lake Blvd.

11th District 6: Marysville  
Engineers Building  
1010 "I" Street

18th District 1: San Mateo  
Electricians Hall,  
300 - 8th Avenue

24th District 17: Honolulu  
Kalihi Waena School,  
1240 Gullick Avenue

25th District 17: Hilo  
Kapiolani School,  
966 Kilauea Avenue

26th District 17: Maui  
Kahului Elementary School,  
410 S. Hina Ave., Kahului

#### MAY

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

9th District 2: Richmond  
Point Marina Inn,  
915 W. Cutting Blvd.

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

23rd District 8: Auburn  
Auburn Recreation Center,  
123 Recreation Drive

## More from Sacramento

(Continued from page 11)

underway. Blount Bros. Corp. has a \$38 million science building going up at U.C. Davis. There are approximately seven operating engineers working on this project.

Another building project is going up in the north area. It is going to be a temporary basketball arena for the Kings when they come in September. Bigge Crane has just set the panels on the building, some of which weighed as much as 90 tons a piece. They had the biggest truck crane on the west coast to lift the panels. The contractor's name is Lukenbill, which Bonilla is happy to say he just got under contract with the help of District Representative Ken Bowersmith and Director of Organizing Ken Allen.

As for the shops in the area, Tenco Towmotor in West Sacramento is very busy for this time of year. The same goes for Morgan Equipment.

Layne-Western of Woodland seems to be holding their own, having just renegotiated their contract for the next three years. The guys seem to be pretty happy. "At this time, I would like to thank my Job Steward, Andy Anderson, who did an excellent job with us in negotiations," Bonilla said.

At this writing negotiations are underway with Cardinal Scale and Kaiser Aluminum is right around the corner.

There is going to be a slow pitch softball league of all union crafts in Sacramento. This will be a competitive league. Anyone interested, contact John Bonilla at the Hall 383-8480 or at home 371-8332.

With spring in sight there are some

new bidding activities promising to put new life in the Sacramento construction industry, Business Agent Dave Young reports. Lincoln Plaza Phase II at 3rd and 5th Streets in Sacramento was bid last month. The estimated cost is \$18 to \$24 million. This bid will be for the completion of 490,000 square feet of the interior building shell.

In El Dorado Hills there are two good wastewater projects. One consists of wastewater pump stations and the other of sewer pipelines and storage. The estimated cost for these projects is over \$2.5 million.

DYN Construction was the low bidder on \$4 million of poured in place pipe and channel relocation along Elder Creek Road and Power Inn Road in Sacramento. A pre-job conference regarding the terms of this project will be held soon.

Kaweah Construction was awarded a redevelopment project at the old sewer plant at Fruitridge Road and Land Park Drive in Sacramento. This project is mostly mechanical and will only need one hoisting engineer.

PKS Construction is well into the city disposal development project at N. 28th Street in Sacramento. Most of the heavy excavating has been done and now the soils treatment is soon to begin.

A \$155.9 million budget has been ratified by the Sacramento County Supervisors for proposed 18.3 miles of the light rail system, which will provide many needed jobs. K.I.P. Construction has started excavating the approximately 8,000 feet of sewerline in Galt, which will support the Bill Miller Ranch Development at Dry Creek.

## ATTEND YOUR UNION MEETINGS

All District Meetings convene at 8:00 p.m. with the exception of Honolulu, Hilo and Maui, which convene at 7:00 p.m.

### April

- 9th District 4: Eureka  
Engineers Building,  
2806 Broadway
- 10th District 7: Redding  
Engineers Building,  
100 Lake Blvd.
- 11th District 6: Marysville  
Operating Engineers Bldg.  
1010 "I" Street
- 18th District 1: San Mateo  
Electricians Hall,  
300 - 8th Avenue
- 24th District 17: Honolulu  
Kalihi Waena School,  
1240 Gulick Avenue
- 25th District 17: Hilo  
Kapiolani School,  
966 Kilauea Avenue
- 26th District 17: Maui  
Kahului Elementary School,  
410 S. Hina Ave., Kahului

### May

- 7th District 3: Stockton  
Engineers Bldg.,  
1916 North Broadway
- 9th District 2: Richmond  
Point Marina Inn,  
915 W. Cutting Blvd.
- 14th District 5: Fresno  
Laborer's Hall  
5431 East Hedges
- 23rd District 8: Auburn  
Auburn Recreation Center,  
123 Recreation Drive

### June

- 3rd District 10: Santa Rosa  
Veterans Building  
1351 Maple St.
- 5th District 12: Provo  
Provo City Power Bldg.  
251 West 800 North
- 5th District 9: San Jose  
Italian Gardens,  
1500 Almaden Rd.
- 6th District 11: Reno  
Musicians Hall  
124 West Taylor

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## Out-of-state contractors get free ride

(Continued from page 1)

slaughter charges against KNC over the trench cave-in fatality last October.

### Information readily available

According to San Jose District Representative Don Luba, in whose district the Pacheco Conduit is being built, "This information on KNC was readily available to Cal/OSHA if they had bothered to make a telephone call to the New Mexico safety commission."

On the contrary, it is Cal/OSHA's current policy not to investigate the out-of-state safety records of non-local contractors before issuing them permits, according to their chief council, Michael Mason.

"This lazy, sloppy work on the part of Cal/OSHA effectively opens up a loophole big enough to drive every piece of out-of-state construction equipment through," Local 3 Business Manager Tom Stapleton charged. "In effect, any out-of-state contractor who has never done work in California automatically has a clean safety record—at least in the eyes of Cal/OSHA."

Under California law, Cal/OSHA has the authority to refuse or revoke work permits. With KNC's record, it would appear that Cal/OSHA would have ample justification to revoke the company's excavation permit. However, the agency has made no move in that direction.

Cal/OSHA officers conceded to Local 3 that they would probably not have issued an excavation permit to KNC if they had known more about the company's safety record, but they do not intend to consider revoking their current permit unless KNC commits a serious violation on the Pacheco project.

### BuRec shares blame

Documents obtained through the Freedom of Information Act indicate that the Bureau of Reclamation, which is the awarding body on the San Felipe Project, was equally cursory in its examination of KNC, Inc. before awarding them the contract.

On the day the contract was awarded to KNC last June, San Jose District Representative Don Luba and John Neece, Executive Secretary of the Santa Clara and San Benito Counties Building and Construction Trades Council contacted the Bureau of Reclamation, protesting the award.

"At the time," says Luba, "we didn't have background information on KNC, but we were outraged that a non-union contractor would reap the benefits of nine years of fighting that labor did in support of this project."

Subsequent to the award of the contract, representatives from Local 3 and the Building Trades Council were able to provide ample evidence questioning the qualifications of KNC to the Bureau of Reclamation and Cal/OSHA.

Contract officers for public agencies have the responsibility of verifying if a low bidder qualifies as a responsible contractor.

In the case of KNC, BuRec officials did not investigate the company's record, except to call four references that the company had listed on its application, and a check to see if KNC had completed previous BuRec contracts on time. There was apparently no effort made to examine the company's safety record.

"It's very clear that we are going to have to find some way of helping these state and federal agencies to perform their jobs a little better," Business

Manager Tom Stapleton declared. "We are already doing a lot of the government's work for them on our job monitoring program (see page 1), providing documentation on non-union contractors who are not paying prevailing wages on public projects."

Stapleton emphasized that the only effective arena for resolving the problem of sloppy enforcement of the law is through the Legislature. "We have to impress upon our friends in the legislature that, under the current Republican Administration, the laws are simply not being enforced. The government has become a willing party to union-busting and jeopardizing the safety of building trades workers on public projects."

## Non-union firm has history of safety violations

On October 22, 1984, a construction worker identified as an undocumented Mexican national suffocated to death after a trench for a waterline in Sante Fe, New Mexico caved in.

The worker was an employee of KNC, Inc., a non-union contractor which was awarded a contract for a segment of the San Felipe project last June. Two other workers were buried in the mishap, but escaped serious injury.

Investigation into KNC, Inc. reveals that the contractor has been cited and fined before by New Mexico state safety officials for trenching safety violations, which opens serious questions as to whether the company is qualified to work on the San Felipe water development project.

Investigation of last October's mishap in Sante Fe by the New Mexico Occupational Health and Safety Bureau found evidence that the construction firm violated several trenching regulations during excavation for the waterline.

In order to carry out the investigation, the safety bureau obtained a court order to supervise the re-opening of the trench. It was the first time the agency has ever invoked an "imminent danger" provision in state law to seek an injunction, according to Carol Oppenheimer, OSHA director.

Oppenheimer said KNC has been fined by her agency in the past in connection with excavation accidents. A \$12,000 penalty was imposed as part of a settlement filed in January 1984, in a case where a trench caved in near Twinings, NM.

Oppenheimer explained that the fine against KNC was the highest ever levied against a contractor in the history of the state.

KNC is a successor to Kent Nowlin Construction Co., which also was fined in connection with excavation violations on two occasions, Oppenheimer said.

According to a copy of the application for excavation permit submitted to Cal/OSHA, KNC, Inc. gave no indication of its past safety record to Cal/OSHA, nor is there any place on the checklist of qualifications that requires them to list any previous safety violations.