

# ENGINEERS news

VOL. 62, #10 • OPERATING ENGINEERS LOCAL UNION NO 3 • ALAMEDA, CA • OCTOBER 2004

## Rock Solid Union

Operating Engineers, Teamsters, Laborers and Machinists  
sign contract ending three-month strike in South Bay





## For The Good & Welfare

By John Bonilla, Business Manager

### It's our choice; we choose John Kerry

As Election Day approaches, Local 3 members and staff are busy spreading the word, phone banking and precinct walking in an effort to educate others about their choices in the upcoming Nov. 2 election. The closer we get to Election Day, the busier we will be; we know this election is critical for our future, and we are doing something about it.

This month's *Engineers News* includes a pullout section regarding your federal, state and local elections. Each Local 3 district has made recommendations based on who has made an honest commitment to serving working people. Please, take this pullout section to the polls with you Nov. 2. These candidates' success could help ensure our prosperity during the next four years and more.

I encourage every one of you to vote in this election. This election is perhaps more important than any election we've had in the past. That is because for the last four years, working people have been stepped on and pushed aside by an anti-labor president. Well, friends, we can't afford to take that any longer.

Since George Bush took office, more than 2.8 million American jobs have been lost; Bush has tried to end overtime pay for millions of workers; he has supported tax breaks for companies that send American jobs to foreign countries; the annual deficit is the largest in U.S. history; and Bush has been working to eliminate Davis-Bacon prevailing wage protections and signed an executive order eliminating project labor agreements on federal jobs. This is just a sample of the damage Bush has caused working people.

Working people have lost enough to Bush and his policies; it's time we win. I believe we can win by electing Democratic Sen. John Kerry president. Kerry has a proven pro-labor record. In fact, he boasts a 90 percent AFL-CIO voting record over the course of his 18-year Senate career.

Kerry has made a promise to working people that he will fight for their rights. Not only that, he has made specific promises to union workers. Before getting the AFL-CIO's official nod of approval, Kerry answered some questionnaires (to read the questionnaires and Kerry's complete answers, visit [www.afl-cio.org](http://www.afl-cio.org)). Below are his words on some important union issues. Kerry has vowed to:

**Promote labor-management cooperation.** "The role of government is to foster productive relations and cooperation between labor and management. Bargaining should be resolved at the bargaining table without unnecessary interference from the executive branch."

**Make labor-friendly appointments.** "As President, I will faithfully uphold the nation's labor laws. The right of workers to organize and collectively bargain is essential, and I will protect and preserve that right. I will also protect the right of employees to choose union representation without inappropriate union interference."

**Protect prevailing wage.** "I support Davis-Bacon and will oppose any proposal to weaken its requirements as they relate to federal infrastructure programs. I also realize that some infrastructure finance

proposals do not include Davis-Bacon protections. I will oppose efforts to undermine Davis-Bacon through 'innovative finance.'"

**Protect workers' freedom to form a union.** "I'd roll back the anti-labor policies of the Bush Administration and support a workers' right to organize for better pay, working conditions and benefits, just as I have done during my career in the United States Senate."

Kerry has also taken a pro-worker stand on important issues such as jobs, the economy, health care and retirement security. Kerry has stated that one of his first priorities in the White House will be to restore the jobs lost during the Bush Administration's tenure. He believes one of the best ways to create jobs is to invest in infrastructure, and he has promised to save overtime rights, close the income gap between men and women and raise the minimum wage.

Regarding the economy, Kerry says, "My economic policy is not to export American jobs but to reward companies for creating and keeping good jobs in America. I want to repeal every tax break and loophole that rewards any Benedict Arnold CEO or corporation for shipping American jobs overseas."

He proposes to roll back George Bush's tax cuts for the nation's wealthiest, which are a major factor in the nation's nearly \$500 billion budget deficit. Kerry also plans to create incentives and to reward companies that create and keep good jobs on American soil.

In regard to health care, Kerry says he will fight to give every American access to the same health plan as members of Congress and will fight to keep down costs for the millions of Americans who already have coverage. "The average American will save \$1,000 a year; the average insurance company will have to stop overcharging consumers," Kerry said earlier this year.

Kerry also believes in providing and strengthening retirement security. His "Compact with the greatest generation" guarantees seniors protection for Social Security and Medicare, opposes raising the retirement age, helps seniors afford their prescription drugs and ensures long-term care.

Working people will win with John Kerry in the White House. We need to do everything we can to make sure he is elected president. Now it's up to you to take a stand. Call your district office and volunteer your time phone banking and precinct walking. Political Director Cindy Tuttle has listed dates and locations of upcoming activities in this month's OE CAT column on page 13. Check it out.

So, now we have a choice. Do we want four more years of injustice for working Americans? Or do we want a friend in office fighting for our needs? To quote AFL-CIO President John J. Sweeney:

"That's our choice. And we choose John Kerry."  
In Solidarity,

*John A. Bonilla*

John A. Bonilla  
Business Manager



California state and local officials, including Assemblywoman Lois Wolk, Sen. Mike Machado and Mayor Christopher Cabaldon, joined West Sacramento skateboarders July 17 for the skateboard park's grand opening and ribbon-cutting ceremony. . . . . 4

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## Talking Points

By Bob Miller, President

### In the News

## House votes to protect overtime pay

Working families scored a major victory Sept. 9 when the U.S. House of Representatives approved an amendment to restore overtime pay rights for some 6 million workers whose overtime pay was threatened by new Bush administration rules that became effective Aug. 23.

On a bipartisan vote of 223-193, the House passed an amendment introduced by Reps. David Obey (D-Wis.) and George Miller (D-Calif.) to the Labor, Health and Human Services appropriations bill. The amendment would force the U.S. Department of Labor to rescind overtime pay eligibility changes to the Federal Labor Standards Act but let stand new inflation adjustment rules that will benefit some 384,000 low-income workers.

The fight to stop President George W. Bush's overtime pay take-away is far from over, however. Bush has threatened to veto the appropriations bill, which includes funds for health care and education, if it contains the Obey-Miller amendment. AFL-CIO President John Sweeney called on Bush to do the right thing and withdraw his veto threat.

"Today's vote ... sends a strong message to the White House: America's workers, leaders and communities do not support his overtime pay cut, and President Bush should back off his threats to veto this important protection for workers' overtime pay," Sweeney said. "The ball is now in the president's court. We will continue to keep up the pressure to translate today's win into a larger victory in the battle to save overtime pay."

The House has voted twice and the U.S. Senate three times to stop the administration from cutting workers' paychecks. Workers sent more than 1.6 million letters, e-mails and faxes protesting the overtime pay cut after it was announced in March 2003.

The Senate is expected to mark up its version of the appropriations bill next week. In May, the Senate approved an amendment by Sen. Tom Harkin (D-Iowa) to the Foreign Sales Corporation (FSC) tax bill (S. 1637) to protect overtime pay. The Harkin amendment would repeal any provision of Bush's new regulation that takes away workers' right to overtime pay. House leaders had blocked several attempts to vote on a similar measure and refused Democratic requests to allow debate on the issue.

Speaking before a 1,000-strong rally outside the Labor Department in Washington, D.C., on Aug. 23, Harkin and Sen. Arlen Specter (R-Pa.) said congressional Democrats and a handful of Republican lawmakers will continue to push to stop the pay cut.

Source: [www.aflcio.org](http://www.aflcio.org).

## Good times for a few

Last month I shared with you part of a conversation I'd had with Business Manager John Bonilla concerning the national jobs picture. This month I'd like to expand on it. As I reported previously, both the character and quality of job creation has been changing. In simple terms, our economy isn't generating as many good jobs as it used to. American workers and their families are really feeling squeezed.

Government data shows that over the last three decades, the income gap has steadily increased between the richest Americans and those at the middle and bottom of the pay scale. This growing disparity has become even more noticeable in the slowly recovering national economy. The government data shows that wages are flat and the middle class is shouldering a larger tax burden. And, as you know, prices for health care, housing, college tuition, gas and food are soaring.

Recent polls show that Americans have increasing doubts about the direction of the economy. Middle-class Americans say they are often forced to pinch pennies just to get by. But that's not the case for everyone. According to the Census Bureau, in 1973, the wealthiest 20 percent of households accounted for 44 percent of total U.S. income. Their share jumped to 50 percent by 2002 while everyone else's fell. For the bottom fifth, the share dropped from 4.2 percent to 3.5 percent. In simple terms, those making the most have enjoyed the largest increases in household incomes. Middle-class incomes have stalled.

The growing income disparity is also showing up in booming sales of luxury items. Porsche Cars North America reports that sales are up 17 percent for the year. Neiman Marcus, Nordstrom and Saks Fifth Avenue report strong sales that overshadow the slow growth being reported by mass retailers like Target, Sears and Payless ShoeSource.

It's beginning to look like these trends will be with us for the foreseeable future. As I reported last month, new jobs being created pay less and offer fewer benefits, such as health insurance. Most job growth is concentrated in health care, food services and temporary employment firms. Temp agencies alone account for about one-fifth of all new jobs. Three in five of the new jobs pay below the national median hourly wage - \$13.53. On a weekly basis, the average wage is now \$525.84, the lowest since October 2001.

What do these trends mean for you, your family and our union? They mean we've all got a lot of work to do if things are going to improve for you and the rest of America's working families. Like I said last month, given that it's an election year, we can start by asking politicians about their plans for helping us change these disturbing trends. Their answers should determine our vote.



## UNIT 12 STATE CRAFT AND MAINTENANCE

By Flo Davis, Unit 12 Director

### State, Unit 12 reach tentative agreement

A tentative collective bargaining agreement has been reached between the state and Unit 12. As I stated in last month's column, no negotiations took place at the bargaining table; all negotiations were between the Department of Personnel Administration (DPA) and the governor's office. Unit 12 Central Office Coordinator Larry Dolson represented Unit 12. A summary of the agreement is on the Unit 12 Web site, [www.iuoestateunit12.org](http://www.iuoestateunit12.org).

The Unit 12 Negotiating Committee convened in mid-August and was given a copy of the proposal, along with the latest update. Local 3's Negotiation Advisory Committee (NAC) met the day following the Unit 12 Negotiating Committee's meeting and received similar information. In addition, Local 3 Legislative Advocate Tim Cremins attended the NAC meeting and brought the NAC the latest from the Legislature.

It is our understanding that the governor is not opposed to the tentative agreement. However, as of the close of the legislative session at the end of

August, the governor's office had not signed the agreement. Providing the governor signs the Unit 12 agreement, it will be transformed into a legislative bill and presented to the 2005 Legislature for ratification.

Upon signature by the governor, the Unit 12 Central Office will move forward with taking the agreement to Unit 12 members for ratification. This process provides for a summary of the agreement to be mailed to every Unit 12 member, along with a ballot. The members are asked to vote on the agreement and return their ballots to a post office box by a specific date.

During the intervening period, the four local unions will have time for meetings to answer members' questions about the agreement.

Following the due date, the ballots are collected, opened and counted by the rank-and-file members of the Unit 12 Negotiating Committee. Operating Engineers staff members are precluded from handling any of the ballots. Once the counts are verified, the results will be posted on the Unit 12 Web site.

### Local 3 gives back

#### Unions, contractors build skateboard park in West Sacramento

After more than a year of planning and an intense 22-day construction schedule, the new skateboard park in West Sacramento, Calif., opened July 17 in grand fashion with a ribbon-cutting ceremony attended by state and local dignitaries and dozens of skateboard-loving kids from West Sacramento.

Business Manager John Bonilla, a 43-year resident of West Sacramento, spearheaded the effort to build the park with local labor unions, private industry, and school and city officials. Operating Engineers Local 3 worked in conjunction with Delta Construction, Cement Masons Local 400, Iron Workers Local 118, Carpenters Local Unions 46 and 180, Sacramento-Sierra Trade Council, Teichert Aggregates and Ready Mix, Holt of California, Maloof Sports & Entertainment,

Washington Unified School District and the city of West Sacramento.

The Washington Unified School District donated the property for the park, which is located at the corner of Westacre Road and Evergreen Avenue in West Sacramento, and the city of West Sacramento is providing its upkeep and maintenance.

The skateboard park features one double-sided ramp, a lower step ramp, and a metal railing from which skaters can slide and perform tricks. It is enclosed by a chain-link fence and sits adjacent to a basketball court.

Norman R. "Skip" Brown, President of Delta Construction, a longtime Local 3 contractor, and his 10-member crew donated

their time and expertise to help resurface the park's basketball court. The job required multiple layers of asphalt to allow for proper water drainage from the court. Brown said jokingly that he was pinch-hitting for his foreman, Pete Lambert, who was MIA the day they worked on the project, but he was happy to be there to help.

"We're glad to do it," Brown said. "You've got to give something to the industry that makes your living. This is good for the kids."

Steve Garland, a 15-year Local 3 member and roller operator for Delta Construction, agreed.

"It gives the kids something to do - someplace to go," Garland said. "I'm glad to be a part of it."

Had it not been for the involvement of Local 3, Delta Construction and other community partners,

the skateboard park would never have come to fruition. The city of West Sacramento tried for almost three years to approve the plan for the park but lacked the means to build it.

Under the direction of Business Manager Bonilla, Local 3's Community Action Team (CAT) in Sacramento got the project off the ground. CAT Coordinator Theresa Reclusado solicited help from Local 3 employers and coordinated their donations of labor, materials and equipment. Sacramento District Rep. Richard Marshall, Asst. District Rep. Justin Diston, Business Rep. Dan Reding, Business Rep. Tim Neep, JAC Coordinator John Bonilla Jr. and District 80 CAT activists performed the dirt work and gradesetting. Reclusado performed the surveying work in its entirety and saw the project through to completion.

Journey-level operator Felicia Ramos, a six-year Local 3 member from District 80, volunteered to help with the dirt work when she had time off work.

"I like to give back to the community," Ramos said. "I can't keep what I have unless I give it away."

Thanks to Local 3 members like Felicia Ramos and Steve Garland, and employers like Skip Brown of Delta Construction, West Sacramento kids now have a safe place to ride their skateboards and play basketball.



Journey-level Operator Felicia Ramos, a six-year Local 3 member and CAT activist, helped perform dirt work at the skateboard park on one of her days off from work.



Steve Garland, a 15-year Local 3 member, volunteered his time and expertise on a paving roller to resurface the basketball court adjacent to the skateboard park.



Delta Construction's crew works to lay asphalt on the basketball court.





## W. stands for wrong

Bush in denial over deficit; Kerry offers solutions

In his recent nomination acceptance speech at the Republican National Convention, President George W. Bush chided Democratic presidential nominee John Kerry for his economic policy.

"His policies of tax and spend — of expanding government rather than expanding opportunity — are the policies of the past," Bush said.

The president is clearly confused. It is Bush with the mixed-up economic policy, not Kerry. It is Bush who has denied opportunity to millions of Americans, not Kerry. It is Kerry who will get our nation back on the right economic track.

Under Bush, more than 2 million American jobs have been lost, the annual deficit has exploded to a record \$422 billion, and a record 45 million Americans are without health insurance. All the while, instead of making changes to help create jobs in the United States, Bush has supported tax breaks for companies that send American jobs to foreign countries.

Bush has been called "a poor imitation of Reagan." Like Reagan, Bush has made large tax cuts during his tenure that were meant to stimulate the economy. But instead, these cuts have backfired, propelling the nation into its largest ever deficit and could destroy 750,000 more jobs over the next 10 years. And unfortunately, for the average American,

these tax cuts primarily benefit the wealthiest Americans.

Bush should have learned from Reagan's mistakes. Reagan realized his tremendous tax cuts were contributing to the massive and growing federal budget deficits, and so in 1982 and 1983, Reagan had to raise taxes, reversing part of his 1981 tax cut. So far Bush has been unwilling to go this route, and he hasn't expressed a willingness to either.

According to a recent Congressional Budget Office analysis, extending Bush's tax cuts that are scheduled to expire by 2011 would add \$2.2 trillion to the 10-year budget deficit. And, making Bush's previous tax cuts permanent would nearly double the 10-year shortfall to \$4.5 trillion.

What's more, it is believed that ongoing downward pressure on wages and salaries and substantial increases in benefit costs will continue to make it difficult for unions to negotiate meaningful wage increases in new contracts.

America and America's workers can no longer afford Bush's policies.

"W. stands for wrong, the wrong direction for America," Democratic presidential candidate John Kerry said in a recent statement, referring to the president's middle initial and his economic approach.

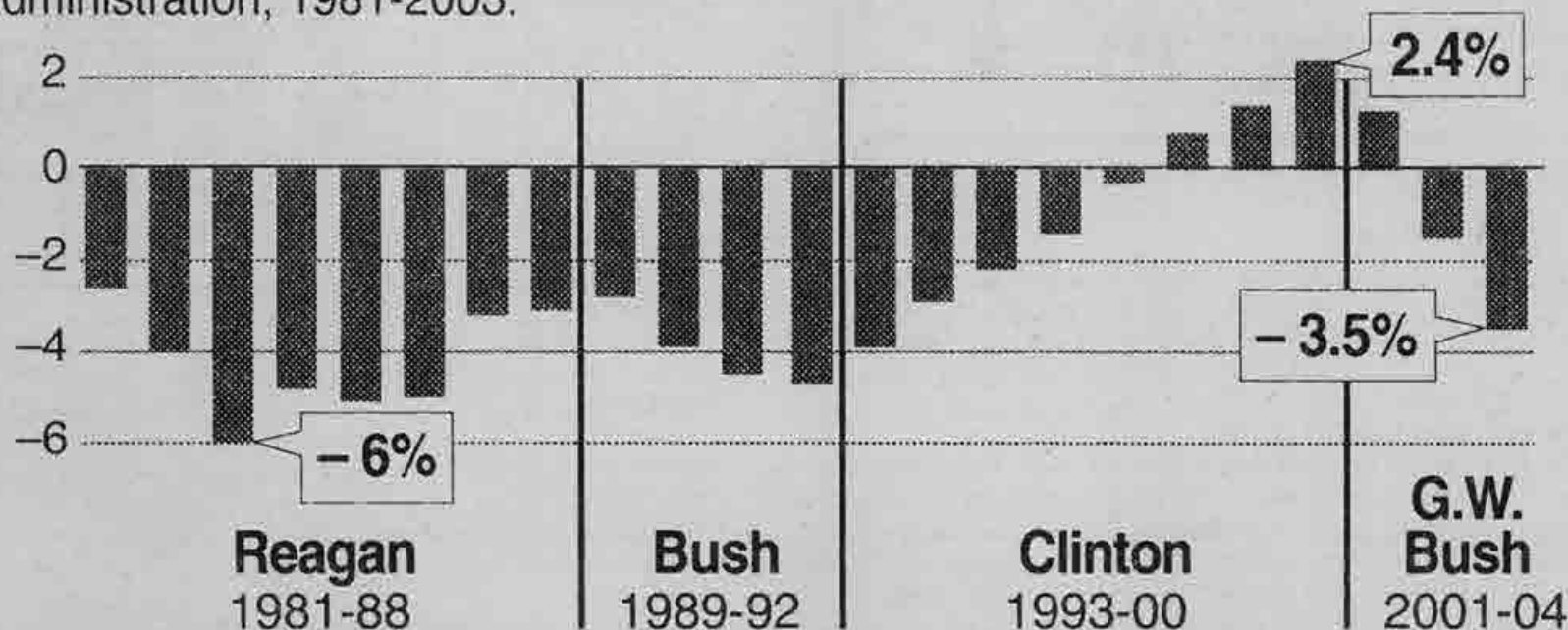
Fortunately, America has an opportunity in John Kerry, who offers sound solutions to the problems caused by Bush's backward policies. Kerry has vowed to close the tax loopholes that reward companies for shipping jobs overseas. Going a step further, Kerry proposes to grant tax incentives to responsible employers who create and keep jobs in the United States. Kerry supports tax breaks for the middle class and will not repeal tax cuts for the middle class, the group that bore the brunt of the effects of Bush's cuts, making it harder for them to make ends meet.

Kerry has plans to gain back jobs lost during the Bush Administration. He has proposed creating jobs through a new manufacturing jobs credit, by investing in new energy industries, restoring technology and stopping layoffs in education. Kerry believes one of the best ways to create jobs is to focus federal infrastructure resources on critically needed projects, such as building roads, bridges, water and sewer systems, and upgrading the nation's transportation systems.

The United States can't take four more years of the Bush Administration's damaging economic policies. What America can take is change for the better — that change will come through John Kerry.

# Reagan, Bush and the deficit

Federal budget deficit or surplus as a percentage of the GDP, by presidential administration, 1981-2003:



Sources: U.S. Office of Management and Budget; U.S. Bureau of Economic Analysis



## CREDIT UNION

By Rob Wise, Credit Union Financial Officer  
& Local 3 Recording - Corresponding Secretary

# What's your FICO?

As you know, a powerful union results in good wages and benefits. It's good for you, and it's good for the communities we live in. As I've said before, the No. 1 priority of Local 3's officers and staff is making sure every member gets the best in service. It's my responsibility to give you the information you need to help keep your family financially secure. That's why I want to talk to you about your FICO.

What's your FICO? You've probably heard this strange term quite a bit recently. A FICO (credit) score is a computer-generated "grade" that predicts a lender's risk if a company or person does business with you. The grade is based on your past credit behavior. FICO stands for "Fair, Isaac and Company," the folks who created this scoring system. Bill Fair and Earl Isaac discovered in 1956 that with enough information, they could predict outcomes based on probable risk.

In fact, many people have asked me, "What is a FICO?" and "Should I care?" Yes, you should care, and here's why: Your FICO is a three-digit number that tells lenders, employers, insurers and others a lot about you. In fact, this number will also determine how much you pay – or even if you qualify – for a multitude of loans and services.

If you don't pay attention to your FICO, it can cost you a lot of money. What rate did you pay for your last car loan? Chances are the higher your credit score, the lower your rate. What are you paying for car insurance? When determining rates, many insurers place as much importance on your credit score as your driving record. Every Local 3 member should know how the credit bureaus arrive at this number. Then you can use more of your hard-earned wages for the good of your family and your community – not for higher rates on everything you do.

## Credit reports: the data that drives your score

Your credit score is determined by the data in your credit report. This data is primarily comprised of the payment history on your credit accounts. Each month, lenders report the status of your account, usually to all three major credit bureaus. If you make your payment on time, that shows. If you pay 30 or 60 days late, that shows, too.

Your credit score is derived from a complex formula using research and statistical data that objectively measures how likely a borrower is to pay back a loan. The higher a person's score, the greater the likelihood of loan repayment. The credit score is used as a quick evaluation of whether to approve your application.

- Credit scores range from a low of 300 to a high of 850.
- The average consumer score is about 720.
- Twenty percent of the population scores below 620.
- The next 20 percent of the population scores between 620 and 690.
- Only about 1 percent to 2 percent of the population scores above 800.

## The anatomy of your score

Here is a general breakdown of the factors affecting your score. If you have specific questions about your score, talk to the folks at your union-member-owned credit union, Operating Engineers Local 3 Federal Credit Union (OEFCU).

### 35 percent = payment history

An account kept current over time improves your score. If you miss a payment, get current and stay current. For example, if you miss one payment on a credit card, then make your payment on time the following month and for the next six months, your credit report will show seven months of late payments. Don't fall into that trap! If you miss a payment, make a double payment the following month so your report will only show one late payment, not seven.

### 30 percent = amount owed

High outstanding debt drives down your score. You should keep your credit balance at 20 percent to 30 percent of your available credit limit.

### 15 percent = length of credit history

Scores increase over time. When closing credit cards, it is wise to keep your oldest card, even if it has a slightly higher interest rate.

### 10 percent = new credit and inquiries for new credit

Each time you apply for credit and the lender orders a copy of your report, an inquiry is listed. Excessive inquiries can negatively affect scores because they indicate you are looking to increase your total debt.

The exceptions: 1) Mortgage and auto lender inquiries that fall into the same 30-day period are counted as only one inquiry for scoring purposes. 2) Frequently, credit card companies and other junk mail providers purchase credit report data to pre-qualify you for special mail offers. These inquiries will not impact your score. To get off the junk mail list, call (888) 567-8688 and follow the menu options to have your name removed from the list. Only credit applications you initiate affect your score.

### 10 percent = types of credit

A good credit mix improves scores. If you have auto loans, mortgage loans and credit card loans, that's more advantageous than only having credit card loans. Also, simply using some types of lenders, such as finance companies, can have a negative affect on your score.

How long do negative items stay on your report? Chapter 7 Bankruptcy stays on your report for 10 years. All other negative items, such as collections, tax-liens, Chapter 13 Bankruptcy and court judgments remain for seven years from the charge-off date or date of last activity.

## Improving credit

There is no quick fix for credit problems, despite what some firms may tell you. The truth is that these companies can't legally do anything for you that you can't do yourself. The remedy to improve scores is to get current on debts and let time heal the report. Check your credit report with all bureaus at least annually to be sure there is no inaccurate information affecting your score. To order a copy of your report, contact the credit bureaus listed below.

### Equifax

PO Box 740256  
Atlanta, GA 30374  
(800) 685-1111  
[www.equifax.com](http://www.equifax.com)

### Experian

PO Box 2105  
Allen, TX 75013  
(888) 379-3742  
[www.experian.com](http://www.experian.com)

### TransUnion

PO Box 390  
Springfield, PA 19064-0390  
(800) 888-4213  
(800) 916-8800 dispute line  
[www.transunion.com](http://www.transunion.com)



This is a lot of information, but I hope you'll take the time to study it. Remember, one way to avoid situations that can negatively affect your credit is to bank with a union financial institution. Our credit union, OEFCU, is looking out for you. If you would like to speak with someone about your credit report or credit score, contact an OEFCU loan officer at (800) 877-4444.





## FRINGE BENEFITS

By Charlie Warren, Director

### Union Vision Services

Proper vision is not only vital to enjoy a normal life, it also increases productivity and plays an important role in preventing accidents. You and your dependents are encouraged to obtain an annual vision examination.

Union Vision Services has been providing Local 3 members and their families with vision services for nine years. Located in our Sacramento District Hall and in the Roseville Hall of the UFCW 588, Union Vision Services provides you with friendly, personalized services designed to maximize your vision insurance coverage. Union Vision Services provides the following:

**SAVINGS.** Use your vision-care insurance and find great savings at Union Vision Services. (For members without vision insurance, special union discounted examination fees and eyewear package pricing is available.)

**CONVENIENCE.** You may schedule day, evening or Saturday appointments. There is no need to file claim forms.

**QUALITY CARE.** Your eyes will be tested with the latest state-of-the-art instruments by highly qualified professionals.

**UNION.** Union Vision Services is a union shop.

Simply phone (916) 567-0888 or (800) 567-0188 for the Sacramento office or (916) 782-8080 or (800) 994-9077 for the Roseville office to make appointments. Union Vision Services will do the rest.

### What happens when I become eligible for Medicare?



Members and spouses covered by the Pensioned Operating Engineers Health & Welfare Trust Fund eligible for Medicare benefits must enroll in parts A and B of the Medicare program. Failure to enroll will result in the plan denying any charges that would have been paid by Medicare, regardless of whether the eligible member or spouse has enrolled in the Medicare program. From the point the member or spouse becomes eligible for Medicare, the Pensioned H&W Trust Fund becomes the secondary payer. This means Medicare will pay on the charges first, and the Trust Fund will pay the appropriate balance of covered charges after Medicare has paid its portion.

Members and spouses eligible for Medicare benefits and on the Kaiser Plan must enroll in the Kaiser Senior Advantage Plan if they wish to remain with Kaiser. Once enrolled in the Senior Advantage Plan, all prescriptions must be filled at Kaiser pharmacies. The American Diversified Pharmacies-Rx America Plan is not available to Kaiser Senior Advantage members.

What if I have Medicare but my spouse isn't old enough for Medicare?

If the spouse or member is not yet eligible for Medicare benefits, the plan will pay the appropriate portion of the covered expenses. As soon as the spouse or member is eligible to enroll for Medicare, s/he must do so or face the reduction in benefits described above.

### Health and Fitness

How much do you know about exercise and fitness activity?

Take our true or false quiz:

1) You should consult a doctor before starting a physical activity program.

T F

2) You don't have to buy lots of expensive equipment to be physically fit.

T F

3) Most people get enough physical activity in their normal daily routine.

T F

4) People who have had a heart attack should not start a physical fitness program.

T F

Answers:

1) **True.** Consult your doctor before beginning or greatly increasing any physical activity, particularly if you have high blood pressure, pains or pressure in your chest and shoulders, feel dizzy or faint, feel breathless after mild exertion or have not been physically active before.

2) **True.** Many activities require little or no equipment. For walking, all you need is a comfortable, supportive pair of walking shoes. Many communities and recreation centers offer free or inexpensive recreation facilities and classes. Some shopping malls open early for walkers.

3) **False.** Most Americans are busy but not very active. The goal should be 30 minutes of low to moderate physical activity every day — which might include walking, swimming, house chores, yard work, dance or whatever works for you. If you are inactive, start with a few minutes of activity and build up slowly.

4) **False.** Regular physical activity actually can help reduce your risk of having another heart attack. It has been proven that people who include regular physical activity after a heart attack improve their chances of living longer and increase their self-esteem. If you have had a heart attack or heart disease, consult your physician before beginning a fitness regimen — but don't be afraid to exercise.

### RETIREE ASSOCIATION MEETINGS

#### SALT LAKE CITY\*

Thursday, Oct. 7 2 p.m.

IBEW Hall  
3400 W. 2100 S.  
Salt Lake City, UT

#### MODESTO

Thursday, Oct. 7 10 a.m.

Tuolumne River Lodge  
2429 River Road  
Modesto, CA

#### STOCKTON

Thursday, Oct. 7 2 p.m.

Italian Athletic Club  
3514 Cherryland Drive  
Stockton, CA

#### FAIRFIELD

Thursday, Oct. 14 2 p.m.

Operating Engineers Building  
2540 N. Watney Way  
Fairfield, CA

#### SAN FRANCISCO-SAN MATEO

Tuesday, Oct. 19 10 a.m.

Machinists Hall  
1511 Rollins Road  
Burlingame, CA

#### NOVATO

Tuesday, Oct. 19 2 p.m.

Unity In Marin  
600 Palm Drive  
Novato, CA

#### AUBURN

Thursday, Oct. 21 10 a.m.

Auburn Recreation Center  
Foothills Room  
471 Maidu Drive  
Auburn, CA

#### SACRAMENTO

Thursday, Oct. 21 2 p.m.

ILWU Local 17 Hall  
600 4th St.  
West Sacramento, CA

#### EUREKA

Tuesday, Oct. 26 2 p.m.

Red Lion Inn  
1929 4th St.  
Eureka, CA

#### REDDING Meeting & Potluck

Wednesday, Oct. 27 1:30 p.m.

Frontier Senior Center  
2081 Frontier Trail  
Anderson, CA

#### YUBA CITY

Thursday, Oct. 28 2 p.m.

Sutter-Yuba Board of Realtors  
Building  
1558 Starr Drive  
Yuba City, CA

#### FRESNO

Thursday, Nov. 4 2 p.m.

Cedar Lanes  
3131 N. Cedar  
Fresno, CA

#### RENO

Thursday, Nov. 4 2 p.m.

Operating Engineers Building  
1290 Corporate Blvd.  
Reno, NV

\*Location change.

Fringe Benefits Service Center  
(800) 532-2105



## RANCHO MURIETA TRAINING CENTER

for Apprentice to  
Journey-level Operators

By Curtis Brooks, Director

## SRT is back

Once again, it's time to gear up for Supplemental Related Training (SRT) and journey-level upgrade training. The entry-level classes are closed for 2004, and we are in SRT mode.

Every year we have the same issue with several employers; that is, "I cannot live without this particular apprentice." On occasion, when there is no qualified replacement available, we can make accommodations for our customer, the signatory employer. Overall, strict enforcement of the mandatory SRT obligations must be maintained. Otherwise, in the long run, the apprentice runs the risk of delayed advancement.

We must keep in mind apprentices' career development and the signed apprenticeship agreement with the state of California, which obligates apprentices and the apprenticeship program to comply with standards that establish the criteria for program completion. Our program is under constant attack by non-union employers and naysayers, no matter how superior our program is to non-union programs. I take great pride in reporting that in July, the California Apprenticeship Council overwhelmingly approved our minimum apprenticeship standards as a statewide model and guideline for all apprenticeship trades. This suggests we are doing things correctly and are headed in the right direction.

We must keep a vigilant watch on the requirements placed on us through our formal training program. Other supposed training programs, by last record, have not produced any journey-level graduates. However, the Operating Engineers journeyed out 24 apprentices in August alone. For those who say anyone can take a journey-level competency test and consider themselves a qualified journey-level operator, let me make it clear that we require seat time and time cards as documented proof of the hours spent training on the job or practical experience in Local 3's jurisdiction before claiming journey-level status. It is true, we hold ourselves to a higher standard — that is how our signatory employers stay competitive in our ever-tightening market share. They simply must have qualified workers — trained workers — to survive.

So, when it's time for your apprentice to return for SRT, we ask you to please recognize the fact that the program's end product benefits your future. Anyone who claims his or her job will suffer because of a two-week absence of one apprentice is not prepared for the unexpected. Be aware, the training dispatches cometh.

Stay safe. Be productive. See you on the next one.

## APPRENTICESHIP GRADUATES

Alfred Cox	Construction Equipment Operator	Fairfield	Aug. 2
Alfred Montoya	Construction Equipment Operator	Stockton	Aug. 25
Bradley Stille	Construction Equipment Operator	Yuba City	Aug. 9
Catherine Lytle	Vertical Horizontal Drilling	Oakland	Aug. 23
Dale Davis	Construction Equipment Operator	Fairfield	Aug. 23
Danny Burton	Crane Operator	Sacramento	Aug. 9
Darin Sturdivan	Construction Equipment Operator	San Francisco	Aug. 25
David Carrera	Construction Equipment Operator	Stockton	Sept. 4
David Helwig	Construction Equipment Operator	San Jose	Aug. 16
Frank Kioa	Construction Equipment Operator	Oakland	Aug. 16
Idowu Oghogho	Construction Equipment Operator	Sacramento	Aug. 13
Ismael Ascencion	Construction Equipment Operator	San Jose	Aug. 2
Jeff Brackett	Construction Equipment Operator	Fresno	Aug. 2
Keith Torres	Construction Equipment Operator	Oakland	Aug. 16
Marc Potts	Heavy Duty Repairer	Sacramento	Aug. 16
Michael McZeek	Construction Equipment Operator	Sacramento	Aug. 9
Otis Pierce	Construction Equipment Operator	Fresno	Aug. 2
Ruedell Walker	Construction Equipment Operator	San Francisco	Aug. 18
Thomas Geise	Construction Equipment Operator	Yuba City	Aug. 23
Todd Nicholson	Construction Equipment Operator	Fairfield	Aug. 30
Travis McAfee	Heavy Duty Repairer	Yuba City	Aug. 30



## Mechanics Corner

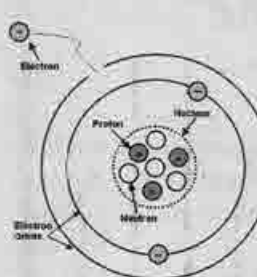
By David DeWilde



## Basic electricity

Last month we covered the basics of hydraulics. This month we'll cover the basics of electricity. One good thing is that the basics never change. No matter the type of system or the system manufacturer, basic physics holds true. Remember that when you're troubleshooting a system and nothing is making sense. Go back to the basics.

When we talk about electricity, we have to go back to the atom, the smallest particle of matter. This illustration shows a basic atom. Notice there is a center section called the nucleus, which is comprised of protons and neutrons. Protons have a positive charge, and neutrons are neutral — they have no charge. Electrons orbit the nucleus much like our solar system and are negatively charged. In a balanced atom, there are the same number of protons as electrons. The material is determined by the number of protons, neutrons and electrons in an atom. This is a lithium atom.



In electricity, we use the outermost orbiting electron to do the work for us. There is a natural attraction between opposites — positive and negative attract each other. This attraction keeps the electron in orbit.

When an outside force attracts an electron away from its orbit, the atom becomes positively charged because there are more positive protons than negative electrons, and it tries to attract an electron (any electron will do).

If we move a large number of electrons to one area and have the positively charged atoms in another area,

then connect a copper wire between the two areas, the electrons will flow through the wire to the first positively charged atom they encounter until all atoms are balanced out, then the flow stops.

In electricity, we do not mess with the nucleus. If you break the nucleus (like breaking in billiards) of a high-density atom, like uranium, or squeeze the heck out of the nucleus, it gets upset and then:

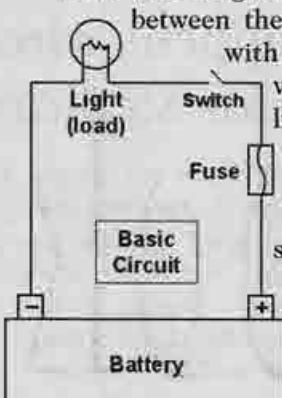


Let's look at a battery. One end is marked positive, the other, negative. The negative end has an excess of electrons while the positive end has a shortage of electrons. They want to get together and balance out, but the distance between the terminals is too far for the electrons to jump. When we place a conductor (copper wire, for example) between the terminals, the electrons have a path and can flow. Caution: Don't do this to a battery, as it would cause an uncontrolled flow of electrons that could melt the wire or blow up the battery.

If we wire a light bulb (the load) between the two terminals with the correct voltage, it will light up and control the flow of electrons. A typical system has a path between the negative end of a battery and the positive end,

consisting of wires, switches, loads, connectors and fuses. This is called a circuit. Completing the circuit turns loads on. Breaking the circuit or path turns loads off.

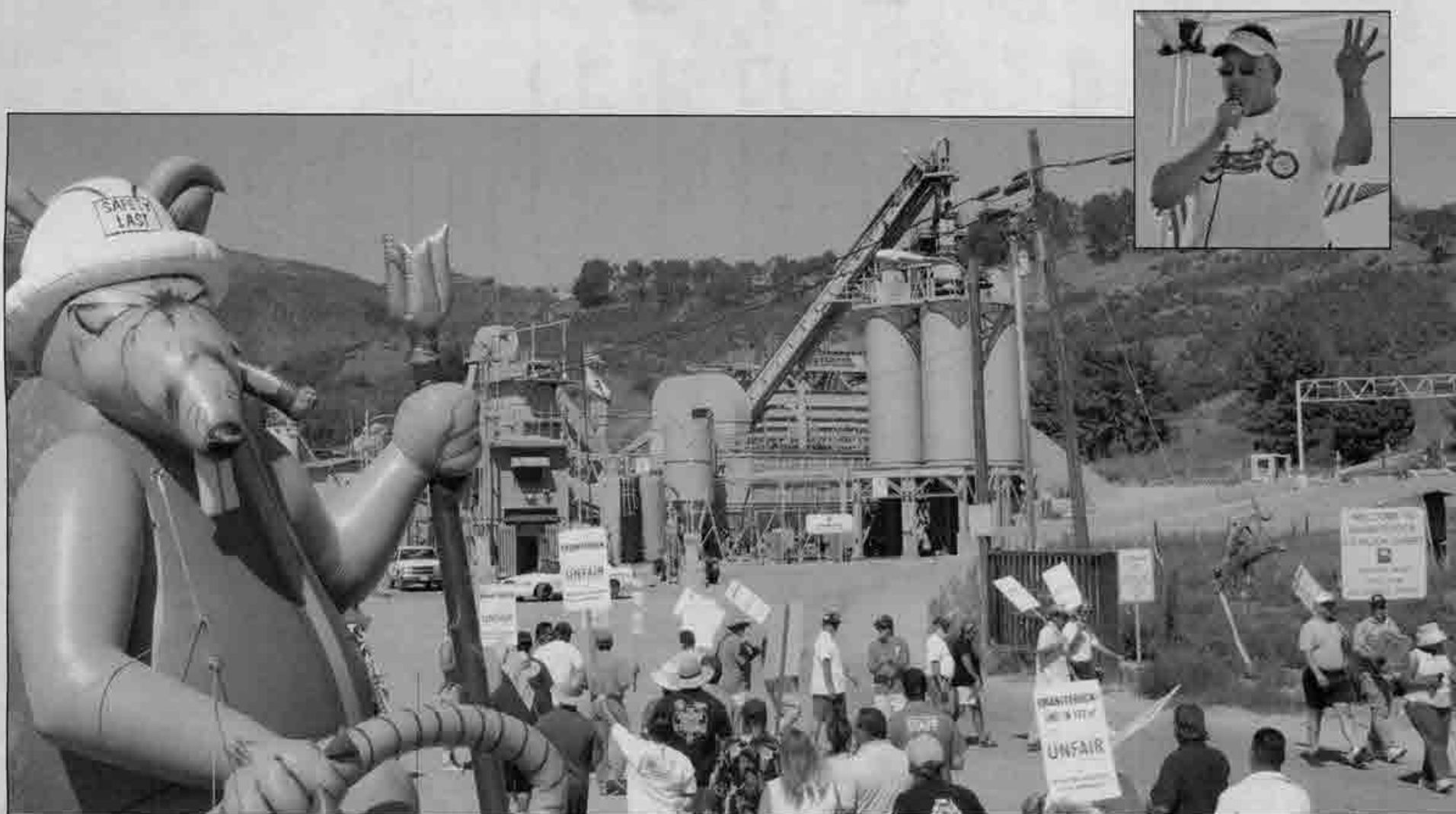
When a circuit is completed, electrons flow from negative to positive, and in the process, turn on the load; this is called the Electron Flow Theory.



## CCO Practical Test

New CCO candidates and candidates who have passed the written portion of the CCO exams should contact Pauline McCullough at (916) 354-2029, extension 232, to schedule an appointment or obtain CCO information on the Practical Test.





More than 350 members and their supporters attended the solidarity rally on Labor Day at the Wilson Quarry.

Above right: Local 3 Vice President and Chief Negotiator Frank Herrera motivates members of the Rock Solid Union – Operating Engineers Local 3, Teamsters Local 287, Laborers Union Local 270 and International Association of Machinists Local 93 – to hold strong on the picket line at the Labor Day rally Sept. 6.

# Rock Solid Union

## Operating Engineers, Teamsters, Laborers and Machinists sign contract ending three-month strike in South Bay

Story and photos by Heidi Mills, associate editor

The three-month-old strike against Graniterock/Pavex Construction ended Sept. 11 after a narrow majority of members approved a compromise contract drafted by the company and union negotiating committee members. The agreement covers more than 500 workers from Operating Engineers Local 3, Teamsters Local 287, Laborers Union Local 270 and International Association of Machinists Local 93. Allied as the Rock Solid Union, the unions prevailed in their fight to preserve their right to strike and earn a decent standard of living.

The Rock Solid Union defeated Graniterock's proposed "no-strike" clause, which would have prohibited workers from striking in the future, and the unions pressed the company to grant full amnesty to protect members from retaliation for striking after they return to work. In addition, the agreement calls for increases over the next three years to help cover the costs to maintain health and welfare benefits.

Members returned to work Sept. 13, and work resumed as normal at several major public works projects throughout the South Bay, including schools, the entrance to San Jose International Airport and two highway interchanges in the San Jose area affecting Hwy. 101, Hwy. 85 and Coleman Avenue.

### In the name of solidarity

Although the strike is over and the unions are back at work, the settlement did not come without sacrifice. Operating Engineers, Teamsters, Laborers and Machinists working for Graniterock/Pavex Construction had to tighten their belts to get through several months without a steady paycheck.

J.T. Walton, a 25-year Local 3 member who has endured three other strikes against the company, said he had to dip into his savings. Walton said his co-workers and their families also were hurt financially by the months-long strike.

Summertime is peak construction season in the rock, sand and gravel industry – a time when many members work overtime to get them through the slower work months. Being out of work during peak season was hard, but it was necessary, according to Nick Velho, an excavator operator at the Wilson Quarry and 24-year Local 3 member.

"This is the price we're paying for what we believe in," Velho said. "We're doing our part to maintain the work package that someone else stood up for."

Continued on page 10

# Rock Solid Union

Continued from page 9

For many members, like Walton and Velho, knowing they had support from their brothers and sisters from the four unions helped them stay motivated on the picket line. Indeed, the Rock Solid Union was created to be a strong support system for the members. What made it especially unique was that the members themselves came up with the idea for the alliance.

After experiencing three walkouts in the last four years over contract renewals with Graniterock/Pavex Construction, Operating Engineers, Teamsters, Laborers and Machinists decided it was time to forgo their differences and join forces in their struggle for a fair and equitable contract.

They chose not to cross each other's picket lines in the name of solidarity and worked together to staff picket lines on dozens of worksites across the South Bay, in some cases protesting around the clock at 24-hour operations. Members spent their Fourth of July and Labor Day holidays together on the picket line, making the best of the situation by hauling out their grills and sharing food and drinks.

Friendships were formed as the strike progressed, and the unions who once pitted themselves against one another began to recognize each other as part of their own union family. Throughout the strike, members of the Rock Solid Union said they felt an overwhelming sense of unity and support for each other, regardless of their union affiliation. According to Local 3 San Jose District Rep. Fred Herschbach, the four unions became one brotherhood and sisterhood of union workers.

"The way the members came together from the four different crafts, watching out for one another and taking care of each other, makes me



Business Manager John Bonilla, President Bob Miller and Treasurer Russ Burns spent Labor Day walking the picket line with union members and their families. Vice President Frank Herrera and Rec. Corres. Secretary Rob Wise also attended the rally.

proud of our unions and of our members," Herschbach said. "This is what unionism is all about."

Bruce Riechers, a seven-year Local 3 member and plant operator at the Wilson Quarry, said he never experienced anything like the Rock Solid Union the three times he's been on strike against Graniterock. Riechers said he was proud and thankful for the support from the other unions and from the surrounding community.

"The newspaper guy drives by here every morning and delivers all three papers to us," Riechers said while on the picket line at the Southside Plant in Hollister. "It feels good to have that kind of support from the outside community."

## How it began

The strike against Graniterock started June 9 at the company's Berryessa plant in San Jose when about 20 members of the Teamsters Local 287 walked off the job. Contract negotiations were ongoing but not going well. Graniterock was offering the San Jose Teamsters \$3 less per hour than workers doing the same work at the company's Redwood City facility, and there was concern about the back-to-work agreement, which addresses how strikers and other workers honoring picket lines would be treated once they returned to work.

While the Teamsters were on the line, the company filed an injunction with the U.S. District Court in San Jose in an attempt to get them back to work. But the Teamsters held the picket line for the next 15 days until workers from the Wilson Quarry in Aromas, including 45 Local 3 mem-



Photo courtesy of Mike Dodgiri  
Local 3 President Bob Miller (fifth from right) and Local 3 District Rep. Fred Herschbach (far right) pose for a picture with Graniterock workers on strike at the Wilson Quarry in Aromas, Calif.



Members of the Rock Solid Union take a break from the strike at the entrance to Graniterock's Southside Plant in Hollister.



bers, joined them June 28. Wilson Quarry workers held off for 15 days because their contract included a strike clause keeping them from honoring another branch's picket line for 15 days.

Wilson Quarry workers and the Teamsters, about 100 union members in all, held strong on the picket line until July 2 when negotiators reached a tentative agreement on a contract proposal. But that agreement fell apart in the following round of negotiations due to language changes Graniterock wanted in the back-to-work agreement, and pickets resumed July 7.

After the July 2 pullout, Graniterock continued to withdraw from tentative agreements. At one point during negotiations, tentative agreements had been reached regarding strike language and economic issues.

Local 3 Vice President and Chief Negotiator Frank Herrera said Bruce Woolpert, Graniterock's president and chief executive officer showed up the next day to finalize the tentative agreements, and it was back to square one.

"He makes up rules as he goes along," Herrera said. "That's called regressive bargaining, and it's illegal."

Herrera said the Rock Solid Union filed charges of unfair labor practices against the company for not bargaining in good faith.

Since the brief reprieve over the Fourth of July weekend, workers at the Wilson Quarry stayed the line in honor of the Teamsters' contract. Their contract expired July 15.

The U.S. District Court in San Jose ruled against the company's request for an injunction July 26. The judge presiding over the case went on to scold Woolpert, stating that many workers and their families were suffering because of the labor dispute and that he ought to negotiate a resolution to get people back to work.

The court's decision was a major victory for the Rock Solid Union. However, Woolpert refused to return to the negotiating table. Despite



From left: Operating Engineers Bruce Riechers and Jesse Urtalar stand united with their fellow union brother, Teamster Ed Cotson, at the Southside Plant.

repeated calls from the unions, Woolpert made it clear he would not meet until his employees returned to work.

### Contract compromise

A compromise agreement was reached Sept. 4 via fax and e-mail, as Woolpert would not meet the unions face-to-face. That contract was rejected Sept. 6 by an overwhelming majority of members, who believed it was unfair because it would have allowed the company to retaliate and take revenge against Teamsters' members returning to work from the picket line. The no vote promoted the unions to organize a solidarity rally on Labor Day at the Wilson Quarry.

Business Manager John Bonilla, President Bob Miller, Vice President Frank Herrera, Rec. Corres. Secretary Rob Wise and Treasurer Russ Barns joined Local 3 members and their union brothers and sisters from Local 287, Local 270 and Local 93 on the picket line. Bonilla and other rally speakers, including Art Pulaski of the California Labor Federation and California State Building and Construction Trades Council President Bob Balgorth, echoed the members' message of solidarity.

As word of the rally spread, local news reporters and hundreds of union supporters from the annual Monterey Bay Central Labor Council's Labor Day picnic flocked to the Aromas rally site. Striking workers told their story to the South Bay community. Their message was as clear as their voices that filled the air, "What do we want? Contract! When do we want it? Now!"

Exactly one week later, members were back on the job, working under a contract that granted them amnesty and protected their legal right to strike. While it was a compromise, the contract reflected the unions' dedication to dignity and justice.



Strike line for a picture before Calif.



From left: Workers on 24-hour strike shifts at the Wilson Quarry are Reuben Pino, Bobby Lynn, Paul Lerma, Nick Velho, TJ Bernard, David Baeta, Silviano Gutierrez, Sherwood Vega and Juan Gallo.



## INSIDE NEGOTIATIONS

By Frank Herrera, Vice President

### Ranch renovations

Exciting things are happening at the Rancho Murieta Training Center. Under the direction of Business Manager John Bonilla, RMTC Director Curtis Brooks and his staff are working diligently to better facilitate the needs of our membership. For those of you who haven't heard about the latest renovations at the Ranch, here's an update.

#### Satellite training facility

I'm excited and proud of what we've been able to accomplish recently in securing a new satellite training facility in the Yuba Goldfields. The satellite facility will provide year-round training on certain types of equipment, though it is primarily a gravel facility. After conducting several site visits, Local 3's legal team is preparing a draft of a lease agreement with the Bureau of Land Management-Yuba Goldfields. I look forward to updating you on the activities of this facility in the near future.

#### Crane certifications

We are continuing our efforts to address the needs of the crane industry at RMTC by certifying crane operators. Rancho Murieta currently has two crane instructor-certifiers and is preparing to have a third by the time the big push is upon us – that's July 2005, when crane operators must be CCO certified. By July 2005, Rancho Murieta will have a CCO tower crane and three instructor-certifiers able to test and certify on the tower crane and on other essential types of cranes.

#### Instructor Exchange Program

Thanks to the efforts of the training directors from Local 3's training sites in Nevada, Utah, Hawaii and at RMTC, an innovative new resource-sharing program is being developed to benefit our membership. It's called the Instructor Exchange Program.

IEP allows our instructors to share equipment and resources, but more importantly, it is a joint



effort in understanding what's happening across Local 3's jurisdiction, and the trends and tracking needs of each state. The new program also helps minimize the financial burden on our training sites. For example, the crane instructor at RMTC is also certified to test and certify members in Nevada; Nevada has an instructor who can provide commercial driver's license testing to members in Nevada and at RMTC.

#### RMTC lease

Local 3 has secured a 10-year annual renewable lease with the 8,000-acre Stan Van Vleck Ranch adjacent to the training center. The Schneider Ranch to the west of the training center, which is also under a 10-year lease, is 10,000 acres. The acreage from the two ranches combined makes available 18,000 acres for training at no additional cost to the training facility.

One other note: Local 3 has secured an independent fiduciary for the purchase of the RMTC campus from the Trust Fund.

#### More computers in the classroom

Director Brooks, under the direction of Business Manager Bonilla and me, as officer in charge of RMTC, has made decisive changes in streamlining the operations of the training facility at Rancho Murieta. We are establishing guidelines with a more proactive attitude toward training, especially in the area of taking training to the jobsite. For example, we now have the ability to go mobile with the new mobile modular classroom unit.

In addition to our mobile classroom, we recently established an onsite computer classroom at the Ranch with 12 computers to help facilitate less paperwork for instructors and more seat time for students. We have an additional nine computers specifically designed to help evaluate eye-hand-foot coordination. The evaluation computers help instructors measure students' progress in learning the trade and are also used for evaluating C-list operators.



## ORGANIZING

By Ras Stark,  
Organizing Director

### It adds up

I recently had the opportunity to review membership figures for unions throughout the United States. Although IUOE membership numbers remained strong throughout the country, I noticed that a number of unions reported declining membership. I believe that in large part, they are slowly dying for one reason — failure to organize. Their failure to organize is a disservice to their members and the entire American labor movement.

Fortunately, for Local 3 members, organizing is a priority for Business Manager John Bonilla and his team of officers. They have made sure Local 3 is second to none when it comes to organizing. Currently, we have 13 organizers working throughout our jurisdiction. They are working tirelessly to increase our membership. They also provide important support for district job actions and related activities.

President Bob Miller, officer in charge of organizing, has always stressed how important members are to our organizing efforts. He is 100 percent correct. In fact, most organizing campaigns get started by Local 3 members talking to friends or neighbors. I always feel great when a member calls us with an organizing lead. It tells me they really care about the future of their union. They also know that the more employers we organize, the better their work opportunities will be.

We continue to be fairly successful with our top-down organizing efforts. I wish I could say the same about our bottom-up efforts. We continue to have problems with the National Labor Relations Board. The NLRB is supposed to be there for workers, but more and more it seems to be siding with employers. This should remind everyone why politics are so important. The president of the United States appoints the members of the NLRB; if the president is anti-labor, he appoints anti-labor people to serve on the NLRB. The upcoming presidential election will give members an opportunity to help move the NLRB in a pro-labor direction.

I believe that every American worker should work under a collective bargaining agreement. We must continue to educate workers who are not yet fortunate enough to work under a union contract. We need to get our message out loud and clear as to how union representation can improve their lives. Their future and that of our union depends on it. Thank you for your continued support for organizing. If you know of workers who are interested in the benefits offered by Local 3 representation, give us a call at (916) 927-0710. We are available 24 hours a day, seven days a week.







## OE CAT

By Cindy Tuttle, Political Director

ATTENTION ALL DISTRICTS!  
SATURDAY, OCT. 23  
RENO BLITZ PRECINCT WALK  
9 a.m. - 1 p.m.

## Election 2004: Local 3 needs you!

This month is the final and most important stage of Local 3's efforts to get out the vote for America's working families on Election Day 2004. As you can see from the schedule below, Oct. 2 through Nov. 2 is packed with weekly phone banks and weekend precinct walks. Please take a moment to find your district and a date or two (or more!) that works with your schedule; come out, bring along your friends and family, and support your union. Meet at your district hall for all phone banks and precinct walks. Unless otherwise noted, phone banks are 5:30 p.m. - 8 p.m.; precinct walks are 9 a.m. - 1 p.m.



DISTRICT	PHONE BANK	PRECINCT WALK
Eureka <small>Note: Eureka precinct walks are 10 a.m. - 2 p.m.</small>	Oct. 4 - Oct. 7, Oct. 9: 10 a.m. - 2 p.m., Oct. 11 - Oct. 14, Oct. 18 - Oct. 21, Oct. 25 - Oct. 28, Nov. 1: TBA, Nov. 2: TBA	Oct. 16, Oct. 23, Oct. 30, Oct. 31, Nov. 1: TBA, Nov. 2: TBA
Fairfield	Oct. 5 - Oct. 7, Oct. 12, Oct. 13, Oct. 19 - Oct. 21, Oct. 26 - Oct. 28, Oct. 30: 10 a.m. - 2 p.m., Nov. 1: all day, Nov. 2: all day	Oct. 9, Oct. 16, Oct. 30: 10 a.m. - 2 p.m., Oct. 31: 10 a.m. - 2 p.m.
Fresno <small>Note: Fresno phone banks are 5 p.m. - 8 p.m.</small>	Oct. 4, Oct. 6, Oct. 7, Oct. 11, Oct. 13, Oct. 14, Oct. 18, Oct. 20, Oct. 21, Oct. 25, Oct. 27, Oct. 28, Oct. 30: 2 p.m. - 5 p.m., Nov. 1: 5 p.m. - 7:30 p.m., Nov. 2: 3 p.m. - 7:30 p.m.	Oct. 9, Oct. 16, Oct. 30, Nov. 1, Nov. 2: 3 p.m. - 8 p.m.
Honolulu	Oct. 11 - Oct. 13, Oct. 25 - Oct. 27, Oct. 30: 10 a.m. - 2 p.m., Nov. 1, Nov. 2: all day	
Maui	Oct. 19 - Oct. 21, Oct. 30: 10 a.m. - 2 p.m., Nov. 1, Nov. 2: all day	
Hilo	Oct. 18 - Oct. 20, Oct. 30: 10 a.m. - 2 p.m., Nov. 1, Nov. 2: all day	
Oakland	Oct. 5 - Oct. 7, Oct. 12 - Oct. 14, Oct. 19 - Oct. 21, Oct. 26 - Oct. 28, Oct. 30: 10 a.m. - 4 p.m., Nov. 1: all day, Nov. 2: all day	Oct. 9, Oct. 16, Oct. 30, Nov. 1: all day, Nov. 2: all day
Redding <small>Note: Redding phone banks are 6 p.m. - 8 p.m.</small>	Oct. 5 - Oct. 7, Oct. 11 - Oct. 14, Oct. 19 - Oct. 21, Oct. 25, Oct. 26, Oct. 28, Nov. 1: all day, Nov. 2: all day	Oct. 2, Oct. 16, Oct. 30
Reno	Oct. 5 - Oct. 7, Oct. 12 - Oct. 14, Oct. 19 - Oct. 21, Oct. 30: 10 a.m. - 2 p.m., Nov. 1: 5 p.m. - 8 p.m., Nov. 2: all day	Oct. 5 - Oct. 7, Oct. 12 - Oct. 14, Oct. 19 - Oct. 21, Oct. 30: 10 a.m. - 2 p.m., Nov. 1
Rohnert Park	Oct. 5 - Oct. 7, Oct. 12 - Oct. 14, Oct. 19 - Oct. 21, Oct. 26 - Oct. 28, Nov. 1: all day, Nov. 2: all day	Oct. 2, Oct. 9, Oct. 16, Oct. 30: 10 a.m. - 4 p.m.
Sacramento <small>Note: Sacramento phone banks are 5 p.m. - 8 p.m.</small>	Oct. 5 - Oct. 7, Oct. 12 - Oct. 14, Oct. 19, Oct. 20, Oct. 26 - Oct. 28, Oct. 30: 12 p.m. - 6 p.m., Nov. 1: 12 p.m. - 8 p.m., Nov. 2: all day	Oct. 2, Oct. 9, Oct. 16, Oct. 30, Oct. 31
San Francisco <small>Note: San Francisco precinct walks are 8:30 a.m. - 1 p.m.</small>	Oct. 5 - Oct. 7, Oct. 12 - Oct. 14, Oct. 19 - Oct. 21, Oct. 26 - Oct. 28, Oct. 30: 10 a.m. - 4 p.m., Nov. 1: all day, Nov. 2: all day	Oct. 9, Oct. 10, Oct. 16, Oct. 17, Oct. 24, Oct. 30, Oct. 31
San Jose <small>Note: San Jose phone banks are 5 p.m. - 8 p.m.</small>	Oct. 5 - Oct. 7, Oct. 12 - Oct. 14, Oct. 19 - Oct. 21, Oct. 26 - Oct. 28, Oct. 30: 10 a.m. - 2 p.m., Oct. 31: 10 a.m. - 2 p.m., Nov. 1, Nov. 2: 10 a.m. - 6 p.m.	Oct. 2, Oct. 3, Oct. 9, Oct. 10, Oct. 16, Oct. 30, Oct. 31
Stockton	Oct. 5, Oct. 6, Oct. 12 - Oct. 14, Oct. 19 - Oct. 21, Oct. 26 - Oct. 28, Oct. 30: 1 p.m. - 5 p.m., Oct. 31: 1 p.m. - 5 p.m., Nov. 1, Nov. 2: 10 a.m. - 7:30 p.m.	Oct. 2, Oct. 9, Oct. 16, Oct. 30, Oct. 31, Nov. 1: TBA, Nov. 2: 2 p.m.
Utah	Oct. 4 - Oct. 6, Oct. 11 - Oct. 13, Oct. 18 - Oct. 20, Oct. 25 - Oct. 27, Oct. 30: 10 a.m. - 4 p.m., Nov. 1: all day, Nov. 2: all day	Oct. 30: all day, Nov. 1: all day, Nov. 2: all day
Yuba City	Oct. 5 - Oct. 7, Oct. 12 - Oct. 14, Oct. 19 - Oct. 21, Oct. 26, Oct. 27, Oct. 30: 9 a.m. - 1 p.m., Nov. 1, Nov. 2: all day	Oct. 2, Oct. 9, Oct. 16, Oct. 30

**SwapShop ads** are offered free of charge to members in good standing for the sale or trade of personal items and/or real estate, and are usually published for two months. Please notify the office immediately if your item has been sold. Business related offerings are not eligible for inclusion in **SwapShop**. *Engineers News* reserves the right to edit ads. No phone-in ads please. Deadline 1st of the month. Limit two ads per issue.

To place an ad, type or print legibly and mail to:

**Operating Engineers  
Local Union #3  
3920 Lennane Dr.,  
Sacramento, CA 95834  
ATTN SwapShop\***

**Or fax ads to: SwapShop  
(916) 419-3487**

**Or e-mail to:  
webmaster@oe3.org**

\*All ads must include Member Registration Number or ad will not appear. Ads should be no longer than 50 words.

**FOR SALE:** Three burial lots. Will sell one, two and all three for \$800 each. Located in Santa Rosa Memorial Park, Shiloh edition. 559-229-6783. Reg. #750237

**FOR SALE:** 3bd/3ba 2600 sq.ft. gym room and office. Built 1989. 2 car upper level. 2 car garage lower level. 100gpm well. Partly fenced. 10 acres. 580B Backhoe, \$8,000 of heavy equipment, tools between Auburn and Grass Valley. \$725,000/obo. 530-268-1236. Reg. #1054933

**FOR SALE:** 1993 Dodge 1 ton extended cab with Cummins Diesel, but no bed. \$2,400. 1978 Dodge RV self-contained \$1,100. 559-292-2641. Reg. #1312793

**FOR SALE:** 12K 5th Wheel hitch \$85. 2 5th Wheel tailgates, Ford \$50. Blue Ox tow bar, Toyota. \$35. \$150 for all. 916-635-1485. Reg. #861665

**FOR SALE:** Snelling, CA/Merced County. 2 commercial buildings on Hwy 59 Main Street. Nice lot, main building includes welding and machine shop equipment. Single and 3 phase electric. Approx. 10 miles from Merced UC. 395K. 209-756-8317 or 209-753-6270. Reg. #2228137

**FOR SALE:** Snelling, CA/Merced County. 5.19 commercial acres subdivided into 3 parcels. Hwy 59 frontage in town. 3 sewer hookups included. Ready to develop. 425K. 209-756-8317

or 209-753-6270. Reg. #2228137

**FOR SALE:** Pueblo, Co. Building lot, in Pueblo West. Lot 25 Blk 2 TR 347 Pueblo West. 842 S. Dogwood Drive, approx. 115 miles south of Denver. Close to boating, fishing, skiing, some of the best Elk hunting in the country. Asking \$8,500/obo. 719-634-8767 or 719-337-0150. Reg. #1354860

**FOR SALE:** 1979 Terry Fifth Wheel, 32ft., new awning, good condition, exceptionally clean, one owner. Rear living room, queen bed. Must see. \$3,000/obo. 707-644-2273. Reg. #0661383

**FOR SALE:** 1997 Custom Freightliner Crew Cab RV Tow. Cat 3126 w/Allison 6 speed trans, exhaust break, /cruise control, heated mirrors. Air suspension/air cab and air leather seats/ carpet, electric tinted windows/heated mirrors. Custom utility bed w/storage. 53,000 miles. Like new. Must see. 707-446-7975. Reg. #0661383

**FOR SALE:** 2001 Pt Cruiser white w/ blk t-bra. Fully loaded, leather heated & powered seats, cd/cass, cruise, a/c, front wheel drive, disc brakes, 16" chrome wheels w/ new tires, auto tinted moon roof, lug rack, tinted windows, elec defrost side mirrors, 57k miles. Asking \$12,000. 775-233-6033. Reg. #2051516

**FOR SALE:** Carlin, NV 3 bd 2 ba. Circular asphalt driveway landscaped w/ sprinklers. Foundation for 2 car garage w/ power/sewer and another hook up for mobile home. All new windows w/ grits, slate floors, new paint & carpet. Asking \$89,000. 775-233-6033. Reg. #2051516

**FOR SALE:** 1987 Suncrest 37 mi-28 long GM 454 eng. Class A. Loaded. 4K Onan gen, AC, TV, microwave, storage basement, MO, new awning, all records, new tires. \$10,000/obo. 530-675-2418. Reg. #0939989

**FOR SALE:** Dodge motorhome, 318 cubic inch engine. Very low mileage and good tires and a very good unit. Doesn't have to be smogged each year. Yours for only \$1,895 cash. Located in Redding, CA. 530-243-4302 after 6:00 p.m. Reg. #0865537

**FOR SALE:** 1985 T-bird with a V6 engine, all power, good tires, and custom wheels, real clean inside, a nice car in excellent condition. Only \$1,195 takes it away. Located in Redding, CA. 530-243-4302 after 6:00 p.m. Reg. #0865537

**FOR SALE:** 185 CFM Air Compressor, shop air compressor, Jeep axles, 1979 Harley (almost

stock). 925-899-5927. Reg. #2137705

**FOR SALE:** Dragline part. Single clutch disc. Part number A6057. New. \$2,500. 916-489-3960. Reg. #2159278

**FOR SALE:** Backhoe, 1992 case model 590. Cab, air, 4wd, 4 in 1 bucket, clean, runs good. \$23,500. 209-826-9465. Reg. #1043556

**FOR SALE:** Harley Davidson Tonneau cover, fits Ford 150 Supercab. Like new, cost \$350 Sell for \$175. 707-448-4252. Reg. #0904929

**FOR SALE:** 1995 22' Hilo Classic Travel Trailer. Sleeps 4, roof air, forced air furnace, full shower/bath, stove, top range & micro. 12volt gas/electric refrigerator. Couch folds to a queen bed, awning, new batteries & tires. Electric front jack. \$9,000. 925-634-5588 or 925-858-0405. Reg. #1315719

**FOR SALE:** 1991 26ft. Mallard 5th Wheel Travel Trailer. Sleeps 6, queen bed, shower/bath, awning, stove top range/oven & micro. Very Clean \$7,500. 408-264-3606 or 408-927-0575. Reg. #0622866

**FOR SALE:** Jeep 1946 Willys, All Original. \$7,500. Jeep 1947 Willys \$4,500. 707-994-9224 or 707-994-2048. Reg. #0418439

**FOR SALE:** 10 wooded acres Southern Oregon. 2bd/2ba brick house w/ attic, central heat & cooling, woodstove, pantry, 2 storage buildings, chicken coop, garden area, room for horses, seasonal creek, low taxes zoned "forest". Mild Weather. 5 min. from trout-stocked Lake Selmac, 25min from Grants Pass. \$199,500. 650-726-7810. Reg. #2023990

**FOR SALE:** 1946 Harley Davidson Knucklehead 74 CI Engine rebuilt by HD dealer. Mostly stock & good running. Very clean unique motorcycle. \$18,500. 707-442-5263. Reg. #1620480

**FOR SALE:** 1994 Custom built 40ft. Country Coach motorhome, like new, loaded parked in cooled shop low mileage includes AV92 computerized engine. All new batteries 15 kw diesel generator satellite vcr's, tv's remote controlled to bedroom & living, upgraded carpets, window coverings, & furniture, + much more. 559-275-5772 or 559-277-2719. Reg. #0566421

**FOR SALE:** 1995 Dutchmen travel trailer, 13ft. slid-out dual air (one is ceiling ducted), floor ducted heat, queen bed, built in micro, am/fm/cass. 40 gal. hot water heater, full size washer, computer work station in rear room, full size

jetted tub, can sleep 5; ideal live in unit. Reduced to \$12,500/obo. 775-329-0806. Reg. #1369144

**FOR SALE:** Mobile home on 2.5 acres near Elko, NV. Fenced & cross-fenced, water to each area (good well), quiet, secure, neighborhood, near BLM (open) land, ideal retirement, horse property, or hunting base. Trailer is 14x 66 w/ 3br, 2 ba, roomy kitchen/living area. 8 x 12 sun room on front, mud room on back, storage sheds, chicken coop, etc. Reduced to \$60,000/obo. 775-329-0806. Reg. #1369144

**FOR SALE:** Factory Safety Cab with mounting brackets, heavy duty for Catapillar, like new. \$1,250/obo. 1928-29 Case Tractor, runs. Ford 9N needs work. \$3,500/obo for both. Tandem boat trailer for 15 to 20ft boat. \$500. 1992 Chevy V8 Caprice, good condition. 110,000 miles. \$3,600. Rowe Jukebox good condition with records. \$800. 916-991-1530. Reg. #486196

**FOR SALE:** 2003 Yamaha 1100 Classic motorcycle, silver color like new. 4600 miles. Windshield and extras. \$6,500. 59-834-2541. Reg. #1413853

**FOR SALE:** Ditchwitch Case model DH4 w/ backhoe attached, runs good. \$8,500. 209-826-9465. Reg. #1043556

**FOR SALE:** 1988 Ford 4dr. sd, ps, pb, at, v6. \$1,100. 707-253-7627. Reg. #0908640

**FOR SALE:** No. Cal. Trinity County. Multiple structures including a main house, cabin, pole barn/workshop on 13 + acres of heavily forested property at the confluence of 2 crystal clear, mountain fed creeks. Asking \$265,000. <http://www.arachide.org/ca.htm> 530-628-5030. Reg. #1490348

**FOR SALE:** Siesta cabover crankup camper for full size longbed pickup. Top section lowers for transport. 10ft. mainbody + 4ft. overhead. 2 bds, 3 way fridge, 3 burner stove & oven, water tank & kit sink, toilet & holding tank, folding step inc. \$1,200/obo. 530-283-3318. Reg. #1870433

**FOR SALE:** White fiberglass pickup camper shell. Was on an '82 Ford full size longbed pickup. Will fit some older and newer models. \$300/obo. 530-283-3318. Reg. #1870433

**FOR SALE:** 2000 36ft Tahoe 5th wheel, 3 slide outs. In great shape, never traveled in! 22k/obo. 916-789-1775. Reg. #270279

**FOR SALE:** 1996 Alpenlite 36ft 5th wheel trailer. 2 slideouts, awning, central air and heat, new

15,000btu air conditioner. Built in microwave, refrigerator, entertainment center, tv, vcr, stereo w/cd. Excellent condition. Glass door closets in bedroom, oak wood cabinets. Lots of storage. \$26,000/obo. 925-686-5017 or 925-383-1881. Reg. #225929

**FOR SALE:** 1968 Buick 430 motor. All complete motor, trans, carb, starter, etc. \$1,000. 925-685-1389. Reg. #1136381

**FOR SALE:** Two burial lots, vaults and marker in veterans section in Fresno Memorial Gardens. 208-682-3507. Reg. #0969094

**FOR SALE:** Property in Willow Creek Estates, Amador County. Approximately 6ac, 3bd/3ba, central a/c and heat, ceiling fans, wood stove, 3 stall barn, RV parking, work shop, 30x40 garage, apartment or mother-in-law quarters, 2bd/1ba, too many amenities to list. 209-245-3532. Reg. #1812603

**FOR SALE:** 12ft aluminum boat, truck tool box, twin box spring & mattress, all baby items, fire truck toddler bed, dinnet set, 5 man tent (Wentzel), exercise equipment. 209-245-3532. Reg. #1812603

**FOR SALE:** 4 tires like new P225/60 R16. 408-266-1058. Reg. #835689

**FOR SALE:** Flat bed dump 8'x8' steel bed, Sherman brand \$1,000. 1972 Dodge 1ton no bed \$500 or trade. TD9 transmission free. 530-346-2918 or e-mail farmerj@cwnet.com. Reg. #1271053

**FOR SALE:** AMC 390 CID engine bored 30 over less than 5000 miles since rebuilt and balanced all papers. Can be had with fuel injection or 4BBL Holly. \$1,500/obo. Tohatsu outboard 5hp motor long shaft like new with cart and gas can. \$500. 650-494-2009. Reg. #1242916

**FOR SALE:** '72 Commando convertible hard top 304 eng. Auto tranny and power steering, power buster and new seats. Needs some work. Runs good. \$4,500/obo or trade for a motorcycle or a boat. This car is in Fresno. Call after 5:00 p.m. or leave a message at 559-252-1372. Reg. #2443714

**FOR SALE:** Two burial lots in Oakmont Memorial Park in Lafayette, CA. Call Earl or Erma at 209-823-8416. Reg. #1181671





## OE CAT

By Cindy Tuttle, Political Director

ATTENTION ALL DISTRICTS!  
SATURDAY, OCT. 23  
RENO BLITZ PRECINCT WALK  
9 a.m. - 1 p.m.

## Election 2004: Local 3 needs you!

This month is the final and most important stage of Local 3's efforts to get out the vote for America's working families on Election Day 2004. As you can see from the schedule below, Oct. 2 through Nov. 2 is packed with weekly phone banks and weekend precinct walks. Please take a moment to find your district and a date or two (or more!) that works with your schedule; come out, bring along your friends and family, and support your union. Meet at your district hall for all phone banks and precinct walks. Unless otherwise noted, phone banks are 5:30 p.m. - 8 p.m.; precinct walks are 9 a.m. - 1 p.m.



DISTRICT	PHONE BANK	PRECINCT WALK
Eureka <i>Note: Eureka precinct walks are 10 a.m. - 2 p.m.</i>	Oct. 4 - Oct. 7, Oct. 9: 10 a.m. - 2 p.m., Oct. 11 - Oct. 14, Oct. 18 - Oct. 21, Oct. 25 - Oct. 28, Nov. 1: TBA, Nov. 2: TBA	Oct. 16, Oct. 23, Oct. 30, Oct. 31, Nov. 1: TBA, Nov. 2: TBA
Fairfield	Oct. 5 - Oct. 7, Oct. 12, Oct. 13, Oct. 19 - Oct. 21, Oct. 26 - Oct. 28, Oct. 30: 10 a.m. - 2 p.m., Nov. 1: all day, Nov. 2: all day	Oct. 9, Oct. 16, Oct. 30: 10 a.m. - 2 p.m., Oct. 31: 10 a.m. - 2 p.m.
Fresno <i>Note: Fresno phone banks are 5 p.m. - 8 p.m.</i>	Oct. 4, Oct. 6, Oct. 7, Oct. 11, Oct. 13, Oct. 14, Oct. 18, Oct. 20, Oct. 21, Oct. 25, Oct. 27, Oct. 28, Oct. 30: 2 p.m. - 5 p.m., Nov. 1: 5 p.m. - 7:30 p.m., Nov. 2: 3 p.m. - 7:30 p.m.	Oct. 9, Oct. 16, Oct. 30, Nov. 1, Nov. 2: 3 p.m. - 8 p.m.
Honolulu	Oct. 11 - Oct. 13, Oct. 25 - Oct. 27, Oct. 30: 10 a.m. - 2 p.m., Nov. 1, Nov. 2: all day	
Maui	Oct. 19 - Oct. 21, Oct. 30: 10 a.m. - 2 p.m., Nov. 1, Nov. 2: all day	
Hilo	Oct. 18 - Oct. 20, Oct. 30: 10 a.m. - 2 p.m., Nov. 1, Nov. 2: all day	
Oakland	Oct. 5 - Oct. 7, Oct. 12 - Oct. 14, Oct. 19 - Oct. 21, Oct. 26 - Oct. 28, Oct. 30: 10 a.m. - 4 p.m., Nov. 1: all day, Nov. 2: all day	Oct. 9, Oct. 16, Oct. 30, Nov. 1: all day, Nov. 2: all day
Redding <i>Note: Redding phone banks are 6 p.m. - 8 p.m.</i>	Oct. 5 - Oct. 7, Oct. 11 - Oct. 14, Oct. 19 - Oct. 21, Oct. 25, Oct. 26, Oct. 28, Nov. 1: all day, Nov. 2: all day	Oct. 2, Oct. 16, Oct. 30
Reno	Oct. 5 - Oct. 7, Oct. 12 - Oct. 14, Oct. 19 - Oct. 21, Oct. 30: 10 a.m. - 2 p.m., Nov. 1: 5 p.m. - 8 p.m., Nov. 2: all day	Oct. 5 - Oct. 7, Oct. 12 - Oct. 14, Oct. 19 - Oct. 21, Oct. 30: 10 a.m. - 2 p.m., Nov. 1
Rohnert Park	Oct. 5 - Oct. 7, Oct. 12 - Oct. 14, Oct. 19 - Oct. 21, Oct. 26 - Oct. 28, Nov. 1: all day, Nov. 2: all day	Oct. 2, Oct. 9, Oct. 16, Oct. 30: 10 a.m. - 4 p.m.
Sacramento <i>Note: Sacramento phone banks are 5 p.m. - 8 p.m.</i>	Oct. 5 - Oct. 7, Oct. 12 - Oct. 14, Oct. 19, Oct. 20, Oct. 26 - Oct. 28, Oct. 30: 12 p.m. - 6 p.m., Nov. 1: 12 p.m. - 8 p.m., Nov. 2: all day	Oct. 2, Oct. 9, Oct. 16, Oct. 30, Oct. 31
San Francisco <i>Note: San Francisco precinct walks are 8:30 a.m. - 1 p.m.</i>	Oct. 5 - Oct. 7, Oct. 12 - Oct. 14, Oct. 19 - Oct. 21, Oct. 26 - Oct. 28, Oct. 30: 10 a.m. - 4 p.m., Nov. 1: all day, Nov. 2: all day	Oct. 9, Oct. 10, Oct. 16, Oct. 17, Oct. 24, Oct. 30, Oct. 31
San Jose <i>Note: San Jose phone banks are 5 p.m. - 8 p.m.</i>	Oct. 5 - Oct. 7, Oct. 12 - Oct. 14, Oct. 19 - Oct. 21, Oct. 26 - Oct. 28, Oct. 30: 10 a.m. - 2 p.m., Oct. 31: 10 a.m. - 2 p.m., Nov. 1, Nov. 2: 10 a.m. - 6 p.m.	Oct. 2, Oct. 3, Oct. 9, Oct. 10, Oct. 16, Oct. 30, Oct. 31
Stockton	Oct. 5, Oct. 6, Oct. 12 - Oct. 14, Oct. 19 - Oct. 21, Oct. 26 - Oct. 28, Oct. 30: 1 p.m. - 5 p.m., Oct. 31: 1 p.m. - 5 p.m., Nov. 1, Nov. 2: 10 a.m. - 7:30 p.m.	Oct. 2, Oct. 9, Oct. 16, Oct. 30, Oct. 31, Nov. 1: TBA, Nov. 2: 2 p.m.
Utah	Oct. 4 - Oct. 6, Oct. 11 - Oct. 13, Oct. 18 - Oct. 20, Oct. 25 - Oct. 27, Oct. 30: 10 a.m. - 4 p.m., Nov. 1: all day, Nov. 2: all day	Oct. 30: all day, Nov. 1: all day, Nov. 2: all day
Yuba City	Oct. 5 - Oct. 7, Oct. 12 - Oct. 14, Oct. 19 - Oct. 21, Oct. 26, Oct. 27, Oct. 30: 9 a.m. - 1 p.m., Nov. 1, Nov. 2: all day	Oct. 2, Oct. 9, Oct. 16, Oct. 30



## TECH NEWS

By Business Representatives Ed Wodzienski and Rob Jones  
and Testing, Inspection and Surveying Director Dean Dye

# Special observation vital in keeping masonry standards

Special observation for masonry verifies that workmanship and materials meet the minimum standards required by code, as well as project specifications. This is particularly difficult in masonry work where so much is dependent upon the capabilities of the individual mason, as well as practices, which have developed over the years and have become custom of the trade for the particular locality. This requires experience and judgment by the inspector as well.

Qualified special inspectors performing the following duties under the direct supervision of the materials engineering laboratory can best achieve this objective.

### Observational duties

#### A. Documents

1. Review the approved plans and specifications with the masonry contractor and architect's representative in a reconstruction meeting to verify the level of inspection required for the particular job. This is the time to resolve any differences in local custom or practice of the mason with requirements of the code and project specifications.

#### B. Mill test reports

1. Verify that mill test certifications for unit masonry, cement and reinforcing steel have been furnished by the supplier and are acceptable to the engineer and architect.

#### C. Sampling of materials

1. Sample and verify that the following materials are delivered to the laboratory for testing when required by project specifications:
  - a) Concrete block or brick
  - b) Aggregates and cement for mortar or grout
  - c) Reinforcing steel as delivered

#### D. Storage of materials

1. Check that the cement, lime, block and brick are supported on pallets and are covered to protect it from exposure to excessive moisture or drying.
2. Check that the aggregates for mortar and grout are stored free from contamination and in such a manner as to minimize segregation.

#### E. Preparation for lay-up

1. Verify size and spacing of reinforcing dowels.
2. Verify that foundation concrete is clean and prepared as required by specifications.

#### F. Lay-up or placing of masonry units

1. Verify whether high-lift procedures have been approved for use.
2. Verify that cleanouts are provided for the first course of each pour, if the high lift method will be used.
3. Check plumb and lay-up configuration.
4. Check the moisture condition of the masonry units.
5. Verify that proper mortar ingredients and batching techniques are being used, and prepare the mortar compression test specimens.

6. Check the mortar time on board.
7. Verify that the head joints are the same thickness as the face shells or that full head joints are used when they are specified.
8. Check that mortar extrusions (fins) are cleaned off on the inside.
9. Check whether the joints are tooled as specified.
10. Check the required frequency of masonry wall prisms and observe the construction of it.
11. Check for ties when specified.
12. Check horizontal reinforcing steel placing:
  - a) Placed at correct course, and laps as specified.
  - b) Check whether the laps are staggered in bond beams and the corners as specified.
  - c) Check the lintel bars over the openings.
  - d) Check the hooks, if called for in jambs.
  - e) Check the ties in piers, diameter, spacing, and that they are properly fastened.
13. Check the vertical reinforcing steel:
  - a) Check the bars at jambs, corners and piers, and the typical wall steel.
  - b) Check whether the steel is tied at the top and bottom and as required by project specifications.

#### G. Grouting observations

1. Verify that the cells and starting beds are clean and free of debris. Check the condition with a light or mirror.
2. Check whether the dowels, anchor bolts and inserts are in place, particularly at rooflines, floor lines and intersecting wall lines.
3. Check the installation of cleanout closures.
4. Check grout mix and admixture requirements.
5. Check the slump in accordance with the specifications.
6. If low-lift grouting, verify that the maximum masonry height is in accordance with the code before grouting.
7. Check that grout is stopped below top for keying where required.
8. Verify the mechanical vibrating during placement, and later during reconsolidation.
9. Continuous observation is required during the grouting operations.
10. Prepare the grout specimens in absorbent form, or as specified for laboratory testing.
11. Check that the curing requirements are being followed.

#### H. Reports

1. Submit written progress reports describing the tests and observations made and showing the action taken to correct nonconforming work. Itemize any changes authorized by the architect and engineer. Report all uncorrected deviations from plans or specifications.



## FROM YUBA CITY

**Volunteers needed to phone bank, precinct walk**

The Hwy. 162 job in Oroville is still in progress. Stimpel-Wiebelhaus and Viking Construction are working there, keeping some operators busy. They hope to complete this phase by November, then Baldwin Contracting will do the paving. There is another phase of this project scheduled for next spring. We're told it will have to go out to bid.

Terracon Pipeline has nearly finished the \$4.2 million Tierra Buena pipeline job for Yuba City. This project kept several operators working throughout the summer and into September.

Baldwin Contracting started a \$1.1 million job at the Oroville Airport in late August. At about the same time, Granite Construction started a paving job at the Chico Airport and a job on Pearson Road in Paradise. These jobs for Granite were close to \$2 million combined.

Jaeger Construction of Yuba City landed a \$2.5 million job for the Feather Falls Casino in Oroville. This job, combined with ongoing work at the Gold Country Casino in Oroville, has been a good shot in the arm for the Oroville area.

Teichert Construction's work has slowed a little in this area, but it was busy earlier this season. The company still has some work to do, but like other contractors in the area, Teichert will slow down once winter arrives.

DeSilva Gates is close to finishing Hwy. 70 south of Marysville. The company moved traffic to the east side and has ground and paved the west lanes.

Mountain Cascade is working at the Linda Sewer Plant. It has a few other jobs in the area that were recently completed and some nearing completion.

Local 3 has relied on the private sector for much of our work this year. As of this writing, the state has not released any major funds for public works projects. We hope our governor opens his eyes and sees the importance of public works projects to help kickstart the economy and get the working folks (who, by the way, are voters) back to work.

Please make every effort to get out and vote Nov. 2. This election is very important. We need people in office at the local level and national level who have working families' interests at heart. We don't need elected officials who are puppets for big business.

We need all the help we can get this month for phone banking and precinct walking. If you can help, please call or stop by the hall, and volunteer some time for your union and for yourself.

## FROM SACRAMENTO

**El Dorado mechanics keep iron in top shape**

El Dorado Disposal Service in Diamond Springs, Calif., employs about 75 Operating Engineers six days a week. The mechanics keep 42 trucks in top operating condition, along with seven pieces of equipment. This facility handles about 8,500 tons of refuse a month; 70 percent is sorted and 30 percent is recycled.

Teichert dirt crews are working hard to finish the pads for 850 homes in the Sunridge housing development near Sunrise Boulevard and Douglas Boulevard,

along with a 700-house-pad project near Gibson Road in Yolo County and a smaller home project off Bass Lake Road and I-50.

PKS is nearing completion of the light rail project in the Folsom area and is about midway on the 30-inch water main for the Anatolia project. The company began a \$114 million project on two water treatment plants in Sacramento County.

Mountain Cascade is doing a \$60 million sewer-flood control basin in Yolo County.



Above: Teichert's dirt crew at the Sunridge housing development near Sunrise Boulevard.



At right: El Dorado Disposal Service's Maintenance crew.

## FROM RENO

**District awaits decision on new labor commissioner**

A recent announcement from state government has brought an end to an era in Nevada. Terry Johnson, the first labor commissioner in Nevada history not to come from a labor background, has transferred to a new position in state government. Johnson became labor commissioner with a blast, making onsite rulings of work classifications and job classifications that left labor and management shaking their heads; his rulings often led to lawsuits.

Johnson moved legislation through the state legislature that often strengthened and usually clarified the duties of the labor commissioner. He revised the administrative codes pertaining to

his duties — codes that had not been revised in decades. Neither his actions in the legislature nor his revisions of the codes left him endeared by labor or management, as he seemed not to care whose ego he bent with the changes. He put the responsibility of enforcing prevailing wage laws on the contracting authority and gave himself the power to police their actions.

We have come to the end of an era, and as we wait to see who will fill Johnson's shoes, we have to realize the effect of politics on our lives. When Gov. Kenny Guinn selected the first non-labor labor commissioner, we braced for the worst, and while we are not happy with everything he did, Local 3 has

been lucky in its dealings with Johnson. As we wait to see who will be the new labor commissioner, we can only hope that labor has the political influence to ensure s/he is labor friendly. The question is: If s/he is not, will we have the political influence to keep him or her under control until we can attempt to effect a change at the end of Gov. Guinn's second term in two years? It is your future.

On Nevada's work picture — work is still going strong in northern Nevada. We are having a record season, as stated at our August district meeting. Nevada's hours are up 57 percent from last year.

Granite is working on lowering the railroad tracks; Frehner

Construction is redoing the Spaghetti Bowl; Ames Construction is working in Carson City on the freeway expansion, and it is doing the dirt work for Kramer, the general contractor on the I-580 expansion.

Regarding the work in Truckee Meadows, we want to remind our brothers and sisters coming here from different states to sign a reciprocity letter for their insurance. The 2005 season looks good for the eastern part of the state. The Nevada Department of Transportation is predicting \$50 million worth of work east from Winnemucca.

The monthly meeting in Elko is the second Tuesday of every month. Please make it a priority to attend.

## FROM EUREKA

## Members urged to get out the vote Nov. 2

As everyone knows, the election is fast approaching. This is a critical time for our members. We have worked hard for our endorsed candidates and really need our members and their families to get out and vote. If anyone in District 40 needs a ride to the polls Election Day, please call the hall at (707) 443-7328. We will stay at the hall until the polls close.

From the special election insert in this edition of *Engineers News*, you'll see we support the following candidates:

- **Chris Kerrigan**, 4th Ward, Eureka City Council. This is an important race we can't afford to lose, as the candidate running against Kerrigan has demonstrated anti-labor tendencies in the past.
- In Del Norte County, we've endorsed **Leslie McNamer** and **Martha McClure** in their respective districts for Board of Supervisors. These candidates have demonstrated great support for labor and

will help us gain strength in this part of our district.

- In the Arcata City Council race, we endorsed **Michael Machi**, **Rob Amerman** and **Harmony Groves**. After a long question-and-answer session, we feel we have found the right combination of a veteran councilmember and what we see as the future for Arcata in Amerman and Groves.

Thanks to everyone in District 40 for their hard work, and a special thanks to the diligence of Executive Board member **Mike Johnson** and Grievance Committee members **Mike Conway**, **Larry Hoerner** and **Hugh Shannon**.

We have begun planning for the Eureka Crab Feed. Mark your calendar for Feb. 12, 2005. This annual event is Eureka's version of a district picnic. More information to follow in the coming months.

## FROM UTAH

## Member activists get out the vote for Kerry

The District 12 Operating Engineers Community Action Team (OE CAT) meeting Aug. 12 was a great success. Member captains and activists attended to offer support for the crucial upcoming political races this year in Utah. This is our first chance in 20 years to gain ground with the governor's seat. District 12 OE CAT volunteers have already been working hard, dropping literature, phone banking and precinct walking for **Scott Matheson Jr.**, the Democratic gubernatorial candidate. We also feel a great responsibility to help re-elect Congressman **Jim Matheson**.

The importance of these political races and others were discussed at the CAT meeting, and members who put in notable volunteer hours this



CAT activists gather for a picture Aug. 12 with Business Manager **John Bonilla** and President **Bob Miller**.

past year received recognition awards. It was a great pleasure for these volunteers to shake hands with Business Manager **John Bonilla** and President **Bob Miller**.

Political Director **Cindy Tuttle** and CAT Coordinator **Theresa Reclusado** rallied the group and requested commitments from volunteers in the coming months. After signing up for phone banking, literature dropping and get-out-the-vote activities, members enjoyed a presentation on the major differences and concerns in the Kerry vs.

Bush presidential race. Local 3 members in Utah realize the importance of electing **John Kerry** for president this November. We will do all we can this political season to make it happen.

## Departed Members

Our condolences to the family and friends of the following departed members:

Alvarez, Manuel Fremont, CA 07-15-04	Halm, E Mesa, AZ 04-01-04	Larson, Darwin Pine Grove, CA 07-25-04	Pacheco, Mateo Half Moon Bay, CA 07-05-04
Anderson, Vern Willits, CA 06-05-04	Hilbert, James Gridley, CA 06-28-04	Leonard, Dave Sebastopol, CA 07-19-04	Stewart, Gerald Sacramento, CA 06-24-05
Christensen, Howard Salina, UT 07-11-04	Hill, Elbert Mi Wuk Vlg, CA 07-09-04	Luck, William Silver Spgs, NV 06-29-04	Stoecker, Allan Oakland, CA 07-21-04
Craddock, Merle Gabbs, NV 07-24-04	James, Billy Modesto, CA 07-16-04	Luna, Norman Fremont, CA 07-14-04	Stromley, Kenneth Sacramento, CA 07-01-04
Davis, Richard Terreton, ID 07-25-04	Kagihara, James Honolulu, HI 07-15-04	Marci, Walter Salinas, CA 03-03-89	Svendsen, Jens San Jose, CA 07-17-04
Debrito, Agostin San Diego, CA 07-23-04	Kihara, Jack Honolulu, HI 07-14-04	McGill, David Merced, CA 06-23-04	Trujillo, Esaias Patterson, CA 07-14-04
Fish, Charles Meadow Vista, CA 07-02-04	Lara, Ernesto San Jose, CA 07-10-04	Olson, Marlan Orangevale, CA 07-10-04	Turner, Myron Mapleton, UT 06-26-04

## Deceased Dependents

Alsdurf, Kay, Wife of Alsdurf, Robert	03-25-04
Austin, Bernice, Wife of Austin, Lake	07-03-04
Barnes, Beth, Wife of Barnes, Ray (Dec)	07-24-04
Baroni, Inez, Wife of Baroni, Fred (Dec)	06-18-04
Bugge, Esther, Wife of Bugge, Cyrus (Dec)	06-02-04
Conn, Helen, Wife of Conn, Robert (Dec)	07-12-04
Cothran, Betty, Wife of Cothran, John	07-31-04
Darrigo, Martha, Wife of Darrigo, Ray (Dec)	07-02-04
Daugherty, Norene, Wife of Daugherty, Jack (Dec)	04-26-04
Delatorre, Anita, Wife of Delatorre, Ralph	07-05-04
Delorefice, Vivian, Wife of Delorefice, Antonio (Dec)	07-09-04
Flores, Margaret, Wife of Flores, William (Dec)	07-20-04
Jackson, Daisy, Wife of Jackson, Kenneth (Dec)	07-02-04
Kamai, Beulah, Wife of Kamai, George Sr.	06-19-04
Keil, Dorothy, Wife of Keil, Herman (Dec)	07-16-04
Lagomarsini, Lani, Wife of Lagomarsini, Robert	10-22-95
Landstrom, Velma, Wife of Landstrom, Paul (Dec)	07-24-04
Leonard, Helen, Wife of Leonard, Walter (Dec)	07-05-04
Lintt, Mary Gerladine, Wife of Lintt, Loring	05-31-04
Maurer, Margaret, Wife of Maurer, Ken (Dec)	05-24-04
Miller, Doris, Wife of Miller, Marvin	06-05-04
Nelson, Margaret, Wife of Nelson, Lewis (Dec)	06-30-04
Rosko, Maybelle, Wife of Rosko, Neil (Dec)	06-13-04
Brechtelsbauer-Sanchez, Katharina, Wife of Sanchez, Juan	05-25-04
Sarazan, Sara, Wife of Sarazan, Wilfred	06-12-04
Shin, Kay, Wife of Shin, Walter	11-24-03
Stedman, Joan, Wife of Stedman, Gene (Dec)	06-30-04
Wise, Nancy, Wife of Wise, Paul	07-19-04
Wolsey, Viola, Wife of Wolsey, Jack (Dec)	06-28-04



## DISTRICT MEETINGS

## OCTOBER 2004

- 7th District 12: Ogden, UT  
Marriott Hotel  
247 24th St.
- 7th District 30: Stockton, CA  
Italian Athletic Club  
3514 Cherryland Drive
- 14th District 04: Fairfield, CA  
Engineers Building  
2540 N. Watney Way
- 21st District 80: West Sacramento, CA  
ILWU Hall  
600 4th St.
- 21st District 01: Novato, CA  
Inn of Marin  
250 Entrada
- 26th District 40: Eureka, CA  
Red Lion Inn  
1929 4th St.
- 27th District 70: Redding, CA  
Engineers Building  
20308 Engineers Lane
- 28th District 60: Yuba City, CA  
Sutter-Yuba Board of Realtors  
1558 Starr Drive

## NOVEMBER 2004

- 4th District 11: Reno, NV  
Engineers Building  
1290 Corporate Blvd.
- 4th District 50: Fresno, CA  
Cedar Lanes  
3131 N. Cedar

## DECEMBER 2004

- 2nd District 10: Lakeport, CA  
Yacht Club  
55 - 5th St.
- 2nd District 90: Watsonville, CA  
Ramsey Park  
1301 Main St.
- 6th District 17: Kauai, HI  
Kauai High School Cafeteria  
Lihue
- 7th District 17: Honolulu, HI  
Washington Inter.  
School Cafeteria  
1633 South King St.
- 8th District 17: Hilo, HI  
Hilo ILWU Hall  
100 W. Lanikaula St.
- 9th District 17: Kona, HI  
King Kamehameha Kona  
Beach Hotel  
75-5660 Palani Road
- 10th District 17: Maui, HI  
Maui Beach Hotel  
170 Kaahumanu Ave.
- 16th District 20: Martinez, CA  
Plumbers 159  
1304 Roman Way

OE3 welcomes  
new members

Local 3 is proud to welcome the following new members who were sworn in at the August district meetings.

**District 01**  
Henry Hall Jr.  
Jason Quintanilla  
Timothy Shea

**District 11**  
Gene Sipola

**District 50**  
John Benevides  
Tom Platten  
Mike Rasmussen  
Ray Villalobos

## HONORARY MEMBERS

The following retirees have 35 or more years of membership in Local 3 as of August 2004 and are eligible for Honorary Membership effective Oct. 1, 2004.

Victor Aguilar Jr.	1386830
James Allen	1229732
Armando Barcelos	1229740
Bernard Camara Sr.	1369338
Tom Correia	1301532
Fred Cucksey	1351425
Richard Herrmann	1391934
James Lee	0857992
Sammy Narramore	1382423
Thomas Patterson	1392010
Ken Pentz	1355170
Richard Pundyke	1374972
James E. Spain	1391997
Earl Wagstaff	1231472

## 2004-2005 Hazmat Class Schedule

Location	Eight-hour refresher	40-hour (Monday - Friday)
District 04 - Fairfield	Saturday, Dec. 11; Friday, Jan. 14	
District 10 - Rohnert Park	Friday, Jan. 21; Thursday, Feb. 17	
District 12 - Salt Lake City	Saturday, Feb. 26	Feb. 28 - March 4
District 20 - Alameda	Saturday, Dec. 18; Saturday, Jan. 8; Saturday, Jan. 22	Dec. 6 - Dec. 10
District 30 - Stockton	Friday, Nov. 19; Friday, Jan. 28	
District 40 - Eureka	Thursday, Feb. 3	
District 50 - Fresno	Saturday, Feb. 12	
District 60 - Yuba City	Thursday, Jan. 13	
District 70 - Redding	Thursday, Dec. 16	
District 80 - Sacramento	Saturday, Dec. 4	
District 90 - San Jose	Saturday, Jan. 15; Saturday, Jan. 29	Jan. 3 - Jan. 7
RMTC		Jan. 31 - Feb. 4

Operating Engineers  
Local 3 welcomes the  
following new contractors

**Soil Engineering Construction**  
District 01 - San Francisco

**Trinet Construction**  
District 01 - San Francisco

**Calegari Excavating**  
District 10 - Rohnert Park

**C. Hardy General Engineering**  
District 10 - Rohnert Park

**Pacific Bay Equipment**  
District 20 - Oakland

**Quality Erectors Construction**  
District 20 - Oakland

**Jesse Esquivel**  
District 20 - Oakland

**H & H Backhoe**  
District 30 - Stockton

**D.L. Fults Engineering**  
District 30 - Stockton

**G & L Brock Construction Company**  
District 30 - Stockton

**Fresno Concrete Construction**  
District 50 - Fresno

**Dawson-Mauldin Construction**  
District 50 - Fresno

**Glassburn Aggregates**  
District 60 - Yuba City

**Foley Company**  
District 60 - Yuba City

**Martin General Engineering**  
District 80 - Sacramento

**Delta Oil Field Service**  
District 80 - Sacramento

**City of San Jose - Temporary Worker**  
District 90 - San Jose

**SwapShop ads** are offered free of charge to members in good standing for the sale or trade of personal items and/or real estate, and are usually published for two months. Please notify the office immediately if your item has been sold. Business related offerings are not eligible for inclusion in **SwapShop**. *Engineers News* reserves the right to edit ads. No phone-in ads, please. Deadline 1st of the month. Limit two ads per issue.

To place an ad, type or print legibly and mail to:

Operating Engineers  
Local Union #3  
3920 Lennane Dr.,  
Sacramento, CA 95834  
ATTN: SwapShop\*

Or fax ads to: SwapShop  
(916) 419-3487

Or e-mail to:  
webmaster@oe3.org

\*All ads must include Member Registration Number or ad will not appear. Ads should be no longer than 50 words.

FOR SALE: Three burial lots. Will sell one, two and all three for \$800 each. Located in Santa Rosa Memorial Park, Shiloh edition. 559-229-6783. Reg. #750237

FOR SALE: 3bd/3ba 2600 sq.ft. gym room and office. Built 1989. 2 car upper level. 2 car garage lower level. 100gpm well. Partly fenced. 10 acres. 580B Backhoe, \$8,000 of heavy equipment, tools between Auburn and Grass Valley. \$725,000/obo. 530-268-1236. Reg. #1054933

FOR SALE: 1993 Dodge 1 ton extended cab with Cummins Diesel, but no bed. \$2,400. 1978 Dodge RV self-contained \$1,100. 559-292-2641. Reg. #1312793

FOR SALE: 12K 5th Wheel hitch \$85. 2 5th Wheel tailgates, Ford \$50. Blue Ox tow bar, Toyota. \$35. \$150 for all. 916-635-1485. Reg. #861665

FOR SALE: Snelling, CA/Merced County. 2 commercial buildings on Hwy 59 Main Street. Nice lot, main building includes welding and machine shop equipment. Single and 3 phase electric. Approx. 10 miles from Merced UC. 395K. 209-756-8317 or 209-753-6270. Reg. #2228137

FOR SALE: Snelling, CA/Merced County. 5.19 commercial acres subdivided into 3 parcels. Hwy 59 frontage in town. 3 sewer hookups included. Ready to develop. 425K. 209-756-8317

or 209-753-6270. Reg. #2228137

FOR SALE: Pueblo, Co. Building lot, in Pueblo West. Lot 25 Blk 2 TR 347 Pueblo West. 842 S. Dogwood Drive, approx. 115 miles south of Denver. Close to boating, fishing, skiing, some of the best Elk hunting in the country. Asking \$8,500/obo. 719-634-8767 or 719-337-0150. Reg. #1354860

FOR SALE: 1979 Terry Fifth Wheel, 32ft., new awning, good condition, exceptionally clean, one owner. Rear living room, queen bed. Must see. \$3,000/obo. 707-644-2273. Reg. #0661383

FOR SALE: 1997 Custom Freightliner Crew Cab RV Tow. Cat 3126 w/Allison 6 speed trans, exhaust break, /cruise control, heated mirrors. Air suspension/air cab and air leather seats/ carpet, electric tinted windows/heated mirrors. Custom utility bed w/storage. 53,000 miles. Like new. Must see. 707-446-7975. Reg. #0661383

FOR SALE: 2001 Pt Crusier white w/ blk t-bra. Fully loaded, leather heated & powered seats, cd/cass, cruise, a/c, front wheel drive, disc brakes, 16" chrome wheels w/ new tires, auto tinted moon roof, lug rack, tinted windows, elec defrost side mirrors, 57k miles. Asking \$12,000. 775-233-6033. Reg. #2051516

FOR SALE: Carlin, NV 3 bd 2 ba. Circular asphalt driveway landscaped w/ sprinklers. Foundation for 2 car garage w/ power/sewer and another hook up for mobile home. All new windows w/ grits, slate floors, new paint & carpet. Asking \$89,000. 775-233-6033. Reg. #2051516

FOR SALE: 1987 Suncrest 37 mi - 28 long GM 454 eng. Class A. Loaded. 4K Onan gen, AC, TV, microwave, storage basement, MO, new awning, all records, new tires. \$10,000/obo. 530-675-2418. Reg. #0939989

FOR SALE: Dodge motorhome, 318 cubic inch engine. Very low mileage and good tires and a very good unit. Doesn't have to be smogged each year. Yours for only \$1,895 cash. Located in Redding, CA. 530-243-4302 after 6:00 p.m. Reg. #0865537

FOR SALE: 1985 T-bird with a V6 engine, all power, good tires, and custom wheels, real clean inside, a nice car in excellent condition. Only \$1,195 takes it away. Located in Redding, CA. 530-243-4302 after 6:00 p.m. Reg. #0865537

FOR SALE: 185 CFM Air Compressor, shop air compressor, Jeep axles, 1979 Harley (almost

stock). 925-899-5927. Reg. #2137705

FOR SALE: Dragline part. Single clutch disc. Part number A6057. New. \$2,500. 916-489-3960. Reg. #2159278

FOR SALE: Backhoe, 1992 case model 590. Cab, air, 4wd, 4 in 1 bucket, clean, runs good. \$23,500. 209-826-9465. Reg. #1043556

FOR SALE: Harley Davidson Tonneau cover, fits Ford 150 Supercab. Like new, cost \$350 Sell for \$175. 707-448-4252. Reg. #0904929

FOR SALE: 1995 22' Hilo Classic Travel Trailer. Sleeps 4, roof air, forced air furnace, full shower/bath, stove, top range & micro. 12volt gas/electric refrigerator. Couch folds to a queen bed, awning, new batteries & tires. Electric front jack. \$9,000. 925-634-5588 or 925-858-0405. Reg. #1315719

FOR SALE: 1991 26ft. Mallard 5th Wheel Travel Trailer. Sleeps 6, queen bed, shower/bath, awning, stove top range/oven & micro. Very Clean \$7,500. 408-264-3606 or 408-927-0575. Reg. #0622866

FOR SALE: Jeep 1946 Willys, All Original. \$7,500. Jeep 1947 Willys \$4,500. 707-994-9224 or 707-994-2048. Reg. #0418439

FOR SALE: 10 wooded acres Southern Oregon. 2bd/2ba brick house w/ attic, central heat & cooling, woodstove, pantry, 2 storage buildings, chicken coop, garden area, room for horses, seasonal creek, low taxes zoned "forest". Mild Weather. 5 min. from trout-stocked Lake Selmac, 25min from Grants Pass. \$199,500. 650-726-7810. Reg. #2023990

FOR SALE: 1946 Harley Davidson Knucklehead 74 CI Engine rebuilt by HD dealer. Mostly stock & good running. Very clean unique motorcycle. \$18,500. 707-442-5263. Reg. #1620480

FOR SALE: 1994 Custom built 40ft. Country Coach motorhome, like new, loaded parked in cooled shop low mileage includes AV92 computerized engine. All new batteries 15 kw diesel generator satellite vcr's, tv's remote controlled to bedroom & living, upgraded carpets, window coverings, & furniture, + much more. 559-275-5772 or 559-277-2719. Reg. #0566421

FOR SALE: 1995 Dutchmen travel trailer, 13ft. slid-out dual air (one is ceiling ducted), floor ducted heat, queen bed, built in micro, am/fm/cass. 40 gal. hot water heater, full size washer, computer work station in rear room, full size

jetted tub, can sleep 5; ideal live in unit. Reduced to \$12,500/obo. 775-329-0806. Reg. #1369144

FOR SALE: Mobile home on 2.5 acres near Elko, NV. Fenced & cross-fenced, water to each area (good well), quiet, secure, neighborhood, near BLM (open) land, ideal retirement, horse property, or hunting base. Trailer is 14x 66 w/ 3br, 2 ba, roomy kitchen/living area. 8 x 12 sun room on front, mud room on back, storage sheds, chicken coop, etc. Reduced to \$60,000/obo. 775-329-0806. Reg. #1369144

FOR SALE: Factory Safety Cab with mounting brackets, heavy duty for Catapillar, like new. \$1,250/obo. 1928-29 Case Tractor, runs. Ford 9N needs work. \$3,500/obo for both. Tandem boat trailer for 15 to 20ft boat. \$500. 1992 Chevy V8 Caprice, good condition. 110,000 miles. \$3,600. Rowe Jukebox good condition with records. \$800. 916-991-1530. Reg. #486196

FOR SALE: 2003 Yamaha 1100 Classic motorcycle, silver color like new. 4600 miles. Windshield and extras. \$6,500. 59-834-2541. Reg. #1413853

FOR SALE: Ditchwitch Case model DH4 w/ backhoe attached, runs good. \$8,500. 209-826-9465.. Reg. #1043556

FOR SALE: 1988 Ford 4dr. sd, ps, pb, at, v6. \$1,100. 707-253-7627. Reg. #0908640

FOR SALE: No. Cal. Trinity County. Multiple structures including a main house, cabin, pole barn/workshop on 13 + acres of heavily forested property at the confluence of 2 crystal clear, mountain fed creeks. Asking \$265,000. <http://www.arachide.org/ca.htm> 530-628-5030. Reg. #1490348

FOR SALE: Siesta cabover crankup camper for full size longbed pickup. Top section lowers for transport. 10ft. mainbody + 4ft. over-head. 2 bds, 3 way fridge, 3 burner stove & oven, water tank & kit sink, toilet & holding tank, folding step inc. \$1,200/obo. 530-283-3318. Reg. #1870433

FOR SALE: White fiberglass pickup camper shell. Was on an '82 Ford full size longbed pickup. Will fit some older and newer models. \$300/obo. 530-283-3318. Reg. #1870433

FOR SALE: 2000 36ft Tahoe 5th wheel, 3 slide outs. In great shape, never traveled in! 22k/obo. 916-789-1775. Reg. #270279

FOR SALE: 1996 Alpenlite 36ft 5th wheel trailer. 2 slideouts, awning, central air and heat, new

15,000btu air conditioner. Built in microwave, refrigerator, entertainment center, tv, vcr, stereo w/cd. Excellent condition. Glass door closets in bedroom, oak wood cabinets. Lots of storage. \$26,000/obo. 925-686-5017 or 925-383-1881. Reg. #225929

FOR SALE: 1968 Buick 430 motor. All complete motor, trans, carb, starter, etc. \$1,000. 925-685-1389. Reg. #1136381

FOR SALE: Two burial lots, vaults and marker in veterans section in Fresno Memorial Gardens. 208-682-3507. Reg. #0969094

FOR SALE: Property in Willow Creek Estates, Amador County. Approximately 6ac, 3bd/3ba, central a/c and heat, ceiling fans, wood stove, 3 stall barn, RV parking, work shop, 30x40 garage, apartment or mother-in-law quarters, 2bd/1ba, too many amenities to list. 209-245-3532. Reg. #1812603

FOR SALE: 12ft aluminum boat, truck tool box, twin box spring & mattress, all baby items, fire truck toddler bed, dinnet set, 5 man tent (Wentzel), exercise equipment. 209-245-3532. Reg. #1812603

FOR SALE: 4 tires like new P225/60 R16. 408-266-1058. Reg. #835689

FOR SALE: Flat bed dump 8'x8' steel bed, Sherman brand \$1,000. 1972 Dodge 1ton no bed \$500 or trade. TD9 transmission free. 530-346-2918 or e-mail farmerj@cwnet.com. Reg. #1271053

FOR SALE: AMC 390 CID engine bored .30 over less than 5000 miles since rebuilt and balanced all papers. Can be had with fuel injection or 4BBL Holly. \$1,500/obo. Tohatsu outboard 5hp motor long shaft like new with cart and gas can. \$500. 650-494-2009. Reg. #1242916

FOR SALE: '72 Commando convertible hard top 304 eng. Auto tranny and power steering, power buster and new seats. Needs some work. Runs good. \$4,500/obo or trade for a motorcycle or a boat. This car is in Fresno. Call after 5:00 p.m. or leave a message at 559-252-1372. Reg. #2443714

FOR SALE: Two burial lots in Oakmont Memorial Park in Lafayette, CA. Call Earl or Erma at 209-823-8416. Reg. #1181671



## FROM SAN JOSE

## Members and families enjoy annual district picnic

Thanks to all who made the trip to Christmas Hill Park in Gilroy for the District 90 picnic Aug. 15, including Business Manager John Bonilla, President Bob Miller, Vice President Frank Herrera and Treasurer Russ Burns. More than 500 members, retirees and their families attended and had a great time.



President Bob Miller visits with eight-year Local 3 member Gene Ford Jr.



Treasurer Russ Burns helps serve members barbecued tri-tip.



From left: Vice President Frank Herrera and Business Manager John Bonilla discuss ongoing union negotiations with Teamsters Local 287 Business Rep. George Netto.



Eight-year Local 3 member Paul Gutierrez enjoys lunch with his wife, Eva.



Retiree Sam Sorce and his wife, Dorothy, cool down with cups of ice cream under a shade tree.

## FROM ROHNERT PARK

## Work picture holding steady in District 10

An important Sonoma County Transportation measure expected to generate about \$23 million annually over the next 20 years will be on the November ballot. The 1/4 cent sales-tax measure, known as Measure M, the Traffic Relief Act, provides for investments in three program categories. Each category will receive a share of the sales tax revenue, currently estimated at \$470 million over a 20-year period.

The first category (local streets and roads) will be allocated 40 percent, which is \$188 million. The second category (Hwy. 101) will also receive 40 percent at \$188 million.

The third category (transits, passenger rail and bicycles) will receive 19 percent, which is \$89 million. The remaining 1 percent is for administration, project management and audits.

In August, the U.S. Fish and Wildlife Service announced the status of the Sonoma County California tiger salamander population had changed from "endangered" to "threatened." More important to the construction industry, the U.S. Fish and Wildlife Service indefinitely suspended the designation of "critical habitat" for salamanders in the county. A critical habitat designation for an endangered species is usually a controversial process. It often creates difficult regulations that can stop or slow construction projects.



Taylor-Bailey Construction performs site work for the Kendall-Jackson winery in Booneville. From left: Blade Operator Pat Wright, Business Rep. Jim Killeen and Backhoe Operator Dart Smith.

District 10 and local contractors lobbied local politicians for a meeting at the state level and federal level to address the construction industry's concerns. Our efforts paid off. Federal, state and local governments are cooperating with advocates of private property owners and environmentalists, creating a one-stop process, which combines mitigation and permits required by each entity into one resolution. If this is accomplished, the joint resolution will be the first of its kind in the nation, according to U.S. Fish and Wildlife Service Field Superintendent Wayne White. The group has been meeting weekly since May, and the outlook is promising. It looks like they may have a resolution within the next few months.



From left: Apprentice Jake McFadden, Foreman Richey Dutra, Blade Operator Ken Melville and Operator Ed Adams work on Hwy. 128 in Booneville for Mendocino Construction Services.

## Recent bid results for July and August

## Argonaut Constructors

- \$1.1 million Windsor River Road widening
- \$523,000 Sonoma County Transit Department Intermodal Facility, Phase I

## Sonoma Engineering of Healdsburg

- \$195,000 for Windsor Public Works, Honsa Avenue upgrade
- Suisun's Gordon Valley Road Bridge at \$470,000

## North Bay Construction

- Petaluma street rehabilitation at \$2.9 million

## Ghilotti Construction

- Sonoma County, Napa Road, Hes Project at \$715,000

## Ashlin Pacific Construction

- Willits water main relocation on East Hill Road at \$527,000

## Baldwin Contracting

- Caltrans road realignment for Lake County

## Granite Construction of Ukiah

- Lake County road rehabilitation and realignment at \$1.5 million

The next month is critical for America's working families. We need you to volunteer! Imagine waking up the day after the election and realizing one more phone call or a few more door knocks could have made a difference. Now is the time to make a difference. We are counting on you during this sprint toward Election Day.

Union voters will be one out of every four voters on Election Day. It is critical that we talk to our brothers and sisters and educate them on the differences between the candidates and labor issues. We need volunteers for precinct walks, phone banks, events and more. Please do what you can.

Perhaps you're working long hours out of town; maybe your significant other or your teenager, mother, father, aunt, uncle, brother, sister, cousin or grandparent can get involved. This election is about all working families – the outcome will affect us all!

The Rohnert Park District congratulates and offers its best wishes to:

**Daniel Shaw**, who married **Kelli Bunting** July 24 in Lake Tahoe. They reside in Santa Rosa with their three children Tyler, Emily and Travis. Congratulations, and best wishes for many years of happy memories.

Congratulations to **Pedro Garnica** and **Esmeralda Vigil Garnica** on the June 7 birth of their son, **Bryan**, at the Sutter Community Hospital in Santa Rosa. Big sister Aileen welcomed home her baby brother.

## FROM FRESNO

## Northern counties bustling with subdivision work

Everything is going well in the Fresno District with members working as many hours as possible. District 50's northern counties are bustling with subdivision work and school jobs in Madera and Merced counties. **Teichert Construction** recently completed a paving project in Madera. The company continues to move forward into the subdivision market at every opportunity.

Unfortunately, work is not going well in Yosemite National Park because of environmental problems; we hope everything will be resolved soon. **Granite Construction**, **Don Berry Construction**, **Garrett Construction**, and **Emmett's Excavation, Grading & Paving** are extremely busy.

We are proud of the more than 120 members who attended the Aug. 5 district meeting. High attendance at district meetings shows the members' extreme interest in union activities. This union belongs to the members, and it's the members who continue to make it strong. Our members are also strong in their skills. Several contractors have informed Local 3 that they enjoy working in the Fresno area because we supply them with excellent operators.

We are proud of the Community Action Team members who participated in our July 30 blood drive for **Carolyn McClain**, wife of Local 3 member **Gus McClain**. Thirty-four donors, including many first-time donors, helped us collect 29 pints of blood. Each donor received free tick-

ets to the Aug. 24 Fresno Grizzlies game. Everyone wishes Carolyn a speedy recovery. Our members always come together when there's a brother or sister in need. Dispatcher **Denise Alejo** thanks everyone who participated and "gave the gift of life."

"Blood, sweat and tears" is the theme of our Oct. 3 golf tournament. The cost is \$60 per person, which includes 18 holes of golf, a golf cart and a barbecued lunch. Space is limited, so please contact the district office and sign up early. No experience is necessary to play in this tournament. Fun is the name of our game!



Operator **Jeff Brackett** works for **Bartholomew Enterprises** on Hwy. 180.

## Notes from the district

Congratulations to **Bryce and Dena Colan** on the July 24 birth of their daughter, **Katie Mae Colan**. She was 8 pounds, 20 inches at birth.

Join your fellow union members every Wednesday for a barbecued meal at the district office. Business representatives are always available to answer your questions and listen to your concerns.

Help organize the unorganized: Contact the district office with any organizing leads.

## FROM HAWAII

## Grace Pacific employs 175 OEs to sustain asphalt demand

**Grace Pacific** continues to pick up work at a record pace across the state. More than 175 members are busy on Oahu where Asphalt Plant Operator **Lloyd Mundon** reports the plant is producing 3,000 tons of asphalt a day. The state has required night work to avoid disrupting traffic. Often, as many as 35 semi-trailers are required to keep up with the cold planing work alone. To keep up with the demand for aggregate, members in the quarry are extremely busy as well.

**Oshiro** expressed his gratitude for the tour and said it was most informative. He was in awe of the heavy-equipment activities he observed while visiting various sites. No doubt, the highlight of **Oshiro's** tour was when 14-year member **James "Kimo" Figueroa** allowed him to sit in the seat of his excavator.

## State representative tours OE3 jobsites

In an effort to level the playing field, Stabilization Fund Lobbyist **John Monis** introduced two bills in the last legislative session that addressed the requirement and use of the "assistant to engineer." Neither bill made it into law. To prepare for reintroducing the bills in the next session, Fund Administrator **Adrian Keohokalole** took Labor Committee Chairman and state Rep. **Marcus Oshiro** on a tour of jobsites to get a feel for the engineer assistant's duties.

## Maui "Meet Your Legislator" a success

The Hawaii Operating Engineers Industry Stabilization Fund hosted a "Meet Your Legislator" event Aug. 5 at the Maui Beach Hotel. More than 50 members, family and friends enjoyed the evening as they were well entertained and fed. All of the Maui County Council attended, along with state senators and Democratic representatives. It was an opportunity for our members to meet various legislators and voice any concerns. Much thanks to Stabilization Resource Specialist **Perry Artates** for his efforts in making it a successful event.



The quarry crew includes, kneeling, from left: **James Palama**, **Sio Levasa** and **Tony Carreiro**. Standing, from left: **Ryan Sano**, **Vic Woo**, **Alain Acob**, **Miguel Pagba**, District Rep. **Allan Parker**, **Chris Kelii**, **Guy Branco**, **Darrell Yee**, **Alex Leano**, **Darren Nakamura**, **Ace Asato**, **Paul Robinson** and **Craven Matsumoto**. Kneeling on the track is **Kalani Mahoe**.



First row, from left: Lobbyist **John Monis**, councilmembers **Mike Molina**, **Joe Pontanilla**, **Robert Carroll**, **Riki Hokama** and **Danny Mateo**, District Rep. **Allan Parker** and Asst. District Rep. **Pat Santos**. Second row, from left: state Sens. **Shan Tsutsui**, **Rosalyn Baker** and **Kalani English**, state Reps. **Joe Souki**, **Sol Kaho'ohalahala** and **Bob Nakasone** and Council Chairman **Dain Kane**.



Council Chairman **Dain Kane** speaks to Retiree **Harry Fong Jr.**, and state Sen. **Kalani English** speaks to Retiree **Earl Kuailani** as Local 3 members **Donald Poepoe**, **Danny Collier** and their wives look on.



# Public Employee News

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## Knowing your Skelly rights pays off

By Dan Venters, business representative

In January 2004, Local 3 member David Dayton was terminated over three written reprimands he had received between August 2003 and December 2003. All of the incidents were minor offenses, but Dayton's manager was upset with him at the time and retaliated.

The first reprimand occurred in August 2003. Dayton was called into a meeting where he was read a letter stating he would serve a two-day suspension from work for violation of rules, starting the next day. After serving the first suspension, Dayton worked one-half day and was called into a meeting again. He was read a letter stating he would serve a one-and-a-half-day suspension for violation of rules, starting immediately.

At neither of these meetings was Dayton afforded his due process or Skelly rights. He did not receive an opportunity to defend himself, and the manager who reprimanded him was also the investigator. Because Dayton

did not receive his rights, Operating Engineers Local 3 filed a grievance and pushed the issue to arbitration.

In December 2003, Dayton was called into a meeting for another issue, but the Susanville Sanitary District had learned from its mistakes. They placed Dayton on administrative leave with pay while a labor consultant was hired to perform the investigation. During this last issue, Dayton received his Skelly rights, which led the Sanitary District to say he was receiving progressive discipline in being terminated from all three reprimands.

After discussions between the union and the district, both sides agreed to consolidate the issues into one grievance and pursue arbitration. In late March 2004, the grievances were arbitrated, and about five weeks later Dayton was awarded his job back with all monies and benefits lost, minus a two-day suspension for the last reprimand he received in December.



Local 3 member David Dayton is back at work after taking advantage of his Skelly rights.

Both Dayton and Local 3 would like to remind all workers, you are entitled to due process, and if you don't believe you have received your rights, contact your union business representative immediately.

## City of Stockton hell-bent on privatization

By Joe Santella, business representative

The latest casualty in the city of Stockton's mad rush to privatization is the maintenance of the city's three municipal golf courses. Stockton started its assault on city services in July 1997 when the newly elected mayor first put the Municipal Utilities Department on notice that he intended to move that operation to the private sector. That was accomplished in August 2003 when the operation and maintenance, as well as the capital improvements of MUD, were transferred to a joint venture firm called OMI-Thames Water. Then, just this year, the garden refuse collection crews of the city were phased out when the city instituted a three-can system with the local garbage haulers. Now the city has released an RFQ (request for qualifications) for the maintenance of the golf courses.

Interestingly, enough of the already privatized services and the soon-to-be golf course privatization scheme are



targeted toward revenue-generating services. In other words, services that have a fee or rate payment for service. The mayor and city council have touted that the private sector can do it cheaper and more efficiently than the city-owned-and-operated operations could, yet not one fee or rate has been reduced. And in the case of the garden refuse plan, the rates went up and will continue to do so given the cost-of-living escalators built into the service contract.

Do you think that when the more

efficient and better-run golf course maintenance companies come in to maintain Stockton's golf courses, the greens fee will go down or that any savings the city may realize will be passed on to its citizens? I'm taking bets!

What does this mean for the public employees who are displaced by these various schemes? For many, it is a bitter ending to a long and dedicated career in service to their fellow citizens. For others, it may include the transfer to a private-sector employer with the resultant culture shock of "how the private sector does it." In any case, the larger issues include, is the public better served by these schemes? And if cities are reducing the services they provide or transferring them to the private sector, why are taxes and fees not being reduced? You may not be directly affected YET, but you may want to keep an eye on what's going on in your city and get politically involved before it's too late.

## NEWS FROM THE public employees



by  
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# The importance of loyalty

## What is loyalty?

Loyalty is often defined as allegiance, faithfulness, integrity, attachment, devotedness, honor, reliability, truthfulness, duty, honesty and dependability. But loyalty goes much deeper than these descriptive words. Loyalty should and most likely does play a big part in your life at work, home and elsewhere. Have you been loyal to your work? Have you been loyal to your boss or more importantly, yourself? What about being loyal to your integrity and taking pride in your accomplishments and the job you do?

Reading this, some might ask, "are you nuts, Kurt, our employer is a jerk," or "why should I be loyal to this job or that boss?" Maybe you have a great boss, but maybe you do not care for the employer, so you perform below par, which unfortunately only reflects upon you and your great boss. Maybe there is some secret agenda and you're hoping to climb the ladder despite whom it affects. Is this the honorable thing to do? Of course it isn't, but many do it anyway. The fact of the matter is, if you keep your "nose to the grindstone" and take pride in your work as if you were doing it for yourself, everything will turn out better.

The No. 1 mission of Local 3 Business Manager John Bonilla and his team of officers is service to the membership. That is not the only goal of Local 3, but that is the goal for which all others are based upon. Loyalty goes a long way in accomplishing this goal. I refer you to the above definition of loyalty to demonstrate.

**Allegiance** to this country, our constitution and the rights contained therein for

freedom to assemble, freedom of speech, etc., to carry out our mission of representation and workers' rights.

**Faithfulness** in carrying out our mission wholeheartedly and servicing the membership, our customers, clients, employer or public as if it were us waiting at our house for that cable guy.

**Integrity** to do the right thing even though it may not be the most popular or your personal goal, but what is best for the team or the employer, customer or membership. Integrity may cost you dearly, but it sure is nice to be able to look at yourself in the mirror and know you did the right thing.

**Attachment** to your job and your co-workers and the accomplishments that come when you take pride in your work and work together as a team.

**Dependability** is always important in that you do what you say you will do. Have that project done on time; make that phone call or have that presentation ready for the 8 a.m. meeting.

**Honesty** is always important. Are you honest with your boss or employer? More importantly, are you honest with yourself? Have you been showing up to work 15 or 20 minutes late but not reporting it on the time sheet or clock? Are you giving a 100 percent effort to your job and its goal of servicing the clients, members or other customers? Do you have some grandiose ideas that are detrimental to your work or fellow co-workers keeping you from concentrating on the big picture? Truthfulness goes hand in hand here as well.

## Importance

These are just a few aspects of loyalty, but I believe you get the idea. Loyalty goes much deeper than all the above. It's what is not said during those difficult decisions to "dance with the one that brung you" (poor English, I know) that makes life challenging. It is having faith that everything will work out in the end. Maybe you have a terrible employer or boss and because of the "atmosphere" or "politics," you want a new position. I say work your butt off and look for another job WHILE you are fulfilling your obligations to your boss or employer. If you have ever worked more than one job in your lifetime (which is most of us), you are well aware that there are "office politics" everywhere. After all, somewhere down the road you are servicing a client, member or Joe Public in the job you do. If you are a secretary in a public works department, does your job ultimately affect a paying customer like yourself? Sure it does, just like the secretary at the water or electrical department that processes YOUR bill!

Be loyal to your company, employer, boss and family, and most importantly, to yourself. Loyalty plays a big role in every aspect of life. I am not saying to give blind loyalty to an issue that is inherently wrong or dishonest, but if you are having a problem with your employer, boss or supervisor, that is why Local 3 is here. Give us a call and we can help, but keep hitting that grindstone and it will all work out in the end.

Good luck, and Happy Halloween.



# Investigations critical in disciplinary cases

By Patrick Thistle, business representative

Investigations of disciplinary cases by union representatives are important to the outcome of the disciplinary process. Conducting thorough, accurate and complete investigations

is an important duty of a union representative. The most effective investigations are those that are done promptly. As a union representative, you will tend to get better information if you commence your investigation at the earliest possible time. The union representative should also, to the extent possible, monitor the investigation being conducted by the employer into allegations of misconduct against the union member.

Union representatives should have copies of all personnel rules and regulations, policies, procedures, memoranda of understanding, contracts and whatever other information might be useful in defending an accused against allegations of misconduct. A good union representative is a pack rat — someone who keeps records of disciplinary notices, workplace rules

and policies, training materials, memoranda and other documents and information that might be useful in conducting an investigation.

From the beginning of the investigation, assume the case will end in arbitration or a hearing of some sort. With that in mind, take accurate and complete notes of all statements of witnesses; in the appropriate circumstances, have witnesses sign their statements, and gather whatever information might be helpful in arguing the case to an arbitrator, hearing officer or even a judge. Memories fade, but accurate notes concerning the date and time of an interview or a meeting, which includes information about who was present, where and when the meeting was held, and

what was said, can be of critical importance at the arbitration. Remember, if the investigation is worth doing, it is worth doing well. If you are tasked with an investigation, take the time to make accurate records, follow up leads and be prepared to present evidence at arbitration that may result in a successful conclusion.







## Employees' right to inspect their personnel files

By Dean Cofer, business representative

Are you aware you have a legal right to inspect your personnel file? Whenever an employer maintains a personnel file that is used or may be used to determine your qualifications for employment, promotion, termination, disciplinary action or for any other job-related purpose, you have a right to inspect that file.

Section 1198.5 of the California Labor Code gives all employees in the state (except those specifically excluded, such as public safety officers covered by the Public Safety Officers' Procedural Bill of Rights) the right to inspect their personnel files upon request. Section 1198.5 specifically provides: (a) Every employee has the right to inspect the personnel records that the employer maintains relating to the employee's performance or to any grievance concerning the employee. (b) The employer shall make the contents available to the employee at reasonable intervals and at reasonable times.

Employers must keep a copy of the employee's personnel file at the place the

employee works, or make a copy of the personnel file available at the workplace within a reasonable time following the employee's request.

If your personnel file is stored at the main office of the employer, which is usually the case, the employer must make arrangements for you to inspect your file at your workplace within a reasonable time following your request. If the employer requests that you inspect the file at its main office, that is not a problem as long as your employer allows you paid time and provides you transportation to do so.

You have the right to access any information that may be used or has been used in determining your qualifications pertaining to personnel decisions made by your employer. Access and inspection of your personnel file gives you an opportunity to correct or object to information that may be used against you, and provides you with an opportunity to request that information be added to your file that you think is relevant.

Inspecting your personnel file on a regular basis (I recommend that you do so at

least once a year) acts as a brake on your file becoming a dumping ground for negative information. Many employers place all kinds of adverse information into your personnel file while overlooking commendation memos and letters, community recognition awards and more.

Periodic inspection of your personnel file ensures that your employer does not engage in systematic job discrimination on the basis of sex, race, age, union activity, or any other inappropriate or illegal behavior.

When requesting to inspect your personnel file, it is advisable to make your request in writing and keep a copy. If you encounter an unreasonable delay or objection to your request, immediately contact your steward or union representative.

Upon inspecting your file, note any information you believe may have been inappropriately placed in your file, request that your employer (a) provide you with a copy of said information, and (b) remove inappropriate material and destroy it. If your employer refuses either request, contact your steward or union representative.

Stay safe, remain united and remember, an injury to one is an injury to all.

NEWS FROM THE  
**public**  
**employees**



## National election critical for California public employees

By Alan Elnick, business representative

It has become cliché to suggest that this election is the most critical in our lifetime. Yet, for public employees in California, this certainly may be the case. Having struggled through the effects of the state's \$30 billion shortfall in fiscal year 2004-2005, with its accompanying layoffs and service reductions at local government levels, the state plods on assured of another substantial shortfall in fiscal year 2005-2006 with the prospect for more borrowing, layoffs and service reductions. Politically, it is simple to point a finger at our legislators and local government officials, accuse them of mismanaging our affairs and begin the process of changing our political leanings (a la Gov. Gray Davis) as we endure the harmful effects of reduced government. We tend to overlook the mischief perpetrated by the administration in Washington, D.C., and its impact on our affairs.

Our recent decline began with the failure of the Federal Energy Regulatory Commission to do anything but observe the rape of California during our energy crisis three years ago. Enron and others had a free hand to plunder us mercilessly during our time of vulnerability. Less obvious, however, was our slumping from 38th to 45th in the amount of federal spending returned to our state for the dollars we send to the federal government.

In 1992, federal spending in California returned 92 cents for every dollar Californians shipped over there. In 2002, California received back 76 cents for every dollar, a reduction of 17 percent. Had we merely stayed level, California would have received an additional \$40 billion in 2002. It must be remembered that much of what state and local governments spend is federally mandated, so this loss is a punishment for doing what we are required to do. We see its effects directly in the burgeoning deficits at the Alameda County Medical Center, in the lost jobs at the county social

services agency, and in the panic-stricken faces of those Section 8 housing beneficiaries who faced eviction as the U.S. Department of Housing and Urban Development gave little notice of its reduction in funding for local housing authorities.

If the current administration survives in November, more hard times are in store. Federal grants and entitlement programs are targeted for further slashes to enable future tax reductions to those who need them least. We have already witnessed the toothlessness of the "stimulus" provided by this administration's first round of cuts. The problem is they offer no incentives for risk-taking activity and simply encourage wealth consolidation. The result has been anemic job growth, sputtering domestic equities markets and the need for citizens to raid their home equity with expanded credit lines in order to keep up.

That Californians receive so little back from their federal taxes makes them the benefactors of states,

such as Alabama, Alaska, Arkansas, Mississippi, Montana, North Dakota, South Dakota and West Virginia, who receive back on average \$1.75 for each dollar of federal taxes paid. The unspoken irony is that those are the places where the loudest voices are raised extolling the virtues of self-reliance.

\$40 billion is a great deal of money to remove from any economy, and no matter how you slice it, government spending provides the base for all sectors of the economy to prosper. We, Californians, need a change in administration in Washington, D.C., if only to assure that our benevolence is not exploited further to our great detriment.





## NEWS FROM THE public employees

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## Time critical in grievance, disciplinary processing

By Don Dietrich, business representative

In the past year, I have had several untimely requests to file grievances or appeal disciplinary actions. I currently maintain bargaining units in six jurisdictions. This means I deal with at least six different rules relating to the timelines for filing appeals of grievances and disciplinary matters. Many of my colleagues deal with an even greater number of contracts, which makes the management of such issues even more difficult.

There are a few constants:

If the union or the member does not request appeal in a timely manner, the right to appeal is forfeited.

The union cannot file a grievance or disciplinary appeal for an individual issue without the express consent of the affected member.

The employer sends decisions regarding disciplinary matters directly to the member and does not always notify the union.

The employers are not flexible on these issues.

I bring this to light because it is really incumbent upon the affected member to contact his or her union rep immediately upon receipt of a response from the employer. It does not hurt to file a request for the next step in the appeal process, even if you have not decided whether to pursue the matter further. You can always retract the request for further consideration. One thing you can't do is revive the issue after the time limit in the contract has passed.

So, please, if you are in the process of a grievance or disciplinary matter, keep in close contact with your union rep. It hurts to have a good appeal dismissed because of time rather than on merit.

## Weingarten, Skelly rights for public employees

By Dean Cofer, business representative

### Weingarten

I constantly run into employees and employers who are unaware of or misunderstand employee rights under Weingarten and Skelly, so here is my explanation of these rights.

In a case called National Labor Relations Board v. J. Weingarten Inc., the U.S. Supreme Court decided an employee has the right, upon request, to the presence of a union representative during investigative interviews with management when the employee reasonably believes disciplinary action might result from the meeting.

The law makes a distinction between investigative meetings and disciplinary meetings. In an investigative meeting, management has not yet decided what action, if any, to take, and is trying to gather information. In a disciplinary meeting, management has already decided what to do and is informing the employee of that decision.

Disciplinary meetings may become investigative if management continues to seek information after deciding what action to take, such as an admission that the employee has engaged in misconduct.

Under the law, a union representative does not have the right to be present during disciplinary meetings wherein management only intends to mete out predetermined discipline. However, most enlightened employers have policies that allow union representation in disciplinary and investigative meetings. These enlightened employers allow union representation during disciplinary meetings to avoid after-the-fact arguments that manage-

ment may have stepped over the line by slipping into an interrogation of the employee. Another reason for allowing representation during a disciplinary meeting is that the employee or union representative might be able to shed light on the incident that led to the discipline.

To invoke Weingarten rights, employees must request the presence of a union representative. To this end, available through your business representative, OE3 has printed wallet-sized cards that read, "IF THIS DISCUSSION COULD IN ANY WAY LEAD TO MY BEING DISCIPLINED, TERMINATED, OR CAUSE AN EFFECT ON MY PERSONAL WORKING CONDITIONS, I RESPECTFULLY REQUEST THAT MY UNION REPRESENTATIVE BE PRESENT AT THIS TIME."

### Skelly

Skelly rights derive from the United States and California constitutions, which provide that a person may not be deprived of life, liberty

or property without due process of law. These provisions take on special significance in regard to public employees in California.

The California Supreme Court, in a landmark case called Skelly v. State Personnel Board, held that permanent, non-probationary public employees in California have a protected property interest in continued employment entitling them to contest any disciplinary action levied against them.

The court further held in Skelly that a

public employer must follow specific procedural steps before the imposition of discipline upon permanent employees. These pre-disciplinary requirements include, (a) notification of the nature of any allegations supporting proposed disciplinary action in advance of its imposition; (b) copies of all materials or documents upon which the proposed disciplinary action is based; and (c) the right to respond to the appointing authority before the effective date of the discipline.

The state Supreme Court in a later decision indicated that the pre-disciplinary constitutional protections in Skelly were not required in minor disciplinary matters (such as a letter to file, or suspensions less than five days long). However, many union agreements contain language allowing use of Skelly procedures for so-called minor disciplinary issues — so it is always wise to refer to your MOU or check with your business representative before deciding Skelly does not apply.

California courts have also ruled that the property interests in your job entitles public employees to a post-disciplinary hearing to contest charges or allegations brought against them. Post-hearing rights are in addition to the pre-disciplinary rights discussed above.

The bottom line in regard to Skelly rights is that public employees with permanent status must be given a pre-disciplinary forum to contest the substance of charges brought against them, plus a post-disciplinary hearing.

You may want to cut out this article and keep it readily available in case you ever need to invoke your Weingarten or Skelly rights.

Stay united, and work safe.

