The struggle continues
Newmont workers steadfast as year-long contract remains unsettled
For The Good & Welfare
By Don Doser, Business Manager & IUOE General Vice President

Refocusing after the recall

After all the analysis of the recall election and strategy meetings that were held to plan for labor's future in California, the brothers and sisters of Local 3 should remember one thing: This union exists for the membership. The work of your officers and staff is the same now as it has always been. We fight for the interests of Operating Engineers. That challenge remains ahead of us, and our efforts will not be weakened or less committed under a new administration. The coming year presents new challenges: the fallout from the recall, a presidential election, a slowdown in the national economy and more budget cuts. As we approach these issues, you remain our first priority.

Keeping our active members at work is the most essential part of Local 3's survival and strength. With the construction season well into the fall quarter of the year, we can make a realistic assessment of our employment picture for 2004. Over the last several years, from 1999 to 2003, work has been plentiful. Except for the typical winter slowdown, anyone who wanted to work could find a job in the industry. From all indications and reports from our contractors, 2004 will remain strong for construction.

Nationwide, the U.S. economy has lost 2.7 million jobs since the recession began in early 2001. During this same period, Local 3 grew by 1,400 members, but our growth doesn't reflect the overall state of the economy. President Bush is on his way to becoming the first president since Herbert Hoover in 1933 to preside over a net job loss. The manufacturing sector lost 2.4 million of those jobs, and that includes the workers that produce the materials used in the construction industry. More than one in 10 factory jobs have been eliminated. Already contractors are feeling the pinch as the freeze moves into California. Revenue is leaving the state, and operators are feeling the pinch as the freeze moves into the construction season.

Recent events in Sonoma County demonstrate the effects of national economic policies on two loyal union contractors and their employees. My office was approached on behalf of Syar Industries and North Bay Construction to advocate for a state-prepared study of the county's geology and its compatibility over the next 30 to 50 years with the market and the needs of the community. Syar and North Bay maintain that the permit needed to supply the majority of rock products in the county. Their pullout has caused 35 workers to lose their jobs or be displaced. In addition to operator jobs lost to truckers and longshoremen, revenue is leaving the state.

One of the main producers of rock products in Sonoma County is non-union. That company successfully convinced some local government officials that it could supply the majority of rock products in the county. Syar and North Bay questioned the quality of the products and the life of those deposits. When the research study was put on hold because of the state budget crisis, Syar Industries and North Bay Construction agreed to fully fund the study at a cost of $100,000. No state funds were necessary, but the governor's approval for staffing reassessments within the Geologic Survey Department was needed. The contractors asked Local 3 for help contacting Gov. Davis.

With Sonoma County poised to issue rock permits in the near future, this study is critical. The information that would be presented to the Board of Supervisors could result in saving 50 jobs at Syar while creating 50 jobs at a new quarry for North Bay Construction.

Davis' office understood the concerns regarding our member's jobs and the hardship facing two of our signatory contractors. Infrastructure needs high quality rock from local sources, and the governor was sensitive to the challenge from foreign competition in both jobs and product. Business owners who believe union workers are their best investment and strive to keep them employed deserve support. He was interested in having the study move forward.

Many people feel the future of our economy lies in computers, software, biotechnology, medical equipment and telecommunications. These industries do much to drive the economy, but their success is due in large part to past public investments in the physical infrastructure of roads, ports, power, water and sewers that support private enterprise. Economic recovery will not be achieved by encouraging contractors and business owners to look outside our borders for a workforce, suppliers and products. Syar will open a new quarry in the Redding area, bringing more jobs to District 70.

Now, what I hope will be my final words on the recall. Many Local 3 members worked hard in the election. I want to thank them for their dedication at the phone banks, precinct walks and one-on-one conversations with co-workers at the job site. The importance of a focused labor campaign can't be overstated. We should be proud of a union that delivers on its promises and keeps its word to candidates that support a working-family agenda. It's your active involvement that builds this reputation and allows us to influence the political process in our favor. You have lobbied hard for transportation funding, and that's what keeps us alive and working.
State contracts with expatriate companies banned

California Gov. Gray Davis spent his last days in office buried in paperwork, deciding whether to sign or veto hundreds of bills passed by the state legislature in the final days of the 2003 session.

One of the bills he signed, Senate Bill 640 by Senate President Pro Tem John Burton (D-San Francisco), aims to close an increasingly popular corporate tax loophole that over the years has cost individual taxpayers and working families in California millions of dollars. Specifically, SB 640 prohibits California from doing business with “expatriate companies” that have relocated on foreign soil in name only to avoid paying state taxes.

SB 640 applies to all companies, including those that expatriated before the passage of the bill, making it the toughest of its kind in the nation.

The measure is part of a national crusade to promote corporate responsibility spearheaded by California Treasurer Phil Angelides. The treasurer praised Gov. Davis’ decision to sign SB 640 and called it a major victory in California’s fight to end the practice of corporate expatriation, which to date has banned the state from investing in corporate expatriates, prohibited the practice of corporate expatriation, which to date has banned the state from investing in corporate expatriates, prohibited the Treasury from entering into a contract with them and urged public pension funds to back shareholder resolutions calling for companies to reincorporate in America.

At a time when the state is working to cover the costs of police, firefighters, education and mental health and when the nation is struggling with national security, economic and financial challenges, Angelides said the bill is a timely step in the right direction.

“If their company catches on fire, they’re not going to call the Bermudian (island) fire department; when they need law enforcement, they aren’t going to call the Bermuda police, and they don’t rely on Bermuda schools and universities to train their California workers,” Angelides said.

Companies that incorporate in offshore tax shelters like Bermuda force Californians to shoulder some $10 million annually. According to the state Franchise Tax Board, expatriates will cost the state an estimated $132 million over the next decade.

Other states affected by runaway companies are following California’s lead and working to pass legislation like SB 640. North Carolina recently passed a law prohibiting its agencies from signing contracts with companies that expatriate after the passage of the law. Legislation that would repeal corporate expatriates’ state tax benefits or bar them from receiving state contracts is pending in Massachusetts, Minnesota, Montana, Pennsylvania and Texas.

TEA-21: We’re still in the game

For months we’ve lobbied on behalf of a six-year extension of the Transportation Equity Act for the 21st Century, otherwise known as TEA-21, and although our efforts have not gone unnoticed, we still have plenty to do.

Instead of voting on its reauthorization for another six-year term, the House of Representatives and the U.S. Senate approved legislation for a five-month extension of TEA-21 in the form of a new bill, H.R. 3087. The legislation was submitted to the president Sept. 29, and Bush signed it Sept. 30, the day TEA-21’s original six-year term was to expire. When the five-month extension ends Feb. 29, 2004, the six-year reauthorization will be up for vote again.

TEA-21 is federal legislation that was signed into law in June 1998 by President Bill Clinton. It was a six-year, $217 billion authorization of federal highway, bridge and transit programs for the period beginning Oct. 1, 1997 and ending Sept. 30, 2003.

When Clinton put his signature on TEA-21, the largest public works bill to date, he made history. It significantly increases highway and transit funds, as well as federal support for our nation’s highways and transit systems. It guarantees minimum funding levels for transportation programs, and it assures that each state receives a minimum return on the amount of gas taxes it contributes to the Highway Trust Fund.

Although the five-month extension buys us even more time to plead our case in favor of TEA-21, the frustration is that the six-year reauthorization should have already gone through, approved with flying colors. When Clinton was in office, TEA-21 passed without a hitch. But under the Bush Administration, our national government leaves our job security in limbo. Bush seems to avoid legislation that includes Davis-Bacon (prevailing wage) provisions, and he hesitates to sign legislation benefiting labor, so our needs are put on hold. Bush and his crew hope we’ll forget about important legislation for working people like TEA-21 and that we’ll eventually just go away. Well, we won’t forget, and we won’t back down.

It is critical that our federal government supports our need for continued maintenance and updates to our transportation systems. TEA-21 guarantees this. It is crucial that TEA-21 is reauthorized for another six-year term. It means jobs for our members and improved transportation systems for our states.

Earlier this year, under the direction of Business Manager Don Doser, I paid a visit to our nation’s capitol to lobby for TEA-21’s reauthorization. During this five-month extension, we will continue or efforts to educate the public and meet with legislators regarding TEA-21’s value.

If you would like to help, stay informed. Find out what your state is doing to protect TEA-21 and get involved. Write to your state representatives or to the president; remind them why TEA-21 is important for working people. Or, contact your district’s OE CAT to find out if there are any activities in which you can participate to promote TEA-21’s reauthorization.
Cruisin' together
Local 3 ventures to Alaska, raises money for scholarship

By Kelly Walker, managing editor
Photos submitted by Karen McDonald

From glowing blue glaciers to tours on trains, helicopters, gourmet food and a week of friendships made—many Local 3 members had it all on their recent trip to the nation's northernmost state, Alaska.

From Aug. 31 to Sept. 6, 21 Local 3 members with 48 friends and family cruised to Alaska with nearly 2,000 other passengers aboard a city on the sea, the Norwegian Sun, a ship from Norwegian Cruise Lines' expansive fleet. The ship departed from Seattle, Wash., and made stops in Juneau, Skagway and Ketchikan, Alaska, and it cruised through Glacier Bay, Alaska and made a stop in Victoria, British Columbia before returning to Seattle.

Although the trip began in Seattle, the journey began long before.

The idea for a Local 3-sponsored cruise was first discussed more than a year ago. Rec. Corres. Secretary Rob Wise shared the idea with Business Manager Don Doser as a potential fund-raiser for the Operating Engineers Local 3 Scholarship Fund.

Doser approved of the idea as a fund-raiser, but he also viewed it as an outstanding opportunity for providing Local 3 members an unconventional setting for which to socialize. And thus, the planning began.

Local 3 felt it would be a destination that would appeal to OEL3 members. It has the history of the pipeline, the Alcan Highway and beautiful scenery. It was also chosen because it was round-trip from Seattle, so it was very accessible for the members.

First the cruise departed from Seattle and was a determining factor in many of the travelers' decisions to go—many drove to Seattle and spent time there as part of their trip.

Norwegian Cruise Lines was selected because it offers "freestyle" cruising, which lets passengers choose when and where to dine, as well as what to wear. There are no mandatory formal dining nights as on many cruise lines. It was felt that this would appeal to many members, and it did.

"Freestyle appeals to me; it's the only way I'd cruise," said Local 3 Legal Department Secretary Stella Parlante.

The date was chosen because Alaska highly regulates who enters the breathtaking Glacier Bay, and that particular week was one of the times cruise ships were permitted to enter. The Norwegian Sun was an ideal ship for the journey as it offered 12 bars and lounges, a pool and five hot tubs, a spa, fitness center, casino, nightclub, basketball/volleyball court, a golf driving net, a batting cage and jogging/walking track, as well as various shows including comedians, dancers and singers. Choices for entertainment on the Sun were boundless.

Several of the Local 3 travelers, like Retiree Jerry Zarzana, found out about the trip through

"I read about the cruise in the Engineers newspaper," Zarzana said. "The fact that it was union-sponsored, (my wife and I) thought we would run into people from the past and present, and we'd never been to Alaska."

The trip also was advertised with brochures that were sent out to the Local 3 district and administrative offices.

Besides promotions, those responsible for getting the word out about the cruise also got Local 3 staff and members involved through a raffle. Staff members participated in a contest to sell raffle tickets, and members had the opportunity to win a trip to Alaska by purchasing the tickets.

Member Services Director Karen MeDonald, who coordinated all fund raising for the cruise with the help of Administrative Assistant Angeline Ramirez, said that in all, the raffle raised about $14,000 for the Operating Engineers Local 3 Scholarship Fund. In addition, for every full cruise fare paid by someone signing up for the cruise, the scholarship fund received a Local 3 T-shirt in honor of his 49 years with the Local as of September, he was also celebrating a September birthday. There also were members celebrating 50 years and more with the union.

As another special touch, Wise organized a screening of a movie about building the Alaska Pipeline, which many members appreciated.

Two private cocktail parties for the OE3 group were held - a bon voyage party the day the ship left Seattle and a farewell party for people to gather and talk about their trip one last time before it ended.

Also, a special OE3 Cruise News was delivered to each cabin along with a complementary bottle of wine on the night the ship sailed. There was a hospitality desk just for OE3 cruisers open each day.

It seems all of the efforts paid off.

"Those ladies did a great job recognizing people and letting people know where the money (from the cruise) was going," Zarzana said.

Outlets were available for Local 3 travelers to socialize if they so desired, but none of the activities were mandatory. For many, just being able to see familiar faces around the ship was a perk.

"I especially enjoyed being with union people," Zarzana said. "I did get to know a couple of people, and it was nice to see them around the ship."

McDonald noticed some travelers exchanging addresses during the farewell party.

Other members on the trip included Larry and Roxanne Eaton, both longtime Local 3 members, and Linda Olivier, who will soon be a 25-year member. Olivier brought along two lifetime friends, Judy Yerman and Judy Pearl. Thirty-eight-year member Allan Steecker made the trip a family affair; he brought his wife, children and grandchildren.

The travelers not only enjoyed interacting with each other, but they reveled in the inherent beauty of Alaska.

The trip offered numerous options for excursions at each port from salmon bakes to whale watching, to train and bus tours of each city, more adventurous excursions like taking a helicopter ride over the glaciers, dog sledding, canoeing, river rafting, wilderness walks and more.

Many, like McDonald and Parlante, thought the cruise through Glacier Bay was the most spectacular sight on the trip.

Zarzana and his wife, June, particularly enjoyed attending a salmon bake in Juneau.

This trip was a first for Local 3, but all who participated seem to agree that it was pure success.

"It was good; it was a win-win situation for Operating Engineers as well as for the members," McDonald said.

Because of the overwhelmingly positive feedback regarding the Alaska cruise, Wise and Doser already have begun planning a second Local 3-sponsored cruise - this time, to Mexico.

The fares will be lower for the Mexico cruise than they were for the Alaska cruise, and again it will be a convenient location as it will leave from Los Angeles, Calif., a city to which many members drive or take a short plane ride.

Another selling point: the cruise will take place in January 2005, a downtime for many Local 3 members and a perfect time for a vacation.

Like the Alaska cruise, the Mexico cruise will be booked through Norwegian Cruise Lines and $850 will be donated to the Operating Engineers Local 3 Scholarship Fund for each full fare paid. More information will be provided as details are arranged. Check for advertisements in the Engineers News and brochures in your district office beginning in January 2004.

Bon voyage!
Member expresses gratitude for Auto Buying Consultant service

Setting aside time to give thanks is a great tradition. It's also great when credit union members find a product or service so much to their liking that they make a point of expressing thanks. That's what happened recently with member Cheryl Soucie from Vacaville, Calif., when she used the credit union's Auto Buying Consultant service. With a simple phone call, it helped her locate and negotiate the vehicle of her choice.

"I was on the OEFCU (Operating Engineers Federal Credit Union) Web site doing some home banking and decided to try the Auto Buying service to see how successful it would be in locating the exact car we were looking for," Soucie said. "We submitted our loan application online on Tuesday afternoon and were notified via e-mail approximately two hours later that we were approved. I then contacted the Auto Buying Consultant and left a message at 5:15 Tuesday evening. They contacted me at work the following morning at approximately 9 a.m., and we went over the information regarding the car we wanted with the particular options. I got a call one hour and 30 minutes later that they located the car in Seaside, Calif. Not only did they find the EXACT car we were looking for, through the Auto Buying Consultant, the final cost of the car with fees, taxes and licensing was $400 less than the sticker price for the same car at the local dealer."

The dealership delivered the vehicle to Soucie's door, and she was able to sign her contract and the Department of Motor Vehicles papers at her kitchen table. This convenience is just one of many great aspects of the Auto Buying Consultant service.

"We were skeptical about using the Auto Buying Consultant," Soucie continued. "But everything was exactly what we wanted and the price was what we were quoted. The entire process was so simple and easy. We will NEVER buy a vehicle any other way. What a valuable benefit the program is to OEFCU members."

If you are looking for a car, truck, van or sport utility vehicle that is three years old or newer, this service can save you time and money. Rather than hassling with multiple dealers to find the perfect car at the perfect price, leave the legwork to the knowledgeable Auto Buying Consultant service staff.

* Auto Buying Consultant service is available only in California at this time.

Try this free service

Apply for a low-rate loan and get pre-approved online at www.oefcu.org or at any branch by calling (800) 577-4444. Then call the Auto Buying Consultant hotline at (800) 326-9552 with details about the vehicle you want to buy. You will be contacted with availability and pricing within one business day. You also may enter your request by clicking on the Auto Center link on the credit union's home page.

In addition, your credit union can help you with Kelley Blue Book and new car pricing. Check with the credit union before you sell, buy or refinance your vehicle.

How to join your credit union

As a Local 3 member, you and your immediate family are eligible to join the OEFCU. To activate your membership, request an application by calling (800) 577-4444 or any branch. You can find a list of branches at www.oefcu.org. Mail the completed application and a minimum deposit of $5 to the credit union or walk into any of OEFCU's 21 branches and take a few minutes to complete an application.
"I Chose to Look the Other Way"

I could have saved a life that day, but I chose to look the other way. It wasn’t that I didn’t care, I had the time and I was there. But I didn’t want to risk having to explain my actions to others. I knew he’d done the job before, if called to order, he might be sore. The chance didn’t seem that bad, I’d done the same, he knew I had. So I shook my head and walked on by, I knew he’d done a job. I chose a chance, I closed an eye, and with that act, I let him die. I could have saved a life that day, but I chose to look the other way. Now every time I see his wife, I’ll know I should have saved a life. The guilt is something I must bear, but it’s something you need to share. If you see a risk that others take, the question asked, or thing to say, could help them live another day. If you see a risk and walk away, then hope you never have to say. I could have saved a life that day but I chose to look the other way.

-Author unknown

Sometimes when we have worked around a certain piece of equipment, a familiar job site or with the same construction crew for awhile, we take our surroundings for granted, like an old pair of shoes, the family dog or the weather. It’s not that we don’t care, we just don’t notice. But despite our familiarity with our craft and with one another, the one thing that should never be taken for granted is safety. It is a subject we drive tremendous, positive response.

Finding the cause is the real solution.

Crane demo coming near you

The crane simulator, a valuable training tool for crane operators, is coming to the northern California districts for demonstration. In October, Instructor John Teller brought the mobile crane simulator to three districts and received tremendous, positive response.

If you’re interested in getting simulated seat time, contact your dispatcher right away. The Rancho Murieta Training Center will be conducting demonstrations on an interest-driven basis.

Mechanics Corner

By Revill DelWhite

Last month I gave you a puzzle. At first it may have seemed like a game, but in actuality it was an exercise in troubleshooting using deductive reasoning. All the facts were there, and if you dealt in facts, you could come to the solution. In many ways, good mechanics diagnose problems in much the same way. Problems don’t always stand out for anyone to see, and many are well hidden and take skill, knowledge and good troubleshooting skills to solve.

The question: What price are you willing to pay? In a training exercise, poor safety habits will make the difference in a pass or fail grade. On the jobsite, however, it will be a factor, especially for apprentices, in determining termination. But ultimately, it could be the cause of death or disability for you or someone you know - that is, if you look the other way.

That implies one of two things: being distracted and not paying attention, or ignoring the obvious. Whichever applies, I advise you to discipline yourself in such a way that following safety procedures becomes second nature. I guarantee you that the most dangerous person on any jobsite is the one with the know-it-all attitude.

Finally, if you see someone playing with fire, don’t get distracted and don’t ignore the obvious. There is nothing foolish about showing the right concern and giving advice. You see, it is foolish not to listen to the advice given to you. Though it may sound like a cliché, it is true that the life you save could be your own.

As with many problems, the solution eludes us until we figure it out, then it makes sense.

On a new subject, let’s talk about our backs. I’m no expert, but I know that mechanics in our industry have the potential for back problems. We lift, twist, strain and, in many ways, abuse our backs. It’s best to use machinery to do the heavy lifting for us. But you know how it is; it takes too much time or it’s too far away or too much trouble to get, and sometimes you just can’t get the machinery in where you have to go. So, you use your back. You may not have an instant back injury, but over time you may develop a back problem. Another term for that problem is pain.

With that in mind, let’s talk about what you can do to help out your back.

1) Stretch. Tight, inflexible muscles have a greater chance of causing pain than limber, flexible muscles. 2) Strengthen your muscles. Exercising your back muscles in a controlled fashion.
Better hearing for the holidays

With the holidays right around the corner, is better hearing a gift you could give to yourself and your loved ones? Most people over age 60 have some hearing loss. Hearing loss usually occurs slowly over the years, and you may not realize the extent of your hearing loss. It's a good idea to have your hearing checked if you
• Frequently ask people to repeat what they've said.
• Often misunderstand what others have said.
• Are often told the television or radio is too loud.
• Feel others are mumbling when they speak.

If you have a hearing loss, a hearing aid may be the answer to your problem. Hearing aids can make up for much of the hearing loss. Improved hearing can increase productivity, help prevent accidents and improve the quality of your daily life.

The Operating Engineers Trust Fund provides hearing aid coverage. The plan pays any provider you choose 100 percent of the cost, up to $900, per hearing aid. Benefits are limited to one hearing aid per ear in a four-year period.

The Hearing Care Plan is one of the plans' contracted providers and has been assisting members since 1990. Hearing Care Plan charges special rates for fitting and dispensing hearing aids.

CorSolutions

If you suffer from coronary artery disease, diabetes, congestive heart failure or chronic obstructive pulmonary disease and are covered by the California Health & Welfare Comprehensive or Pensioned Health & Welfare plans, you may be eligible to receive help managing these conditions from the new pilot program offered by CorSolutions. The confidential phone-based program recently was added to provide members and eligible dependents access to registered nurses who can answer health-related questions 24 hours a day, seven days a week. Enrollment in the program is voluntary and is offered at no cost to Local 3 members. If you received a letter about CorSolutions and would like more information, contact the Fringe Benefits Service Center at (800) 532-2105.

The following chart shows the amount Hearing Care Plan will charge, the amount paid by the Fund and the amount you pay per hearing aid.

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<th>You Pay</th>
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Hearing aids purchased from Hearing Care Plan come with a four-year warranty against defects in material and workmanship and are insured for one year against theft, loss or breakage. You may contact Hearing Care Plan at (800) 322-4327.

You have the option of purchasing hearing aids from any other retailer and receiving the $900 benefit per device.

Labels Tell All!

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Vitamin A 60% • Vitamin C 60%
Calcium 4% • Iron 4%

*Percent Daily Values are based on a 2,000 calorie diet. Your Daily Values may be higher or lower depending on your calorie needs.

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Daily value amounts (what a typical person should probably have in one day based on total calories)
The struggle continues
Newmont workers steadfast as year-long contract remains unsettled

Story and photos by Heidi Mills, associate editor

It has been a year filled with frustration and uncertainty for the Local 3 members working for Newmont Mining in northeastern Nevada. They have been working without a contract since Sept. 30, 2002, and it is unclear when a new one will be in place. Newmont is at odds with the members over all of the major issues in the contract renewal, including health and welfare benefits and job classifications, as well as some of the most basic workplace provisions — like a safe, arsenic-free lunchroom.

Negotiations between Newmont and the members, represented by Local 3’s Elko negotiating committee, led by Chief Negotiator and Local 3 Treasurer Frank Herrera, have been on-again, off-again for more than 15 months. Progress has been slow because Newmont is pushing an unfair contract.

The members’ objections to the contract have less to do with wages than quality of life issues. They object to the many takeaways, as well as the contract language, and they voted down Newmont’s last and final by a 98 percent majority in July.

After the contract was rejected, Newmont proposed a last, best and final almost identical to the previously rejected contract. The only change was to give back double time after seven consecutive days of work. No changes were made to any of the major issues discussed in negotiations.

In addition to Newmont’s unwillingness to negotiate in good faith, the company has stacked more than eight unfair labor practice suits. Local 3 filed charges with the National Labor Relations Board, citing Newmont for having penalized workers for union activity, unilaterally increasing prescription drug co-payments without bargaining with the union and calculating bonus overtime without bargaining with the union.

Despite the fact that this contract renewal has been an uphill battle unlike any other fought by Local 3 in the 38 years it has been at Carlin, the members are not ready to give up, and they directed Local 3’s negotiating committee to continue negotiations until a fair contract is on the table.

Enough is enough

It was nearing the one-year anniversary of the expired contract when the members met with Local 3’s negotiating committee in the Elko Convention Center Sept. 2, 2003 to discuss what to do next.

After a productive brainstorming session, the members decided it was time to move beyond Newmont’s Nevada operations and take their case to the company’s headquarters in Denver, Colo. Specifically, the members wanted to inform the

Continued on page 12
The struggle continues

Continued from page 11

community that they have been working one year under an expired contract and to point to the number of unfair labor practices committed by Newmont. The date was set to coincide with the Denver Gold Forum 2003, which would be attended by Newmont's most valued shareholders, as well as directors and shareholders of other international gold mining operations. It was the perfect opportunity to spread the word to the public and to the people who could ultimately convince Newmont to resolve its labor disputes on the Carlin Trend.

Attention Newmont investors

Representatives from about 60 companies attended this year's Denver Gold Forum. According to one conference attendee, high gold prices drew a record number of participants to the annual event. The strike spanned a single block in downtown Denver directly in front of the conference venue, the Westin Tabor Center Hotel. It began Sunday, Sept. 21, when company representatives were scheduled to begin registration and continued through the first day of the conference, Monday, Sept. 22.

About 80 Local 3 members made the 750-mile trek from Elko, Nev., to Denver, Colo., to walk the picket line for two days alongside Vice President Bob Miller, Treasurer Frank Herrera, Elko Special Rep. Derlin Proctor, Elko Business Rep. Rob Kufeld, Elko Business Rep. Mike Ayers, Utah Asst. District Rep. Dale Cox, Utah Business Rep. Anthony Rivera, Utah Retiree Association Chapter Chairman Virgil Blair, Utah Kennecott Copper Steward Richard Brewster, Wyoming Business Rep. Scott Norris and Organizing Department staff. They circled the block from 6 a.m. to 6 p.m., carrying signs that said, "Unfair Labor Practice Strike: Newmont Mining Unfair to Operating Engineers Local Union No. 3." The Rat Patrol vans and inflatable rats were parked around the block where the workers were striking. One faced the entrance to the hotel, and the other occupied one entire block corner. A 23-foot sign with the words: "Newmont Gold: Unfair to American Workers!" workers with 30 years of service about $2,400 a month compared to Newmont's $26 a month for my retirement, almost the same amount Newmont is giving.

Newmont provides an excellent pension to management-level employees; the company rejected Local 3's proposal to give the members with its own health and welfare benefits package, which includes pension, retirees medical and active health coverage at no extra cost. Newmont's position remains that it provides its employees with an excellent benefits package.

"Newmont saying that their benefits are better than the union's is erroneous," one member who attended the Sept. 2, 2003 informational meeting said. Indeed, the numbers tell a different story. Local 3's benefits package covers workers with 30 years of service about $3,400 a month compared to Newmont's $26 a month for my retirement, almost the same amount Newmont is giving.

The basis behind the technician system, according to Newmont managers, is phrased in a way that gives the proposal a good one, even though the phrase is phrased in a way that gives the right to revoke it. The paragraph, a major issue that needs to be resolved is right to create a retirement guarantee a retirement, Miner Bruce Wilkins explained. The members want at least some of the profit to go to retirement and not to shareholders.

"We know the kind of profit they're making," Timmer said. "$250 an ounce, but she said that Newmont returning the favor now that gold prices are in the $350 range, a seven-year high, was expected to continue to increase. Higher gold sales and prices nearly quadrupled Newmont's net income for the quarter of 2002, and the company is using the profit for exploration to find more gold and improve its return to shareholders.

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About testing and inspection

Many of our members have seen inspectors testing soil on our dirt jobs and know they are checking the compaction and moisture content. That is but one of many disciplines that fall under the broad heading of testing and inspection.

Our inspectors are required to maintain standards of quality to ensure that the proper materials are used and that certain procedures are followed. The following is a partial list.

- Earthwork: Special grading, excavation and filling
- Asphaltic concrete
- Reinforcing steel
- Concrete batch plant
- Concrete
- Shotcrete
- Post-tensioned concrete
- Masonry
- Structural steel and high-strength bolting
- Non-destructive Testing (NDT)
- Spray-applied fire-proofing
- Glulam and truss joists
- Shear walls and floor systems used as shear diaphragms

In the coming issues of Engineers News, we will cover in more detail some of the requirements and special skills needed to hold certifications for special inspections in construction.

Certified Welding Inspector Ramsay Bell works on the Bay Bridge project for ISS, an inspection firm in San Francisco, Calif.

SAFETY TRAINING & ENFORCEMENT

By Jay Bosley, Safety Director

Regarding safety

Here is yet again the schedule of eight-hour refresher and 40-hour HazMat classes. Please be prompt; we begin at 7 a.m. Students need to bring something to write with and something to write on. Please be advised of the tuition schedule: refresher classes are no cost to unemployed members on the out-of-work list and $400 for employer-sponsored and non-members. Payment is due to the OES JAC before instruction.

Also, we intend for the refresher classes to work through lunch and adjourn early. It is suggested that those with special needs and those who must have lunch bring it. Time will be afforded to eat while the work progresses (read or write with one hand and eat with the other). Employers with special needs for classes are invited to make the appropriate arrangements with the district representative. We are all too glad to accommodate, but the arrangements must be made through the district representative.

Again, arrangements to take the eight-hour refresher class must be made with the dispatcher in the district office, and arrangements to take the 40-hour class must be made through the Safety Department at (530) 222-6093.

Always a concern of the Safety Department is what happens after a serious accident. In the next few issues of Engineers News, we will provide much needed information and insight into the workers' compensation system as it exists in California (see President and Asst. Business Manager John Bonilla's October "Talking Points" column.) We will explore the intricacies of the system and how it became what it is now, as well as some of the horrors experienced by those dependent on the system.

Eight-hour refresher classes

Fairfield
Saturday, Dec. 13; Friday, Jan. 16, 2004
Rohnert Park
Saturday, Nov. 8; Friday, Jan. 23, 2004; Thursday, Feb. 19, 2004
Salt Lake City
Saturday, Feb. 21, 2004; Saturday, Feb. 28, 2004
Casper
Saturday, March 6, 2004
Alameda
Friday, Nov. 14; Saturday, Nov. 15; Friday, Dec. 5; Saturday, Jan. 10, 2004; Saturday, Jan. 24, 2004
Stockton
Friday, Nov. 21; Friday, Jan. 30, 2004
Eureka
Friday, Feb. 13, 2004
Fresno
Saturday, Jan. 31, 2004
Yuba City
Thursday, Jan. 22, 2004
Redding
Friday, Dec. 19
Sacramento
Saturday, Nov. 22
San Jose
Saturday, Dec. 6; Saturday, Jan. 3, 2004; Saturday, Jan. 17, 2004

Forty-hour classes

Alameda
Dec. 8 to Dec. 12
Fairfield
Jan. 5, 2004 to Jan. 9, 2004
RMTG
Feb. 2, 2004 to Feb. 6, 2004
Salt Lake City
Feb. 25, 2004 to Feb. 27, 2004
Casper
March 1, 2004 to March 5, 2004
Organizing efforts pay off in District 80

Work is good in District 80. Teichert Construction has a large portion of the subdivisions popping up all over Roseville, Rocklin, Lincoln, Sacramento and West Sacramento.

DeSilva Gates has its share of work in District 80 since it expanded its operations into Sacramento. The company will set up shop in the area on a site yet to be determined and is currently working on projects in Natomas, Roseville and Lincoln.

Sacramento's new power plant at the former Rancho Seco site is moving ahead. FrucCon Construction is the general contractor. We are happy to report that Teichert Construction, Foundation Constructors and Biggie Crane were assigned to the project. That means more work for Operating Engineers.

A drive along the Hwy. 80 east corridor tells us that Granite Construction, Teichert Construction and R & I Brosamer are busy. Up the hill on Hwy. 80, Steve P. Rados, Maguire and Hester, Kiewit and Teichert Construction work on roads and new subdivisions.

Our organizing efforts this year have produced many new employers and members. Our latest campaign effort with M&M Electric shop employees grew Local 3's family by 10 members, and we welcome them to the family.

Get involved in Nevada politics: vote and volunteer

Every election cycle you probably hear "this election is more important than ever." Well, you’re going to hear it again, and it could never be truer than it is today. Local 3 and other labor unions, along with the Nevada AFL-CIO, had some success in the last state legislative session, but our experiences also made us see the importance of working with our members on political issues.

Here are a few highlights from the Nevada legislative session.

- Although more bills affecting prevailing wage (some good, some bad) were introduced than in any previous legislative session, we managed to maintain good prevailing wage laws that work for our members and contractors. There was an attempt to undermine Nevada's current prevailing wage laws, but union involvement succeeded in keeping the laws intact.

- The legislature passed a bill that formed a committee to study nurse staffing issues during the interim - the time between two legislative sessions. A nurse on the committee will represent Local 3. Information gathered during committee meetings, along with the committee's recommendations to the 2005 legislature, should help the Washoe Medical Center nurses.

- Taxes, taxes, taxes. From labor's viewpoint, the most important part of the tax bill is the provision that allows employers to deduct the amount they pay for employee medical premiums. This provision is important for two reasons. One is that it gives union employers who provide health care benefits a financial advantage over employers who don't. If union contractors have a tax advantage over non-union contractors, union contractors will be more competitive in the bidding process. Second, northern Nevada has one of the highest uninsured rates in the nation, so collecting information about who provides health care benefits and who doesn't will be valuable to Nevada's labor movement.

What happens now? The difficulty of the legislative session and the attempt to undermine prevailing wage and trim the budget tells us that we have a lot to do before the November 2004 election. The only reason we have maintained our prevailing wage laws is because of the Democratic majority in the Assembly - though the majority is slim.

Next year’s campaigns are unpredictable. Our district must do everything possible to support candidates who care about the issues important to working families, such as prevailing wage.

What can you do? Register to vote. Make sure you and your family members are registered to vote. The district office can help with new registration and changes to registration status, so please call us.

You can also get involved with the Operating Engineers Community Action Team (OE CAT). It's a great way to meet people and know that you're contributing to a good cause. The CATs help our endorsed candidates get elected. Help yourself and maintain your way of life by joining the OE CAT.

Remember that every vote counts. We saw in the last election what a difference a few votes can make. Nevada cannot afford to lose lower prevailing wage because we don't have time to get involved or to vote for the candidates who best represent us.

Volunteering during an election may not seem attractive because we value our personal time with our families in the evenings and on weekends. But think of this: If we lose prevailing wage (think about all of those jobs!), we'll have more evening and weekend time than we can stand and not enough money to enjoy our time off. It's not too much to ask.
Carquinez Bridge on the home stretch

After nearly three years of round-the-clock construction, the $225 million Carquinez Bridge is nearly ready for traffic. Local 3 members raised into place the last of 24 steel deck sections in mid-September, making way for the paving, striping and touch-up crews to begin their work.

The bridge opens Nov. 16 to westbound traffic – an expected 109,000 cars a day. Eastbound traffic will travel on the oldest bridge, now the center span, while repairs are made to connectors and ramps on the current eastbound structure. When those repairs are finished, the old westbound bridge that was built in 1927 as a private toll bridge will be demolished.

District 01/02/03's political endorsements

Local 3 urges all District 01/02/03 members and families to cast a vote Nov. 4 in support of the following candidates. We also have included the union's position on the other issues that will appear on the ballot, including bonds, taxes and initiatives.

**SAN FRANCISCO**

**Mayor**
Gavin Newsom

**District Attorney**
Bill Fazio

**Initiatives**
Yes on Proposition A
No on Proposition B
Yes on Proposition R

**MARIN COUNTY**

North Marin Water District (one seat)
William Wright

**SAN MATEO**

Assembly District 21 (one seat)
Ira Ruskin

Jefferson Elementary School District (two seats)
Jon Dee
Anthony Dennis

San Mateo Unified High School District (two seats)
Diane Vranes
Marcia Cohn-Lyle

San Mateo Community College District (three seats)
David Mandelkern
Pat Miljanich
Karen Schwarz

Menlo Park Fire District (two seats)
Bart Spencer

Sequoia Union High School District (three seats)
Karen Leong Claney

San Mateo City Council (two seats)
John Lee
Jack Matthews

Redwood City Council (four seats)
Ian Bain
Rosalie Foust
Barbara Pierce
Ira Ruskin

Burlingame City Council (two seats)
Michael Coffey
Mary Janney

Millbrae City Council (three seats)
Marc Hershman
Nadia Holober
Linda Larson

Half Moon Bay City Council (two seats)
Marina Fraser

South San Francisco City Council (two seats)
Joe Fernekes
Richard Garbarino

San Carlos City Council (two seats)
Inge Doherty

Novato City Council (three seats)
Carol Dillon-Knutson
Jeanne MacLeamy

Marin Community College District (four seats)
Phyllis Metcalfe

Bonds and Taxes
No on Measure E (Millbrae zoning)
Yes on Measure L (South County fire tax)
Highway projects secure solid work picture

District Rep. Jim Horan and the Redding District staff thank everyone who helped phone bank on the recall issue. It’s members taking time out to help that makes our union strong.

The District 70 work picture is strong. Teichert works many hours on the Hwy. 395 project in Lassen County. JF Shea works on the I-5 barrier above Lakehead with Serrano Construction doing the wall itself. JF Shea started the McArthur Hwy. 299 job, and work continues on Eureka Way and on Hwy. 299 west. Ron Hale Construction keeps busy on pipe and underground work at McArthur, on Hwy. 299 west overlay in Trinity County and on Hwy. 299 with Tullis & Heller. Meyers Earthwork is still at the Shasta County landfill, the Redding Air Attack Base and the Grenada water improvement job. Tullis & Heller finished the Shasta County overlays, and it continues work on Hwy. 99. Dalecon works on the Big League Dreams project, and the company called many hands out for the Clover Creek Drainage job. Peterson Construction works on Oregon Mountain. In Trinity County, Stimpel/Wiebelhaus started the dam at Iron Mountain and N.A. Degerstrom works at Hayden Hill Mine.

We welcome Bragg Crane to the district — it opened a yard in Anderson, Calif. A-1 Crane signed with OE3 and is working in the district, which is important because Dura-Crane from Anderson went non-union. If you see Dura-Crane working union jobs, please call District Rep. Jim Horan or Business Rep. Eric Sargent. We must protect our work.

In closing, we know that contractors are working many hours, and we urge everyone to be safe.

FROM ROHNERT PARK

District 10 honors 35- and 50-year retirees

Retirees Charles Chandler and John Winset were honored with 50-year Local 3 watches at District 10’s retiree meeting Sept. 4. The knowledge these men possess from their many years of exposure to both the work world and union functions is great and interesting to listen to whether you are new to the trade or have years of experience.

Organizing is a top priority with Business Manager Don Doser and the Local 3 officers. To that end, the Organizing Department and District 10 staff continue to work on securing a contract with Waste Management Inc. (WMI). WMI employees decided in late September that it was time to protest management’s unfair labor practices. Recently, they sent management a message loud and clear by not working for one day. The work stoppage was a huge success with nearly every worker either picketing or refusing to cross the line. Brothers and sisters, that is solidarity.

Work in District 10 is steady.

North Bay Construction reports that about 130 operators and 14 apprentices are working in and around the area. The crews, some with multiple shifts, work long hours. North Bay Construction’s workload for next year is already at 35 percent, so 2004 is shaping up to be a busy year.

The Project Labor Agreement signed by Graton Rancheria and the Lake, Sonoma and Mendocino County Building Trades will ensure work for many union members. The project is located west of Rohnert Park and east of Stony Point Road and will provide 500 to 750 union construction jobs. The tribe will operate the facility with union workers.

We thank Siri Grading and Paving for the great job it did installing speed bumps in the parking lot of the Rohnert Park District 10 hall. It was a small job, and Richard Siri scheduled and completed it quickly. He is a hands-on guy who runs the company as well as the equipment, truck and shovel.

The District 10 staff congratulates member Brian Torri on his marriage to Danielle Schrader July 26 at Saint Joseph’s Parish in Cotati. Their reception followed at the Los Robles Lodge in Santa Rosa. Member Jake Terhune was in the wedding party along with Brian’s three-year-old son, Chance Torri, who was a ring bearer. The happy couple resides in Santa Rosa.

Congratulations to Clarence and Erica Lua on the birth of their son on Sept. 8. Vaiausia Kapono Christopher Lua weighed 11 pounds, 2.4 ounces and was 22 inches long. His sister, Julia, welcomed him home.

Congratulations to Nicholas and Cindy Latorre on the Sept. 11 birth of their first child, Kaylee Elizabeth Latorre.

Congratulations to all, and may you enjoy many happy memories.

FROM REDDING

Highway projects secure solid work picture

District Rep. Jim Horan and the Redding District staff thank everyone who helped phone bank on the recall issue. It’s members taking time out to help that makes our union strong.

The District 70 work picture is strong. Teichert works many hours on the Hwy. 395 project in Lassen County. JF Shea works on the I-5 barrier above Lakehead with Serrano Construction doing the wall itself. JF Shea started the McArthur Hwy. 299 job, and work continues on Eureka Way and on Hwy. 299 west. Ron Hale Construction keeps busy on pipe and underground work at McArthur, on Hwy. 299 west overlay in Trinity County and on Hwy. 299 with Tullis & Heller. Meyers Earthwork is still at the Shasta County landfill, the Redding Air Attack Base and the Grenada water improvement job. Tullis & Heller finished the Shasta County overlays, and it continues work on Hwy. 99. Dalecon works on the Big League Dreams project, and the company called many hands out for the Clover Creek Drainage job. Peterson Construction works on Oregon Mountain. In Trinity County, Stimpel/Wiebelhaus started the dam at Iron Mountain and N.A. Degerstrom works at Hayden Hill Mine.

We welcome Bragg Crane to the district — it opened a yard in Anderson, Calif. A-1 Crane signed with OE3 and is working in the district, which is important because Dura-Crane from Anderson went non-union. If you see Dura-Crane working union jobs, please call District Rep. Jim Horan or Business Rep. Eric Sargent. We must protect our work.

In closing, we know that contractors are working many hours, and we urge everyone to be safe.
Scholarship Contest Rules for 2004

Applications available at district offices and credit union branches

The Local 3 officers and Executive Board understand that the workplace is rapidly changing, and many of the jobs in the future will require new skills that can be attained only with a good education. Local 3 is dedicated to giving our young people the opportunity to succeed in tomorrow's jobs by providing them with the chance to further their education and training. For this reason, Local 3 awards annual scholarships to sons, daughters, stepchildren and foster children of Local 3 members.

ACADEMIC SCHOLARSHIP

Four college scholarships will be awarded to children of Local 3 members. Two scholarships of $3,000 each will be awarded to the first place female and male applicants. Two scholarships of $2,000 each will be awarded to the runner-up female and male applicants. These scholarships must be used for study at any accredited U.S. college or university.

Winners also receive an additional $500 per year from the Scholarship Fund for the second, third and fourth years of college, provided they remain full-time students. The academic scholarships will not impose restrictions of any kind on the course of study. Recipients may accept any other grants or awards that do not rule out scholarship aid from other sources.

WHO MAY APPLY

- Children of Local 3 members may apply for an academic scholarship. One parent of the applicant must be a Local 3 member for at least one year immediately preceding the date of the application.
- Children of deceased Local 3 members are eligible to apply for the scholarships. The parent of the applicant must have been a Local 3 member in good standing for at least one year immediately preceding the date of death.
- The applicants must be senior high school students who have, or will be, graduated at the end of either: 1) the fall semester (beginning in 2003) or 2) the spring semester (beginning in 2004), in public, private or parochial schools who are planning to attend a college or university anywhere in the United States during the academic year and who are able to meet the academic requirements for entrance in the university or college of their choice. Students selected for scholarship must have achieved not less than a "B" average in their high school work.
- Applications will be accepted between January 2004 and March 31, 2004.

AWARDING ACADEMIC SCHOLARSHIPS

Upon receipt of the application and required forms, Local 3 will not exercise any choice among the various applicants or indicate in any way that one applicant should be favored over another. Based on factors normally used in awarding academic scholarships, the University Scholarship Selection Committee will submit to the Local 3 Executive Board recommendations for finalists. The list of potential winners and their qualifications will be reviewed and studied by the Executive Board and the scholarship winners selected.

Academic scholarship winners will be announced at the June Executive Board meeting of Operating Engineers Local 3. Checks will be deposited in the winning students' names at the college or university they plan to attend.

All of the following items must be received by March 31, 2004:
- The application, to be filled out and returned by the applicant.
- Report on applicant and transcript, to be filled out by the high school principal or person he or she designates and returned directly to Local 3 by the official completing it.
- Letters of recommendation. The applicants should submit only to three letters of recommendation giving information about their character and ability. These may be from teachers, community leaders, family friends or others who know the applicant. Please submit all letters of recommendation with the application.
- Photographs. A recent color photograph, preferably 2 inches by 3 inches, with the applicant's name written on the back. The photo should be clear enough to reproduce in the Engineers News.
- Media information. Provide the name, address and phone number of the applicant's local newspaper for the purpose of sending a press release on behalf of each winner.

RANDOM-DRAW SCHOLARSHIPS

In addition to the four academic scholarships, Local 3 will also award 20 $500 "random-draw scholarships." The names of all applicants will be entered into a drawing to be held at the July Executive Board meeting. Applicants need not be present to win. The scholarships are available only to the sons, daughters, stepchildren and foster children of Local 3 members.

GENERAL GUIDELINES FOR RANDOM-DRAW SCHOLARSHIPS

- Children of Local 3 members may apply for the scholarship. One parent of the applicant must be a Local 3 member for at least one year immediately preceding the date of the application.
- Children of deceased Local 3 members are eligible to apply for the scholarships if the parent was a Local 3 member for at least one year immediately preceding the date of death.
- Children of Local 3 members who plan to attend college or trade school are eligible to apply. They will not be judged on academic qualifications. All applicants who apply for the Local 3 academic scholarships and do not win will automatically qualify for this drawing.
- Applications will be accepted until March 31, 2004. Previous winners are not eligible to apply.
- Winners will be determined by a random drawing to be held at the July Executive Board meeting. Applicants do not need to be present to win.
- The money will be funded when the college or trade school confirms the winner is a full-time student.

WHERE TO GET APPLICATIONS

Academic and random-draw scholarship applications are available at your district office or credit union branch office. It is the responsibility of the applicant to submit the application on time to:

Robert L. Wise
Recording-Corresponding Secretary
Operating Engineers Local Union No. 3
1620 South Loop Road
Alameda, CA 94502-7090.

Continued on page 19
Scholarship: a new way to donate

Continued from page 18

Local 3 members can now contribute to the Operating Engineers Scholarship Foundation in several ways. Members can donate directly, participate in events that raise money for the foundation, such as the Tom Stapleton Golf Tournament, and now members can leave contributions in their will or living trust. Below are some examples of how to remember Local 3 in your will.

I, _________, give, devise and bequeath to the Operating Engineers Local Union No. 3 Scholarship Foundation (Tax I.D. No. 94-3365632) the sum of ($ ) _______ dollars.

If you have any questions about the scholarship fund please contact the fund administrator, Rec. Corres. Secretary Rob Wise at (510) 748-7400.

☐ Yes! I would like to support the 2004 Operating Engineers Local 3 Scholarship Fund. Enclosed is my contribution in the amount of:

☐ $20 ☐ $50 ☐ $100 ☐ Other $______

Name: ____________________________
Address: __________________________
City, State, Zip: _____________________
Phone: ____________________________
Clip out & mail to: Robert L. Wise
Recording-Corresponding Secretary
Operating Engineers Local Union No. 3
1620 South Loop Rd., Alameda, CA 94502

MISSION STATEMENT

Local 3 is committed to providing our employers and agencies with the highest skilled union members possible so the union can negotiate the best possible wages, fringe benefits and working conditions for our members. This cooperative relationship aims to improve the employer's competitiveness while raising the living standard and quality of life for union members and their families.

Local 3 is also committed to:

- Electing politicians who support legislation and policies favorable to union members.
- Creating a level playing field for employers in the public bidding process.
- Building the highest quality infrastructure for the public good.
- Providing Local 3 members with full-service and convenient financial institutions, the Operating Engineers Local Union No. 5 Federal Credit Union, to help facilitate members' pursuit of a higher standard of living.
- Providing Local 3 members with a sound pension and retiree medical plan so union members can retire with dignity and financial security.
- Providing quality apprenticeship and journey-upgrade training so Operating Engineers can be the best in their respective industries.
- Improving the public education system through the support of bonds and other financing of school infrastructure.
At the April 2003 International Union of Operating Engineers' Convention, there were 18 amendments to the constitution. Some of these amendments affected sections of Operating Engineers Local Union No. 35's Bylaws. The following excerpts are sections from the Bylaws that are being revised because of amendments. New Bylaws books are being printed and will be available in all district offices by early 2004.

**ARTICLE X**

**GRIEVANCE COMMITTEES**

Section 6

The Grievance Committee shall process the grievances of any Member who is desirous of appearing before them and who files his or her grievance within thirty (30) days of the occurrence of the grievance, and report their findings and recommendations in their minutes.

(Constitutional Amendment, 2003 Convention)

**ARTICLE XII**

**ELECTIONS**

Section 1

Eligibility

(g) Commencing in 1985, no member shall be eligible for election, be elected, nor hold office who has not during the year, and commencing in 1986, in the case of one seeking the office of Business Manager, two (2) years immediately prior to the month of nominations, been continuously employed at the trade, or who has not actively sought continuous employment at the trade. This restriction, however, shall not apply to any member serving or acting in any capacity employed by or working for a (a) Local Union or the International Union, or who has been assigned by the International Union to perform work in furtherance of the interests of organized labor in either ease in a sufficiently time-consuming capacity so as to preclude meeting the requirement of continuous employment at the trade or active seeking of continuous employment at the trades.

(Constitutional Amendment, 2003 Convention)

(k) No Member owner/operator of an entity that employs Operating Engineers shall be eligible for election nor hold office in any Local Union, nor nominate candidates in any Local Union election.

(Constitutional Amendment, 2003 Convention)

Section 2

Nominations.

(i) Eligibility of Members to Nominate: Every Member of the Parent Local Union and its Sub-divisions (except the Registered Apprentice Sub-division and except for owner-operators of an entity that employs Operating Engineers), who is not suspended for nonpayment of dues preceding the first nominating meeting shall have the right to nominate.

(Constitutional Amendment, 2003 Convention)

Section 5

(a) Every Member shall have the right to express his or her views and opinions with respect to the candidates; provided, however, that no Member shall libel or slander the Local Union, its Members, its Officers, District Members, or any candidate, and all Members shall avoid all personal attacks and indecorous language in any expression of view and opinion with respect to candidates where such slander or libel is contrary to the responsibility of every member to the Local Union as an institution or specifically interferes with the Local Union's performance of its legal or contractual obligations.

(Constitutional Amendment, 2003 Convention)

**ARTICLE XVIII**

**MEMBERS PRE-TRIALS AND TRIALS PROCEDURE**

Section 1

All charges against a Member shall be tried, and the Member shall be tried in accordance with the following. All charges against a Member must be in writing and signed by the complainant. Charges must be filed within thirty (30)-days of the event or circumstance giving rise to the charges. The Member shall be tried in accordance with the following:

(Constitutional Amendment, 2003 Convention)
**HONORARY MEMBERS**

The following retirees have 35 or more years of membership in Local 3 as of September 2003 and were eligible for Honorary Membership effective Oct. 1, 2003.

- Lawrence Adams 1124497
- Dennis Blake 1339374
- William Coyle 1079813
- Oliver Fujiyama 1151805
- Marvin Hamilton 1137669
- William Kaai Sr. 1143106
- Peter Kawaw Jr. 1956432
- Tomas Moiutono 1212451
- Patrick Mosca 1286126
- Edward W. Peterson 1155466
- Henry Ralar 1073906
- Charles Renaud 1245034
- Charles Shadwick 1578598
- T. Yamaoka 1245147

**DECEMBER 2003**

- 4th District 20: Martinez, CA Plumbers 159
  1304 Roman Way
- 8th District 17: Kona, HI Kanai High School Cafeteria Lihue
- 9th District 17: Honolulu, HI Washington Inters. School Cafeteria 1633 So. King St.
- 10th District 17: Maui, HI Maui Beach Hotel 170 Kauasumi Ave, Kahului
- 11th District 17: Hilo, HI ILWU Hall
- 11th District 17: Hilo, HI Hilo ILWU Hall
- 11th District 10: Lakeport, CA Yacht Club 55-5 St.
- 12th District 17: Ko‘ Olina, HI King Kamehameha Kona Beach Hotel 75-5600 Palani Road Kailua-Kona
- 18th District 90: Freedom, CA Veterans of Foreign Wars Hall 1960 Freedom Blvd.

**MONTHLIES 2004**

- 8th District 04: Fairfield, CA Engineers Building 2540 N. W fleeing Way
- 15th District 80: Sacramento, CA Electricians Hall 2840 El Centro Road
- 22nd District 30: Stockton, CA Italian Athletic Club 3514 Cherryland Drive
- 27th District 40: Eureka, CA Red Lion Inn 1929 4th St.
- 28th District 70: Redding, CA Engineers Building 20006 Engineers Lane
- 29th District 60: Orovile, CA The Depot 2191 High St.

**RETIREE ASSOCIATION MEETINGS**

Check the schedule below, come out and get together with friends you've worked with over the years, and take the opportunity to make new friendships. The Local 3 officers, Trust Fund and Credit Union staff will be there to answer your questions and hear your concerns, and in turn, we will bring everyone up to date on the latest with the union and its benefit plans. Refreshments will be provided.

- San Francisco - San Mateo
  Thursday, Nov. 6
  Machine Hall 1511 Roland Road Burlingame, CA
  10 a.m.
- Novato
  Thursday, Nov. 6
  Inn Marin 250 Entrance Drive Novato, CA
  2 p.m.
- Fresno
  Thursday, Nov. 20
  Cedar Lanes 3131 N. Cedar Fresno, CA
  2 p.m.

**Deceased Dependents**

- Stover, Wendy, Wife of Stover, Robert 09-04-03
- Byrd, Billie Jean, Wife of Byrd, Dayton (Dec) 08-25-03
- Easley, Eliza, Wife of Easley, George (Dec) 09-01-03
- Holden, Geradine, Wife of Holden, Roger (Dec) 08-29-03
- Johnson, Jessie, Wife of Johnson, Clare (Dec) 09-18-03
- Jones, Audrey, Wife of Jones, Lewis (Dec) 08-30-03
- Morikami, Lillian, Wife of Morikami, Harry 07-27-03
- Oder, Rosemary, Wife of Oder, Paul (Dec) 08-27-03
- Repplinger, Emma, Wife of Repplinger, Glenn (Dec) 09-08-03
- Rodriguez, Mary, Wife of Rodriguez, Felix 09-20-03
- Vethies, Joanne, Wife of Vethies, Arial (Dec) 08-08-03
- Young, Carole, Wife of Young, Milton (Dec) 08-31-03
FOR SALE: Want clear Idaho sky? 1500sqft 4bdbr house, 3 car garage on 1/3 acre. $97,500/obo. 209-847-4342 Reg.#1087515

FOR SALE: 1958 Case 311 B Bare a nice car in excellent condition. 916-9224180. Reg. #2049626 $3,000. 925-484-3138. Reg. #1059801

FOR SALE: 1995 Case 311 Bar tractor. $8,000. 925-484-3138. Reg. #1059801

FOR SALE: 12gauge shotgun, 30inch barrel. $97,500/obo. 209-847-4342 Reg.#1087515

FOR SALE: 1969 Chevy Impala 2 door hardtop. Good shape, runs good. $4,250. 209-814-2848 Reg.#1021529

FOR SALE: 1969 Cherry red 2001 F5000 short bed Ford 4x4. 662-458-8475. $9,990 209-814-2848 Reg.#1021529

FOR SALE: 1968 Ford LTD 302 6.1 No phone-in ads please. $1,995. Located in Redding, CA 530-243-4302 after 6:00 p.m. Reg. #0685503

FOR SALE: 1999 29' Coachmen travel trailer with slide out very low mileage. $11,000. As is. Can be seen in San Jose. 510-552-4850 Reg. #1199049

FOR SALE: BMW 318i engine, all power, good tires and custom wheels, real clean inside, a nice car in excellent condition. Only $1,295 takes it away 530-232-4918 Reg. #2475056

FOR SALE: 1990 El Camino, 6 cylinder, automatic, only 95,000 miles, all power, great tires and is a good to request full list and photo. w/10'x20' Arizona room. 8'x10' storage shed, on a 60x45' corner lot, w/2 driveways. 530-868-3343. Reg. #0988580

FOR SALE: Central Oregon property. 2 miles outside of Metolius, Oregon off Hwy 97. 7 forms, 1 1/2 mobile with sun porch 11x16 one all under roof. 24x36 block shop/double garage. Buildings set on two 50x100 lots and there is a third lot 50x1200 that is open. Porch is part of the square footage of the home. Mobile is 12x56. Has been a solid rental history for the last four years. Located in the quiet town of Metolius just minutes from Lake Billy Chinook and many other lakes. Includes 24x36 shop, 11x16 shop, 10x10 office, 10x10 workshop, 10x10 shop. $500,000. 530-549-6130. Reg. #1199049

FOR SALE: Stump grinder, Fox 875-265-7923. Reg. #0738760 $9,999 530-347-3212. Reg. #1199049

FOR SALE: Suzuki Samurai '87 4x4, soft top 5 sp., new glass, $3500. 530-347-3212


FOR SALE: Lovejoy 1967 Impala 409 3 speed w/10k miles. $8,995 530-549-6130. Reg. #1199049

FOR SALE: 1998 Ford F350 with new tow trany all ready with diesel, all power, good tires and is a good to request full list and photo. w/10'x20' Arizona room. 8'x10' storage shed, on a 60x45' corner lot, w/2 driveways. 530-868-3343. Reg. #0988580

FOR SALE: Suzuki memorial 87 12gauge shotgun, 30inch barrel. $97,500/obo. 209-847-4342 Reg.#1087515

FOR SALE: 2000 Yamaha Blaster. Runs and looks great. FMF pipe, extended axle, boydant ray valve, alum DG handle bars, DG front and rear bumper, DG nerf bars, polished aluminum Douglas wheels, matching seat cover. 4,000 miles. 1998. Seaside, Oregon. Great condition. CD player. Two 6x9 speakers, two 5 1/2 speakers, fish finder, trolly motor, fish platform, ladder, seats, jackets, walke board, etc. BBB number. OMC 61. 662-880-7067. Reg. #1201279

FOR SALE: In Yuma, AZ, country house that is open. 510-552-4850. Reg. #1059801

FOR SALE: For 8ft bed pop up camper shadow cruiser. 1990 new fryd 3 way burner stove, porta pot. Asking $4,000. Good condition. 925-684-2408. Reg. #1201279

FOR SALE: Central Oregon property for sale. 2 miles outside of Madras, Oregon off Hwy 97. 25 forms, 1 1/2 mobile with sun porch 11x16 one all under roof. 24x36 block shop/double garage. Buildings set on two 50x100 lots and there is a third lot 50x1200 that is open. Porch is part of the square footage of the home. Mobile is 12x56. Has been a solid rental history for the last four years. Located in the quiet town of Metolius just minutes from Lake Billy Chinook and many other lakes. Includes 24x36 shop, 11x16 shop, 10x10 office, 10x10 workshop, 10x10 shop. $500,000. 530-549-6130. Reg. #1199049

FOR SALE: Sacramento, CA 95834 530-232-4918 Reg. #0685503

Teichert opens new plant in Marysville

DeSilva Gates pushes forward on Hwy. 70's McGowan housing development. Teichert's Hallwood plant runs strong as does its new plant in Marysville. Baldwin still works a full crew in Hallwood. The Holt Brothers' shops stay busy. Baldwin's project on Hwy. 99 south of Yuba City goes strong. The ACC/West Coast Bridge project on Hwy. 70 in the Feather River Canyon moves forward and will continue through the winter if the weather permits. Baldwin has a paving job in Plumas County east of Quincy nearing completion, and it recently started a project on Hwy. 89. Caltrans prepares for winter but will be short-handed because of budget and state funding conditions. DeSilva Gates' hot plant on Dan Toni Road in Marysville will be running soon. Collet Construction finishes the Beale Air Force job with hopes of starting the second phase after winter. God bless and be safe.

Third season for Olmstead Flowline project on Provo Canyon

It was a busy summer for District 12 with numerous contracts negotiated, including all of the large construction companies. We thank Vice President Bob Miller for his time, effort and expertise during negotiations. He was instrumental in setting the contracts with the large construction companies. Now we are moving ahead with our plans to put everyone in the state under one master construction agreement.

There are only a few large-scale road construction projects in Utah, but it seems there is enough work to keep most District 12 members working.

Ames Construction winds down its State Road 20 project south of Beaver, Utah, with only a few Local 3 members remaining on the job. Other Ames projects include the Home Depot site in American Fork, a housing development on the Ranches Golf Course at Eagle Mountain and the Promontory development near Park City.

Geneva Rock Products crews stay busy in central Utah. The night crew has overlays on State Street from Lehi to Lindon, on Hwy. 6 from the top of Price Canyon to Helper, on Canyon Road in Spanish Fork, as well as bridge overlays on I-15.

Dam repairs and water projects help keep the members off the water storage site at the Point of the Mountain and a housing development near Herriman.

Frehner Construction stayed busy this summer with the dam modification project at Deer Creek Reservoir, which is scheduled for completion in early 2004. Malcolm Drilling, a company from Washington, is onsite with Frehner installing caissons and tie-backs so the walls can be lagged and 100 feet of material at the dam's toe can be removed and replaced with new material. Malcolm kept two of our local crane operators busy on the project. At one point during the project, Frehner operated two shifts to remove the material at the toe, but during the drilling it scaled back to one.

Granite Construction works on a number of projects in northern Utah, including work on I-80 toward Wendover, runway construction at Dagway Proving Ground, road work in Heber City and tailings removal in American Fork Canyon.

Financial Secretary Lewis sworn in

Retired Local 3 Business Manager and International Vice President Dale Marr swore in Financial Secretary Harold K. Lewis Sept. 22 in the District 17 office. Many dignitaries attended the ceremony, including state Reps. Marcus Oshiro and Mike Magouy, state Sens. Brian Kanno and Melodie Andujar, Councilman Mike Gabbard, Councilwoman Ann Kobayashi, Laborers' Business Manager Ben Sagaiho and Building and Construction Trades Council Executive Director Buzzy Hong.

Hands-on training

Payton Chang, Ernest Oliveto, Mickey Spieler, Rene Nillo, Paul Galvez, Caros Verrnes, Eugene Casuga, Kyle Spilker, Wayne Kalani, Stoney Samson, Scott Ah Yen, Patrick Okawa and Mark Pinho attended the Driver Improvement Class on Oahu Sept. 19 and Sept. 20. In accordance with new laws on "Protection Against Shifting and Falling Cargo," the class specified working load requirements, cargo and securement devices, tiedowns, blocking, bracing, preventing leaking, spilling and material blowing or falling from commercial motor vehicles (CMVs).

Operators install wind turbines in Uinta County

Wyoming is having a busy autumn. Members work hard installing 80 wind turbines for the $140 million Uinta County Wind Farm project. The towers stand 70 meters above the windswept plains northeast of Evanston. The turbines are made in Denmark by Vestas and cost $1 million before installation. The turbines have three blades, which are 135 feet long. Each turbine generates 1.8 megawatts of electricity and can begin generating electricity with wind speeds as low as seven miles per hour.

Granite Construction works a second shift at Point of Rocks and hopes to have the job at the Jim Bridger Power Plant completed by December. Gregory & Cook works on the Analog Pipeline, covering 120 miles between Midwest and Barroll, Wyo. US Pipeline finishes the Williams pipeline project at Rock Springs and Kemmerer. Our shops, including Wyoming Machinery, Guernsey Stone and DSW Crane, are keeping busy with the fall season.

District 15 hopes our members have a great November. If you need assistance, please call the district office at (307) 265-1397.